

Ordinary Council Meeting

27 January 2021

Minutes



Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

Agendas and Minutes are available on the City's website www.kwinana.wa.gov.au

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Present:

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

MR W JACK	-	Chief Executive Officer
MRS B POWELL	-	Director City Engagement
MRS M COOKE	-	Director City Development and Sustainability
MRS A NICHOLAS	-	Acting Director City Infrastructure / Acting Director City Business
MS A MCKENZIE	-	Council Administration Officer

Members of the Press 0
Members of the Public 3

1 Opening and announcement of visitors

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

2 Acknowledgement of country

Presiding Member read the Acknowledgement of 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 Sandra Lee read the dedication

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

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

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

Apologies

Nil

Leave(s) of Absence (previously approved):

Nil

5 Public Question Time

Nil

6 Receiving of petitions, presentations and deputations:

6.1 Petitions:

Nil

6.2 Presentations:

Nil

6.3 Deputations:

Nil

7 Confirmation of minutes

7.1 Ordinary Meeting of Council held on 16 December 2020:

COUNCIL DECISION

332

MOVED CR D WOOD

SECONDED CR M KEARNEY

That the Minutes of the Ordinary Meeting of Council held on 16 December 2020 be confirmed as a true and correct record of the meeting.

CARRIED
8/0

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

Mayor Carol Adams declared an impartiality interest in item 17.1, Joint Development Assessment Panel Application for 34 Multiple Dwellings – Lot 101 (3) Johnson Road Bertram due to being a member of the Metro Outer Assessment Joint Development Panel whom will consider this item in due course.

Councillor Matthew Rowse declared an impartiality interest 17.1, Joint Development Assessment Panel Application for 34 Multiple Dwellings – Lot 101 (3) Johnson Road Bertram due to being a member of the Metro Outer Assessment Joint Development Panel whom will consider this item in due course.

9 Requests for leave of absence

COUNCIL DECISION

333

MOVED CR S WOOD

SECONDED CR W COOPER

That Councillor Merv Kearney be granted a leave of absence from 6 February 2021 to 12 February 2021 inclusive.

That Councillor Sandra Lee be granted a leave of absence from 5 March 2021 to 19 March 2021 inclusive.

**CARRIED
8/0**

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

Nil

11 Any business left over from previous meeting

Nil

12 Recommendations of committees

Nil

13 Enbloc reports

Nil

14 Reports - Community

Nil

15 Reports – Economic

Nil

16 Reports – Natural Environment

Nil

17 Reports – Built Infrastructure

17.1 Joint Development Assessment Panel Application for 34 Multiple Dwellings – Lot 101 (3) Johnson Road Bertram

DECLARATION OF INTEREST:

Mayor Carol Adams declared an impartiality interest due to being a member of the Metro Outer Assessment Joint Development Panel whom will consider this item in due course.

Councillor Matthew Rowse declared an impartiality interest due to being a member of the Metro Outer Assessment Joint Development Panel whom will consider this item in due course.

SUMMARY:

The City of Kwinana (the City) has received an application for 34 Multiple Dwellings at Lot 101 Johnson Road, Bertram (the subject site). The proposal is for five double storey building blocks containing one and two bedroom dwellings across the site (refer to Attachments 1 and 2 of the Responsible Authority Report: Attachment A). The application has been assessed against relevant planning legislation and is considered to meet the requirements of the City's Local Planning Scheme No. 2 (LPS2).

As the estimated development cost of this application is in excess of \$2 million (estimated cost of this development is \$4.09 million), the applicant has opted to pursue this application through the Joint Development Assessment Panel. The application is therefore required to be referred to the Metro Outer Joint Development Assessment Panel (JDAP) for determination. City Officers have prepared the attached Responsible Authority Report (RAR) in accordance with the *Planning and Development (Development Assessment Panels) Regulations 2011*. The RAR is attached for Council's consideration and adoption.

OFFICER RECOMMENDATION:

That Council resolve to support the development application for 34 Multiple Dwellings at Lot 101 Johnson Road, Bertram as per the recommendation outlined in the Responsible Authority Report (Attachment A) to the Metro Outer Joint Development Assessment Panel.

DISCUSSION:

The subject application is for 34 Multiple Dwellings on Lot 3 (101) Johnson Road, Bertram. The property is surrounded by established residential (R20) zoned land with the proposed dwellings obtaining access from Johnson Road.

Key elements of the proposed development are as follows:

- 34 dwellings distributed across 5 two-storey buildings (referred to as 'Blocks');
- 30 two-bedroom and 4 one-bedroom dwellings, including 7 Universal Design dwellings at the ground floor level (Block A and B);
- 36 car bays for residents and visitors;
- 16 resident bicycle bays and 5 visitor bicycle bays.
- A communal open space area located centrally (to the site to retain existing vegetation) and distributed across both a ground floor and first floor space.

17.1 JOINT DEVELOPMENT ASSESSMENT PANEL APPLICATION FOR 34 MULTIPLE DWELLINGS – LOT 101 (3) JOHNSON ROAD BERTRAM

The development plans can be seen in Attachment 1 of the RAR.

The subject site is zoned Residential R40 under LPS2 and is currently vacant. A number of significant, established trees exist on the site, with the majority proposed to be retained as part of this development. The proposed Multiple Dwellings are distributed across five, two storey buildings with vehicle access being obtained via a crossover from Johnson Road.

The application has been advertised to all owners and occupiers of properties within 50 metres of the subject site and has also been referred to various external agencies and government departments. The matters raised in responses are further discussed in the RAR.

As the estimated development cost exceeds \$2 million (estimated cost of this development is \$4.09 million) and the applicant has opted to have the application determined by the JDAP, the application is required to be referred to the JDAP for determination. The application is scheduled to be considered by the JDAP at a meeting in early February 2021. The City is required to submit the RAR to the DAP Secretariat on 29 January 2021.

The application has been referred to Council prior to the lodgement of the RAR, as City Officers do not have delegation to prepare the RAR under the *Planning and Development (Development Assessment Panel) Regulations 2015*. In the event that Council wishes to modify or make an alternative recommendation to that contained within the RAR, this will form a separate recommendation to that of Officers in the RAR for JDAP's consideration.

Site History:

An application for 34 Multiple Dwellings was previously approved by Council on the subject site in 2013 (City Reference: DA7520). During the application process, the following matters in relation to DA7520 were discussed at a Councillor Workshop:

- The density of the proposed development
- The likelihood of Public Housing being located on the site.
- The possibility of additional parking either within the site or the Johnson Road reserve
- Provision of additional landscaping to be shown on the plans to soften impacts on the adjoining property owners.
- Minimisation of overshadowing

Following this workshop, the applicant amended the plans to address some of the concerns raised by Council. City Officers noted that the proposal met all planning requirements applicable at the time. The approved plans can be seen in Attachment 4 of the RAR.

This approval has lapsed and new planning legislation has since been released for multiple dwelling (apartment) developments. This new legislation is known as State Planning Policy 7.3 – Volume 2: Apartments and was gazetted in May 2019. This legislation is now required to be considered in the assessment of all multiple dwelling (apartment) applications. A detailed planning assessment and additional discussion is provided in the attached RAR.

17.1 JOINT DEVELOPMENT ASSESSMENT PANEL APPLICATION FOR 34 MULTIPLE DWELLINGS – LOT 101 (3) JOHNSON ROAD BERTRAM**Conclusion**

It is considered that the development will contribute positively to the locality and will enhance the streetscape amenity by providing housing diversity and a high quality development that promotes good design. The proposed development is located within close proximity to public transport with a bus stop located adjacent to the site and the Kwinana train station being located less than 900 metres from the site. The application meets statutory requirements for the site. As such, it is recommended that the application be approved subject to appropriate conditions.

LEGAL/POLICY IMPLICATIONS:

For the purpose of Councillors considering a financial or impartiality interest only, the proponent is Harden Jones Architects and the land owner is Renel Pty Ltd/Fred Witting.

Legislation

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

Local Planning Scheme

- City of Kwinana, Local Planning Scheme No. 2

State Planning Policies

- State Planning Policy 7.3 – Residential Design Codes Volume 2 - Apartments
- State Planning Policy 3.7 - Planning in Bushfire Prone Areas

Local Planning Policies

- Local Planning Policy No. 4 – Administration of Development Contribution Plans
- Local Planning Policy 5 – Development Contribution Towards Public Art
- Local Planning Policy 8 – Designing Out Crime

FINANCIAL/BUDGET IMPLICATIONS:

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

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

A Landscaping Plan has been submitted as part of the application. Seven (7) of ten (10) established trees on the site are proposed to be retained, as per an arborist report that is attached to the RAR.

17.1 JOINT DEVELOPMENT ASSESSMENT PANEL APPLICATION FOR 34 MULTIPLE DWELLINGS – LOT 101 (3) JOHNSON ROAD BERTRAM

STRATEGIC/SOCIAL IMPLICATIONS:

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

Plan	Outcome	Objective
Strategic Community Plan	A 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 proposed Multiple Dwelling is a discretionary land use under LPS2 that is required to be advertised for public comment. The application was therefore advertised to all property owners and occupiers within 50 metres of the site for a period of 21 days. Eight submissions were received objecting to various elements of the proposal. The outcomes of advertising are further discussed in the attached RAR and a Schedule of Submissions forms Attachment 9 to the RAR.

PUBLIC HEALTH IMPLICATIONS:

The recommendation of this report have the potential to help improve the Built Environment – Environmental Quality and Neighbourhood Amenity.

RISK IMPLICATIONS:

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

Risk Event	Appeal of the JDAP's decision or conditions of approval imposed.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements Providing inaccurate advice/ information.
Risk Effect/Impact	Reputation Compliance
Risk Assessment Context	Strategic
Consequence	Minor
Likelihood	Possible
Rating (before treatment)	Medium

17.1 JOINT DEVELOPMENT ASSESSMENT PANEL APPLICATION FOR 34 MULTIPLE DWELLINGS – LOT 101 (3) JOHNSON ROAD BERTRAM

Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Work instructions in place and checklists used when assessing the application. The recommendation on the application is justified on the basis of compliance with the Local Planning Scheme, and the discretion afforded to the JDAP to vary these documents. Liaising with the applicant throughout the application process.
Rating (after treatment)	Low

COUNCIL DECISION

334

MOVED CR M KEARNEY

SECONDED CR S LEE

That Council resolve to support the development application for 34 Multiple Dwellings at Lot 101 Johnson Road, Bertram as per the recommendation outlined in the Responsible Authority Report (Attachment A) to the Metro Outer Joint Development Assessment Panel.

**CARRIED
5/4**

FOR

Mayor Carol Adams, casting vote used
Councillor Merv Kearney
Councillor Sandra Lee
Councillor Matthew Rowse

AGAINST

Deputy Mayor Peter Feasey
Councillor Wendy Cooper
Councillor Dennis Wood
Councillor Sherilyn Wood

NOTE – The Council raised concerns with the development with regards to the following:

- Parking, including the number of visitor bays allocated
- Potential traffic issues
- Johnson Road is a single carriage road and not suitable for such a development
- There only being a single entry/exit
- Overshadowing
- Visual privacy
- Site lines

Lot 101 (3) Johnson Road Bertram – 34 Multiple Dwellings

Form 1 – Responsible Authority Report (Regulation 12)

DAP Name:	Metro-Outer	
Local Government Area:	City of Kwinana	
Applicant:	Giles Harden Jones/Harden Jones Architects	
Owner:	Renel Pty Ltd/Fred Witting	
Value of Development:	\$4.09 million <input type="checkbox"/> Mandatory (Regulation 5) <input checked="" type="checkbox"/> Opt In (Regulation 6)	
Responsible Authority:	City of Kwinana	
Authorising Officer:	Senior Planning Officer	
LG Reference:	DA9805	
DAP File No:	DAP/20/01881	
Application Received Date:	27 October 2020	
Report Due Date:	29 January 2021	
Application Statutory Process Timeframe:	90 Days	
Attachment(s):	1. Development Plan Set 2. Site Context Plans 3. Perspectives 4. Previous Approved Plans 5. Arborist Report 6. Bushfire Management Plan 7. Landscaping Plan 8. Planning Assessment SPP 7.3 R-Codes Volume 2- Apartments 9. Schedule of Submissions 10. Council Minutes	
Is the Responsible Authority Recommendation the same as the Officer Recommendation? <i>This section to be completed following council meeting</i>	<input type="checkbox"/> Yes	Complete Responsible Authority Recommendation section
	<input type="checkbox"/> No	Complete Responsible Authority and Officer Recommendation sections

Responsible Authority Recommendation

That the Metro – Outer JDAP resolves to:

- Approve** DAP Application reference DAP/20/01881 and accompanying plans:
 Drawing No: A.001 – Feature Survey
 Drawing No: A.002 – Site Plan
 Drawing No: A.201 – Ground Floor Plan
 Drawing No: A.202 – First Floor Plan
 Drawing No: A.203 – Roof Plan

Drawing No: A.204 – Floor Plan 1
 Drawing No: A.205 – Floor Plan 2
 Drawing No: A.206 – Floor Plan 3
 Drawing No: A.207 – Floor Plan 4
 Drawing No: A.208 – Floor Plan 5
 Drawing No: A.401 – Elevation Plan 1
 Drawing No: A.402 – Elevation Plan 2
 Drawing No: A.403 – Elevation Plan 3
 Drawing No: A.404 – Elevation Plan 4
 Drawing No: A.405 – Elevation Plan 5
 Drawing No: A.300 – Solar Plan 1
 Drawing No: A.301 – Solar Plan 2
 Drawing No: A.302 – Ventilation Plan 1
 Drawing No: A.303 – Ventilation Plan 2
 Drawing No: A.501 – Shadow Diagram
 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and Clause 6.1 of the City of Kwinana Local Planning Scheme No. 2, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. The proponent shall meet the requirements of Local Planning Policy No.5 – Development Contribution Towards Public Art (LPP5) through one of the following options:
 - a. Prior to the lodgement of a building permit, submit a Public Art Report in accordance with LPP No. 5 to the City of Kwinana that details the public art to be developed as a component of the development. Prior to the occupation of the development, the approved artwork shall be installed on site to the satisfaction of the City of Kwinana; or
 - b. Prior to the occupation of the development, the proponent shall provide a financial contribution of \$40,900 (1% of the development cost) to the City of Kwinana in lieu of installing art work on site to the satisfaction of the City of Kwinana.
3. Prior to occupation of the proposed development, the proponent shall submit a Mosquito & Midge Management Strategy for approval by the City of Kwinana.
4. Arrangements being made with the City of Kwinana to the satisfaction of the Western Australian Planning Commission, for the landowner/applicant to contribute towards the costs of providing community infrastructure as established through Amendment 145 (when gazetted) to the City of Kwinana Local Planning Scheme No. 2.
5. Prior to occupation of the proposed development, the landowner/applicant contributing towards development infrastructure provisions pursuant to the City of Kwinana Local Planning Scheme No. 2.
6. Prior to the commencement of site works, fencing in accordance with AS 4970-2009 is to be installed and maintained for the duration of all development works

around retained trees as identified in Figure 1 of the Preliminary Tree Survey Report prepared by David Cuddihy, dated 18/10/2020 to the satisfaction of the City of Kwinana; and,

The recommendations of the Preliminary Tree Survey Report prepared by David Cuddihy, dated 18/10/2020 to be implemented to the satisfaction of the City of Kwinana.

7. The applicant shall implement dust control measure for the duration of site works to the satisfaction of the City of Kwinana.
8. Prior to the submission of an application for building permit, a lighting plan for the following areas is to be submitted to and approved by the City of Kwinana:
 - a) Pathways;
 - b) Communal open space;
 - c) Pedestrian and vehicle entry points; and
 - d) Vehicle access and car parking area.
9. Prior to the submission of an application for building permit, the Waste Management Plan prepared by Harden Jones Architects (Rev A) and dated 09/12/2020 is to be amended to the satisfaction of the City of Kwinana; and

The approved Waste Management Plan shall be implemented thereafter, prior to the occupation of the development, to the satisfaction of the City of Kwinana.

10. Prior to the submission of an application for building permit, the plans are to be amended to show car parking bay no.22 being relocated to be a tandem arrangement with car parking bay no.36.
11. Prior to the submission of an application for building permit, the plans are to be amended to be consistent with the approved landscaping plan, specifically in relation to the design of the outdoor living paved area for Units 6 and 7.
12. All bin storage areas are to be constructed of the same design and materials as the Multiple Dwellings to the satisfaction of the City of Kwinana.
13. Prior to the submission of an application for building permit, an Energy Efficiency Plan demonstrating adoption of at least one (1) energy efficiency initiative is to be submitted to and approved by the City. The approved Energy Efficiency Plan shall be implemented thereafter prior to the occupation of the development to the satisfaction of the City of Kwinana.
14. Prior to the submission of an application for building permit, details of all external fixtures, utilities and facilities (including the location and size of plant equipment, vents, water heaters and air conditioning units) are to be submitted to and approved by the City; and

Prior to occupation of the development, all external fixtures, utilities and facilities are to be installed in accordance with the approved details and adequately screened from view from surrounding streets and residents or public realm, and integrated into the design of the development to the satisfaction of the City.

15. Prior to submission of a building permit, the landscaping plan is to be amended to indicate the following to the satisfaction of the City of Kwinana:

- a. Vegetation on trellis wire where noted on the plan no. A202 adjacent to the Common Area and 'Block E' dwellings.
- b. Additional 'Small' trees (100L) on the north, east and southern boundaries.

The Landscaping shall be installed in accordance with the approved Landscaping Plan (as amended) prior to the occupation of the development and maintained thereafter to the satisfaction of the City of Kwinana.

16. Prior to occupation of the development permanent fixed and obscure glazing is to be installed for all major openings indicated on the approved plans to be screened and/or installed with white glass to 1.65m to the satisfaction of the City of Kwinana.
17. Prior to the occupation of the development, vehicle parking bays are to be constructed in accordance with AS2890, clearly marked on the ground and drained prior to occupation of the development to the satisfaction of the City of Kwinana.
18. Prior to the occupation of the development, two on site visitor parking bays are to be sign posted and thereafter maintained to the satisfaction of the City of Kwinana.
19. Prior to occupation of the development, electric clothes drying facilities shall be provided for all multiple dwellings to the satisfaction of the City of Kwinana.
20. The development shall at all times comply with the requirements and recommendations of the Bushfire Management Plan prepared by Working On Fire Planning Pty Ltd and dated 16 December 2020, reference number: 20200908 (Rev 2) to the satisfaction of the City of Kwinana.
21. Stormwater is to be contained and disposed of on site to the satisfaction of the City of Kwinana.
22. The crossover is to be constructed to the satisfaction of the City of Kwinana. The existing footpath is to remain in place as it currently exists and the crossover to tie in with it.
23. Vehicle parking is not permitted within the Johnson Road reserve.

Advice Notes

1. In regards to the Mosquito and Midge contribution condition, the applicant is advised to contact the City of Kwinana Environment and Health Department for further information and the current cost contribution.
2. In relation to the amended Waste Management Plan, this plan is to reflect the current development layout, which addresses the management, maintenance, location of bin storage and collection facilities and, details of public liability insurance to cover damages and injury that may occur as the result of waste collections carried out by the City of Kwinana's contractor shall be submitted to and approved by the City of Kwinana prior to the lodgement of a building permit application for the development.

3. The applicant is advised that under section 51C of the Environmental Protection Act 1986 (EP Act), clearing of native vegetation is an offence unless undertaken under the authority of a clearing permit, or the clearing is subject to an exemption. Exemptions for clearing that are a requirement of written law, or authorised under certain statutory processes, are contained in Schedule 6 of the EP Act. Exemptions for low impact routine land management practices outside of environmentally sensitive areas (ESAs) are contained in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (the Clearing Regulations). You are advised to contact the Department of Water and Environment Regulation for further information.
4. The applicant 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.
5. The applicant should ensure the proposed development complies with all other relevant legislation, including but not limited to, the Environmental Protection Act 1986 and Regulations, Health (Miscellaneous Provisions) Act 1911 and Regulations, and the National Construction Code.
6. The applicant is advised that the Minister for Planning has issued a formal notice extending the deadline for substantial commencement by an additional two (2) years for all applications approved during the current State of Emergency. In effect, this means that the timeframe for substantial commencement is now four (4) years from the date of this determination.

Reasons for Responsible Authority Recommendation

This section is to be completed where the Council resolution differs from the Officer recommendation. Council reasons are to be outlined here.

Details: outline of development application

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Urban
Local Planning Scheme	City of Kwinana Local Planning Scheme No.2
Local Planning Scheme - Zone/Reserve	Residential R40
Structure Plan/Precinct Plan	Casuarina Local Structure Plan (May 1998)
Structure Plan/Precinct Plan - Land Use Designation	N/A
Use Class and permissibility:	Multiple Dwelling – SA
Lot Size:	4068m ²
Existing Land Use:	Vacant Land
State Heritage Register	No
Local Heritage	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area

Design Review	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other
Bushfire Prone Area	Yes
Swan River Trust Area	No

Proposal:

Proposed Land Use	Multiple Dwellings
Proposed Net Lettable Area	N/A
Proposed No. Storeys	2
Proposed No. Dwellings	34

The subject application is for 34 Multiple Dwellings on Lot 3 (101) Johnson Road, Bertram (subject site). The property is surrounded by established residential zoned land with the proposed dwellings obtaining access from Johnson Road. The site is currently vacant.

Key elements of the proposed development are as follows:

- 34 dwellings distributed across 5 two-storey buildings (referred to as 'Blocks');
- 30 two-bedroom and 4 one-bedroom dwellings, inclusive of 7 Universal Design dwellings at the ground floor level (Block A and B);
- 36 car bays for residents and visitors;
- 16 resident bicycle bays and 5 visitor bicycle bays;
- A multi-storey communal open space area located in the middle of the site;
- One central vehicle access point; and
- 3 bin stores.

The development plans can be seen in Attachments 1 and 3.

Background:

Site Context

The subject site is 4068 square metres in size and is currently vacant. A number of significant, established trees exist on the site. The proposed Multiple Dwellings are distributed across five, two storey buildings with vehicle access being obtained via a crossover from Johnson Road.

Johnson Road is a north-south distributor road which extends through the suburb of Bertram, running parallel to the Kwinana freeway. The subject site is zoned Residential R40 under the City of Kwinana Local Planning Scheme No.2 (LPS2). In terms of existing context, the subject site borders onto established Residential R20 zoned properties to the north, east and south. These established R20 lots range between 500 to 550 square metres in area. See Attachment 2 showing the site context.

Site History

The relevant historical events relating to the subject site is listed below:

January 2013

A Development Application (City Reference: DA7520) for 34 two storey Multiple Dwellings at the subject lot was approved in January 2013. See Attachment 4 showing the previously approved plans.

It should be noted that the application was approved under the Planning and Development Act 2005 which requires development to be substantially commenced within two years from the date of approval.

January 2017

Since the application was approved in 2013, the proponent requested the City renew the application on two occasions as works on the site had not yet commenced. In January 2017, City Officers issued approval for the application to be renewed and be valid for a further two years. The plans and conditions, as approved under DA7520 in January 2013, were unchanged as part of this renewal.

The above application has now expired and the subject application with a revised design has been submitted considering new State Planning Policy has recently been released in relation to the development of apartments. State Planning Policy 7.3 – Volume 2: Apartments was gazetted in May 2019 and is required to be considered in the assessment of all multiple dwelling (apartment) applications.

Legislation and Policy:

Planning and Development (Local Planning Schemes) Regulations 2015

Development approval is required in accordance with Clause 60 of Schedule 2 ('Deemed Provisions') of the Planning and Development (Local Planning Schemes) Regulations 2015 ('the Regulations 2015'); as the proposed use and works are not exempt from approval under Clause 61 of the deemed provisions.

City of Kwinana Local Planning Scheme No.2

The application has been considered under the relevant requirements of the City's Local Planning Scheme No. 2 (LPS2). Further commentary is provided in the Planning Assessment section.

State Government Policies

- State Planning Policy 3.7 – Planning in Bushfire Prone Areas:
The application was considered against this State Planning Policy as the subject lot is within a Bushfire Prone Area. A Bushfire Management Plan was provided and referred to the Department of Fire and Emergency Services for comment.
- State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments (R-Codes Vol.2):
The application was considered with regard to the applicable element objectives for multiple dwellings as outlined within the R-Codes Vol.2. Further commentary is provided in the Planning Assessment section below.

Local Planning Policies

- Local Planning Policy No. 4 – Local Planning Policy 4 Administration of Development Contribution Plans:

The application was considered against this Local Planning Policy as the proposed development is affected by Development Contribution Areas as detailed in Schedule V of the Scheme. This is further discussed in the Planning Assessment below.

- Local Planning Policy No. 5 – Development Contribution towards Public Art:
The application was considered against this Local Planning Policy as the proposed development is valued greater than \$2 million. This is further discussed in the Planning Assessment below.
- Local Planning Policy No. 8 – Designing Out Crime:
The application was considered to meet the relevant provisions of this Local Planning Policy for CPTED design.

Consultation:

Public Consultation

The application was advertised to all landowners (via mail out) within 50 metres of the subject site for a period of 21 days. A total of eight submissions were received during the advertising period. All submissions raised various concerns in relation to the proposed development. A Schedule of Submissions can be found in Attachment 9. The issues raised within the submissions are summarised in the table below.

Issue Raised	Officer comments
Traffic: 1. Concerns were raised in relation to the increased traffic in the area that will be generated as a result of this development. 2. Concerns were raised that an increase in traffic on Johnson Road (which is currently a busy road) will increase noise and light spill impacts on existing dwellings. 3. Submitters noted congestion on Johnson Road is commonly a result of the bus stopping at the bus stop that is directly opposite the proposed development. Concerns raised that the proposed development will generate excessive traffic and congestion that would pose a safety issue on residents living in the area. 4. Concerns were raised in relation to an increase in vehicle pollution caused by every residence in a small land area.	1. The proposed development provides parking in accordance with the acceptable outcomes of the R-Codes Volume 2. A total of 36 parking bays are provided on site. The existing road network is considered to be adequate to accommodate for an additional 36 vehicles. 2. City Officers acknowledge that the proposed development will likely increase vehicle noise and light spill as compared to the current situation. However, the subject site has been zoned R40 and is capable of such development. Regardless, noise and light spill are matters that are regulated under the Environmental Protection Regulations. 3. As previously outlined, the existing road network is considered to be adequate to accommodate for an additional 36 vehicles. It should be noted that the proposal encourages other forms of transport such as cycling with each unit having a bicycle storage area. 4. Vehicle pollution is not a planning matter.

<p>Parking:</p> <ol style="list-style-type: none"> 1. Concerns identified there is limited off street parking available in the existing residential area and the proposed development will make an existing parking situation worse. 2. Concerns were raised in relation to the proposed development and that it will make parking difficult for visitors of existing residents in the neighbourhood. 3. Concerns were raised that there is no parking on Johnson Road, enhancing traffic safety issues. 4. A submitter requested that 'Block E' (first floor) be removed and 'Block D' removed altogether to reduce the number of dwellings which in turn would address concerns regarding insufficient car parking on site as there would be fewer dwellings. 	<ol style="list-style-type: none"> 1. The total number of parking bays being provided on the site is consistent with the R-Codes Volume 2. Two visitor parking bays are provided on the site. A condition is added to ensure vehicle parking is not within the Johnson Road reserve. 2. The proposed development is not envisaged to impact on visitor parking for residents in the neighbourhood. As outlined above, visitor parking bays are provided within the site. 3. The City's Engineering Department have confirmed that parking within the Johnson road reserve is not possible due to the width of the road reserve and services within the reserve. Parking in the road reserve would create a safety issue. 4. The proposed density of the development is considered to meet the objectives of the R-Codes Volume 2. See the planning assessment below for further commentary.
<p>Tree Retention/Landscaping:</p> <ol style="list-style-type: none"> 1. Submitters stated that existing trees on the site attract bird species all year round and add aesthetic value to the existing neighbourhood and therefore development on the subject site must retain existing vegetation. 2. Concerns were raised in relation to the proposed plans that indicate trees to be retained in the centre of the site - the trees are much larger than indicated on the plans. The 'Block D' units will impact on the trees to be retained in the common area. The proposal for an 82m² common area to retain the existing trees is unrealistic as these existing trees are very large and have a significant span that is relatively low to the ground. 	<p>Refer to the discussion below in this report under the heading: Tree Canopy and Deep Soil Areas:</p> <ol style="list-style-type: none"> 1. The applicant provided an arborist report (refer to Attachment 5) to confirm that the retention of 7 of 10 existing trees is possible with the proposed development design. 2. A condition is added for the provision of an increased number of 100 Litre (small trees up to 8m) to be provided on the site and indicated on the Landscaping Plan. 3. As outlined above, a qualified arborist has provided a report that confirms the proposal for tree retention is feasible. The City's Landscape Architects have also reviewed the Landscape Plan and did not raise any further concerns in this regard.

<p>3. The landscaping plan indicates trees on the perimeter of the development. Concerns were raised that the number of trees indicated on the perimeter is insufficient and a higher quantity of mature trees is to be planted to assist with reducing impacts of privacy on adjoining lots, specifically applicable in relation to the balcony from Unit 28.</p> <p>4. A submitter recommended the tree retention issue (as per point 2 above) be resolved by removing 'Block D' from the plan. This would provide greater space for a better implemented common space that does not adversely impact retained trees.</p>	
<p>Overshadowing:</p> <p>1. Concerns were raised in relation to overshadowing to the south that will impact on the outdoor living area and vegetation on the adjoining properties.</p> <p>2. Concerns were raised that the proposed development is not in keeping with Objective 3.2.2 of the R-Codes, Volume 2. Overshadowing from the proposed development impacts on the entire backyard and outdoor living area on the adjoining properties to the south. The overshadowing will also impact on the use of the adjoining property backyard areas including vegetable gardens and clothes drying areas.</p> <p>3. Concerns were raised that overshadowing from the proposed development prevents winter sun from entering the main living area and habitable rooms on the adjoining property dwellings, particularly to the south.</p>	<p>The proposal is consistent with the objectives and acceptable outcomes of the R-Codes Volume 2 in relation to overshadowing. See discussion regarding overshadowing in the planning assessment section of this report.</p>

<p>4. Concerns were raised in relation to the overshadowing on adjoining properties to the south, which will impact on the practical use and enjoyment of the back yard and major habitable areas in the house.</p> <p>5. A submitter recommended the development design be amended by making Block 'E' single story instead of two (double) storey to reduce impacts of overshadowing.</p>	
<p>Bushfire:</p> <p>1. Concerns were raised in relation to the proposed development and the fact it is located opposite a conservation reserve. The number of dwellings will increase the number of people in the area, which could lead to evacuation issues during a bushfire emergency.</p>	<p>1. A Bushfire Management Plan (BMP) was submitted as part of the application. The BMP was referred to the Department of Fire and Emergency Services for comment and meets relevant bushfire planning requirements as required under State Planning Policy 3.7.</p>
<p>Density:</p> <p>1. Concerns were raised that the proposed development is out of character with the existing, much less dense, family oriented development that characterises the area.</p> <p>2. Submitters stated the development plans indicate a plot ratio of 0.57, where 0.6 is permitted, showing this development is at the upper limit. Concerns were raised that the proposed development is not in keeping with the local context of single level family homes.</p> <p>3. Concerns were raised that the proposal is the most dense apartment development in the Kwinana area (apart from Wellard Village). The proposed development would be better suited closer to a train station</p>	<p>1. The proposal for 34 multiple dwellings is consistent with the R40 zoning of the lot. The intention of this lot is to provide for dwelling diversity which is a key planning principle. Further discussion on Density can be seen in the Planning Assessment section of this report below.</p> <p>2. As above – see Planning Assessment Section below.</p> <p>3. The proposed development is opposite a bus station and less than 900 metres from the Kwinana train station. Furthermore, a similar zoned, vacant R40 lot is located only 300 metres north of the site and has potential for similar type of development.</p> <p>4. The proposed development is double storey. Although all existing dwellings in the near locality are single storey, they are permitted to be double storey. The City promotes diversity of dwelling types which includes the provision of one and two bedroom dwellings as well as single and double storey designs. However there is no requirement in LPS2 or</p>

<p>and a proposal with fewer dwellings would be better suited in this context.</p> <ol style="list-style-type: none"> Concerns were raised that the proposal is out of character with the existing neighbourhood and will become an eyesore. A submitter stated that 34 dwellings means at least 75 people in a small space which is too many people in a small space and will have adverse impacts on the area. Concerns were raised in relation to the density of the proposed development which could impact on the local primary school in the area which lacks the room to expand. Concerns were raised that the proposed development will have a large volume of people living closely together, which can have negative social impacts. 	<p>planning policy that requires this outcome.</p> <ol style="list-style-type: none"> The proposed density of the development is consistent with the objectives of the R-Codes Volume 2, in relation to plot ratio. Further discussion on this can be seen in the planning assessment section. The proposal is for one and two bedroom dwellings. This type of development would generally not support larger families that could impact on the capacity of the local primary school. The proposed development is designed to incorporate significant landscaping and a communal area that is central to the site. These design elements seeks to promote passive surveillance which in turn reduces negative social impacts. The development has been considered against the City's CPTED policy that incorporates design elements seeking to achieve greater passive surveillance of common areas while providing adequate private living areas to reduce negative social impacts. <p>As mentioned in a number of points above, refer to the Planning Assessment section of this report for further discussion on the matter of density.</p>
<p>Amenity & Building Design:</p> <ol style="list-style-type: none"> A submitter requested clarity on the plans submitted as part of the application which indicate four pillars to the rear of the property. Concerns were raised that the proposed development will dominate private open space and negatively impact on the visual amenity of adjoining properties due to the bulk of the development. Concerns were raised that the proposal will impact on the single storey dwellings in the area which currently enjoy views of the natural reserve areas. Concerns were raised in relation to the future of the proposed 	<ol style="list-style-type: none"> The applicant has stated that these pillars are for the parking trellis structure which will have vegetation over. There will be no adverse impact on the adjoining property as it is an unenclosed trellis structure. The proposed development is a maximum of 2 storeys and is generally designed with a variety of finishes and articulations. It is considered that the proposed development generally meets the Element Objectives of the R-Codes Volume 2 in terms of the overall design with some minor elements subject to conditions of approval. It should be noted that the proposed development is generally consistent with the higher R40 zoning than the surrounding R20 zoned development. Double storey development is permitted on R20 zoned lots. Additionally, if the site were to be developed with single storey

<p>development and that it could be a public housing development that could have adverse impacts on the amenity of the area and existing residents.</p>	<p>R20 development, views of the natural reserve area to the west of Johnson Road would still be impacted.</p> <p>4. The proposed development is a private initiative. A variety of 1 bedroom, 2 bedroom and universal accessible dwellings are proposed which will provide for housing diversity – a key planning principle. The ownership of dwellings or tenancy is not a planning matter.</p>
<p>Noise:</p> <ol style="list-style-type: none"> 1. Concerns were raised in relation to the construction of the proposed development which could result in the structural integrity of existing dwellings being compromised and dust and noise from the site adversely impacting adjoining properties. 2. Concerns were raised in relation to the existing dwellings to the east, where the proposed internal driveways extend, will be impacted by noise from vehicles entering and parking within the site. A submitter recommended a limestone block wall to a minimum height of 1800mm be constructed by the developer on the eastern boundary to reduce noise levels. 3. Concerns were raised that the proposal for 34 dwellings on a lot of this size will increase noise levels, thus disturbing the quiet neighbourhood. 4. Concerns were raised in relation to the location of proposed courtyards that are directly adjacent to the eastern boundary and in close proximity to adjoining properties, increase noise impacts on adjoining lots. 5. Additional vehicles using the local road network and entering the site as a result of the development will increase noise levels in this quiet area. 	<ol style="list-style-type: none"> 1. A condition is added to ensure the dust control measures are in place during construction stage. It is considered that noise emissions from the development will not negatively impact on the amenity of the surrounding residential properties. An advice note has been recommended in this report informing the proponent of this development of their obligation under the <i>Environmental Protection (Noise) Regulations 1997</i>. 2. City Officers acknowledge concerns regarding vehicle noise emanating from the site into adjoining property outdoor living areas. It is considered that the boundary fence up to 1.8 metres in addition to landscaping along the eastern boundary (hedging) will reduce impacts of noise. 3. While it is acknowledged logically noise levels could increase as a result of this development in the area, the development is obliged to comply with the <i>Environmental Protection (Noise) Regulations 1997</i>. 4. The courtyards for Unit 12 and 13 are located adjacent to the eastern boundary. Each courtyard is 1.8 metres by 1.8 metres and is designed with a tree (up to 8m tall) and a significant hedge adjacent to the boundary (see landscaping plan). The size of the courtyards and the landscaping proposed will contribute to limiting impacts of noise. 5. See comments above regarding the issue of 'Traffic'.
<p>CPTED:</p> <ol style="list-style-type: none"> 1. A question was raised that if the dwellings promote a lower socio-economic status, who will be 	<ol style="list-style-type: none"> 1. The subject application has been considered against the provisions and principles of the City's Local Planning Policy No. 8 and is considered to comply

accountable for the increase in crime and theft?	therewith. The behaviour of occupants is not a planning matter.
<p>Visual Privacy:</p> <ol style="list-style-type: none"> Concerns raised in relation to properties that are adjoining the proposed development will lose privacy. Submitters proposed no windows or balconies shall overlook adjoining properties. Raised concern that a number of properties will lose a significant amount of privacy specifically due to the design of Units 28, 29, 30 and 31. The balcony for Unit 28 has full line of site into the backyard of 11 and 13 Waterfields Drive. The proposed screening only covers a small corner of the balcony and seems to be visually permeable. The screening is insufficient and provides a full line of sight into adjoining property habitable rooms and outdoor living area. Unit 29/Unit 30: Upper floor windows do not provide adequate privacy. The plan indicates 'white glass' to 1650mm only with the remaining window are remaining clear. This impacts on the privacy on the adjoining lots. There is no indication that these windows open. The submitter requested 'White Glass' be added to the entire height of the windows. Unit 29/Unit 31: The plans indicate a 'hi-light' window that can slide open which will impact the privacy of adjoining lots. The submitter requested 'white glass' on the windows that face directly onto the backyards of all residents along Waterfields Drive. 	<ol style="list-style-type: none"> The applicant has provided amended plans that clearly identify windows to be installed with obscured glazing and balconies that have visually impermeable screening. The installation of permanent screening and/or obscure glazing is recommended as a condition of approval. Concerns relating to impacts of visual privacy on adjoining lots from Units 28, 29, 30 and 31 were relayed to the applicant who amended the plans to incorporate additional screening. The applicant provided amended plans that demonstrate a minimum 1.8 metre high privacy screen (visually impermeable) for a portion of the Unit 28 balcony to satisfactorily reduce impacts of overlooking. The proposed obscure glazing (white glass) up to 1650mm above the floor level is considered adequate and will have minimal impacts of overlooking. A condition is recommended to ensure the applicable windows are fixed (i.e. not openable). All proposed 'hi-lite' windows have a minimum sill height of 1800mm above the floor level to reduce impacts of overlooking. It should also be noted that all windows facing adjoining properties to the south are from bedrooms and where obscured glazing is not proposed, the minimum setback to the boundary is 4.5m as per the relevant Acceptable Outcomes. The development has been designed to have major habitable areas (such as living room and balconies) away from the southern boundary, reducing impacts of visual privacy. <p>This matter is discussed further below under the planning assessment: Visual Privacy.</p>

<p>Property Value:</p> <p>1. Concerns were raised that the proposed development will decrease the value of existing properties in the vicinity.</p>	<p>The matter of a development's impact on surrounding property values is not a planning matter.</p>
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Referrals/consultation with Government/Service Agencies

The application was referred to two external agencies:

- Department of Water and Environmental Regulation (DWER)
- Department of Fire and Emergency Services (DFES)

The key issues that were identified in the referral responses are outlined below.

DFES:

The Department does not object to the proposal, although it recommended that should the City issue planning approval, no exemption will apply to any proposed clearing of remnant vegetation and a clearing permit is required. As identified within the arborist report (see Attachment 5), three of the 10 existing trees on the site are proposed to be cleared. The Department's comments are recommended as an advice note.

DFES:

The subject lot is located within a Bushfire Prone Area and was therefore referred to DFES for comment. DFES provided a response, particularly in relation to the Bushfire Management Plan that was submitted by the applicant. A number of amendments were requested by DFES and have been satisfactorily addressed by the applicant. An assessment of the BMP and State Planning Policy 3.7 has been undertaken and the proposal is considered to be satisfactory from a bushfire planning perspective. The Bushfire Management Plan can be seen in Attachment 6.

Planning Assessment:

City of Kwinana Local Planning Scheme No.2

The subject land is located within the 'Residential' zone of the City's LPS2.

It is noted that the land use: 'Multiple Dwelling' is an 'SA' land use which requires advertising under the LPS2. The proposal was advertised as required, with 8 submissions received.

The subject site has a density coding of R40 under LPS2. This density coding is higher than the surrounding residential development which is coded at R20.

Therefore, the surrounding development is of a consistent pattern of single houses. The addition of Multiple Dwellings is a change to the existing streetscape. However, it is noted that while the dwellings in the locality are predominantly single storey, they are permitted to be two storey. While a row of two storey single houses in an R20 zone would typically have a setback between each dwelling, the staggered setbacks of the multiple dwellings made possible by the use of balconies seeks to break up the building mass and create a more interesting streetscape interface.

Additionally, the residential nature of the land use complements the existing character of the area. In this regard, City Officers note that under the R40 zoning, a possible scenario could be for the development of 18 single storey houses on the site. In this scenario, each dwelling would have up to four bedrooms and two car parking bays. This equates to a total of 36 car parking bays and up to 72 bedrooms compared to the proposed 36 parking bays and 64 bedrooms as part of this subject

application. This demonstrates that the proposed development accommodates for a similar population as the scenario where single storey houses are proposed.

Given the increase in density compared with the surrounding sites, it is considered that this type of development was intended for this larger site. The proposed development contributes to increasing housing diversity within the locale and provides for passive surveillance of the reserve to the west of Johnson Road.

Local Planning Policy No. 4 – Local Planning Policy 4 Administration of Development Contribution Plans

The proposed development is impacted by Development Contribution Areas (DCA's) as detailed in Schedule V of LPS2. As a result, LPP4 applies to the subject land and elaborates on the implementation of the development contribution plans. The City has 15 DCA's and Lot 3 Johnson Road is subject to three DCA's: 1, 7 and 13. DCA's 1-7 relate to development contributions for civil infrastructure such as roads and DCA's 8- 15 relate to contributions for community infrastructure such as local community centres. DCA's 8 – 15 are currently subject to a LPS2 amendment (Amendment 145) so all cost contributions are provisional until the Amendment is gazetted.

This policy requires City Officers to *Impose conditions of planning approval that require the payment of development contributions.*

Therefore, conditions of approval to this effect (for both the community infrastructure and civil infrastructure) are included in the recommendation.

Local Planning Policy No. 5 – Development Contributions towards Public Art

The application was considered against LPP5 as the proposed development is valued greater than \$2 million. This policy requires a public art contribution be provided for new developments valued over \$2 million. The public art contribution requirement can be met in a variety of ways, including the provision of public art on the subject site or on public land, or a financial contribution.

The City considers the policy requirements are relevant to the proposal as it has a reasonable planning purpose and the development is highly visible from the public realm. A condition of approval requiring adherence with the policy is included in the recommendation.

State Planning Policy 7.3 – R-Codes Volume 2:

The application has been assessed against SPP7.3 –Residential Design Codes Volume 2 Apartments (R-Codes Volume 2). A full assessment of the proposed development against R-Codes Volume 2 can be seen in Attachment 8.

Specifically, the following matters have been considered as key considerations for this application:

- Parking
- Tree canopy and deep soil areas:
- Overshadowing:
- Density:
- Visual Privacy:
- Side & Rear Setbacks
- Energy Efficiency

- Waste Management

These matters are discussed below.

Parking

The proposed development is considered to provide sufficient parking and is sufficient with the R-Codes Volume 2 as noted in the table below:

Element objective	Relevant outcome and/or design guidance	Proposal
<p>O3.9.2 -Car parking provision is appropriate to the location, with reduced provision possible in areas that are highly walkable and/or have good public transport or cycle networks and/or are close to employment centres.</p> <p>O3.9.4 – The design and location of car parking minimises negative visual and environmental impacts on amenity and the streetscape.</p>	Table 3.9: Parking Ratio	36 car parking bays are provided on site.

The proposal is consistent with the acceptable outcomes of Element 3.9, with 34 bays and two visitor bays being provided. The proposal is consistent with the objectives of Element 3.9 as the development is within 900 metres of a train station and a bus stop is located adjacent to the site on Johnson Road allowing for reduced car parking. Furthermore, the development is for predominately two bedroom dwellings, with only one car bay per dwelling considered to be a reasonable ratio.

In order to better meet the objectives of Element 3.9, City Officers consider the proposed location of car parking bay no.22 has a negative impact on the amenity and safety for users of the common area. Therefore, a condition is recommended to relocate car parking bay no. 22 to be a tandem arrangement with car parking bay no.36. This design will ensure the number of parking bays on site is not reduced and provides for a greater common area that is safe for all users. This has been verbally discussed with the applicant who has agreed in principle with this condition.

Tree Canopy and Deep Soil Areas:

The proposed development excels in the retention of existing established vegetation on the site as noted in the assessment table below:

Element objective	Relevant outcome and/or design guidance	Proposal

<p>O3.31- Site planning maximises retention of existing healthy and appropriate and protects the viability of adjoining trees</p> <p>O3.3.3 - Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.</p>	<p>Table 3.3a: Minimum Deep Soil Area and Tree Provision Requirements</p>	<p>7 of the 10 existing trees on the development site are proposed to be retained. A detailed Landscaping plan provided.</p> <p>The development proposes a total deep soil area of 11.3% which meets the 7% deep soil area requirements outlined in Table 3.3a.</p>
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The proposal is consistent with the objective of Element 3.3 as the majority of large trees that exist on the site are proposed to be retained. An arborist report has been provided (see Attachment 5) that demonstrates the feasibility of the retained trees. Majority of retained trees are located in the Communal Open Space area.

Significant deep soil planting areas are also proposed throughout the site. Diverse and innovative planting is proposed across the site with small and medium trees, particularly along the side and rear boundaries to reduce impacts of building bulk on adjoining properties and provide greater amenity for Outdoor Living Areas.

Adequate deep soil areas have been proposed and the development is compliant with the 7% deep soil area requirements outlined in Table 3.3a of the R-Codes Volume 2. As indicated above, a landscaping plan has been submitted which, in addition to retaining 7 existing large trees on site, illustrates 14 new medium trees and a variety of small trees to comply (and exceed) the suggested acceptable outcomes of both Table 3.3a and 3.3b of the R-Codes Volume 2. Given the increased deep soil areas and retention of existing trees, it is considered that the proposal adequately satisfies the landscaping requirements.

The majority of small and medium trees proposed to be planted are located along the side and rear boundaries. The small trees can grow up to 8 metres tall, which seeks to reduce any impacts of building bulk on the adjoining properties. Furthermore, the landscaping will increase amenity for both residents on the site and adjoining properties and seek to address other impacts such as noise reduction, visual privacy while enhancing overall amenity. It should be noted that suitable conditions have been included in the Officer Recommendation to ensure consistency across plans and further demonstrate compliance with these aspects.

Orientation:

Impacts of overshadowing as a result of the proposed development have been considered against Element 3.2 of the R-Codes Volume 2. Impacts of overshadowing will primarily be on the adjoining properties to the south which back onto the development site. Concerns to this affect were raised in submissions received during the advertising period as previously discussed in this report.

The proposed development meets the acceptable outcomes as seen in Element 3.2 as seen in the table below:

Element objective	Relevant outcome and/or design guidance	Proposal
O3.2.2 Building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties during mid-winter.	A3.2.3 - Development shall be designed such that the shadow cast at midday on 21st June onto any adjoining property does not exceed adjoining properties coded R25 and lower – 25% of the site area.	Overshadowing to the adjoining properties to the south: Lots 4, 5,6 Waterfields Drive is a maximum of 25% (Lot 4 = 25%; Lot 5 = 18%; Lot 6 = 9%). See Overshadowing Plan in Attachment 1.

The proposal is consistent with the acceptable outcomes of Element 3.2, with the maximum overshadowing equating to 25% of the adjoining property site area. It is acknowledged that overshadowing from the proposed development will impact on the adjoining lots (to the south) and portions of outdoor living areas. However, there will be no impacts on solar collectors on the adjoining lots. Additionally, there are some portions of outdoor living areas on the adjoining properties that have access to sunlight on June 21 as seen in the image below (red clouds). It is noted that while majority of the outdoor living area for lot 5 Waterfields Drive is affected by overshadowing, there is a significant front setback area of the dwelling that is not affected by overshadowing and is capable of active and passive use.



The objective has been met via acceptable outcomes Element 3.2.

Density:

Density of the development has been considered under Element 2.5 – Plot Ratio of the R-Codes Volume 2 as seen in the table below:

Element objective	Relevant outcome and/or acceptable guidance	Proposal
O2.5.1 - The overall bulk and scale of development is appropriate for the existing or planned character of the area.	Table 2.1: Plot Ratio Requirements	34 multiple dwellings with a maximum height of two stories is proposed. A plot ratio of 0.63 is proposed.

Although the proposal varies from the acceptable outcomes of Element 2.5, Table 2.1 which outlines a plot ratio of 0.6, the proposed development is a maximum of two storeys with this height permitted on all surrounding properties. Plot ratio is the total floor area (excluding storage areas) of all dwellings combined, divided by the total site area. The proposed plot ratio of 0.63 in lieu of 0.6 equates to an additional 127 square metres of floor space. This variation is considered minor and will not have a significant impact on overall building bulk. This is further emphasised when considering the additional floor area of each individual unit equates to 3.7 square metres.

In addition to the above, an R40 zoned lot is located less than 300m to the north of the subject site that has the potential for similar type development as highlighted in the image below. This further demonstrates the proposal is consistent with the objectives of Element 2.5 in that the scale of the development is consistent with the planned character of the area.



Visual Privacy:

As outlined above, concerns were raised from submitters during the advertising period in relation to impacts of overlooking and visual privacy. In this regard, the development has been considered against and is considered to achieve the objectives of Element 3.5 of the R-Codes Volume 2 by implementing the acceptable outcomes suggested (Table 3.5).

Element objective	Relevant acceptable outcome and/or planning guidance	Proposal
O3.5.1 – The orientation and design of buildings, windows and balconies minimises direct overlooking of habitable rooms and private outdoor living areas within the site and of neighbouring properties, while maintaining daylight and solar access, ventilation and the external outlook of habitable rooms.	Table 3.5: Required Privacy Setback to Adjoining Sites	All major openings (windows and balconies) are setback in accordance with Table 3.5 and/or are screened with obscure glazing/screening.

All major openings are setback from side and rear boundaries in accordance with Table 3.5, minimising impacts of overlooking. The design of the multiple dwellings is such that majority of major living areas across the development are located so as to have minimal impact on adjoining properties. For example, the balconies of the first floor dwellings part of 'Block E' are orientated to the north, minimising impacts of overlooking on the adjoining properties to the south. Such design is similar for 'Block D'. The balconies for the first floor dwellings of 'Block C' are setback 7.5 metres from the adjoining properties and are designed with impermeable balustrading, reducing impacts of overlooking.

The City considers that visual privacy of the adjoining lots should not be compromised should the plans be implemented as designed and therefore a Condition has been recommended to ensure this is done before the apartments are occupied.

Energy Efficiency

The applicant needs to demonstrate what significant energy initiative/s they intend to incorporate into the development to meet the relevant Element Objectives of the R-Codes Volume 2. The applicant has stated they intend to have at least one energy initiative by incorporating solar into the development to power the common areas. The applicant has not provided any further information in this regard. The City considers that this aspect can be further addressed/resolved prior to application for a building permit and therefore a suitable condition has been recommended in the Officer's recommendation section of this report.

Waste Management

In accordance with the requirements of Element 4.17 of R-Codes Volume 2, the applicant has provided bin storage areas to accommodate for bins complemented by a Waste Management Plan outlining how waste will be managed and the types of bins proposed. The plan relies on the City's waste service to collect waste and recycling from the proposal, utilising 360 litre waste bins and 660 litre recycle bins. However, the City's waste service does not provide 360 litre waste bins or 660 litre recycle bins. Therefore, this outstanding matter in addition to provision of adequate bin pad locations have not been fully resolved at this stage.

The waste management plan is not sufficient to ensure an adequate waste service is provided and therefore this matter requires further consideration and liaison between the City and the applicant. City Officers are of the view that kerb side waste collection is likely to be an acceptable solution/outcome. A condition is recommended requiring the applicant to submit a waste management plan for the City's approval prior to application for a building permit application.

Lighting

In accordance with the requirements of Element 3.4 of R-Codes Volume 2, a condition is recommended for the applicant to submit a lighting plan for the common areas across the site. This condition is also consistent with the City's Local Planning Policy no. 8: Designing out Crime. The lighting plan will seek to minimise places for concealment provide greater opportunity for passive surveillance from adjoining dwellings.

Conclusion:

The proposed development addresses the local context and is in keeping with the designated R40 zoning of the site. It is considered that the development will contribute positively to the locality by providing housing diversity to an area that is largely comprised of single houses. Additionally, the proposed development is considered to enhance the streetscape amenity through its quality landscaping and tree retention proposal. The proposed development is located within close proximity to public transport with a bus stop located adjacent to the site and the Kwinana train station being located less than 900 metres from the site. It is considered that the development is also well suited for the future context of this area with a similar zoned vacant site located only 300 metres to the north.

The proposal is generally compliant with the relevant planning requirements as outlined in the R-Codes Volume 2. City Officers are of the view that the proposed development is a higher quality outcome in terms of amenity, design and use than the previously approved applications on this site, which is in part due to its need to address the R-Codes Volume 2. As such, it is recommended that the application be approved subject to appropriate conditions.

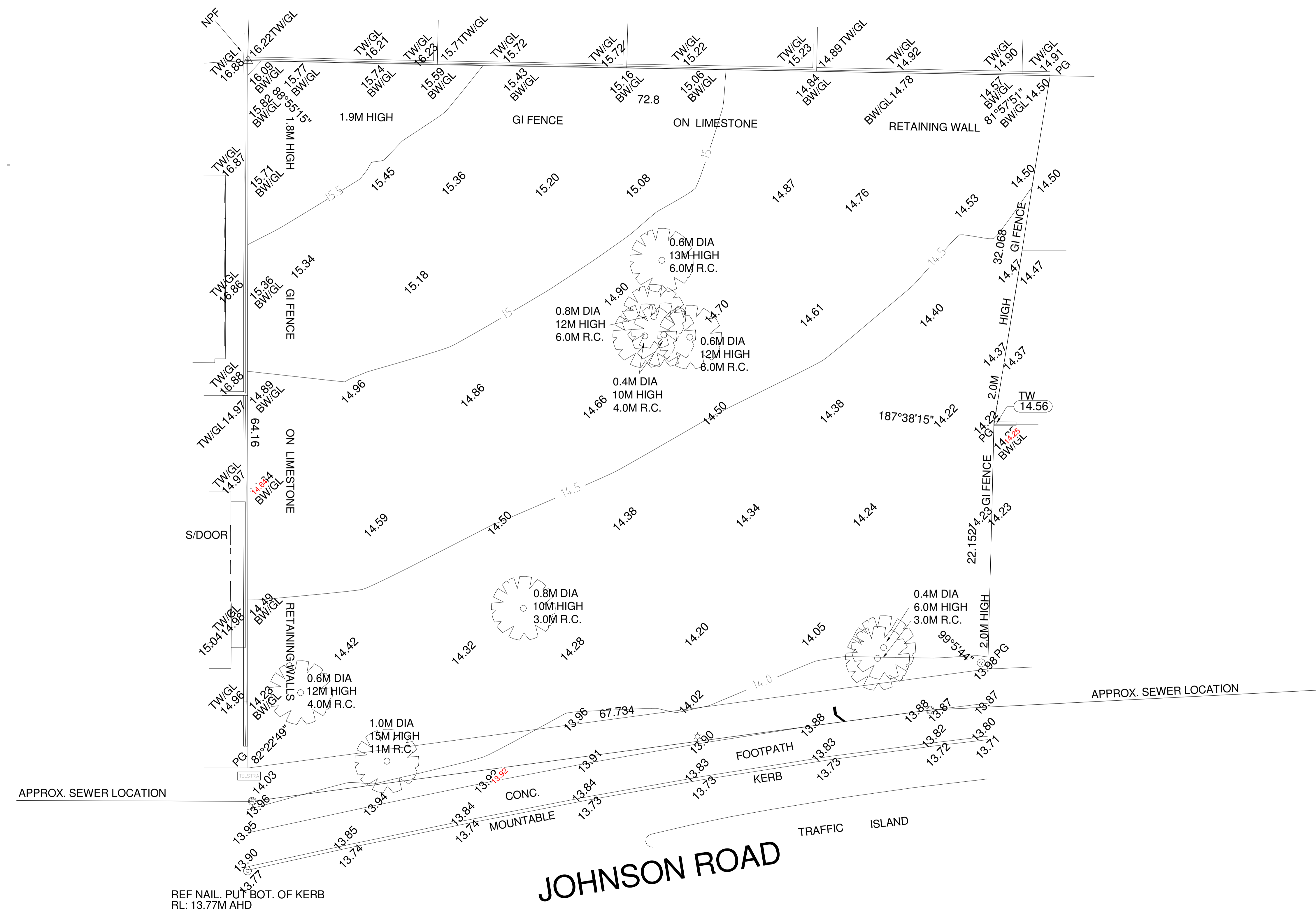
Officer Recommendation

This section to be completed where Council Recommendation differs from the Officer Recommendation.

Attachment 1

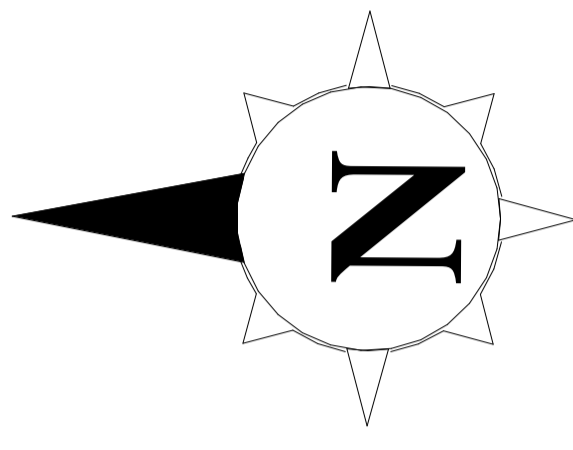
SITE AREA	4068 SQM	
30 x (2x1)	70 SQM	2100 SQM
04 x (1x1)	54 SQM	216 SQM
PLOT RATIO		0.57
36 CAR BAYS TOTAL		
TOTAL BIKE RACK ON SITE		16 RESIDENTIAL 05 VISITOR

[illegible]



LEVELS AND ARE DERIVED FROM BENCHMARK 26 (BIN)

FEATURE SURVEY
1 : 200



SITE PLAN
1 : 130



SITE AREA	4068 SQM	
30 x (2x1)	70 SQM	2100 SQM
04 x (1x1)	54 SQM	216 SQM
PLOT RATIO		0.57
36 CAR BAYS TOTAL		
TOTAL BIKE RACK ON SITE	16 RESIDENTIAL 05 VISITOR	

1. GROUND FLOOR
1 : 130



CONDENSATE
DRYER TO ALL
UNITS - TYPICAL

2. FIRST FLOOR
1 : 130



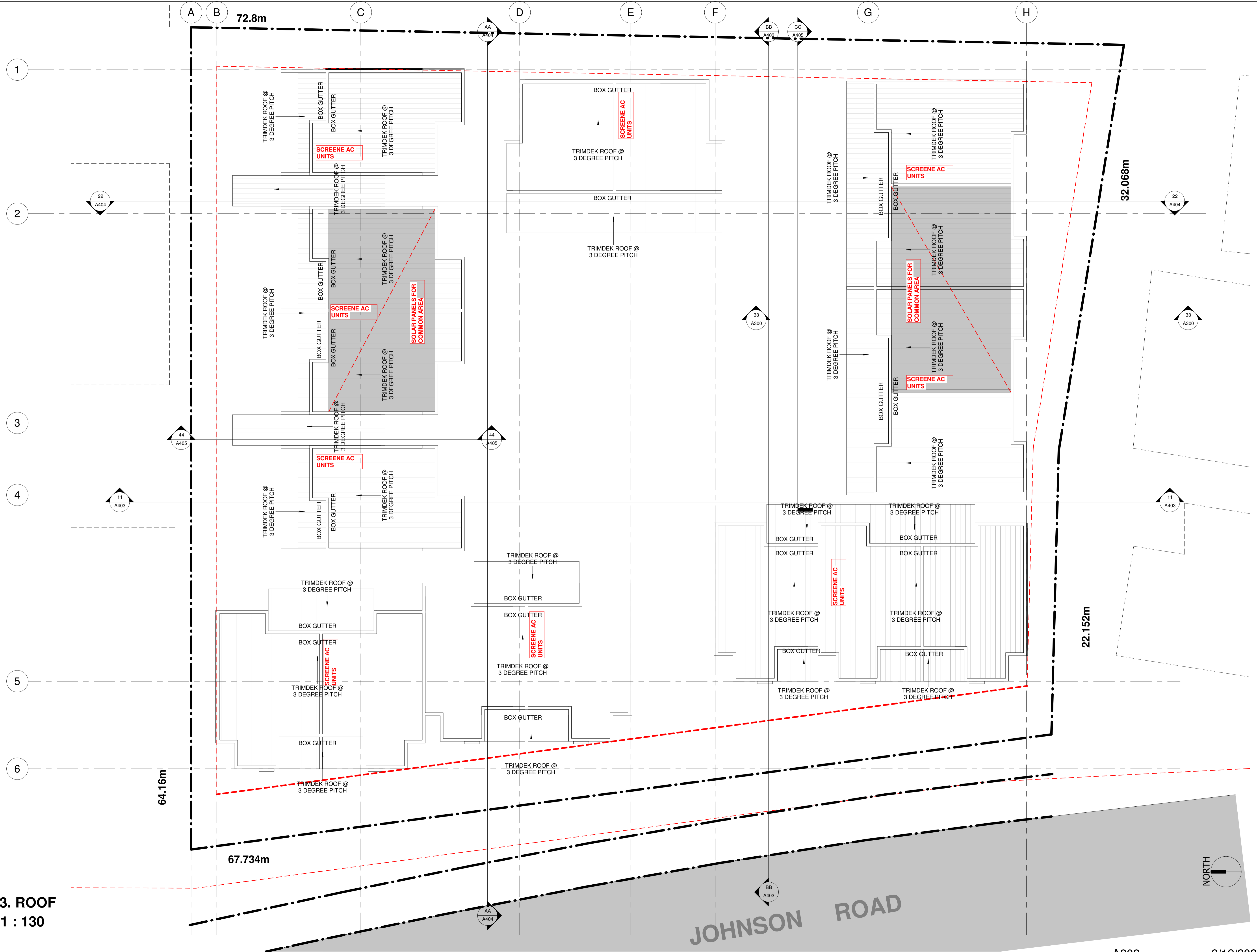
CONDENSATE
DRYER TO ALL
UNITS - TYPICAL

LOT 101 - JOHNSON ROAD - BERTRAM

JDAP DA002

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3. ROOF
1 : 130

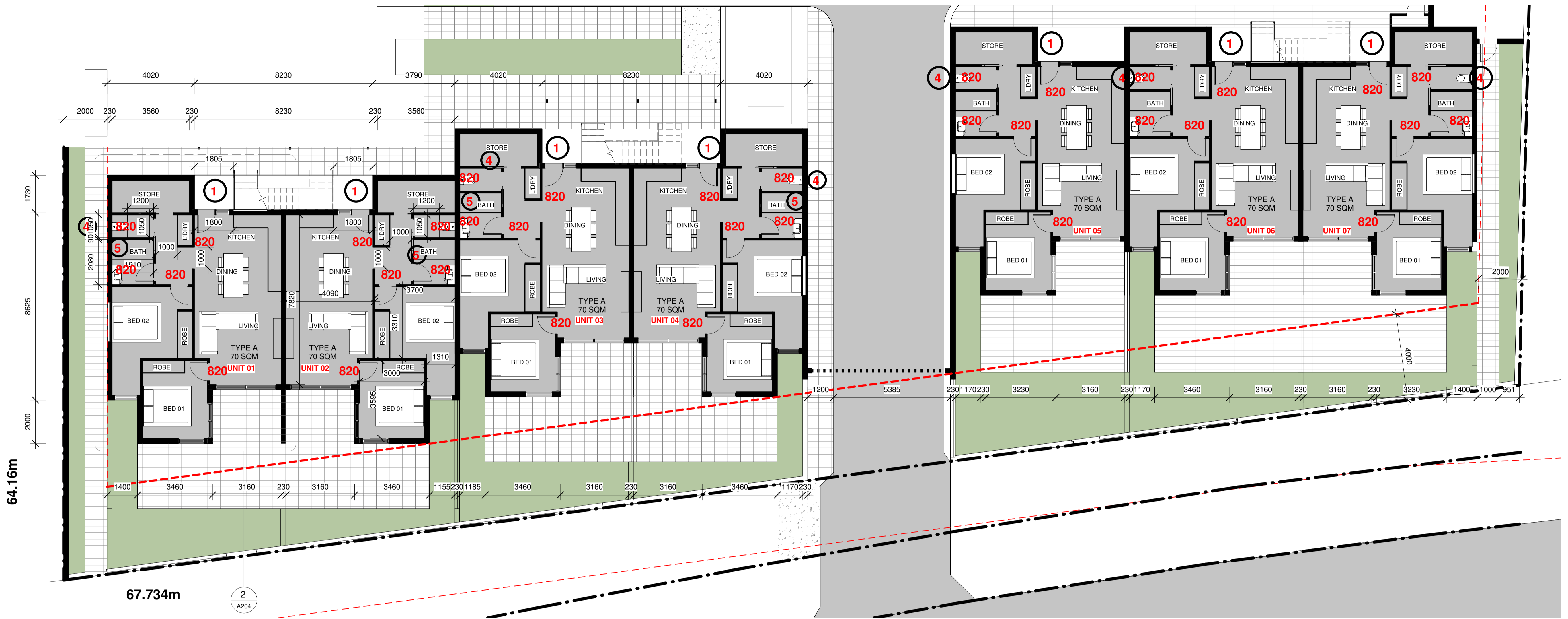


A203

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LOT 101 - JOHNSON ROAD - BERTRAM
JDAP DA002

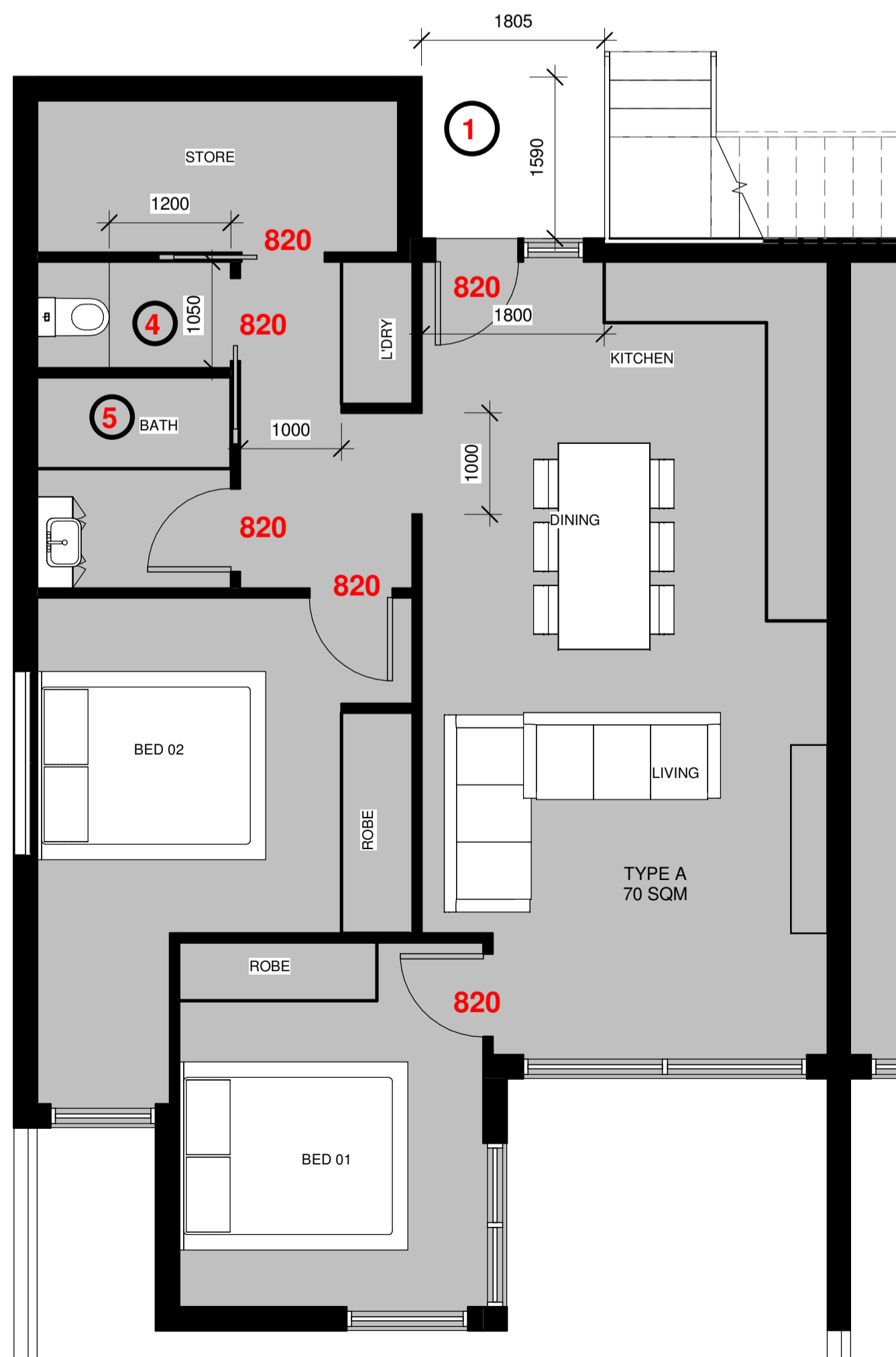
HARDEN JONES ARCHITECTS
www.hjarchitect.com.au



1. GROUND FLOOR - BLOCK A / B
1 : 100

LIVABLE HOUSING DESIGN - SILVER LEVEL

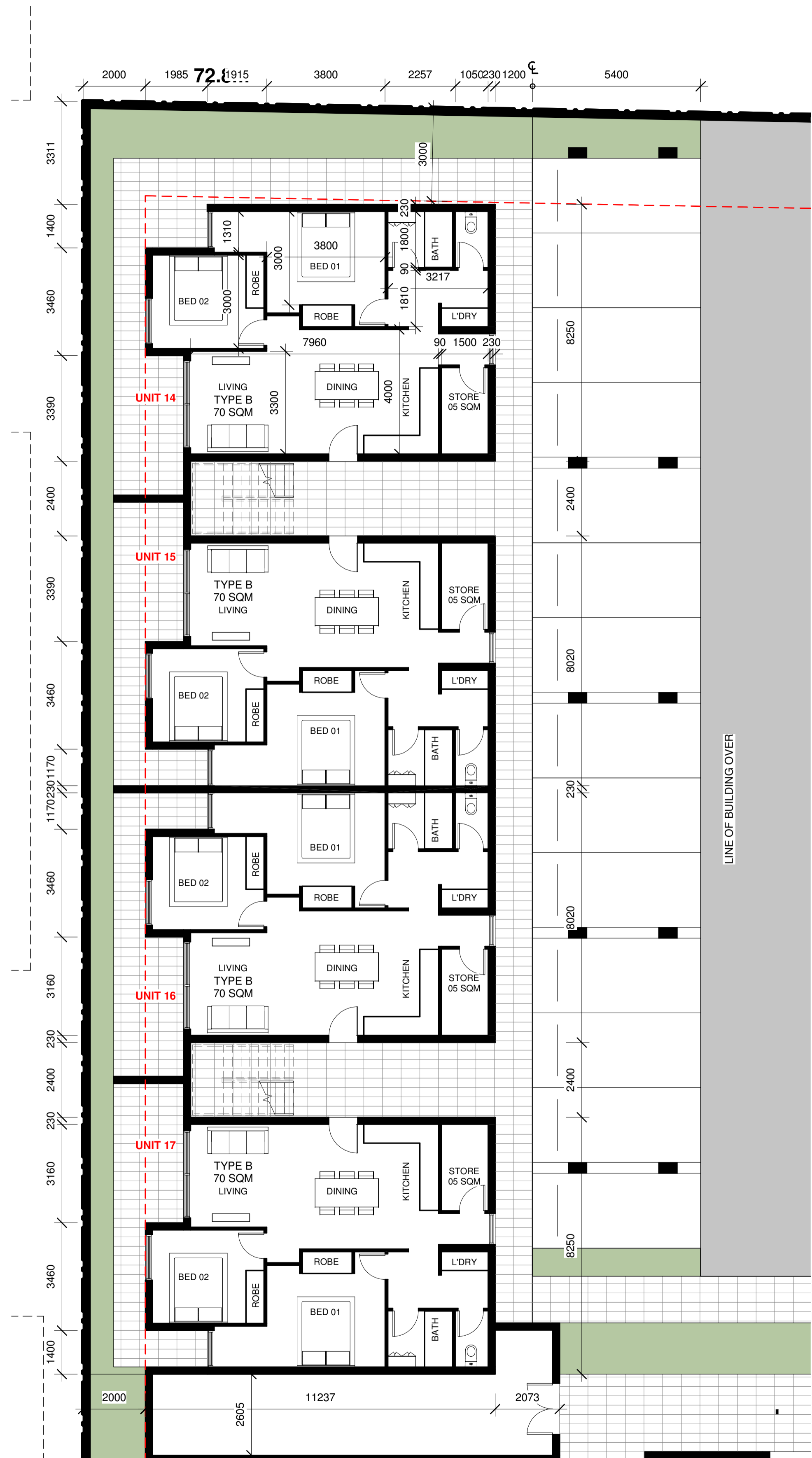
1. Dwelling Access. 1000mm Corridor Width. Clear Path of Travel and No Steps	8. Kitchen Space No requirement for Silver level
2. Dwelling Entry. Minimum 820 Door Clear Opening 1200x1200 Entry Zone	9. Laundry Space No requirement for Silver level
3. Internal Doors and Circulation 1000mm Corridor Width. Minimum 820 Door Clear Opening	10. Ground/Bedroom Space No requirement for Silver level
4. WC. 900 Width to WC 1200 forward of the WC Pan	11. Switches & GPO's No requirement for Silver level
5. Shower Hobless Showers Shower Recess located in the Corner	12. Door and Tapware. No requirement for Silver level
6. Bathroom Walls – Reinforcement & Strength Construction will be brick/block	13. Family Room/Living Spaces No requirement for Silver level
7. Stairways – Handrails Continuous Handrails to Stairwells Provided	14. Window Sills. No requirement for Silver level
	15. Flooring No requirement for Silver level

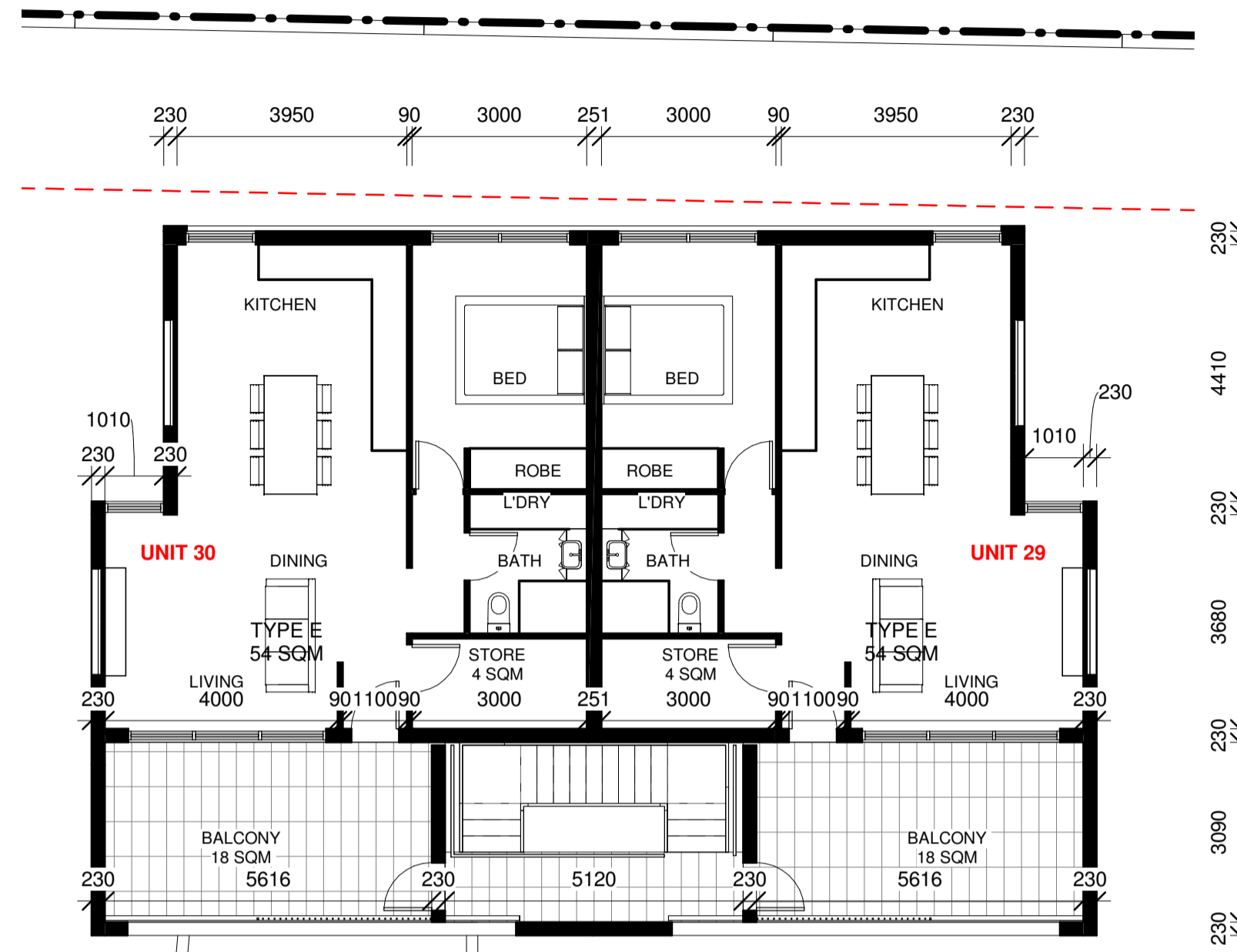
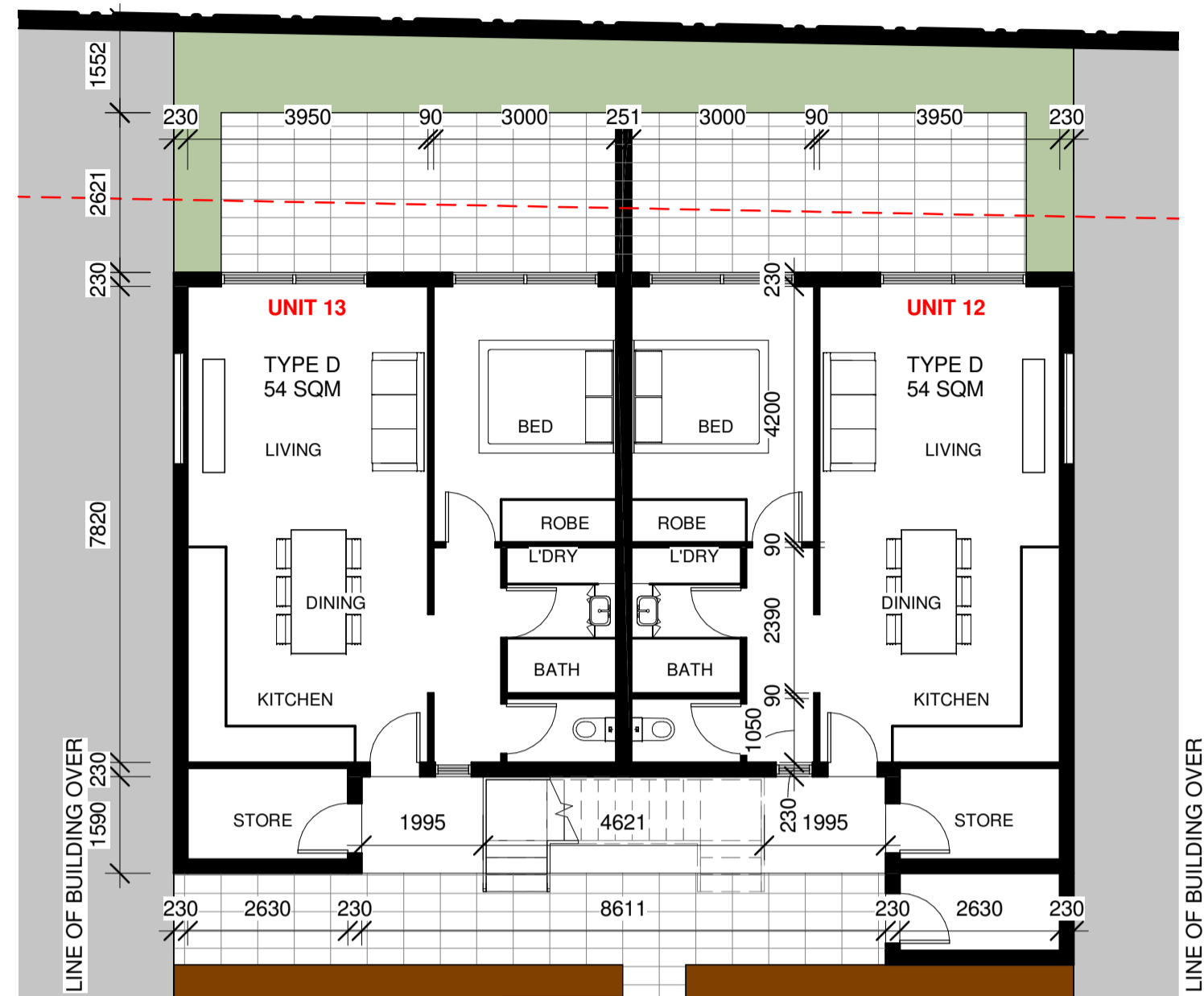


TYPICAL SILVER LEVEL UNIT
1 : 50



2. FIRST FLOOR - BLOCK A / B
1 : 100







DESIGN WA - APARTMENT DESIGN
VOLUME TWO OF STATE PLANNING POLICY NO. 7.3 RESIDENTIAL DESIGN CODES
GUIDANCE FOR MULTIPLE-DWELLING AND MIXED-USE DEVELOPMENTS

4.1 SOLAR AND DAYLIGHT ACCESS - FIGURE 4.1B
(ILLUSTRATED ON PROPOSED DESIGN) - CLIMATE ZONE 5

89% OF APARTMENTS ACHIEVES MINIMUM 2 HOURS SUN LIGHT ON 21ST OF JUNE.

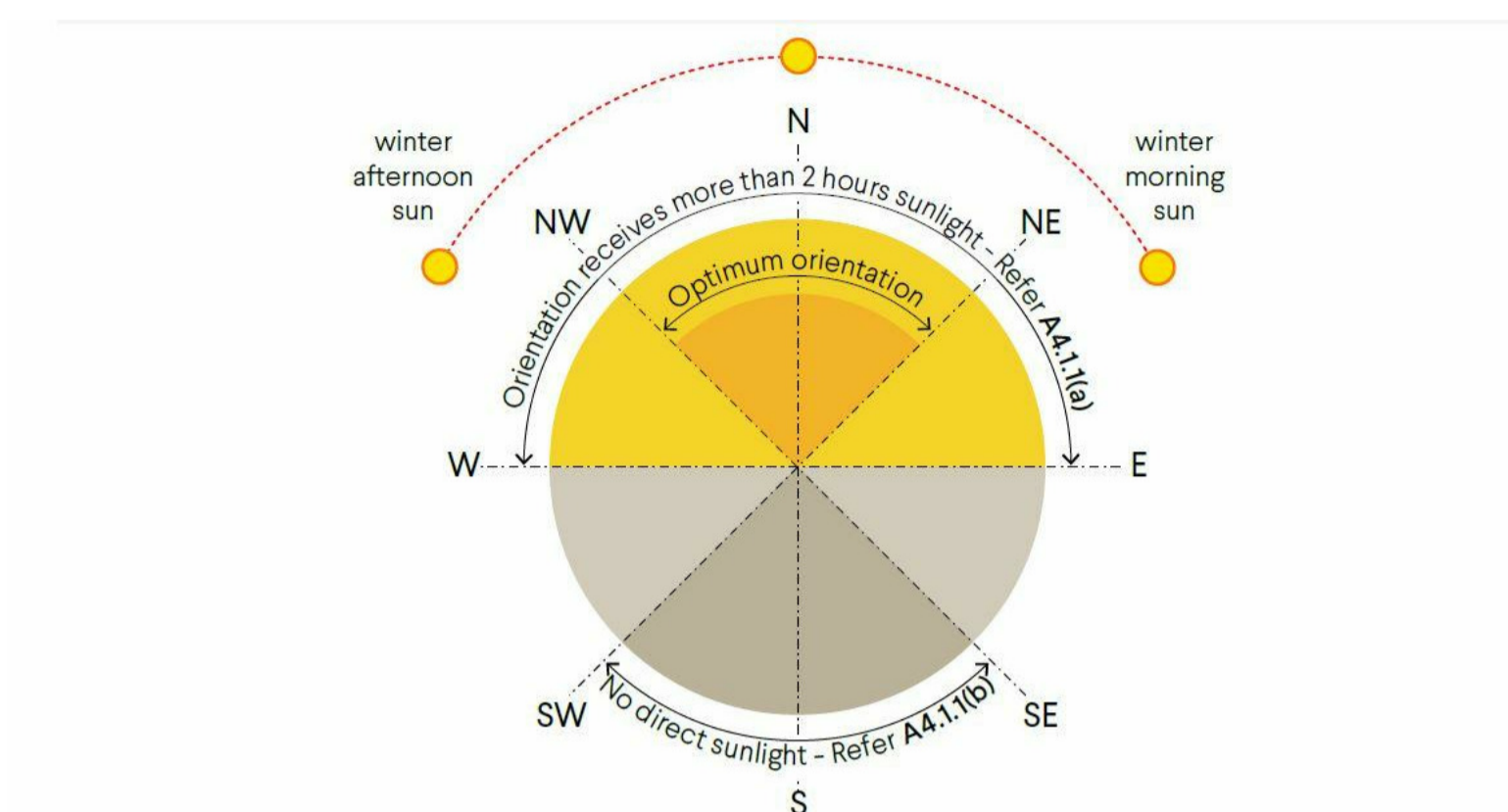
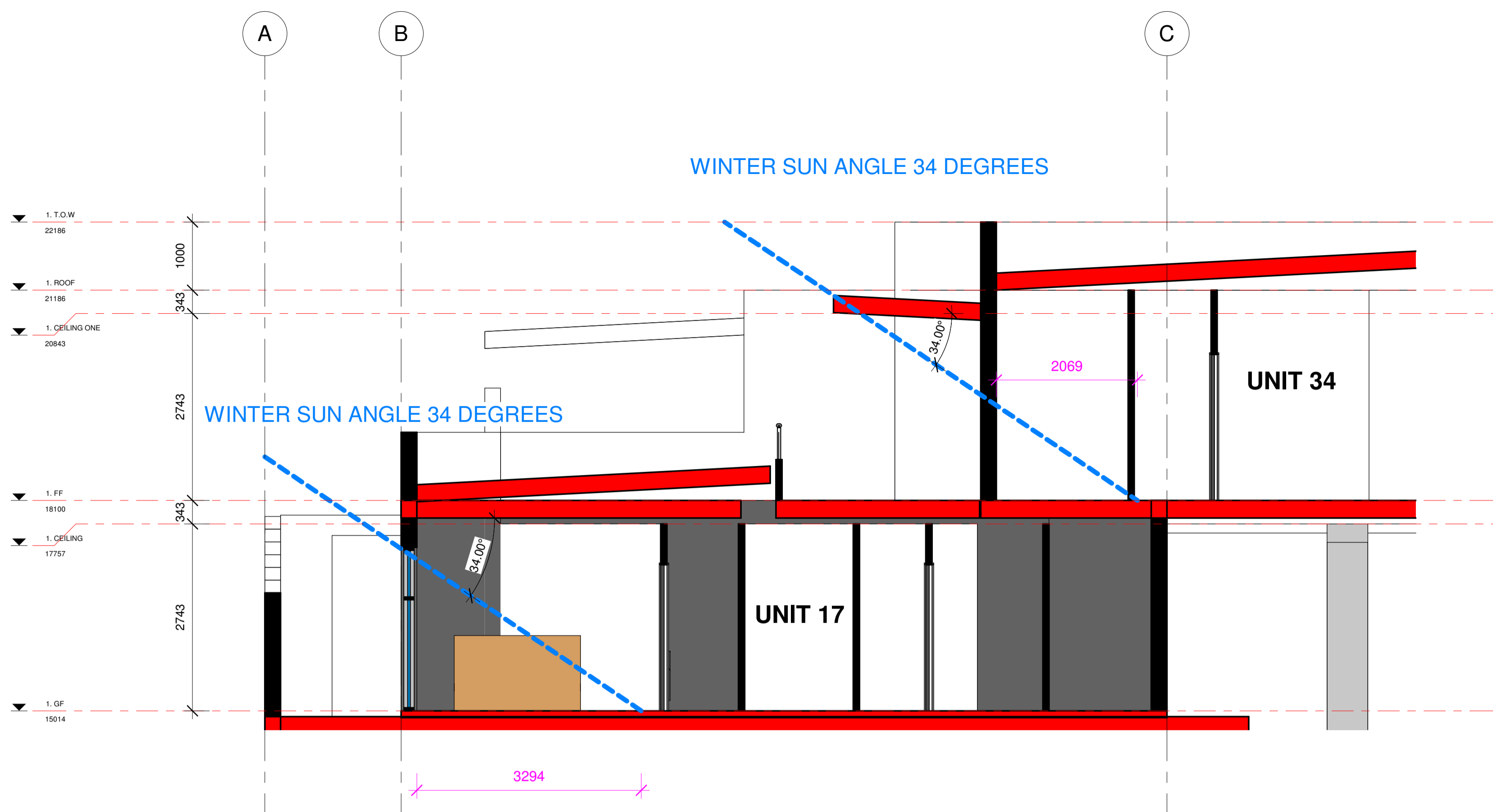


Figure 4.1b The hours of sunlight that can be expected in mid winter are directly related to the orientation of the windows or balconies. To achieve 2 hours sunlight (refer A4.1.1(a)), windows must be facing between west and north; or between north and east. This diagram shows the optimal orientation for sunlight to reach any portion of a window or balcony on 21 June in climate zones 4, 5 and 6.

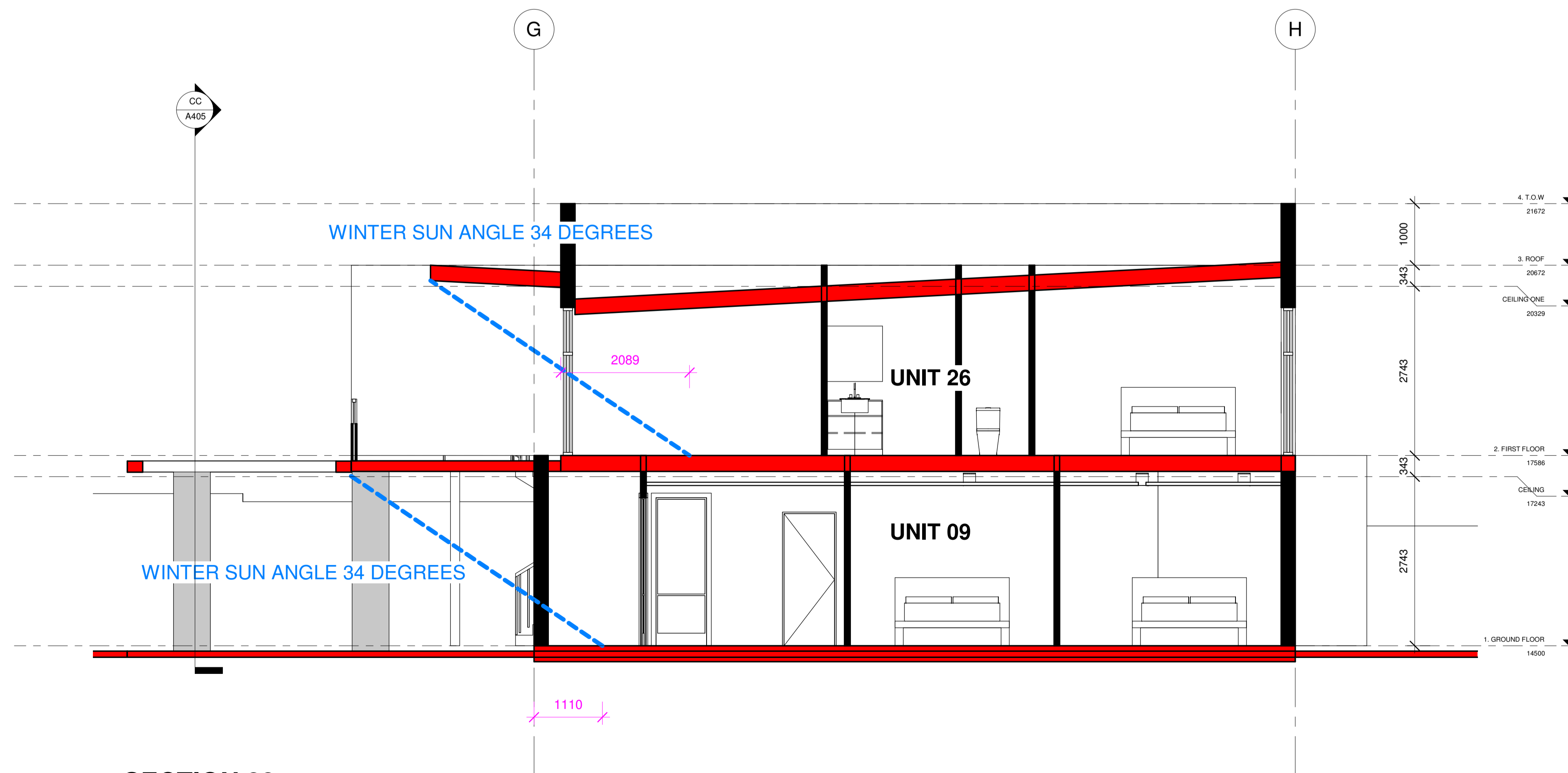
STATE PLANNING POLICY 7.3 RESIDENTIAL DESIGN CODES VOLUME 2 - APARTMENTS 61

A4.2.2. MINIMUM 75% OF ALL DWELLINGS ARE CAPABLE OF BEING NATURAL CROSS VENTILATED.

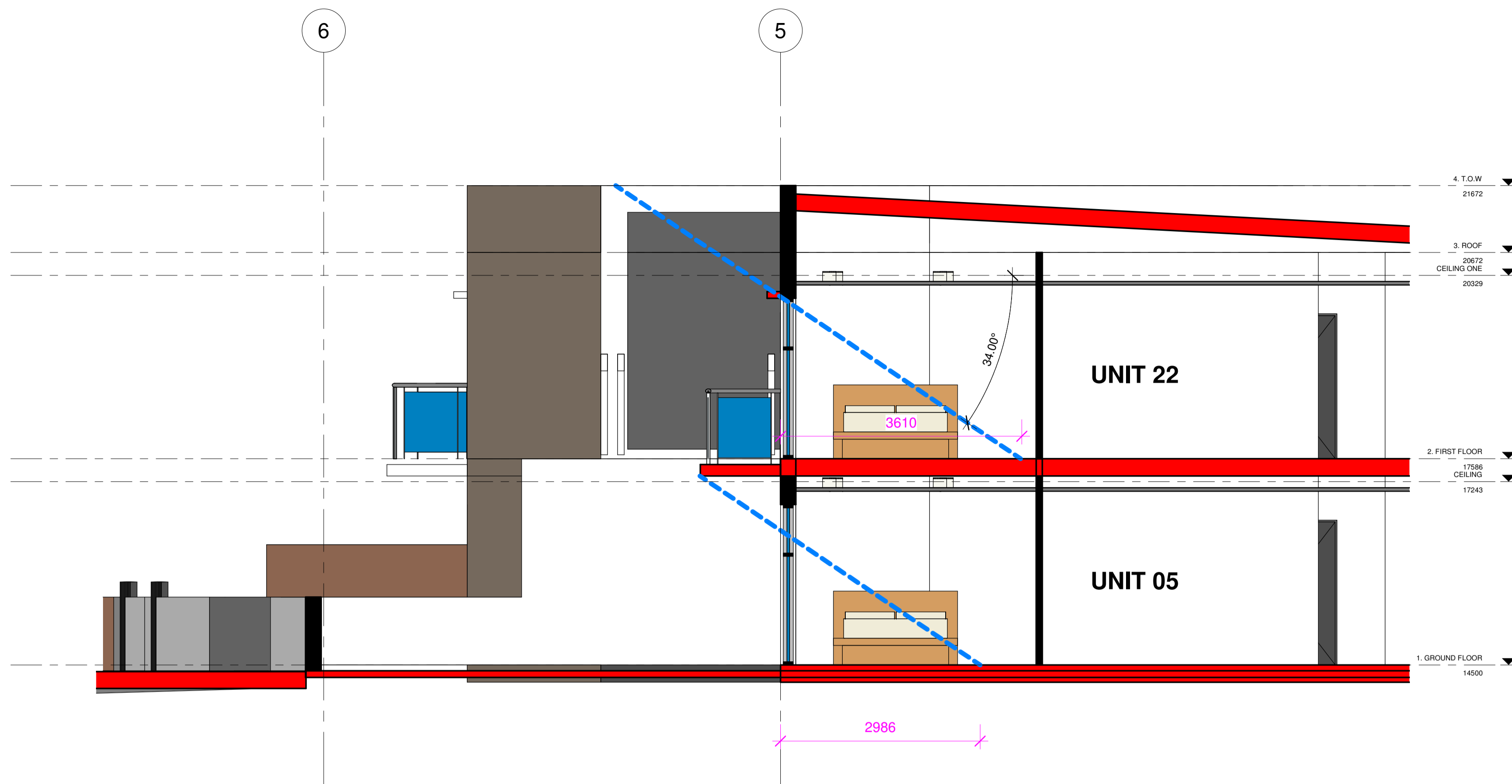
ALL APARTMENTS NO'NCV'NCV' ACHIEVE NATURAL CROSS VENTILATION



Section 11 - Callout 1
1 : 50



SECTION 33
1 : 50



SECTION BB - Callout 1
1 : 50

DESIGN WA - APARTMENT DESIGN
VOLUME TWO OF STATE PLANNING POLICY NO. 7.3 RESIDENTIAL DESIGN CODES
GUIDANCE FOR MULTIPLE-DWELLING AND MIXED-USE DEVELOPMENTS

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89% OF APARTMENTS ACHIEVES MINIMUM 2 HOURS SUN LIGHT ON 21ST OF JUNE.

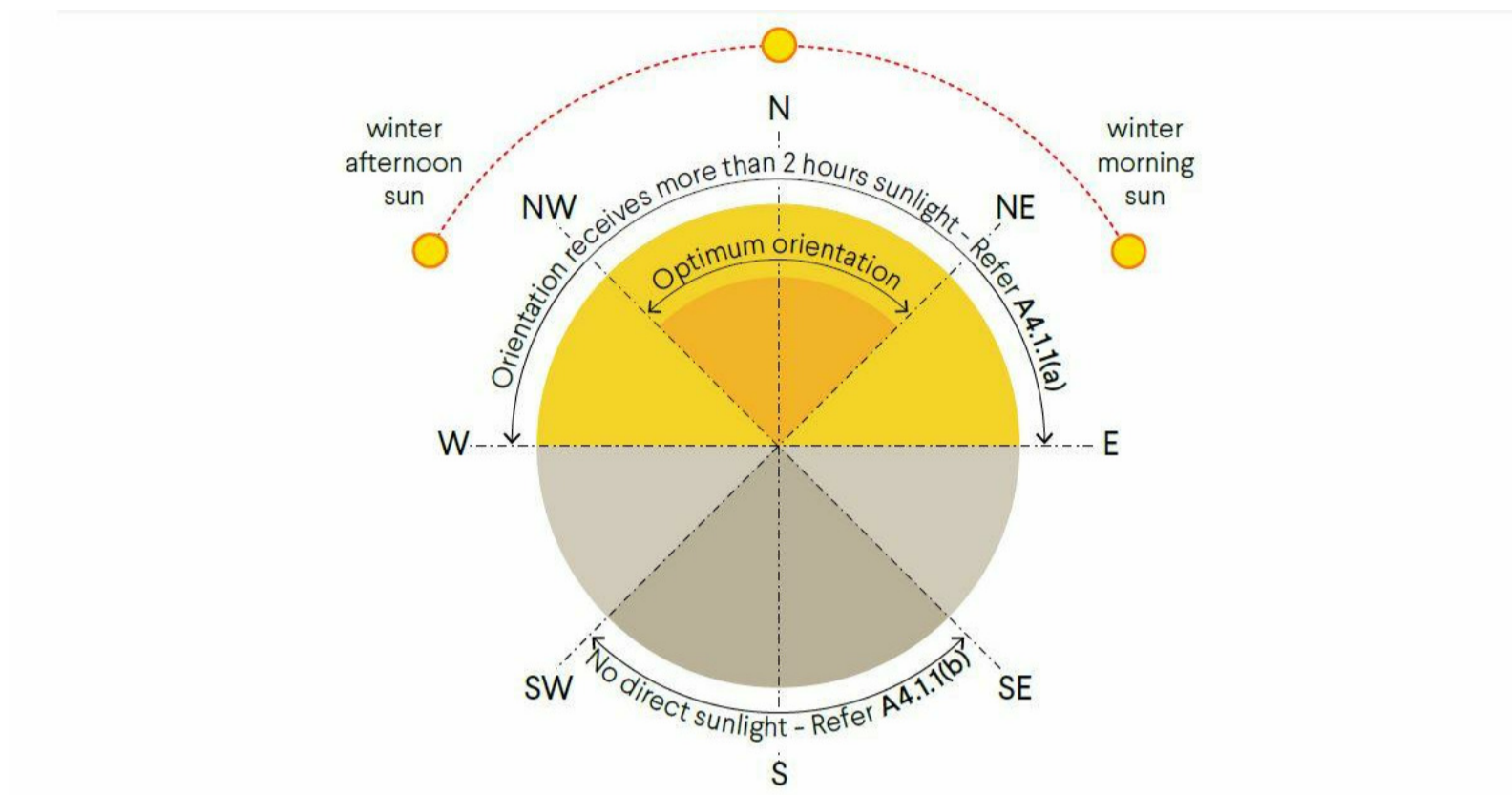


Figure 4.1b The hours of sunlight that can be expected in mid winter are directly related to the orientation of the windows or balconies. To achieve 2 hours sunlight (refer A4.1.1(a)), windows must be facing between west and north, or between north and east. This diagram shows the optimal orientation for sunlight to reach any portion of a window or balcony on 21 June in climate zones 4, 5 and 6.

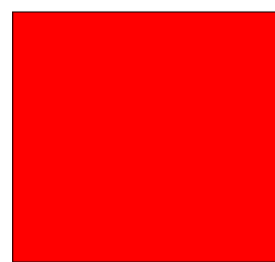
STATE PLANNING POLICY 7.3 RESIDENTIAL DESIGN CODES VOLUME 2 - APARTMENTS 61

A4.2.2. MINIMUM 75% OF ALL DWELLINGS ARE CAPABLE OF BEING NATURAL CROSS VENTILATED.

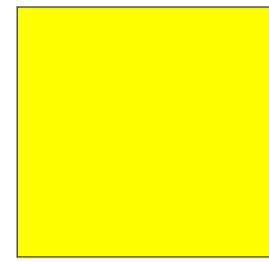
ALL APARTMENTS NOT 'NCV' ACHIEVE NATURAL CROSS VENTILATION

1. GROUND FLOOR SOLAR / NATURAL VENTILATION DIAGRAM
1 : 140

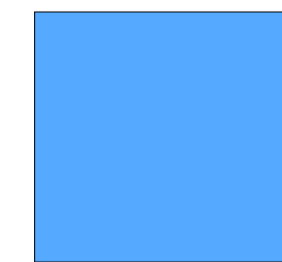
AFTERNOON SUN



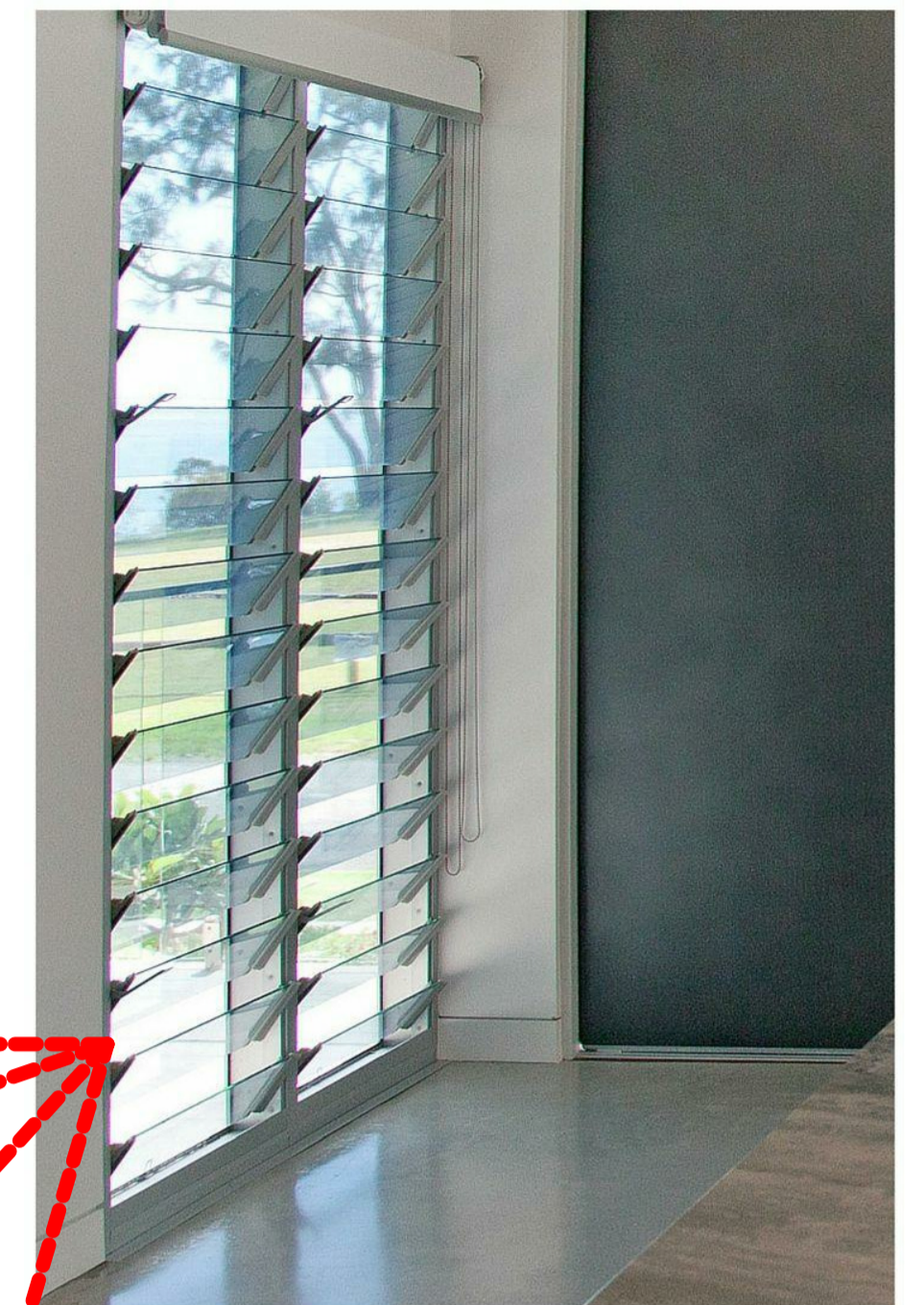
NORTH



MORNING SUN



LOUVERED WINDOW TO
ALL APARTMENT TYPES
INDICATED FOR CROSS-
VENTILATION

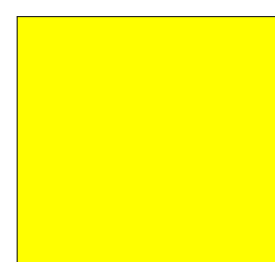


2. FIRST FLOOR SOLAR / NATURAL VENTILATION DIAGRAM
1 : 140

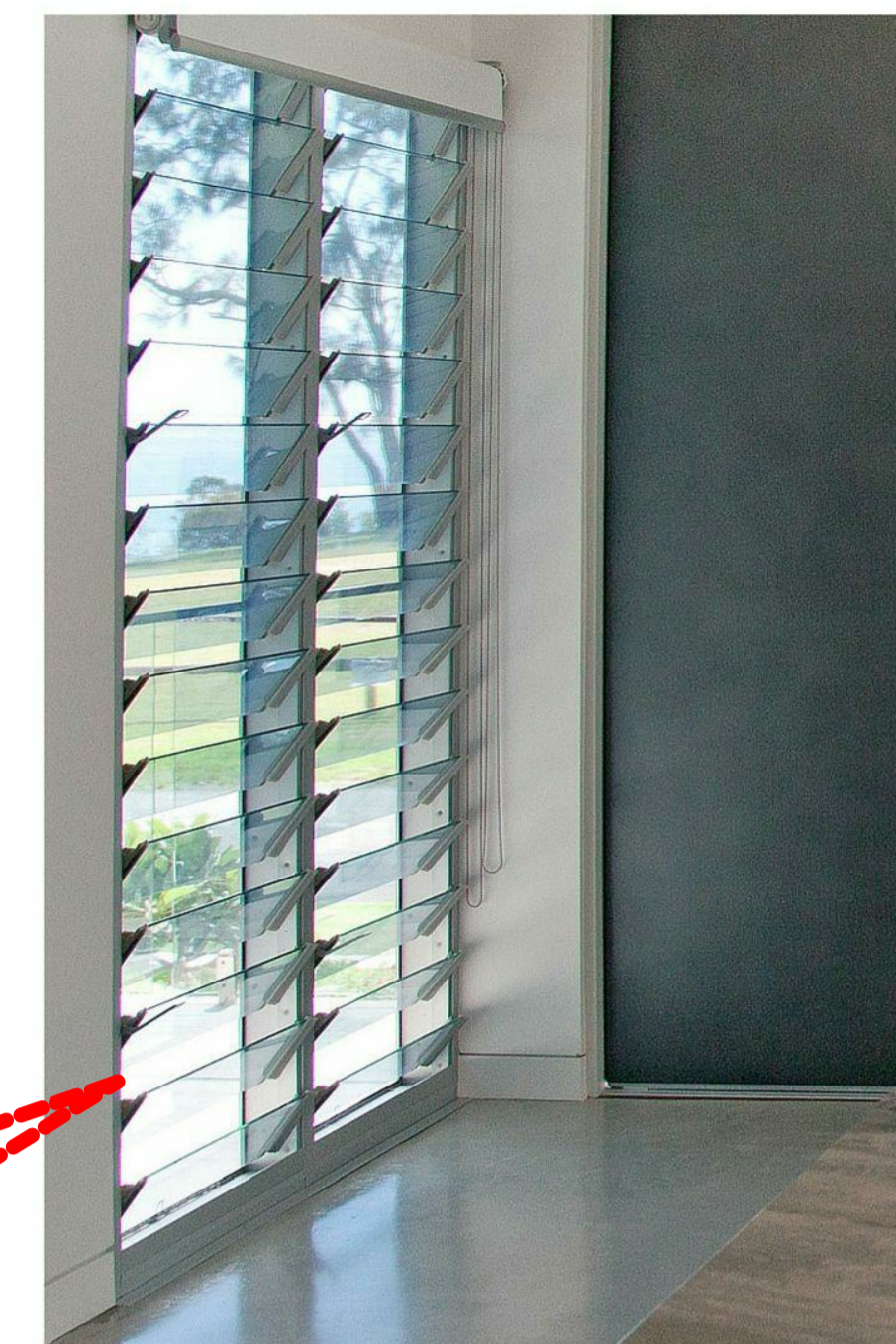
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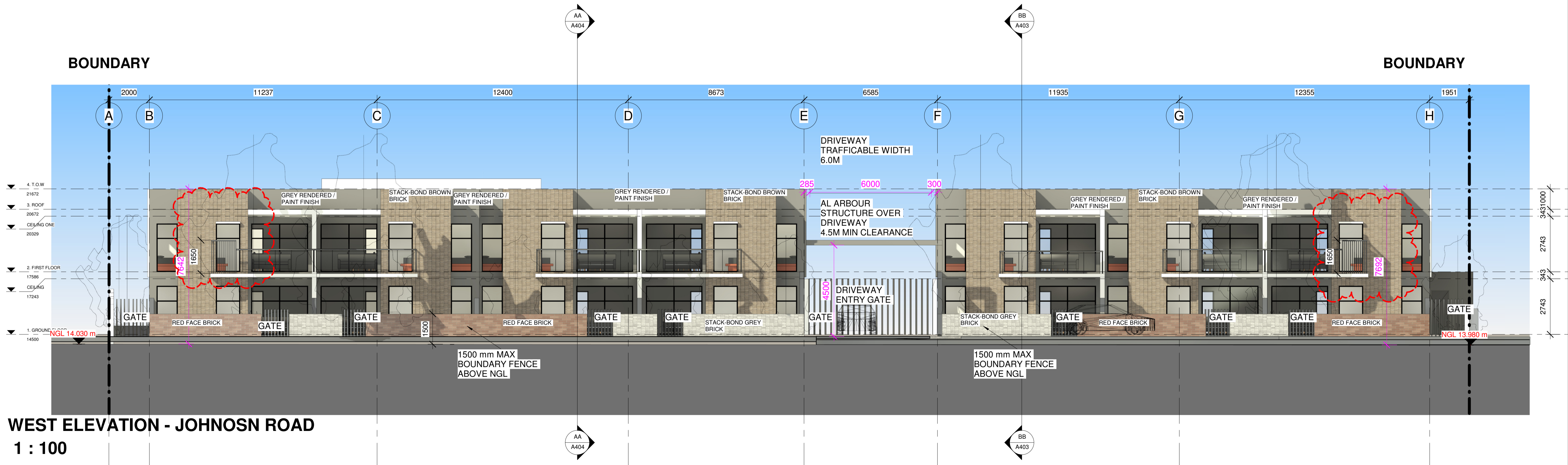
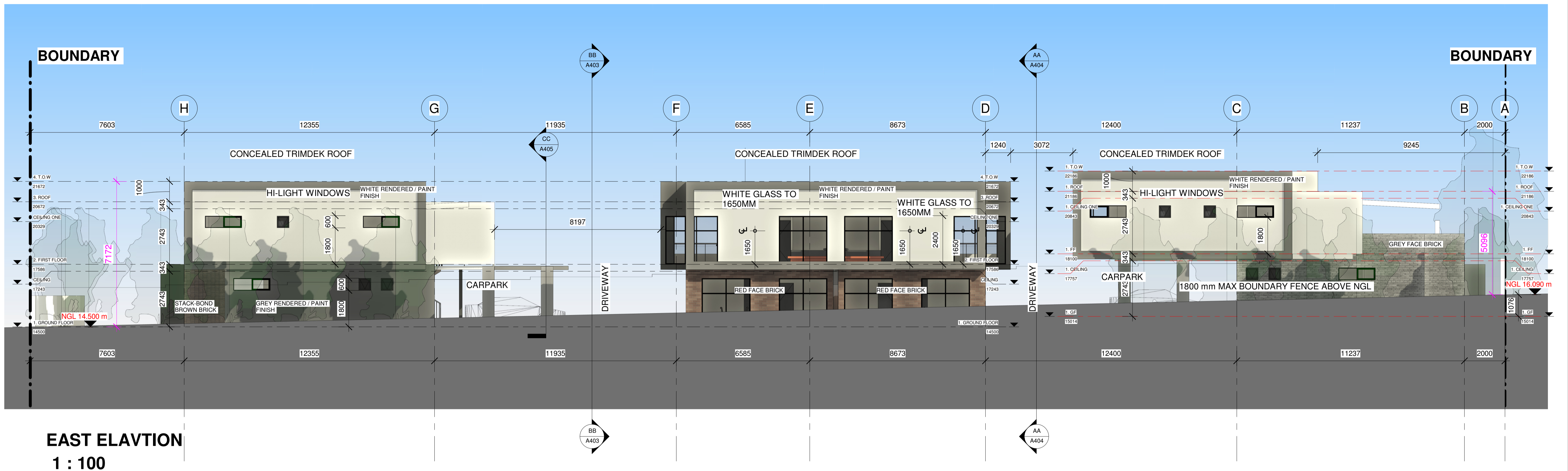
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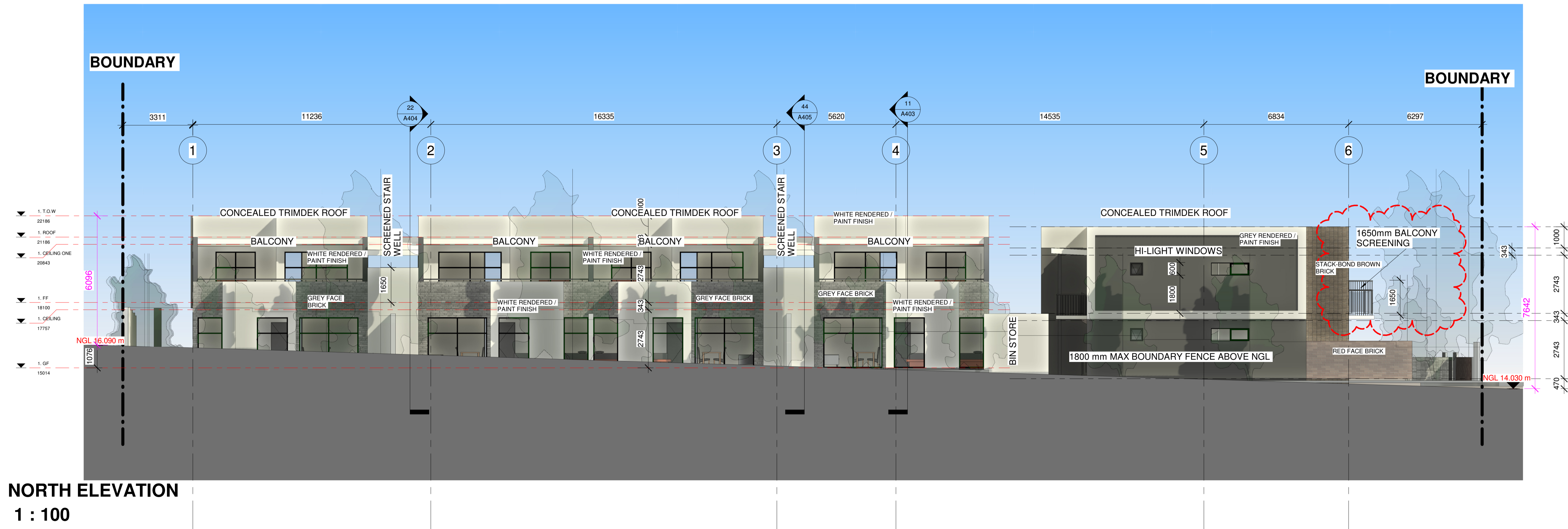


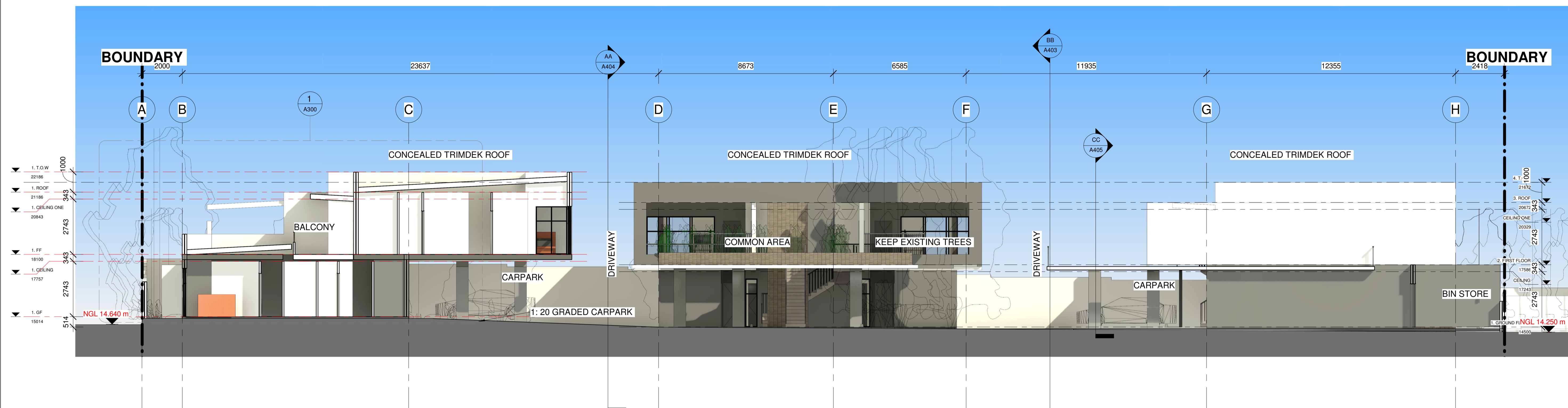
MORNING SUN



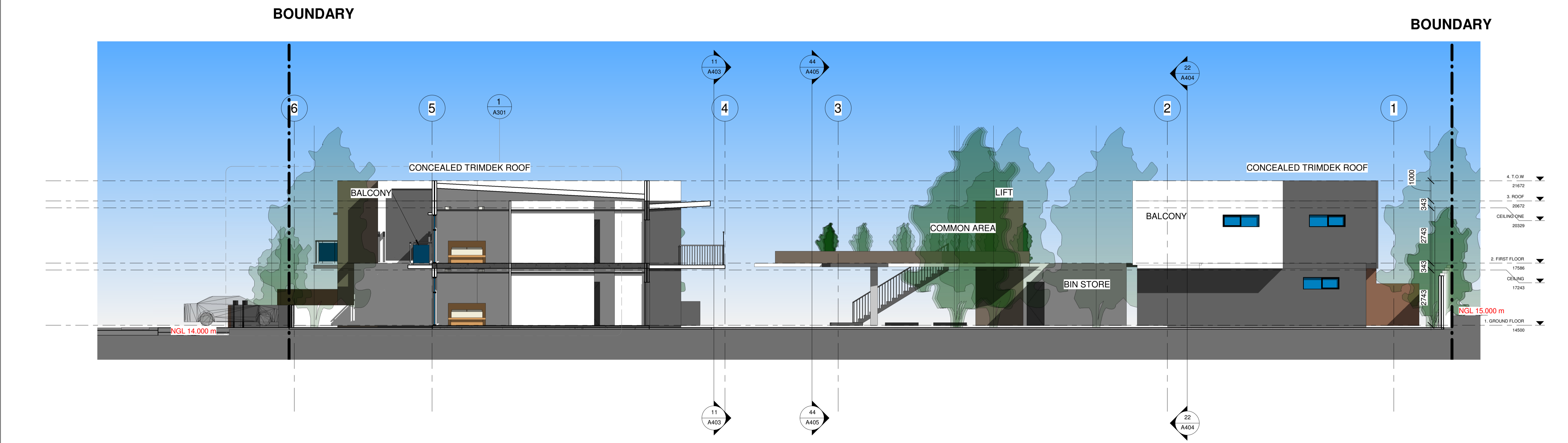
LOUVERED WINDOW TO
ALL APARTMENT TYPES
INDICATED FOR CROSS-
VENTILATION







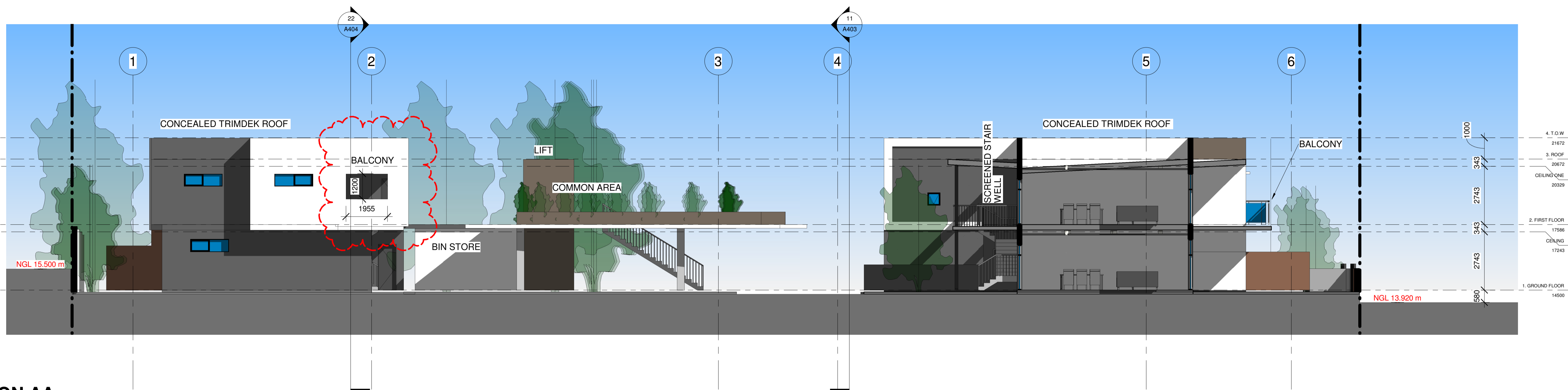
SECTION 11
1 : 100



SECTION BB
1 : 100

BOUNDARY

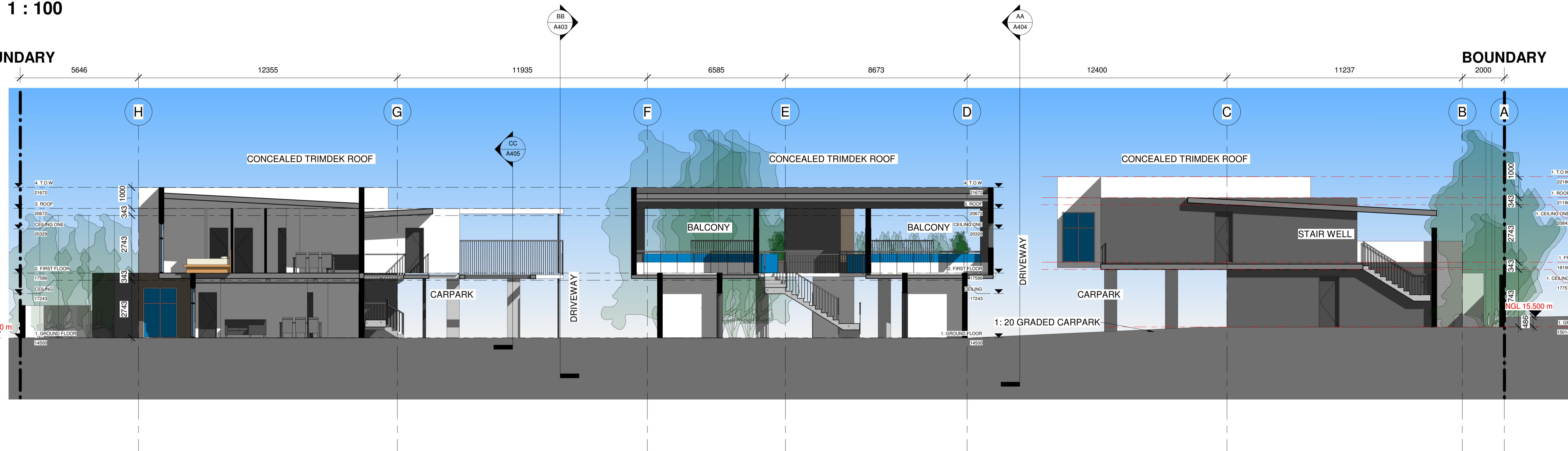
BOUNDARY



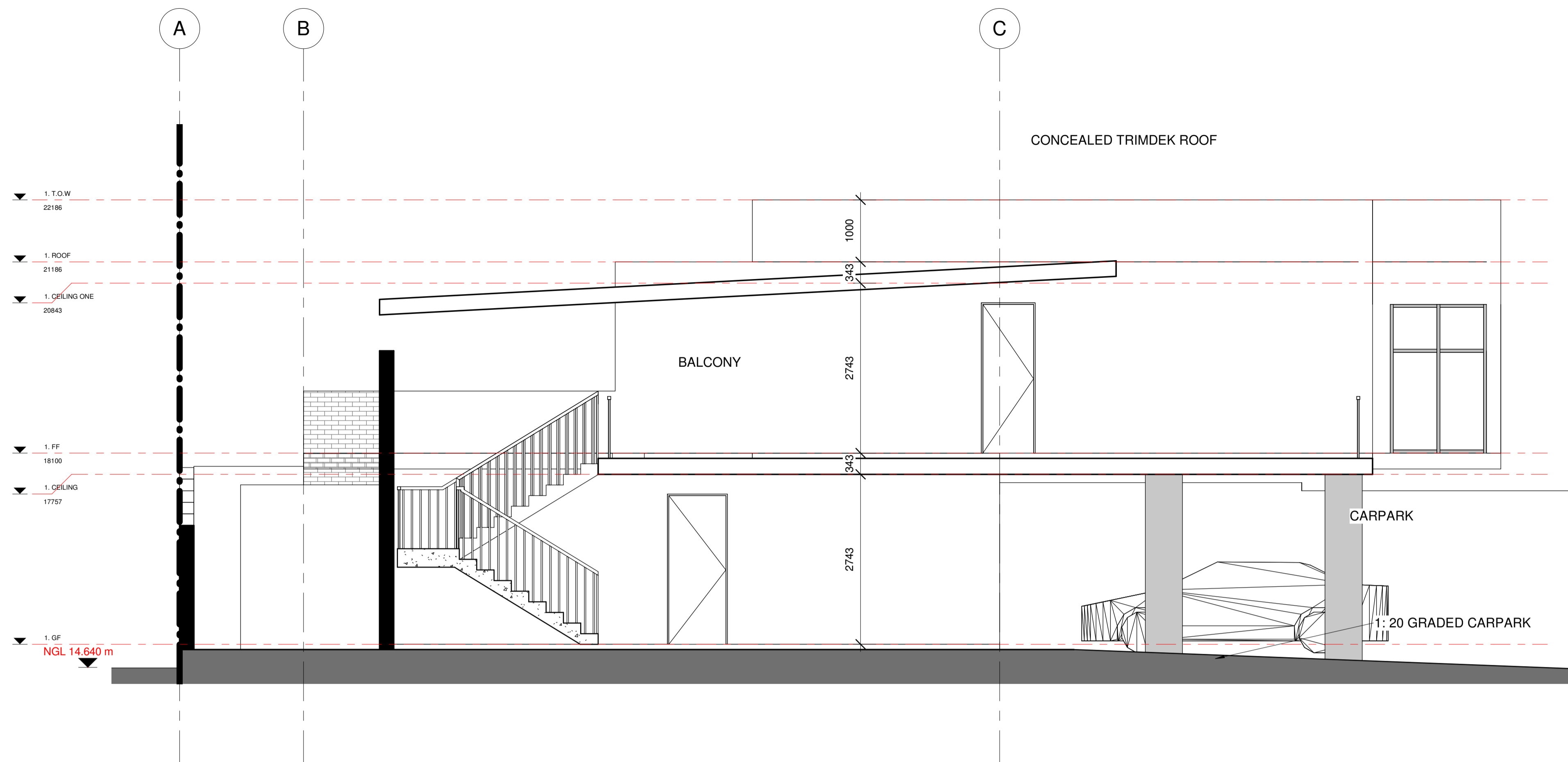
SECTION AA
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BOUNDARY

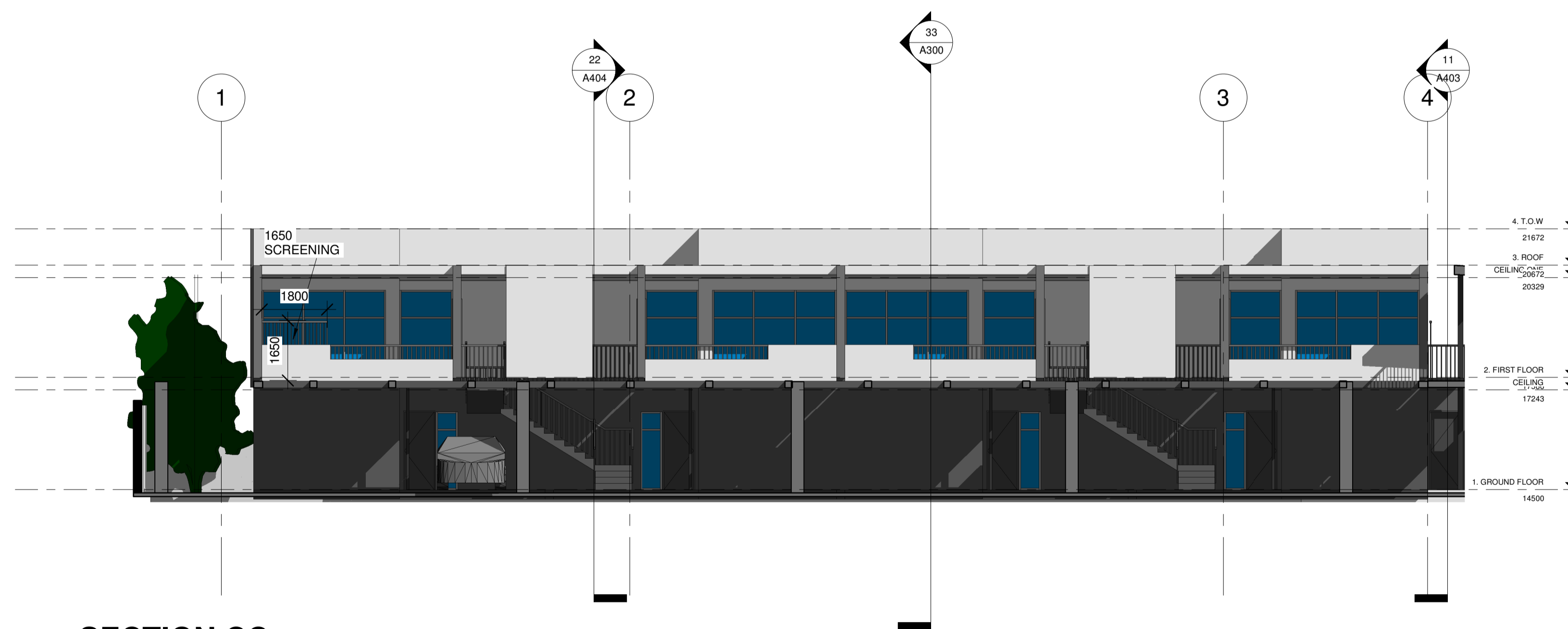
BOUNDARY



SECTION 22
1 : 100



SECTION 44
1 : 50



SECTION CC
1 : 100

SHADOW DIAGRAM
1 : 200





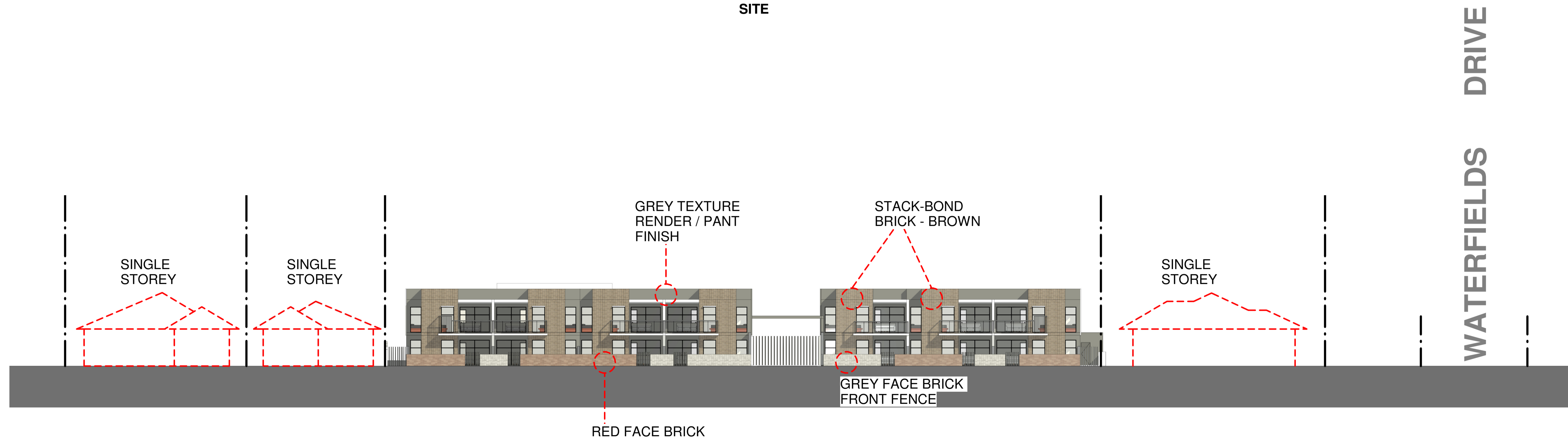
SITE CONTEXT



**SURROUNDING
SITE CONTEXT /
MATERIALS**



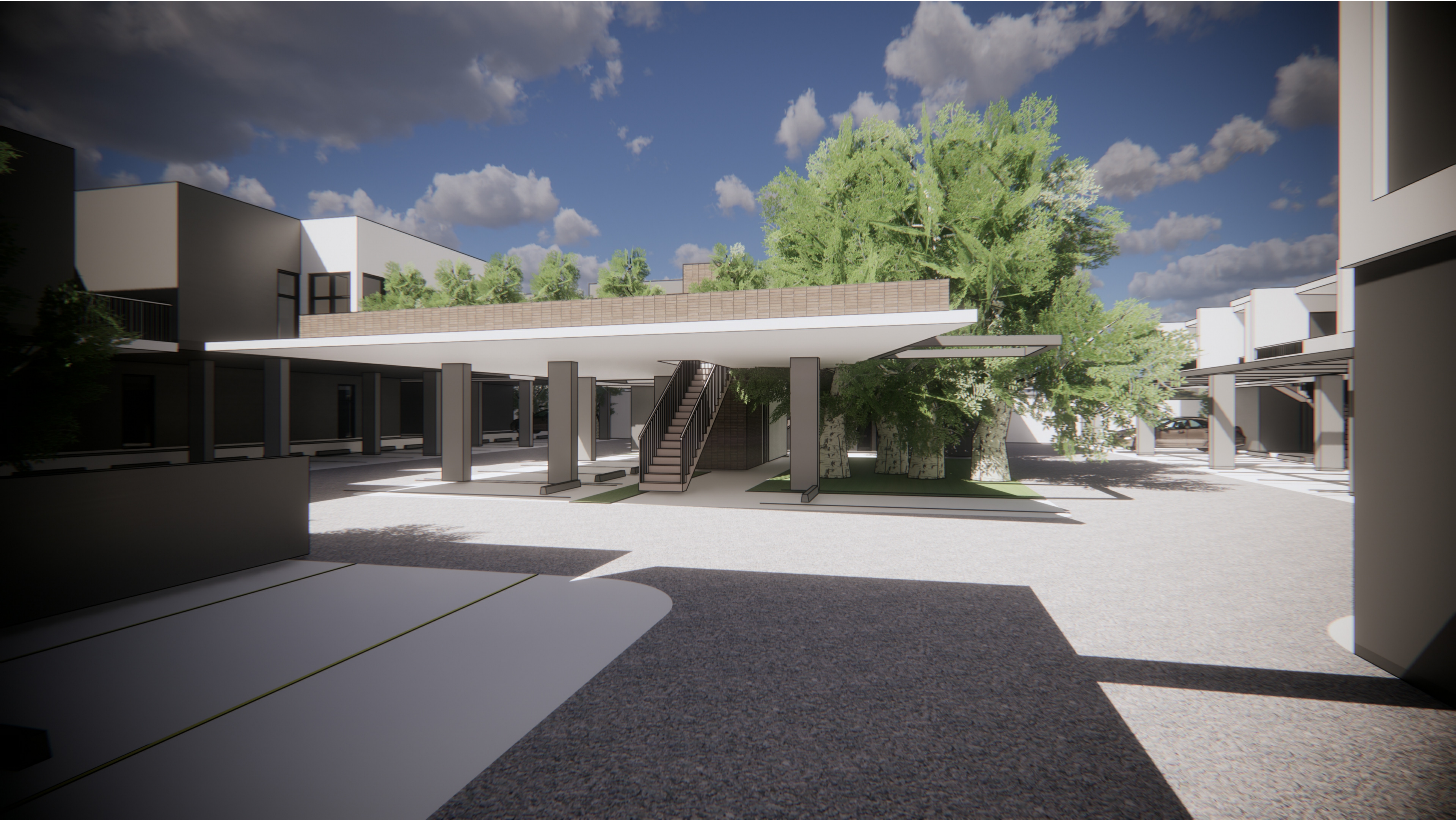
**BUS STOP
ADJACENT TO
SITE**



**WEST ELEVATION - JOHNOSN ROAD - STREET CONTEXT
1 : 200**



JOHNSON ROAD VIEW

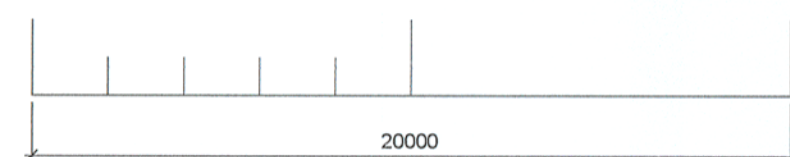
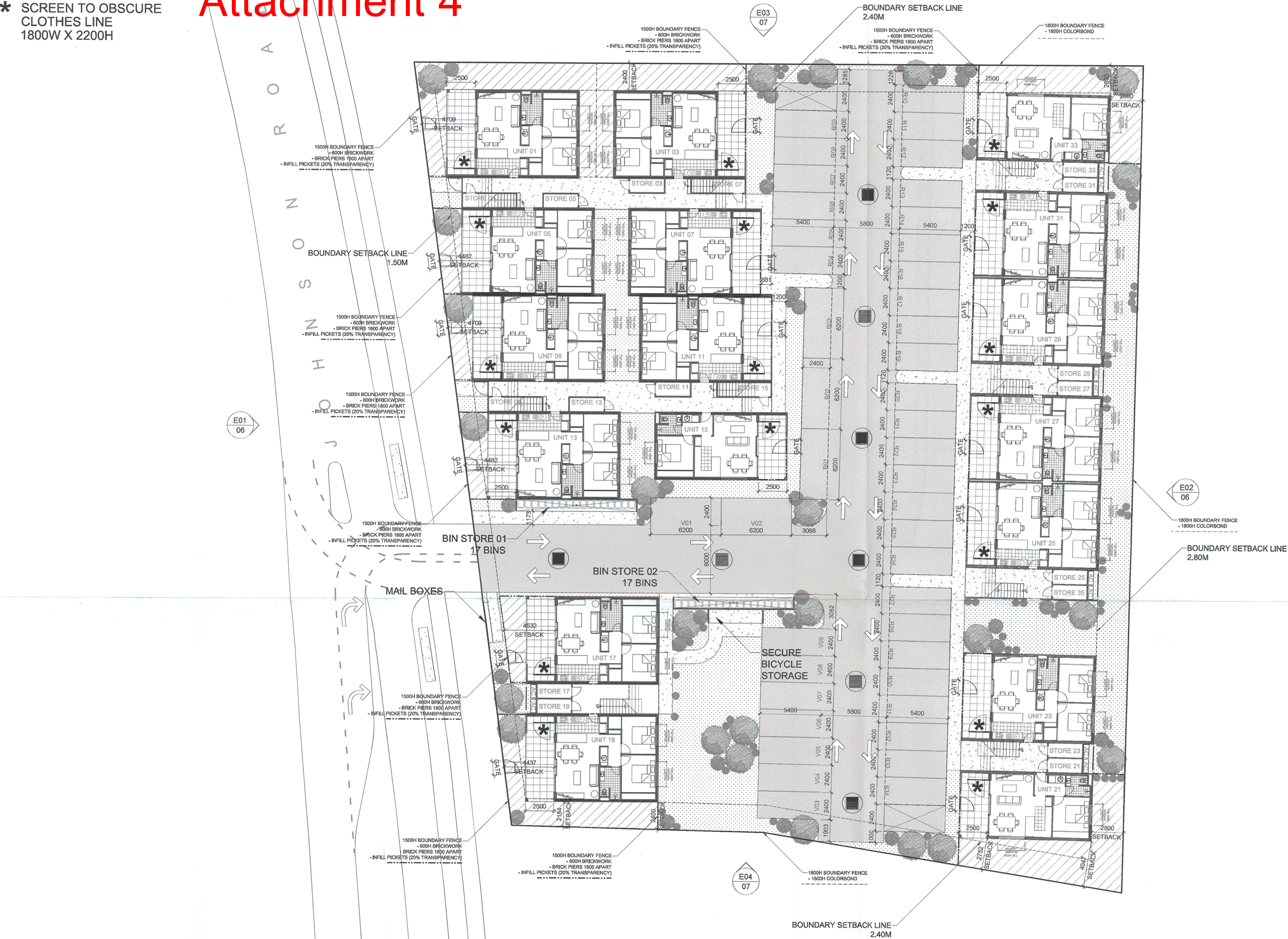


COMMON AREA

* HINGED & LOUVERED
SCREEN TO OBSCURE
CLOTHES LINE
1800W X 2200H

Attachment 4

DA7520 - 1



01 GROUND FLOOR PLAN
1:200 @ A1 - 1:400 @ A3

CITY OF KWINANA
PLANNING APPROVAL

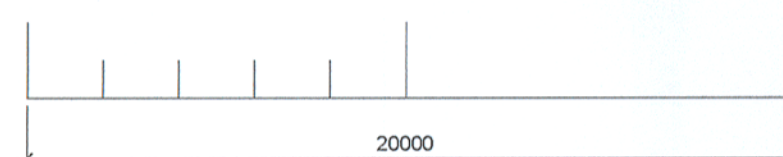
SUBJECT TO ATTACHED
CONDITIONS



* HINGED & LOUVERED
SCREEN TO OBSCURE
CLOTHES LINE
1800W X 2200H



DA7520 - 1

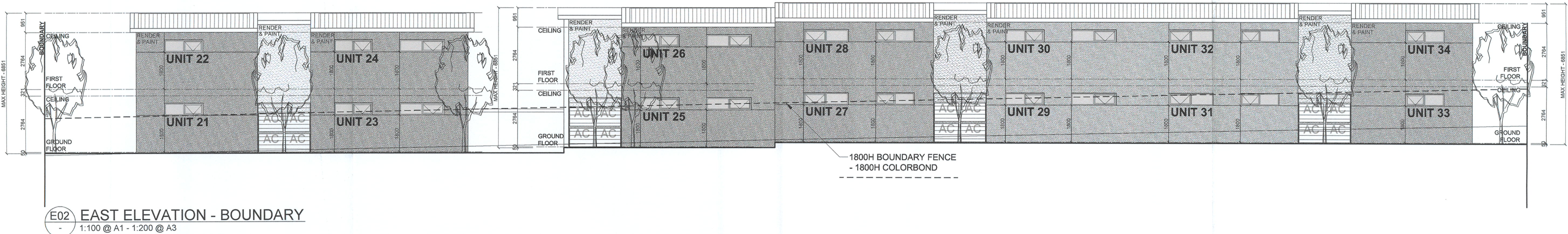
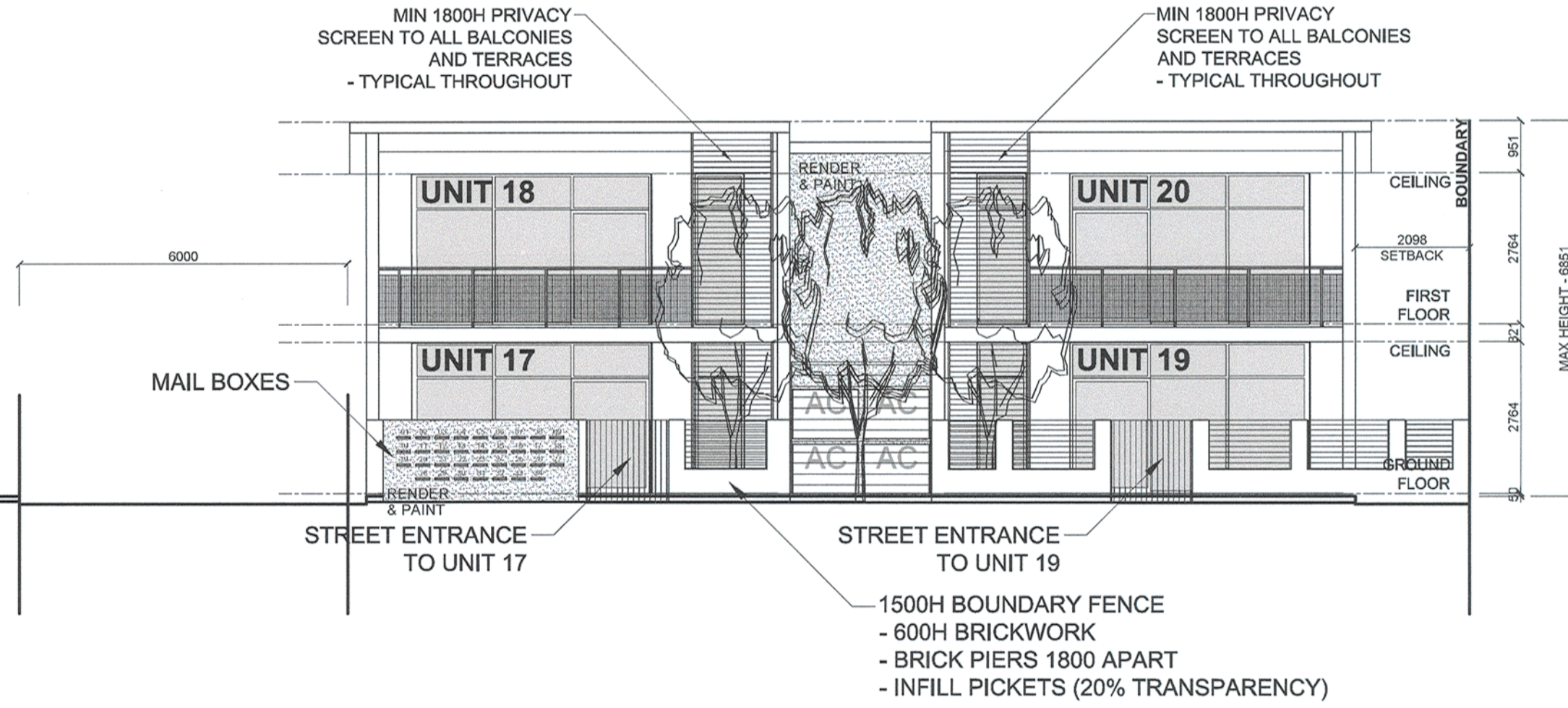
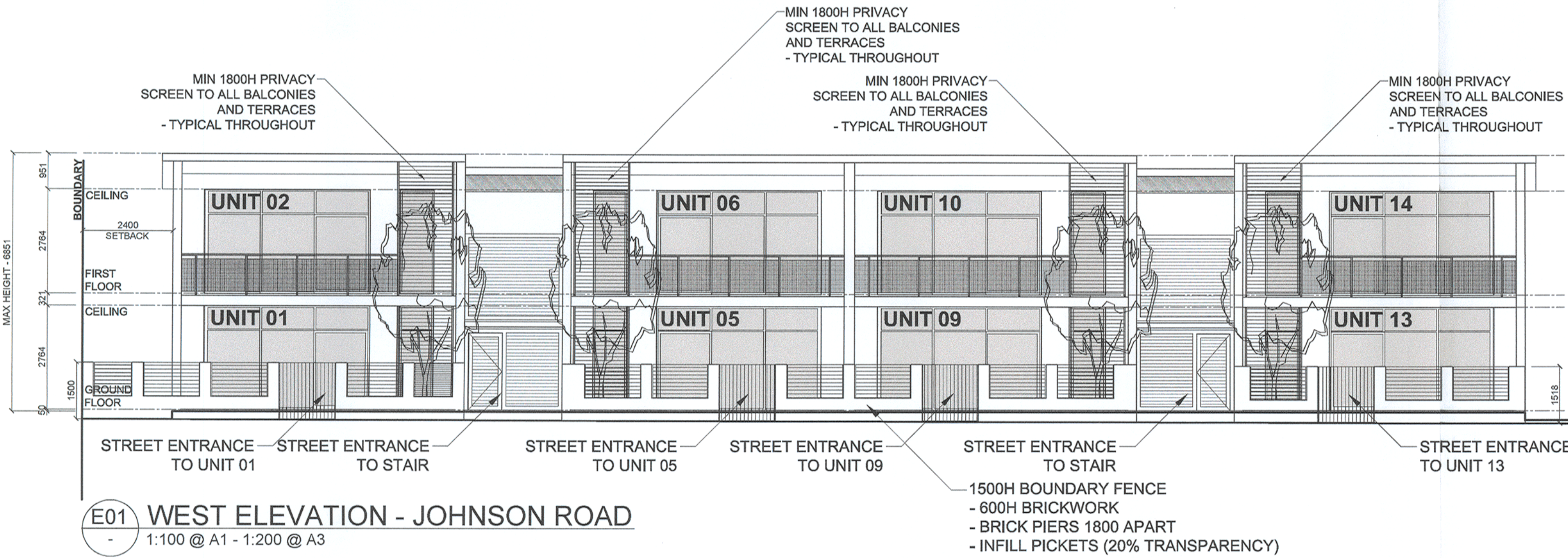


01 FIRST FLOOR PLAN
1:200 @ A1 - 1:400 @ A3

CITY OF KWINANA
PLANNING APPROVAL
SUBJECT TO ATTACHED
CONDITIONS



DA7520 - 1



CITY OF KWINANA

PLANNING APPROVAL

**SUBJECT TO ATTACHED
CONDITIONS**

Lot 101 Johnson Rd, BERTRAM
DEVELOPMENT APPROVAL_REV05

hardenjonesarchitects

Group Elevations 06
7 January 2013

Suite 8 - 300 Rokeby Rd Subiaco WA 6008
Ph: 08 9380 9900 Fax: 08 9380 9909
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www.hjarchitect.com.au
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18 October, 2020

Preliminary Tree Survey Report



LOT 101 Johnson Road
Bertram, 6167

Consulting Arborist
David Cuddihy
Graduate Certificate
Arboriculture



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1. Client

Fred Witting c/o Renel P/L
witting@westnet.com.au

2. Summary

The purpose of this report is to provide an independent preliminary tree survey of all trees located at LOT 101 Johnson Rd, Bertram 6167. Consulting Arborist, David Cuddihy has been employed to conduct a site visit to gather tree information and determine Tree Protection Zones in light of the proposed development plans (Appendix 15.1). Information will be provided on construction surrounding trees and recommendations will be made to minimize damage to the subject trees during the construction process.

3. Key objectives

- Assess the subject trees at the construction site as outlined in Figure 1.
- Identify scientific names of subject trees.
- Determine the subject trees height, width, trunk diameter, tree protection zone (TPZ) and structural root zone (SRZ)
- Provide information pertaining to construction surrounding trees.
- Provide recommendations to protect subject trees throughout the construction process.

4. Methodology

- The subject trees were assessed from observations made from ground level on the 15th October 2020.
- Field notes were taken and the information documented was an accurate account of the subject trees on the above specified date.
- The height and spread of the trees were estimated.
- A measuring tape was used to determine the DBH.
- TPZ & SRZ have been determined based on the DBH measurement and trunk calliper.
- An android phone (OPPO AX7) was used at ground level to gather photographic evidence.
- Plans have been supplied by the client (Appendices 15.1).
- Some information contained in this report has been supplied by the client.

5. Site details

5.1 Site Maps



Fig.1 – Indicating subject trees 1 – 10 located at LOT 101 Johnson Rd., Bertram (Google maps)

5.1 Site Overview

6. Tree details

ID	Species	Height/Width (m)	DBH (mm)	TPZ/SRZ (m)	Comments
Tree 1	<i>Banksia attenuata</i> (Candle Stick Banksia)	8/6	400	4.8/2.25	Tree marked for retention
Tree 2	<i>Banksia sp.</i>	8/6	450	5.4/2.37	Tree marked for removal
Tree 3	<i>Corymbia calophylla</i> (Marri)	20/10	900	10.8/3.17	Tree marked for retention
Tree 4	<i>Corymbia calophylla</i> (Marri)	20/16	900	10.8/3.17	Tree marked for retention
Tree 5	<i>Corymbia calophylla</i> (Marri)	18/12	850	10.2/3.09	Tree marked for retention
Tree 6	<i>Corymbia calophylla</i> (Marri)	8/6	300	3.6/2	Tree marked for retention
Tree 7	<i>Corymbia calophylla</i> (Marri)	8/8	400	4.8/2.25	Tree marked for retention
Tree 8	<i>Corymbia calophylla</i> (Marri)	16/10	570	6.84/2.61	Tree marked for removal
Tree 9	<i>Allocasuarina sp.</i> (Sheoak)	18/10	500	6/2.47	Tree marked for removal
Tree 10	<i>Corymbia calophylla</i> (Marri)	18/18	1050	12.6/3.38	Tree marked for retention

Table 1 – Tree species and relevant dimensions

7. Tree Protection

Tree roots are generally shallow in the soil and can travel well beyond the drip line of the tree's crown. Roots that collect water and nutrients are typically found within the top 600mm of the soil and are therefore susceptible to damage or disturbance. It is important to protect the roots in this surface layer to ensure the tree is not placed under stress. The best way to protect a tree during construction is by establishing a tree protection zone (TPZ)

8. Tree Protection Zone, Structural Root Zone & Encroachment

8.1 Tree protection Zone (TPZ): The tree protection zone is the principal means of protecting trees on development sites. The TPZ is a combination of the root area and crown area requiring protection. The TPZ incorporates the structural root zone (SRZ).

8.2 Structural Root Zone (SRZ): refers to an area around the trunk of the tree that relates to the structural stability of the tree. If larger roots within this area are damaged it is highly likely the tree's structure will be compromised, possibly causing whole tree failure. The SRZ primarily relates to structure as opposed to tree health, to protect tree health The TPZ should be adhered to.

8.3 Incursion: It may be possible to encroach into or make variations to the standard TPZ. Encroachment includes excavation, compacted fill and machine trenching. Encroachment can be classified as minor or major encroachment.

Minor: If the proposed encroachment is less than 10% of the area of the TPZ and is outside the SRZ.

Major: If the proposed encroachment is greater than 10% of the TPZ or inside the SRZ.

9. TPZ establishment

A TPZ is calculated in accordance with Australian Standard 4970-2009 Protection of trees on development sites. A TPZ aims to; protect the tree roots from high traffic and soil disturbance, provide root space to sustain a tree's health, minimise interruption to the tree's growing environment and prevent vehicle damage to the tree trunk and branches.

9.1 TPZ Guidelines

1. A Tree Protection Zone (TPZ) shall be established for the duration of any works near a tree.
2. The tree protection distance method outlined in the current Australian Standard will be used for the allocation of tree protection zones. The TPZ for individual trees is calculated based on trunk (stem) diameter (DBH), measured at 1.4 meters up from ground level. The radius of the TPZ is calculated by multiplying the tree's DBH by 12. TPZ distances are measured as a radius from the center of the trunk at ground level.
3. A qualified arborist must approve any modification to a tree protection zone

The following are not permitted within a tree protection zone:

1. Mechanical excavation on the road, footpath or any public space
2. Stockpiling of building materials, debris or soil
3. Vehicular traffic except on existing paved surfaces
4. Installation of service pits or hatches
5. Vehicular crossings
6. Severing of tree roots with a diameter greater than 30mm
7. Alteration of soil levels and structure

9.2 TPZ Signage

A prohibition sign complying with AS4970:2009 stating "NO ENTRY – TREE PROTECTION ZONE" and including contact details of the site foreman is to be attached to the fence to be visible from all sectors of the site, and remain in place until all construction has been completed (Fig. 2)



Fig. 2 – TPZ signage to be placed on fencing and visible to construction workers.

10. Construction around trees

There are a number of factors to consider when performing construction works around trees.

10.1 Root damage

Root damage is the most common cause of damage to trees on construction sites. Root excision triggers responses in hormonal levels, water and nutrient status and gaseous exchange that result in growth changes and biomass allocation. Mechanical damage reduces the root:shoot ratio and subsequently inhibits the trees ability to uptake water resulting in symptoms synonymous to drought.

The compensatory mechanics to cope with reduced capacities of water and nutrient supply due to root loss include an enhancement of root physiological activity of the remaining roots and/or regeneration and rejuvenation of the root system.

It is now recognised that the survival of trees following root damage or severance is largely dependent on the rapid extension of roots to absorb water, replenish transpirational water loss and reduce drought related water stress symptoms. Therefore, it is important to protect the remaining root structure and encourage further growth. Fine roots that regenerate close to the surface will be susceptible to damage in the upcoming hotter months however, they can be protected with the application of mulch.

Apart from the actual removal of roots during excavation or trenching, soil compaction is one of the major causes of root damage on construction sites

10.2 Compaction

An ideal soil for root growth and development contains about 50 per cent pore space for water and air movement. A reduction of the total porosity (Compaction) impedes an adequate gas exchange between soil and atmosphere which depends on a continuous system of air-filled pores throughout the soil.

Decreased air permeability and soil porosity limit extension, elongation, density and penetration of fine roots which has been witnessed by the reluctance of new roots to expand into the construction sand.

Compaction is measured by bulk density that is the dry weight of soil by volume. Compacted construction sand has a bulk density value of approximately 1.6g/cm³ which is typically too high to support root growth.

10.3 Root pruning

Most trees will tolerate root pruning up to 25% total mass and some species endure considerably more. Given they have space to do so, roots will regenerate in time to compensate for the loss and re-align the root:shoot ratio.

10.4 Soil gradient change

Raising the grade or soil level over existing roots can have a significant effect on the future growth and survival of existing trees. When soil or any type of fill is placed over the existing root system, it causes a reduction in the oxygen supply to the tree roots and slows down the rate of gas exchange between the roots and the air in the soil pore space.

Many of the soil organisms (rhizosphere) also utilize the water and oxygen in their normal growth processes. Lack of oxygen in the soil may result in accumulation of noxious gases and chemicals detrimental to good growth. When this occurs, the feeder roots fail to develop, the root system and the above-ground portion of the tree begin to decline.

Initial symptoms generally include; delayed bud break, reduced growth, stunted light green to yellow leaves, necrosis, crown thinning and leaf abscission. Tree mortality may take anywhere from several months to several years to occur.

10.5 Backfill

Where excavation within the TPZ has been undertaken, backfill around tree roots with a soil mixture of topsoil and well-rotted compost with a neutral pH value. The topsoil and compost are to be free from weed growth and harmful materials. Do not backfill around tree trunks to a height greater than 200 mm above the original ground surface. Immediately after backfilling, thoroughly water the root zone surrounding the tree.

10.6 Structural soils

The aim of structural soil is to provide a solid base to support loads while permitting root growth. Here in Australia, SESL has developed specifications for structural soils suited to Australian conditions. A typical SESL structural soil is composed of 5 to 6 parts 75-mm rail ballast (which is defined by AS 2758.7) to 1 part soil. When the mix is compacted, it retains a void space of at least 30%, which is available for water and air movement and root growth.

It is important to understand structural soil as the entire structural foundation, not just as a soil product that fits in with the foundation. Doing away with the traditional small pit for each tree, it allows roots to travel as far as they can beneath the pavement.

When structural soil is properly used, roots can penetrate deep enough to avoid surface heat and to find enough water. Growing deeply, they are less likely to lift and crack pavements. Structural soil meets the needs of both engineers, by providing a firm foundation, and landscapers, by providing adequate rooting volume with air permeability, moisture-holding capacity and cation exchange capacity.

11. Discussion

11.1 Introduction

Established trees of good health and vigour represent an asset to any development site, particularly if landscaping is a significant component of the proposed development. Trees are retained because of their aesthetic features, for shade, for the scale that they will give to new buildings or for their historical value. Trees are living organisms that require certain environmental conditions in order to maintain their value as an asset. As remediation of badly stressed or damaged trees is rarely successful, it is essential to avoid or minimise damage during the construction phase. Hence, to retain trees and meet their requirements, procedures that ensure the protection of trees must be in place at all stages of the development.

11.2 TPZ and modifications

The tree protection zone is a guideline established to help protect trees, especially during construction. The TPZ is calculated based on the trunk diameter and makes some assumptions as to the likely spread of the trees roots. In urban settings, the trees roots are not often where they are expected and can also be influenced by soil type and tree species. A majority of Perth's suburbs are situated on sandy soils that typically have low compaction rates and high filtration that can result in tree roots growing downwards as opposed to the more conventional lateral growth. As a result, it may be possible in certain circumstances to make significant encroachments into the TPZ and sometimes the structural root zone.

Currently one of the biggest areas of contention and legal dispute centers on what is an acceptable (or unacceptable) level of impact. These concerns intersect with issues surrounding encroachment. Theoretically, the standard allows 100% impact on the TPZ, provided that the project arborist can adequately demonstrate that the tree will remain viable. Some arborists advise that if the SRZ cannot be substantially preserved, then the tree should be removed. This is not in accord with the standard, and might be seen as an easy or perhaps safe approach.

11.3 Tree retention

There is always a compromise between retaining trees on a development site and the economic imperatives of land development. Retaining trees on development sites is a fine balance between sustaining that amenity and the economic development of the land. Establishing priorities for the retention of trees is an important part of the planning process if amenity is to be sustained in the long term. If the trees are found to have high significance, plans may be altered or construction methods changed to accommodate tree retention. Excavation within the TPZ can be conducted in a non-intrusive manner that can dramatically reduce disturbance to the trees roots.

12. Summary of observations

Aerials photos of the area indicate there has been significant clearing of native bushland to facilitate the adjacent suburb and there is little evidence of mature trees within the development envelope. It is encouraging to be presented with development plans with a focus on retaining significant, mature trees.

- 7 of the 10 trees on site are Marri that are an endemic species to Western Australia. 4 of these would be considered significant due to their age, size and habitat value and should be preserved and protected.
- The development plans incorporate the existing trees into the design.
- Construction will occur within some of the trees TPZ illustrating the need for construction methods and materials to be reviewed. Deep excavation for footings etc. does not appear to be necessary in the TPZ of most trees marked for retention.
- Plans indicate a soak well to be placed within the TPZ of Tree 3 that will need to be positioned carefully without damaging the trees structural roots.
- Plans indicate the drive way will pass through the SRZ of Tree 3. It is imperative that no deep soil excavation is carried out in the construction process if the tree is to be retained. Deep excavation will likely severe significant structural roots that will compromise the trees structural integrity.
- The above ground floor of the common area appears to be amongst the canopy of trees. Some of the trees have a significant lean and canopy bias making them difficult to uplift or prune effectively to facilitate construction. Pruning of the trees to accommodate the common area roof will need to be done carefully and selectively.

13. Recommendations

- Onsite consultation between a project arborist and builder to discuss the common area roofing amongst the trees to have a clear understanding of what is or is not possible to achieve. This may result in the possible removal of selected trees to facilitate construction.
- Prune trees that will likely be affected by mechanical damage prior to construction.
- Apply a thick layer (75-100mm) of mulch in the entire TPZ of trees where construction or earthworks will not take place. A layer of mulch will reduce compaction levels during construction, act as a protective barrier for the trees roots and help soil water retention throughout the entirety of the construction process.

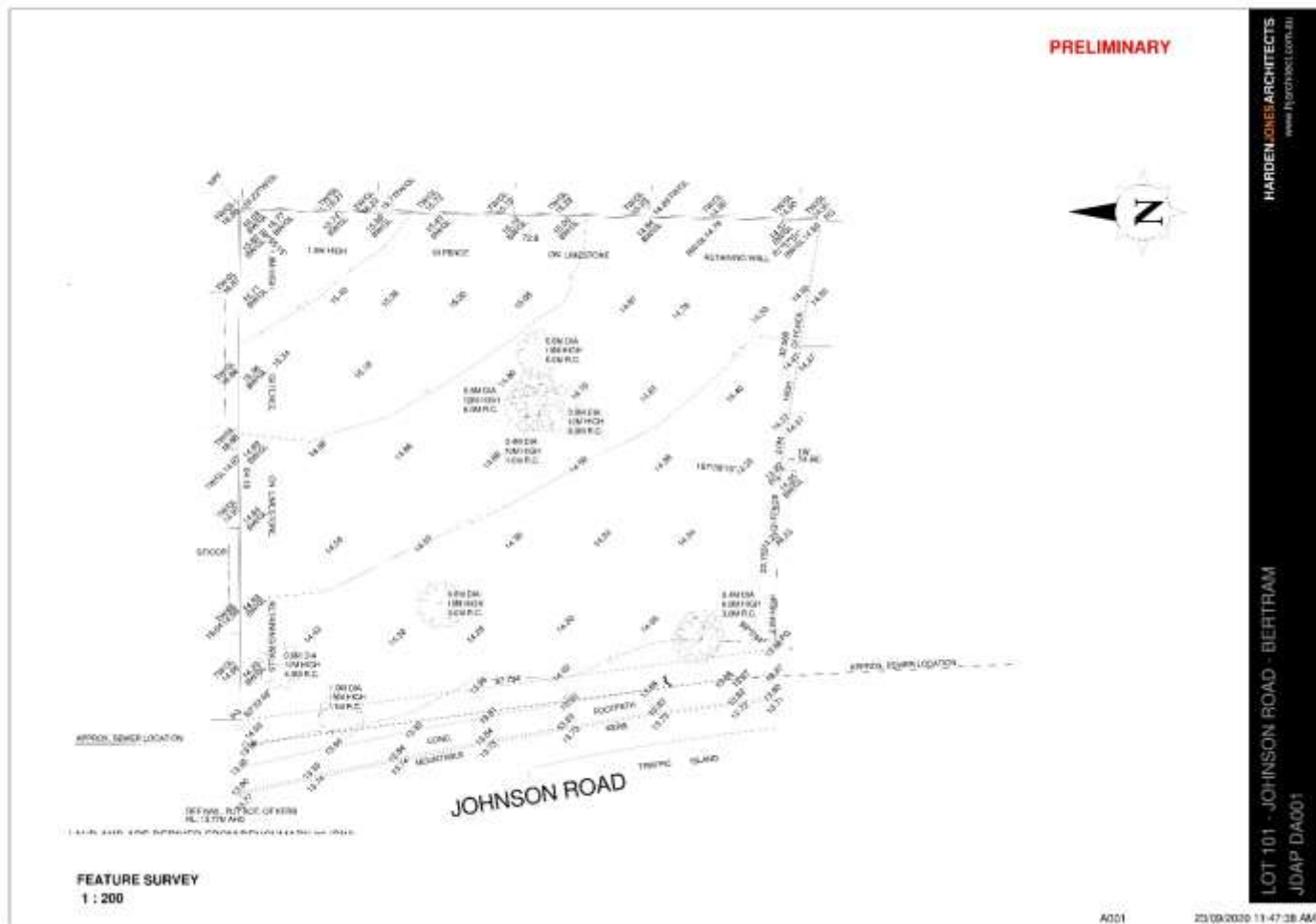
- A Suitably qualified Arborist to be on site during excavation to document root disturbance/damage and prune roots where necessary.
- Excavate soil manually (i.e. by shovel) to expose roots that may be impacted by earthworks particularly in the SRZ. Clean cut all roots that will be affected by earthworks to facilitate root re-growth and minimise pathogen infection. This should be conducted by a suitably qualified Arborist
- Establish tree protection zones for all subject trees for the remaining duration of construction. Temporary fencing can be erected around the trees to form a physical barrier that can prevent mechanical damage and reduce compaction.
- Use structural soils (10.6) in areas of the TPZ where construction is necessary.
- Irrigate trees thoroughly during the entirety of the construction process.
- Monitor trees during construction and contact an Arborist if crown deterioration is observed.

14. Disclaimer

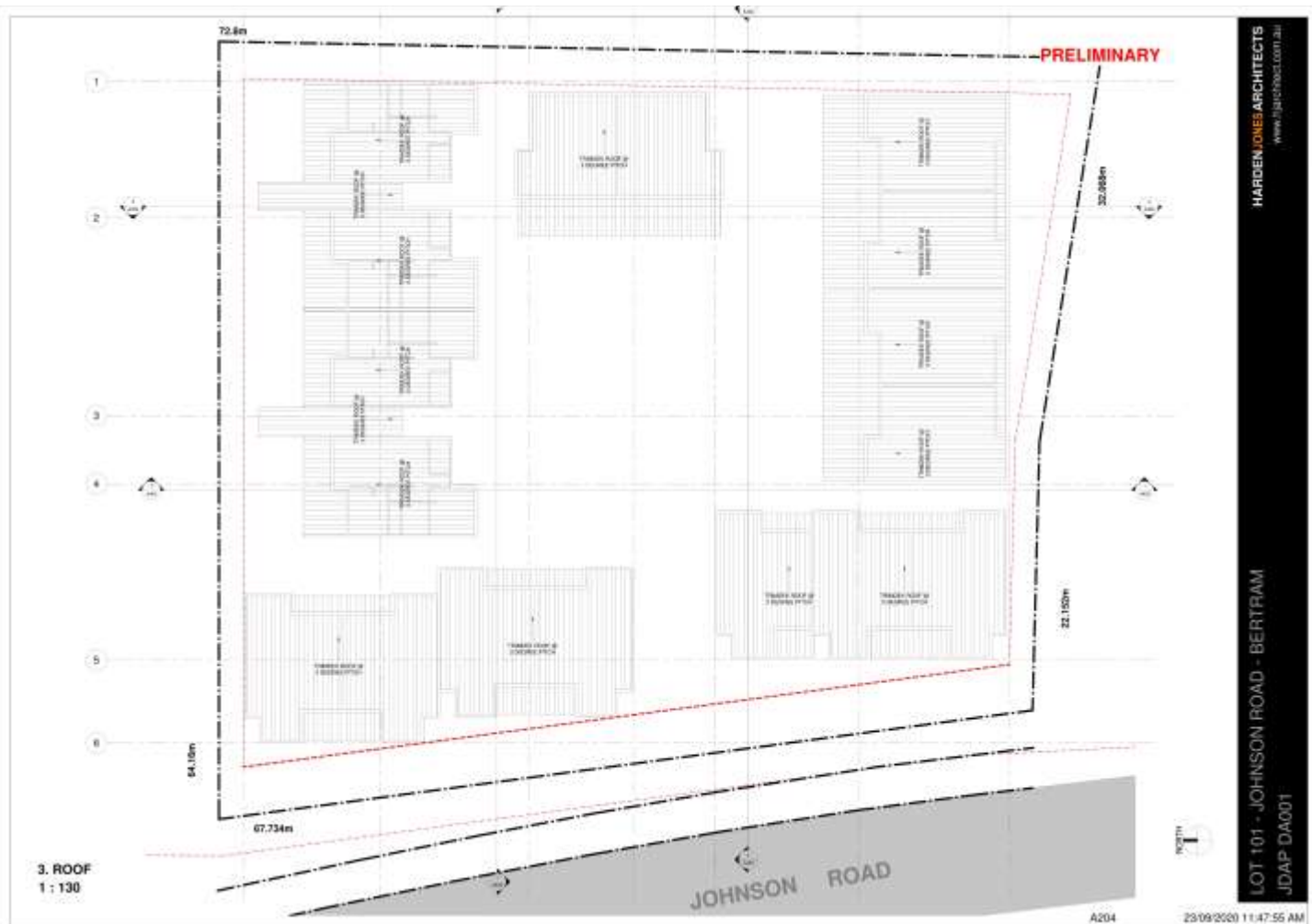
The conclusions and recommendations contained in this report refer to the trees' condition on the day of inspection only. The report should be read and considered in its entirety. All care has been taken using the most up to date arboricultural information in the preparation of this report. The report is based on visual inspection only. No guarantee can be given nor can it be predicted that branch failure or uprooting (windthrow) would not occur as a result of high winds and /or excessive rainfall and other unpredictable events. Tree health and environmental conditions can change at any time due to unforeseen circumstances.

15. Appendix

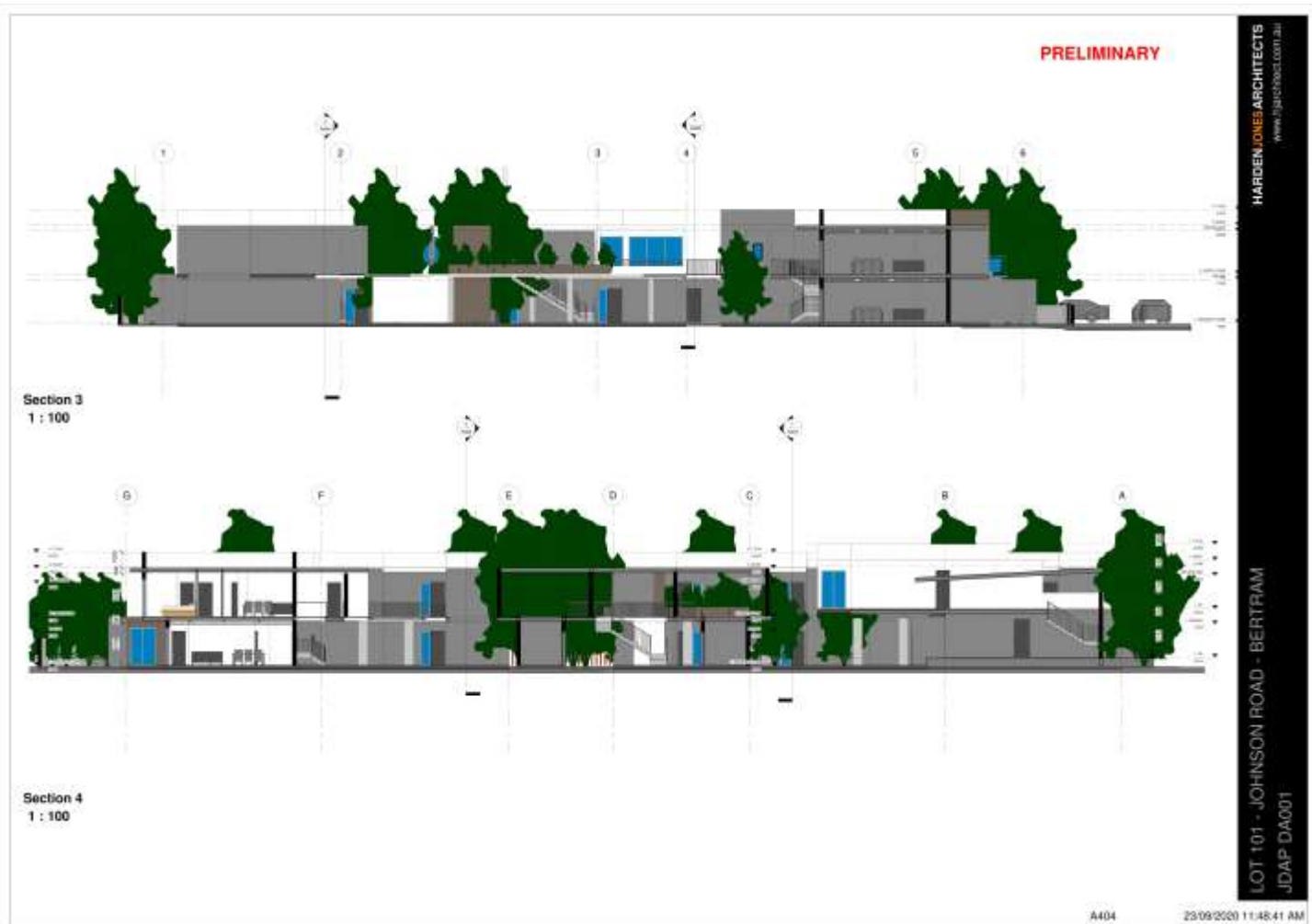
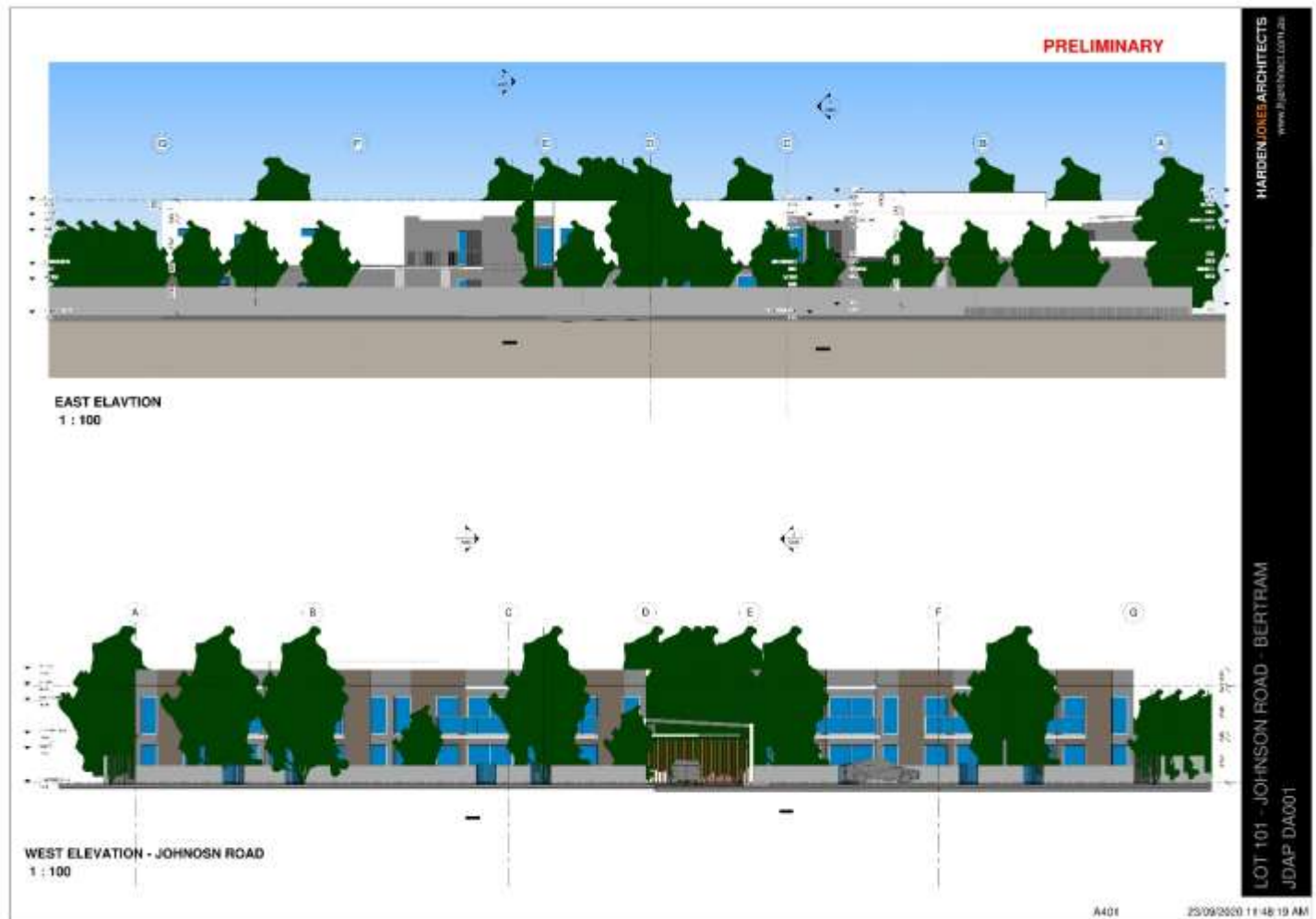
15.1 Development plans











Attachment 6

BUSHFIRE MANAGEMENT PLAN Apartment complex 101 Johnson Road, Bertram



CLIENT: Fred Witting Renel Pty Ltd
SITE LOCATION: 101 Johnson Rd Bertram, WA 6167
DATE: 16/12/2020
SHIRE/CITY: City of Kwinana
FIRE CONSULTANT: David Deeley
CLIENT CONTACT # 0419 937 408
WOFP FILE #: 20200908
VERSION #: 2.0

 **WORKING ON FIRE
PLANNING**
INTEGRATED FIRE MANAGEMENT
Working On Fire Planning Pty Ltd
ABN: 42 623 954 316
PO Box 1249 Bibra Lake DC WA 6965
planning.australia@workingonfire.com
www.workingonfireplanning.com.au

Bushfire Management Plan – Simple Development Application

Property address: 101 Johnson Road, Bertram, WA 6167.

Lot size: 4068 m²



Landowner: Renel Pty Ltd

Prepared by: David Deeley

Document control

Client: Fred Witting, 267 Marmion St, Cottesloe, WA 6011

Report version	Purpose	Author/reviewer and accreditation details	Date submitted
Draft 1.0	BAL / BMP – draft for review	Dr David Deeley L2 BPAD 37575	27/09/2020
Final 1.0	Author - BAL / BMP	Dr David Deeley L2 BPAD 37575	29/09/2020
Final 2.0	DFES amendments included	Dr David Deeley L2 BPAD 37575	16/12/2020

I hereby declare that I am a BPAD Accredited bushfire practitioner.		
Accreditation No.	37575	
Signature		
Date	16/12/2020	

Disclaimer

The recommendations and measures contained in this assessment report are based on the requirements of the Australian Standards 3959:2018 – Building in Bushfire prone Areas, WAPC / DFES Guidelines for Building in Bushfire Prone areas (State Planning Policy 3.7) and CSIRO's research into Bushfire behaviour. These are considered the minimum standards required to balance the protection of the proposed dwelling and occupants with the aesthetic and environmental conditions required by local, state and federal government authorities. They DO NOT guarantee that a building will not be destroyed or damaged by a bushfire. All surveys and forecasts, projections and recommendations made in this assessment report and associated with this proposed dwelling are made in good faith on the basis of the information available to the fire protection consultant at the time of assessment. The achievement of the level of implementation of fire precautions will depend amongst other things on actions of the landowner or occupiers of the land, over which the fire protection consultant has no control. Notwithstanding anything contained within, the fire consultant/s or local government authority will not, except as the law may require, be liable for any loss or other consequences (whether or not due to negligence of the fire consultant/s and the local government authority, their servants or agents) arising out of the services rendered by the fire consultant/s or local government authority.

Bushfire Assessment Results

The proposal is to construct 17 grouped apartments in 5 2-storey blocks (Figure 1). The development is to occur within an area of established urban residential form. Scheme water has been provided and the existing public road network provides adequate access.

A site inspection was undertaken on 15th September, 2020 and at that time, the Lot had largely been cleared of any original vegetation other than several large isolated trees (Photos 92 to 99). The site at that time was covered by sown pasture species that had recently been mown and slashed. None of the vegetation on the property at the time of the site visit presented any bushfire threat.

What is at issue however, is the large area of Class A Forest immediately across the road from No 101. This area of Forest extends over 100 m to the west and is contiguous with a vegetated drainage corridor that connects to retained vegetation around Belgravia Dampland and the Rockingham to Mandurah rail corridor. This Class A Forest across from the proposed development constitutes an 'Extreme' bushfire hazard. Additionally, an extensive stand of original vegetation extends to the south east associated with the Bertram Sanctuary Reserve however the proposed development is shielded from this by a single row of small-Lot dwellings to the SE.

A BAL assessment was completed for the property (Appendix 2), which found that the road reserve associated with Johnson Road provides sufficient separation from the western aspect of the property, combined with a proposed building setback for the apartment complex of 4 m (Figure 6), that a rating \leq BAL-29 can be achieved.

What will be required to mitigate the 'Extreme' bushfire hazard presented by the Class A Forest across the road from No 101, is that the City of Kwinana maintain the Johnson Rd road reserve in a Low-threat condition in perpetuity.

The results of the BAL assessment based on what was observed at the time of the site visit, have been copied here as Table 1.

Table 1: BAL Analysis

Plot	Vegetation Classification	Effective Slope °	Separation (m)	BAL
1	Excludable – Clause 2.2.3.2(f)	N/A	N/A	BAL – LOW
2	Class B Woodland	Upslope/Flat	46	BAL – 12.5
3	Class A - Forest	Upslope/Flat	46	BAL – 12.5
4	Class C Shrubland	Upslope/Flat	52	BAL – 12.5
5	Class A - Forest	Upslope/Flat	76.5	BAL – 12.5
6	Class G Grassland	Upslope/Flat	29.5	BAL – 29
7	Class A - Forest	Upslope/Flat	29.5	BAL – 29
Determined Bushfire Attack Level				BAL – 29

Copied from the BAL assessment at Appendix 2.

Assessment against the bushfire protection criteria

The measures presented here meet the intent of SPP3.7.

Bushfire protection criteria	Method of compliance	Proposed bushfire management strategies
	Acceptable solutions	
Element 1: Location	<p>A1.1 Development location</p> <p>The development is in a location that on completion will achieve a rating of \leqBAL-29.</p> <p>This meets the intent of Element A1.1.</p>	The proposal is to construct 17 grouped apartments in 5 2-storey blocks. The development is to occur within an area of established urban residential form. Scheme water has been provided and the existing public road network provides adequate access.
Element 2: Siting and design	<p>A2.1 Asset Protection Zone</p> <p>Johnson Road is a 2-way sealed local connector with a sealed surface of from 7 to 11 m width. An existing road reserve of from 20 to 26 m together with a proposed 4 m building setback serves as an APZ such that a rating of \leqBAL-29 is achieved.</p> <p>This meets the intent of Element A2.1.</p>	An existing road reserve (Johnson Road), and a proposed 4 m building setback provides adequate setback from Class A Forest to the west. Established small-Lot urban form on three aspects serves as a suitable APZ. Any future landscaping / planting around the site will also be consistent with Schedule 1 (see Page 8 of Appendix 1).
Element 3: Vehicular access	<p>A3.1 Two access routes.</p> <p>The existing public road network provides two all-weather access routes to two separate destinations.</p> <p>This meets the intent of Element A3.1</p>	(see Photos 23, 24).
	A3.2 Public road. N/A	There are no public roads on site.
	A3.3 Cul-de-sac N/A	There are no cul-de-sacs.
	A3.4 Battle-axe N/A	There are no battle-axe Lots
	<p>A3.5 Private driveway longer than 50 metres.</p> <p>Most private driveways serving the apartment complex are <50 m. Private driveways servicing central and rear apartment blocks may be >50 m up to a maximum of 75 m. These are to be constructed to the specifications of Table 1, column 3.</p> <p>This meets the intent of Element A3.5</p>	Private driveways servicing central and rear apartment blocks are to be fully sealed or paved and are to be \geq 6 m in width.
	A3.6 Emergency access way N/A	The existing public roads provide adequate egress in an emergency.
	A3.7 Fire service access routes (perimeter roads) N/A	The existing public and private roads provide adequate access for emergency services.
	A3.8 Firebreak width. N/A	101 Johnson Road is <0.5 ha so no perimeter firebreak is required.

Bushfire protection criteria	Method of compliance	Proposed bushfire management strategies
	Acceptable solutions	
Element 4: Water	A4.1 Reticulated areas Reticulated water has been provided for the apartment complex. This meets the intent of A4.1.	A reticulated water supply has been provided to the Lot. All apartments will be provided with reticulated water. Internal water supply pipes must comply with clause 7.8 of the BAL-29 requirements of AS 3959 or where shielding provisions apply to clause 6.8 of the BAL-19 requirements of AS 3959.
	A4.2 Non-reticulated areas N/A	N/A
	A4.3 Individual lots within non-reticulated areas. N/A	N/A

Table 1 Technical requirements for public roads.

TECHNICAL REQUIREMENTS	1 Public road	2 Cul-de-sac	3 Private driveway	4 Emergency access way	5 Fire service access routes
Minimum trafficable surface (m)	6*	6	4	6*	6*
Horizontal clearance (m)	6	6	6	6	6
Vertical clearance (m)	4.5	N/A	4.5	4.5	4.5
Maximum grade <50 metres	1 in 10	1 in 10	1 in 10	1 in 10	1 in 10
Minimum weight capacity (t)	15	15	15	15	15
Maximum crossfall	1 in 33	1 in 33	1 in 33	1 in 33	1 in 33
Curves minimum inner radius (m)	8.5	8.5	8.5	8.5	8.5
*Refer to E3.2 Public roads: Trafficable surface					

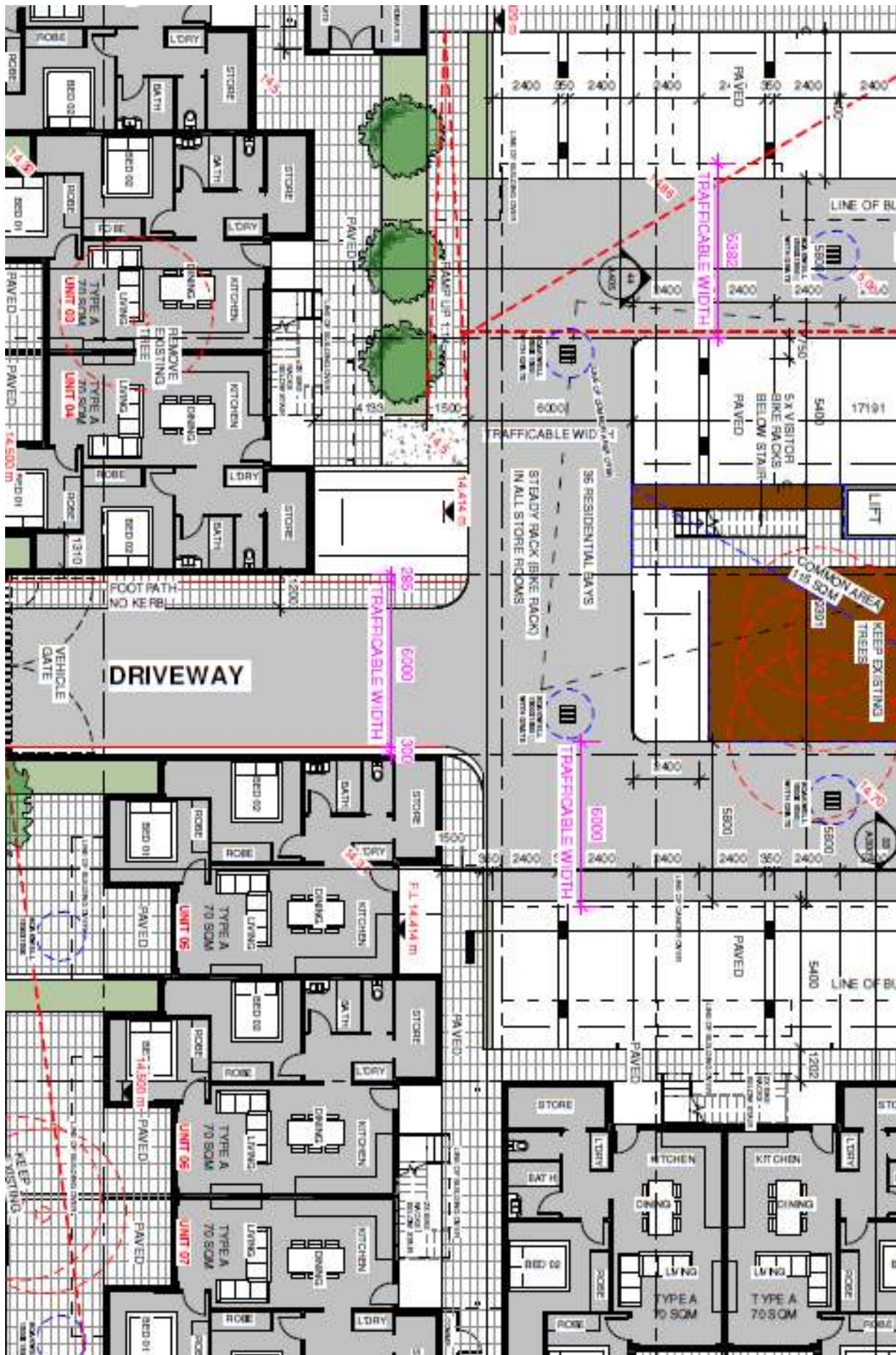


Figure 1 Site plan for proposed apartment complex

Location, Property boundary, 4m western building setback, 2m contours

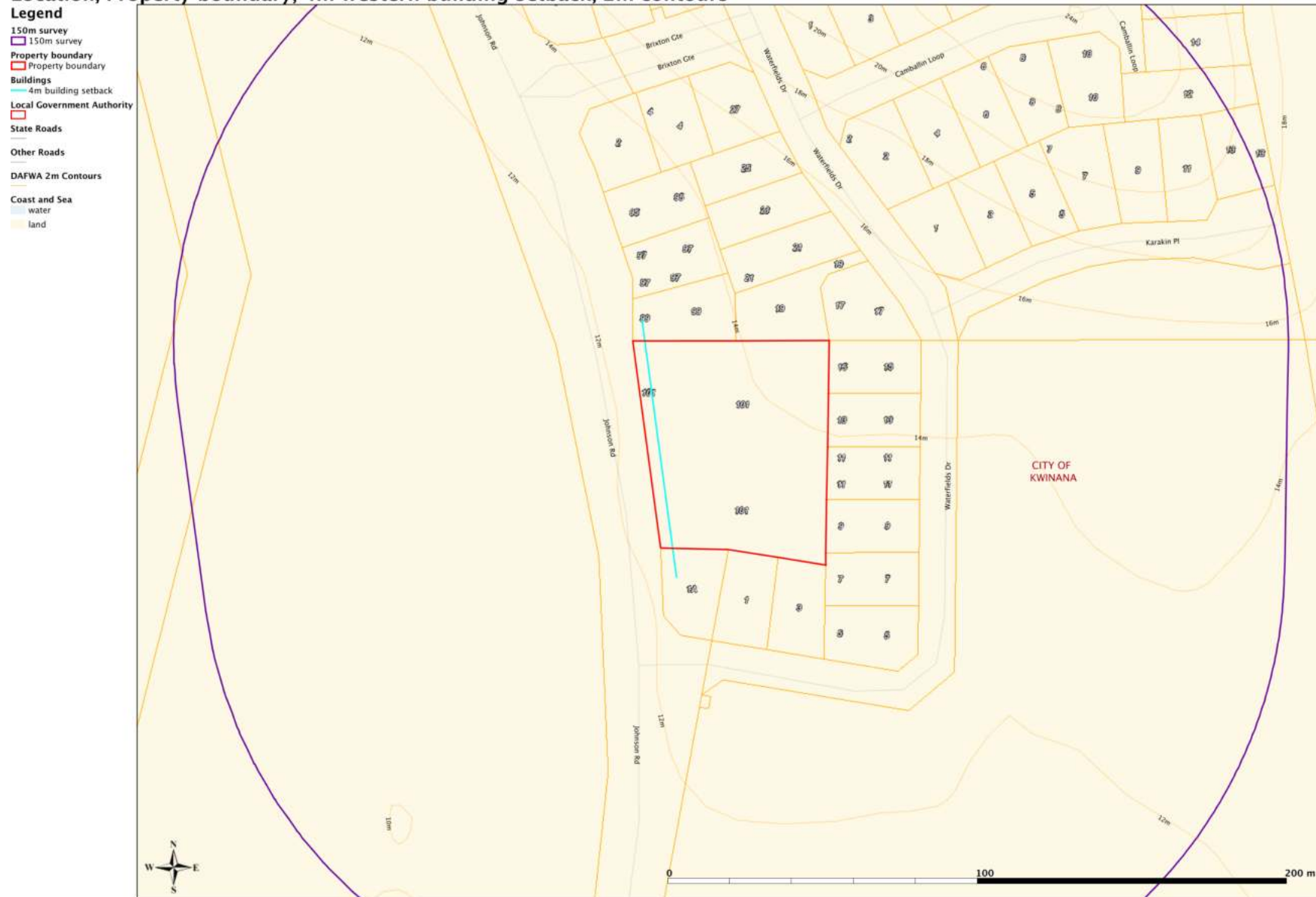


Figure 2 Location, Property boundary, 4 m setback, 2 m contours

Air photo, Photo points

Legend

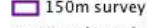
Photo points BAL



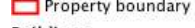
Photos 2



150m survey



Property boundary



Buildings

4m building setback



Local Government Authority



State Roads



Other Roads



DAFWA 2m Contours



Map Printed from FireMaps on Mon Dec 21 08:06:38 AWST 2020

Figure 3 Air photo and photo points

Vegetation classified existing

Legend

- 150m survey
- 150m survey
- Property boundary
- Property boundary
- Buildings
- 4m building setback
- Vegetation existing with site cleared
- A. Forest, 0
- B. Woodland, 0
- C. Shrubland, 0
- G. Grassland, 0
- Local Government Authority
- State Roads
- Other Roads
- DAFWA 2m Contours



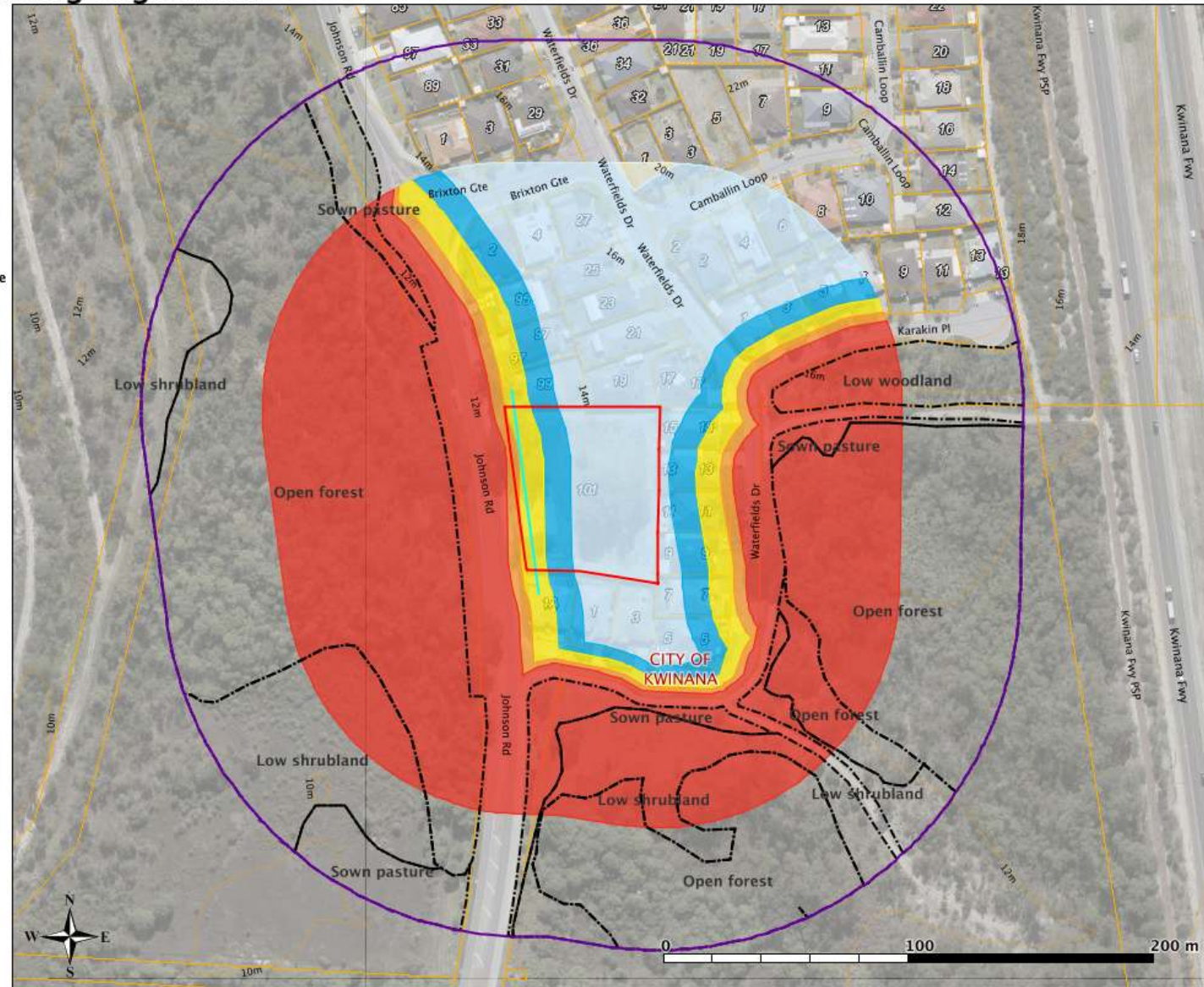
Map Printed from FireMaps on Mon Dec 21 08:11:02 AWST 2020

Figure 4 Vegetation classified existing

BAL contours existing vegetation

Legend

- 150m survey
- 150m survey
- Property boundary
- Property boundary
- Buildings
- 4m building setback
- Vegetation existing with site cleared
- A. Forest, 0
- B. Woodland, 0
- C. Shrubland, 0
- G. Grassland, 0
- BAL contours existing veg outside site
- BAL-12.5
- BAL-19
- BAL-29
- BAL-40
- BAL-FZ
- BAL-LOW
- Local Government Authority
- State Roads
- Other Roads
- DAFWA 2m Contours



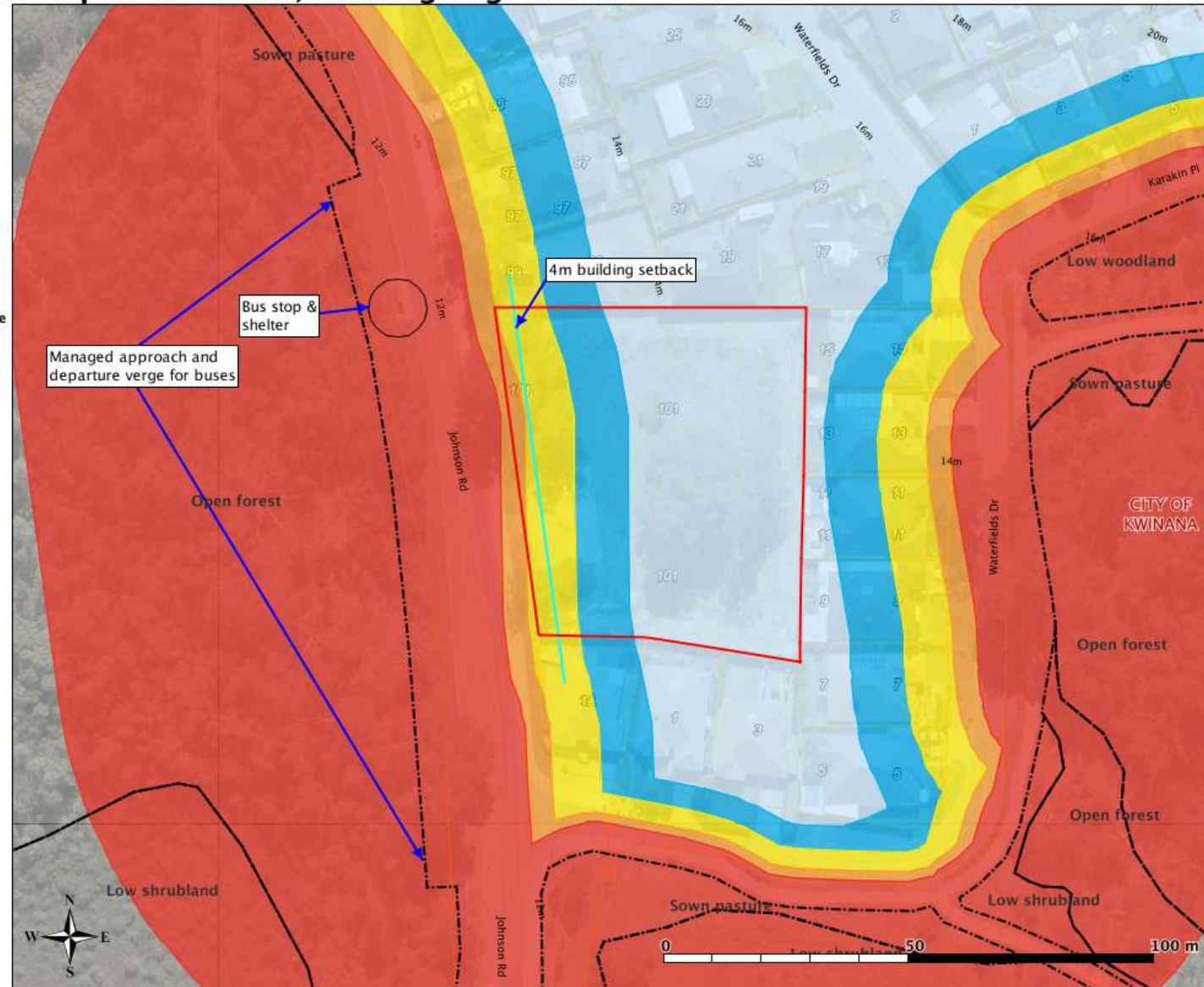
Map Printed from FireMaps on Mon Dec 21 08:12:46 AWST 2020

Figure 5 BAL contours existing vegetation

BAL contours close-up to \leq BAL-29, existing vegetation

Legend

- Labels**
- Arrow
- 150m survey
- 150m survey
- Property boundary**
- Property boundary
- Buildings**
- 4m building setback
- Vegetation existing with site cleared**
- A. Forest, 0
- B. Woodland, 0
- C. Shrubland, 0
- G. Grassland, 0
- BAL contours existing veg outside site**
- BAL-12.5
- BAL-19
- BAL-29
- BAL-40
- BAL-FZ
- BAL-LOW
- Local Government Authority**
- State Roads
- Other Roads
- DAFWA 2m Contours



Map Printed from FireMaps on Mon Dec 21 08:15:25 AWST 2020

Figure 6 BAL contours close-up showing separation distances to \leq BAL-29

Responsibility for implementation and management

DEVELOPER/LANDOWNER – PRIOR TO OCCUPANCY	
No.	Implementation action
1	Design and construct private driveways from Johnson Rd to central and rear apartment blocks as per the specifications stated in this BMP.
2	Clear existing groundcovers and shrubs (other than several large trees to be retained), on site to establish a suitable Asset Protection Zone to the dimensions and standards stated in the BMP.
3	Design and install emergency water fittings such as hose reels etc. as per the BCA's specifications

LANDOWNER/OCCUPIER – ONGOING MANAGEMENT	
No.	Management action
1	Maintain any retained or recreated vegetation to the standard stated in the BMP. 'Schedule 1' specifications to apply.
2	Comply with the relevant local government annual firebreak notice issued under S33 of the <i>Bush Fires Act 1954</i> .
3	Maintain vehicular access routes within the Lot to the required surface condition and clearances.
4	Maintain the emergency hose reels and associated fittings in good working condition.

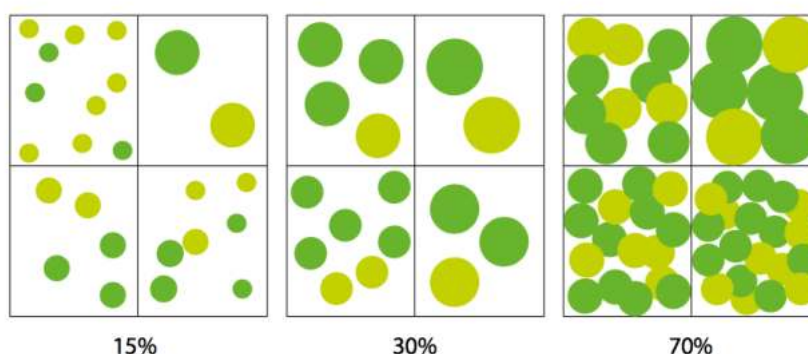
LOCAL GOVERNMENT	
No.	Management action
1	Provide annual firebreak and hazard reduction notices.
2	Monitor land owner compliance with regulations.
3	Promote education and awareness of bushfire prevention and preparation measures.
4	Maintain the vegetation within the road reserve for Johnson Road adjacent to No 101, in a 'Low-threat' condition in perpetuity.

Appendix 1 Schedule 1 APZ requirements

Source: WAPC (2017) Guidelines for planning in bushfire prone areas. V1.3 Dec, 2017 Appendices.

- **Fences:** within the APZ are constructed from non-combustible materials (e.g. iron, brick, limestone, metal post and wire). It is recommended that solid or slatted non-combustible perimeter fences are used.
- **Objects:** within 10 metres of a building, combustible objects must not be located close to the vulnerable parts of the building i.e. windows and doors.
- **Fine Fuel load:** combustible dead vegetation matter less than 6 millimetres in thickness reduced to and maintained at an average of two tonnes per hectare.
- **Trees (> 5 metres in height):** trunks at maturity should be a minimum distance of 6 metres from all elevations of the building, branches at maturity should not touch or overhang the building, lower branches should be removed to a height of 2 metres above the ground and or surface vegetation, canopy cover should be less than 15% with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy.

Figure 18: Tree canopy cover – ranging from 15 to 70 per cent at maturity



- **Shrubs (0.5 metres to 5 metres in height):** should not be located under trees or within 3 metres of buildings, should not be planted in clumps greater than 5m² in area, clumps of shrubs should be separated from each other and any exposed window or door by at least 10 metres. Shrubs greater than 5 metres in height are to be treated as trees.
- **Ground covers (<0.5 metres in height):** can be planted under trees but must be properly maintained to remove dead plant material and any parts within 2 metres of a structure, but 3 metres from windows or doors if greater than 100 millimetres in height. Ground covers greater than 0.5 metres in height are to be treated as shrubs.
- **Grass:** should be managed to maintain a height of 100 millimetres or less.

Appendix 2 BAL assessment

Bushfire Attack Level Assessment Report

Prepared by a BPAD Accredited Practitioner



Fire Protection Association Australia Life Property Environment



Working on Fire Planning Pty Ltd Bushfire Attack Level (BAL) Assessment Report

This report has been prepared by an Accredited BPAD Practitioner using the Simplified Procedure (Method 1) as detailed in Section 2 of AS 3959 – 2018. All enquiries related to the information and conclusions presented in this report must be made to the BPAD Accredited Practitioner.

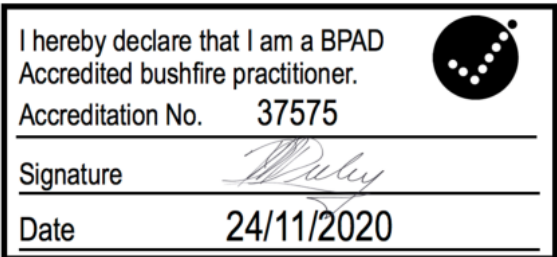

Property Details and Description of Works

Job Details	Unit no	Street no	Lot no	Street name / Plan Reference		
		101		Johnson Rd		
Local government area	Suburb			State	Postcode	
	Bartram			WA	6167	
Main BCA class of the building	Shire/City.					
	City of Kwinana					
	Class 2	Use(s) of the building		Private apartments		
Description of the building or works	New Construction					

Report Details

Report / Job Number 2019	Report Version 2.0	Assessment Date 15 September 2020	Report Date 24 November 2020
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BPAD Accredited Practitioner Details

Name: Select	
Company Details  WORKING ON FIRE PLANNING INTEGRATED FIRE MANAGEMENT Working On Fire Planning Pty Ltd ABN: 42 623 954 316 PO Box 1249 Bibra Lake DC WA 6965 planning.australia@workingonfire.com www.workingonfireplanning.com.au	

Authorised Practitioner Stamp

Reliance on the assessment and determination of the Bushfire Attack Level contained in this report should not extend beyond a period of 12 months from the date of issue of the report. If this report was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and where required an updated report issued.

Site Assessment & Site Plans - The assessment of this site was undertaken on 15 September 2020 by a BPAD Accredited Practitioner for the purpose of determining the Bushfire Attack Level in accordance with AS 3959 - 2018 Simplified Procedure (Method 1).



Vegetation Classification All vegetation within 150 m of the site was classified in accordance with Clause 2.2.3 of AS 3959-2018. Each distinguishable vegetation plot determining the Bushfire Attack Level is identified below.




Photo ID: 11	Plot: 1	<p>Date & Time: Tue, 15 Sep 2020, 12:58:45 AWST Position: 50 S 391708 6432321 (+4.8m) Altitude: 20m (+3.3m) Datum: WGS-84 Azimuth/Bearing: 313° N47W 5564mils True (+12°) Elevation Angle: +02.5° Horizon Angle: -00.0° Zoom: 1.0X 101 Johnson</p> 
Vegetation Classification or Exclusion Clause		
Excludable - 2.2.3.2(f) Low Threat Vegetation		
Description / Justification for Classification		
Established urban form		
Photo ID: 12	Plot: 2	<p>Date & Time: Tue, 15 Sep 2020, 12:59:31 AWST Position: 50 S 391640 6432281 (+4.8m) Altitude: 19m (+3.3m) Datum: WGS-84 Azimuth/Bearing: 343° N17W 6098mils True (+12°) Elevation Angle: +03.7° Horizon Angle: -04.5° Zoom: 1.0X 101 Johnson</p> 
Vegetation Classification or Exclusion Clause		
Class B Woodland - Woodland B-05		
Description / Justification for Classification		
Trees 10 m–30 m high; 10%–30% foliage cover dominated by <i>Eucalypts</i> and/or <i>Callitris</i> with a prominent grassy understorey. May contain isolated shrubs.		
Note: Plot 2 Woodland to the left, Plot 3 Forest to the right		
Photo ID: 10	Plot: 3	<p>Date & Time: Tue, 15 Sep 2020, 12:57:33 AWST Position: 50 S 391639 6432219 (+4.8m) Altitude: 18m (+3.3m) Datum: WGS-84 Azimuth/Bearing: 035° N55E 0196mils True (+12°) Elevation Angle: +05.2° Horizon Angle: -02.5° Zoom: 1.0X 101 Johnson</p> 
Vegetation Classification or Exclusion Clause		
Class A Forest - Open forest A-03		
Description / Justification for Classification		
Trees 30 m high; 30%–70% foliage cover. Typically dominated by <i>Eucalypts</i> , <i>Melaleuca</i> or <i>Callistemon</i> and <i>Callitris</i> .		

Photo ID: 25 Plot: 2	 <p>Date & Time: Tue, 24 Nov 2020, 14:31:11 AWST</p>
Vegetation Classification or Exclusion Clause	
Class B Woodland - Woodland B-05	
Description / Justification for Classification	
<p>Trees 10 m–30 m high; 10%–30% foliage cover dominated by banksia, eucalypts and/or callitris with a prominent grassy understorey. May contain isolated shrubs.</p> <p>Note: 5 m staff in photo showing low trees (Banksias) to be ≤5 m.</p>	
Photo ID: 26 Plot: 2	 <p>Date & Time: Tue, 24 Nov 2020, 14:32:29 AWST</p>
Vegetation Classification or Exclusion Clause	
Class B Woodland - Woodland B-05	
Description / Justification for Classification	
<p>Trees 10 m–30 m high; 10%–30% foliage cover dominated by banksia, eucalypts and/or callitris with a prominent grassy understorey. May contain isolated shrubs.</p> <p>Note: Plot 2 Woodland at right, Plot 3 Forest at left. 5 m staff showing isolated tall shrubs to be ≤4 m.</p>	
Photo ID: 27 Plot: 2	 <p>Date & Time: Tue, 24 Nov 2020, 14:33:57 AWST</p>
Vegetation Classification or Exclusion Clause	
Class B Woodland - Woodland B-05	
Description / Justification for Classification	
<p>Trees 10 m–30 m high; 10%–30% foliage cover dominated by banksia, eucalypts and/or callitris with a prominent grassy understorey. May contain isolated shrubs.</p> <p>Note: Rehabilitation success has been very poor here (ie. <50% survival of planted Kangaroo paws, Smoke bushes and other shrubs), because of coarse very dry sand swale parallel to Karakin Pl. This area will not support Forest.</p>	




Photo ID: 13	Plot: 1	<p>Date & Time: Tue, 15 Sep 2020, 12:59:48 AWST Position: 50 S 391639 4432240 ($\pm 4.8m$) Altitude: 19m ($\pm 3.2m$) Datum: WGS-84 Azimuth/Bearing: 269° 58'W 4782mils True ($\pm 13'$) Elevation Angle: +06.5' Horizon Angle: +00.3' Zoom: 1.0X 101 Johnson</p> 
Vegetation Classification or Exclusion Clause		
Excludable - 2.2.3.2(f) Low Threat Vegetation		
Description / Justification for Classification		
Established urban form		
Photo ID: 08	Plot: 4	<p>Date & Time: Tue, 15 Sep 2020, 12:57:07 AWST Position: 50 S 391603 4432171 ($\pm 5.0m$) Altitude: 17m ($\pm 3.0m$) Datum: WGS-84 Azimuth/Bearing: 112° 54'E 1991mils True ($\pm 12'$) Elevation Angle: +03.3' Horizon Angle: -00.6' Zoom: 1.0X 101 Johnson</p> 
Vegetation Classification or Exclusion Clause		
Class C Shrubland - Low shrubland C-12		
Description / Justification for Classification		
<p>Shrubs <2 m high; greater than 30% foliage cover. Understoreys may contain grasses. <i>Acacia</i> and <i>Casuarina</i> often dominant in the arid and semi-arid zones.</p> <p>Note: Shrubland a mid-ground. Class A Forest Plot 3 background left, Plot 5 Class D Scrub at background right.</p>		
Photo ID: 14	Plot: 1	<p>Date & Time: Tue, 15 Sep 2020, 13:00:26 AWST Position: 50 S 391605 4432167 ($\pm 4.8m$) Altitude: 15m ($\pm 3.3m$) Datum: WGS-84 Azimuth/Bearing: 337° N23W 5991mils True ($\pm 12'$) Elevation Angle: +01.8' Horizon Angle: -00.3' Zoom: 1.0X 101 Johnson</p> 
Vegetation Classification or Exclusion Clause		
Excludable - 2.2.3.2(f) Low Threat Vegetation		
Description / Justification for Classification		
Established urban form		







Photo ID: 30 Plot: 6	
Vegetation Classification or Exclusion Clause Class G Grassland – Sown pasture G-26	
Description / Justification for Classification Grassland with <10% cover from shrubs and low trees. Fuel load to 4.5t/ha. Note: This clearly shows City of Kwinana managed grassland verge, with power transformer.	
Photo ID: 31 Plot: 6	
Vegetation Classification or Exclusion Clause Class G Grassland – Sown pasture G-26	
Description / Justification for Classification Grassland with <10% cover from shrubs and low trees. Fuel load to 4.5t/ha. Note: This clearly shows City of Kwinana managed grassland verge, around subdivision entry statement and electric power installation.	
Photo ID: 14 Plot: 1	
Vegetation Classification or Exclusion Clause Excludable - 2.2.3.2(f) Low Threat Vegetation	
Description / Justification for Classification Established urban form	

Photo ID: 07	Plot: 5	<p>Date & Time: Tue, 15 Sep 2020, 12:56:35 AWST Position: 50 S 391531 6432123 (±4.8m) Altitude: 17m (±3.3m) Datum: WGS-84 Azimuth/Bearing: 086° N86E 1529mils True (±12°) Elevation Angle: +06.1° Horizon Angle: +02.9° Zoom: 1.0x 101 Johnson</p> 
Vegetation Classification or Exclusion Clause		
Class A Forest - Open forest A-03		
Description / Justification for Classification		<p>Trees 30 m high; 30%–70% foliage cover. Typically dominated by <i>Eucalypts</i>, <i>Melaleuca</i> or <i>Callistemon</i> and <i>Callitris</i>.</p>
Photo ID: 28	Plot: 4	<p>Date & Time: Tue, 24 Nov 2020, 14:40:01 AWST</p> 
Vegetation Classification or Exclusion Clause		
Class C Shrubland - Low shrubland C-12		
Description / Justification for Classification		<p>Shrubs <2 m high; greater than 30% foliage cover. Understoreys may contain grasses. <i>Acacia</i> and <i>Casuarina</i> often dominant in the arid and semi-arid zones. This area is a dampland with wet peaty soils. It will not support Forest.</p> <p>Note: Dense Bracken Shrubland at mid-ground. Single isolated tree at left, Class A Forest Plot 5 at background right.</p>
Photo ID: 29	Plot: 6	<p>Date & Time: Tue, 24 Nov 2020, 14:40:21 AWST</p> 
Vegetation Classification or Exclusion Clause		
Class C Shrubland - Low shrubland C-12		
Description / Justification for Classification		<p>Shrubs <2 m high; greater than 30% foliage cover. Understoreys may contain grasses. <i>Acacia</i> and <i>Casuarina</i> often dominant in the arid and semi-arid zones. This area is a dampland with wet peaty soils. It will not support Forest.</p> <p>Note: Dense Bracken Shrubland at mid-ground. Single isolated tree at left, Class A Forest Plot 5 at background right.</p>







<div>Photo ID: 02</div> <div>Plot: 7</div> <div>Vegetation Classification or Exclusion Clause</div> <div>Class A Forest - Open forest A-03</div> <div>Description / Justification for Classification</div> <div>Trees 30 m high; 30%–70% foliage cover. Typically dominated by <i>Eucalypts</i>, <i>Melaleuca</i> or <i>Callistemon</i> and <i>Callitris</i>.</div>	 <p>Date & Time: Tue, 15 Sep 2020, 12:53:26 AWST Position: 50.5391524, 64.322271 (+4.8m) Altitude: 20m (+3.3m) Datum: WGS-84 Azimuth/Bearing: 257° S71W 46.6mils True (+/-2°) Elevation Angle: +0.7° Horizon Angle: -0.7° Zoom: 1.0X 101 Johnson</p>
<div>Photo ID: 01</div> <div>Plot: 7</div> <div>Vegetation Classification or Exclusion Clause</div> <div>Class A Forest - Open forest A-03</div> <div>Description / Justification for Classification</div> <div>Trees 30 m high; 30%–70% foliage cover. Typically dominated by <i>Eucalypts</i>, <i>Melaleuca</i> or <i>Callistemon</i> and <i>Callitris</i>.</div>	 <p>Date & Time: Tue, 15 Sep 2020, 12:50:31 AWST Position: 50.5391590, 64.32235 (+4.8m) Altitude: 20m (+3.3m) Datum: WGS-84 Azimuth/Bearing: 251° S71W 46.2mils True (+/-2°) Elevation Angle: +0.7° Horizon Angle: -0.1° Zoom: 1.0X 101 Johnson</p>
<div>Photo ID: 16</div> <div>Plot: 7</div> <div>Vegetation Classification or Exclusion Clause</div> <div>Class A Forest - Open forest A-03</div> <div>Description / Justification for Classification</div> <div>Trees 30 m high; 30%–70% foliage cover. Typically dominated by <i>Eucalypts</i>, <i>Melaleuca</i> or <i>Callistemon</i> and <i>Callitris</i>.</div> <div>Note: Narrow band of City-managed Grassland in foreground adjacent to the round-about.</div>	 <p>Date & Time: Tue, 15 Sep 2020, 13:01:53 AWST Position: 50.5391474, 64.32403 (+4.8m) Altitude: 19m (+3.3m) Datum: WGS-84 Azimuth/Bearing: 288° N72W 51.20mils True (+/-10°) Elevation Angle: +01.5° Horizon Angle: -00.6° Zoom: 1.0X 101 Johnson</p>

Photo ID: 92	Plot: 1	<p>Date & Time: Tue, 15 Sep 2020, 12:43:13 AWST Position: 50 S 391548 6432220 (±4.8m) Altitude: 18m (±3.3m) Datum: WGS-84 Azimuth Bearing: 106° 574E 1884mils True (±17°) Elevation Angle: -00.4 Horizon Angle: -00.5 Zoom: 1.0X 101 Johnson</p> 
Vegetation Classification or Exclusion Clause		
Excludable - 2.2.3.2(f) Low Threat Vegetation		
Description / Justification for Classification		
Established urban form adjoining the Lot being developed.		
Photo ID: 24	Plot: 7	<p>Date & Time: Tue, 24 Nov 2020, 14:24:56 AWST</p> 
Vegetation Classification or Exclusion Clause		
Class A Forest - Open forest A-03		
Description / Justification for Classification		
Trees 30 m high; 30%–70% foliage cover. Typically dominated by <i>Eucalypts</i> , <i>Melaleuca</i> or <i>Callistemon</i> and <i>Callitris</i> .		
Note: Looking south Forest to the right. Clearly shows the City-managed Grassland verge adjacent to the bus stop.		
Photo ID: 23	Plot: 7	<p>Date & Time: Tue, 24 Nov, 2020, 14:24:45 AWST</p> 
Vegetation Classification or Exclusion Clause		
Class A Forest - Open forest A-03		
Description / Justification for Classification		
Trees 30 m high; 30%–70% foliage cover. Typically dominated by <i>Eucalypts</i> , <i>Melaleuca</i> or <i>Callistemon</i> and <i>Callitris</i> .		
Note: Looking north Forest to the left. Clearly shows the City-managed Grassland verge adjacent to the bus stop and shelter.		

Relevant Fire Danger Index The fire danger index for this site has been determined in accordance with Table 2.1 or otherwise determined in accordance with a jurisdictional variation applicable to the site.

Fire Danger Index

FDI 40 ☐

Table 2.4.5

FDI 50 ☐

Table 2.4.4

FDI 80 ☒

Table 2.4.3

FDI 100 ☐

Table 2.4.2

Potential Bushfire Impacts

The potential bushfire impact to the site / proposed development from each of the identified vegetation plots are identified below.

Table 1: BAL Analysis

Plot	Vegetation Classification	Effective Slope °	Separation (m)	BAL
1	Excludable – Clause 2.2.3.2(f)	N/A	N/A	BAL – LOW
2	Class B Woodland	Upslope/Flat	46	BAL – 12.5
3	Class A - Forest	Upslope/Flat	46	BAL – 12.5
4	Class C Shrubland	Upslope/Flat	52	BAL – 12.5
5	Class A - Forest	Upslope/Flat	76.5	BAL – 12.5
6	Class G Grassland	Upslope/Flat	29.5	BAL – 29
7	Class A - Forest	Upslope/Flat	29.5	BAL – 29

Determined Bushfire Attack Level (BAL)

The Determined Bushfire Attack Level (highest BAL) for the site / proposed development has been determined in accordance with clause 2.2.6 of AS 3959-2018 using the above analysis.

Determined Bushfire Attack Level

BAL – 29

DISCLAIMER

The determinations and recommendations in this report are based on the requirements of Australian Standards 3959 – 2018, (Construction of Buildings in Bushfire prone Areas) and State Planning Policy 3.7, (Planning in Bushfire Prone Areas and appendices). This assessment has been undertaken in good faith and has been based on the site conditions apparent at the time of inspection, and other information provided by the client or their agents. Construction of the dwelling to the prescribed BAL level will not on its own guarantee that a building will not be destroyed or damaged by a bushfire. The consultant has no control over the subsequent actions of the home owner in the construction, development and maintenance of a property, which in the event of a bushfire may contribute to loss or damage. Accordingly the consultant, local government authority, their servants or agents shall not be held accountable for any damage to property, loss or other consequence as a result of the services provided or determinations in this report.

THINNING RECOMMENDATIONS

There may be an opportunity for the client to conduct vegetation thinning to achieve a lower BAL rating where this is recommended. Thinning is the modification of vegetation by minimising or removing ground fuels, understory species and trees; the intention is to maintain the aesthetic values and natural habitats whilst minimising fire risk. **Approval for vegetation modification must be sought from the responsible authorities, and can only be conducted within the boundary of the property.**

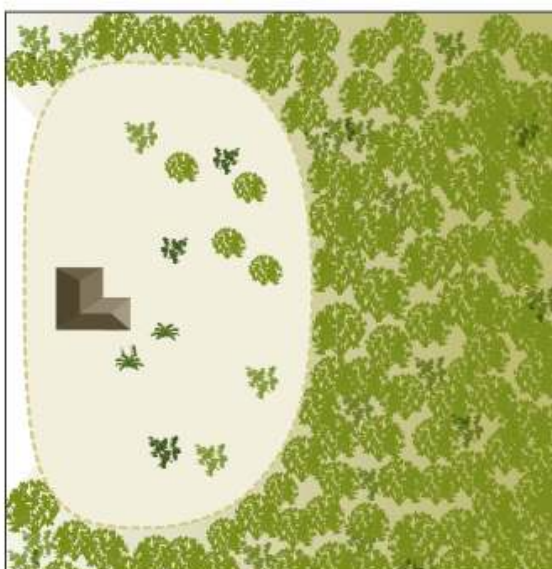
The following table indicates the vegetation modification distances (IN RED) required from the edge of the proposed building to achieve the specified BAL.

SAMPLE PLOT	ASPECT	VEGETATION CLASSIFICATION	CURRENT DISTANCE TO VEG. (m)	EFFECTIVE SLOPE °	CURRENT RATING	ACHIEVABLE RATING	TOTAL DISTANCE REQUIRED (m)
1	-----	Select Classification		--- ° --- °	-----	-----	
2	-----	Select Classification		--- ° --- °	-----	-----	
3	-----	Select Classification		--- ° --- °	-----	-----	
4	-----	Select Classification		--- ° --- °	-----	-----	
5	-----	Select Classification		--- ° --- °	-----	-----	
6	-----	Select Classification		--- ° --- °	-----	-----	
7	-----	Select Classification		--- ° --- °	-----	-----	
8	-----	Select Classification		--- ° --- °	-----	-----	

NOTE: No additional thinning required

Hazard on three sides

APZ



Refer to Schedule 1: Standards for Asset Protection Zones.

ADDITIONAL INFORMATION FOR THE CLIENT

BUSHFIRE ATTACK LEVELS AND CORRESPONDING SECTIONS FROM AS 3959-2018

Bushfire Attack Level (BAL)	Classified vegetation within 100 m of the site and heat flux exposure thresholds	Description of predicted bushfire attack and levels of exposure	Construction Section
BAL-LOW	See Clause 2.2.3.2	There is insufficient risk to warrant any specific construction requirements	4
BAL-12.5	$\leq 12.5 \text{ kW/m}^2$	Ember attack.	3 & 5
BAL-19	$> 12.5 \text{ kW/m}^2$ $\leq 19 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by wind-borne embers together with increasing heat flux	3 & 6
BAL-29	$> 19 \text{ kW/m}^2$ $\leq 29 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by wind-borne embers together with increasing heat flux	3 & 7
BAL-40	$> 29 \text{ kW/m}^2$ $\leq 40 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by wind-borne embers together with increasing heat flux with the increased likelihood of exposure to flames	3 & 8
BAL-FZ	$> 40 \text{ kW/m}^2$	Direct exposure to flames from fire front in addition to heat flux and ember attack	3 & 9

RADIANT HEAT THRESHOLDS OF PAIN AND IGNITION FROM AS 3959-2018

In a bushfire, radiant heat levels may be unsafe for humans and could also ignite combustible materials in the vicinity. Table G1 provides an indication of the potential effects of radiant heat levels on both humans and selected materials to assist the reader in understanding the implications of the different BALs.

TABLE G1 - TYPICAL RADIANT HEAT INTENSITIES FOR VARIOUS PHENOMENA

PHENOMENA	kW/m^2
Pain to humans after 10 s to 20 s	4
Pain to humans after 3 s	10
Ignition of cotton fabric after a long time (piloted) (see Note 2)	13
Ignition of timber after a long time 13 (piloted) (see Note 2)	13
Ignition of cotton fabric after a long time (non-piloted) (see Note 3)	25
Ignition of timber after a long time (non-piloted) (see Note 3)	25
Ignition of gabardine fabric after a long time (non-piloted) (see Note 3)	27
Ignition of black drill fabric after a long time (non-piloted) (see Note 3)	38
Ignition of cotton fabric after 5 s (non-piloted) (see Note 3)	42
Ignition of timber in 20 s (non-piloted) (see Note 3)	45
Ignition of timber in 10 s (non-piloted) (see Note 3)	55

NOTES:

1. Source AS 1530.4—2005.
2. Introduction of a small flame to initiate ignition.
3. Flame not introduced to initiate ignition.

HOW TO PROCEED WITH THIS DOCUMENT

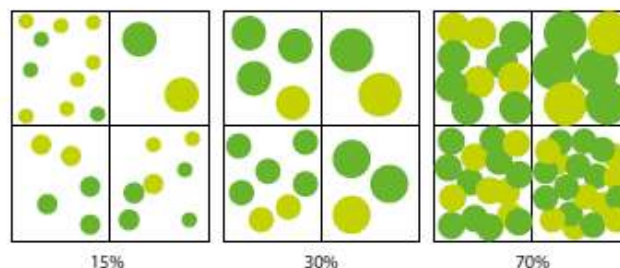
1. If you have been issued with a BAL report that requires **no further clearing / thinning**, this document can be submitted with your application for Development Approval **and** your application for Building Approval with your local authority.
2. If you need to amend the vegetation on your lot to achieve a maximum allowable BAL-29, clearing and thinning of vegetation may be required. In this case all vegetation amendments must be completed and a further site inspection carried out by the bushfire consultant. A **Final BAL Report** can then be issued **at additional cost**. The final BAL report will enable the completion of a compliance certificate by your builder / building inspector. This can then be submitted to your local authority for Building Approval.

Vegetation thinning standards outlined below provide an indication of the requirements for Asset Protection Zones as prescribed in State Planning Policy 3.7. These are the minimum standards required on sites that require vegetation amendments to achieve acceptable BAL levels. **Your Local Authority may prescribe additional or modified standards:**

SCHEDULE 1: STANDARDS FOR ASSET PROTECTION ZONES

- **Fences:** within the APZ are constructed from non-combustible materials (e.g. iron, brick, limestone, metal post and wire). It is recommended that solid or slatted non-combustible perimeter fences are used.
- **Objects:** within 10 metres of a building, combustible objects must not be located close to the vulnerable parts of the building i.e. windows and doors.
- **Fine Fuel load:** combustible dead vegetation matter less than 6 millimetres in thickness reduced to and maintained at an average of two tonnes per hectare.
- **Trees (> 5 metres in height):** trunks at maturity should be a minimum distance of 6 metres from all elevations of the building, branches at maturity should not touch or overhang the building, lower branches should be removed to a height of 2 metres above the ground and/or surface vegetation, canopy cover should be less than 15% with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy.

Figure 16: Tree canopy cover – ranging from 15 to 70 per cent at maturity



- **Shrubs (0.5 metres to 5 metres in height):** should not be located under trees or within 3 metres of buildings, should not be planted in clumps greater than 5m² in area, clumps of shrubs should be separated from each other and any exposed window or door by at least 10 metres. Shrubs greater than 5 metres in height are to be treated as trees.
- **Ground covers (<0.5 metres in height):** can be planted under trees but must be properly maintained to remove dead plant material and any parts within 2 metres of a structure, but 3 metres from windows or doors if greater than 100 millimetres in height. Ground covers greater than 0.5 metres in height are to be treated as shrubs.
- **Grass:** should be managed to maintain a height of 100 millimetres or less.

Source: WAPC Dec 2017 Guidelines for planning in bushfire prone areas. V1.3.

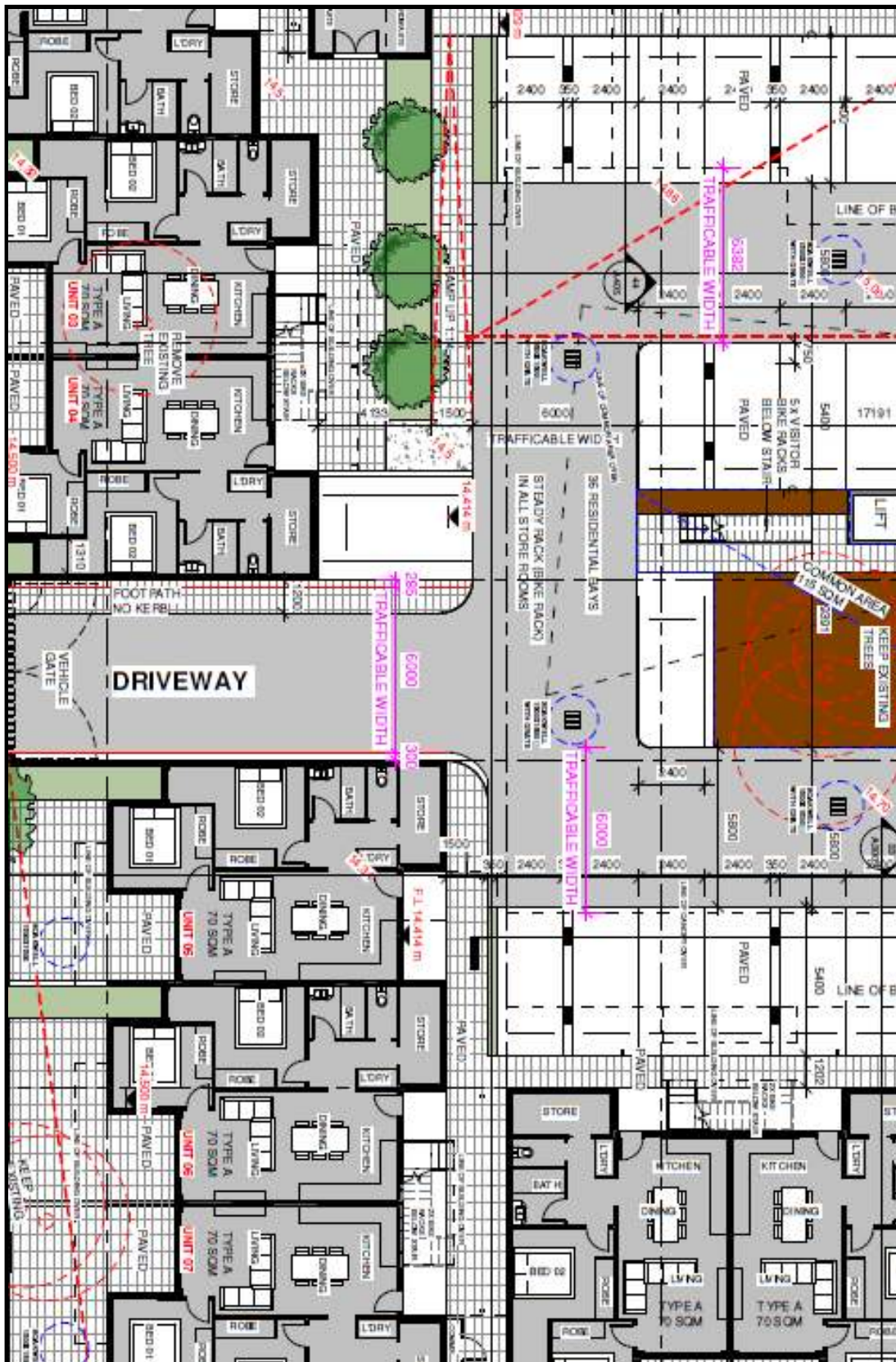
Appendix 1: Plans and Drawings

Drawing / Plan Description Site plan

Job Number 20200908

Revision 20201208

Date of Revision 08/12/2020



GENERAL NOTES:
1. THIS IS A CONCEPT PLAN ONLY.
2. ALL STRUCTURES SUBJECT TO ENGINEERING
AND COUNCIL APPROVAL.
3. ALL MEASUREMENTS TO BE CHECKED PRIOR
TO CONSTRUCTION.

Attachment 7

REV	DATE	DWN	APP	DESCRIPTION
A	10.10.2020	KD	KD	PLANTING PLAN – GROUND FLOOR
B	12.10.2020	KD	KD	UPDATED TREE SURVEY
C	09.12.2020	KD	KD	UPDATED TO COUNCIL COMMENTS

PLANTING SCHEDULE – GROUND FLOOR				
Symbol	Species	Common Name	Quant	Size
Trees:				
CITlat	Citrus latifolia	Dwarf Tahitian Lime	2	100L
CITlim	Citrus limon	Dwarf Eureka Lemon	2	100L
FRAGri	Fraxinus griffithii	Evergreen Ash	7	100L
LAGind	Lagerstroemia indica	White Crepe Myrtle	7	100L
CALKin	Callistemon 'Kings Park Special'	Kings Park Bottlebrush	3	100L
PYRcap	Pyrus calleryana 'Capital'	Ornamental Pear	3	100L
SAPseb	Sapium sebifera	Chinese Tallow	5	100L
Shrubs and Groundcovers:				
CONcan	Conostylis candicans	Grey Cotton Heads	97	140mm
DIAeme	Dianella tasmanica 'Emerald Arch'	Emerald Arch	72	140mm
DIATas	Dianella tasmanica 'Tas Red'	Tas Red	81	140mm
GARoso	Gardenia 'O So Fine'	Low Gardenia	95	140mm
HIBsca	Hibbertia scandens	Snake Vine	10	140mm
JUNcon	Juniperus conferta	Shore Juniper	228	140mm
LIRjus	Liriope muscarum 'Just Right'	Just Right	167	140mm
LOMsha	Lomandra fluviatilis 'Shara'	Shara	150	140mm
MURpan	Muraya paniculata	Orange Jessamine	153	200mm
MYOpar	Myoporum parvifolium 'Yareena'	Yareena	12	140mm
NANblu	Nandina domestica 'Blush'	Blush	99	140mm
PITmis	Pittosporum tobira 'Miss Muffet'	Miss Muffet	57	200mm
SANtri	Sansevieria trifasciata laurentii	Mother-in-law's Tongue	37	140mm
SYZtin	Syzygium 'Tiny Trev'	Tiny Trev	135	200mm
TRAjas	Trachelospermum jasminoides	Star Jasmine	9	140mm
WESaus	Westringia 'Aussie Box'	Compact Coastal Rosemary	109	200mm
VIBtin	Viburnum tinus	Laurustinus	110	200mm
VIOhed	Viola hederifolia	Native Violet	12	140mm

REFER 202 FOR PLANTING NOTES



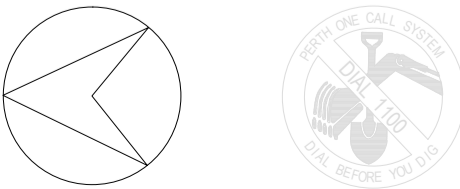
LEGEND TREES

EXISTING TREES (TO BE RETAINED)

SELECTED TREES (REFER TO SCHEDULE)

PLANTING

- PLANTING TYPE 01 (LOW)
- PLANTING TYPE 02 (HEDGE)
- PLANTING TYPE 03 (SHADE)
- PLANTING TYPE 04 (STRAPPY)
- PLANTING TYPE 05 (STRAPPY)
- SELECTED LAWN SPECIES
- SELECTED ARTIFICIAL TURF
- PAVERS (BY OTHERS)



GENERAL NOTES:
1. THIS IS A CONCEPT PLAN ONLY.
2. ALL STRUCTURES SUBJECT TO ENGINEERING
AND COUNCIL APPROVAL.
3. ALL MEASUREMENTS TO BE CHECKED PRIOR
TO CONSTRUCTION.



REV	DATE	DWN	APP	DESCRIPTION
A	10.10.2020	KD	KD	PLANTING PLAN – ROOF TOP
B	12.10.2020	KD	KD	UPDATED TREE SURVEY
C	09.12.2020	KD	KD	UPDATED TO COUNCIL COMMENT

PLANTING SCHEDULE – ROOF TOP

Symbol	Species	Common Name	Quant	Size
Shrubs and Groundcovers:				
CASgla	Casuarina glauca	Cousin It	32	140mm
DIAtas	Dianella tasmanica 'Tas Red'	Tas Red	21	140mm
SANtri	Sanseveria trifasciata laurentii	Mother-in-law's Tongue	23	200mm
WESgre	Westringia 'Grey Box'	Compact Coastal Rosemary	22	140mm

LANDSCAPE AREA CALCULATIONS

DEEP SOIL AREAS (DSA)

Existing Tree DSA = 126.5m2
Ground Floor (proposed) = 352.5m2
Total = 479m2 (11.8% of site)

CANOPY COVER

Existing Trees (x 7) = 306m2
Proposed Medium Trees (x 12) = 336m2
Proposed Small Trees (x 14) = 175m2
Total Canopy Cover = 817m2 (20% of site)

NOTES

1. GENERAL
 - 1.1 DRAINAGE FROM THE RAISED PLANTER AREAS TO BE PROVIDED BY BUILDER
 - 1.2 ALL SCALES ARE AS NOTED AND TO SUIT A1 PAPER SIZE
 - 1.3 ALL DIMENSIONS ARE IN MILLIMETERS, UNLESS OTHERWISE NOTED.
 - 1.4 THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT SCHEDULES, REPORTS AND DRAWINGS AND PROJECT SPECIFICATIONS.
 - 1.5 FOR ALL FINISHED LEVELS, PLANTER HEIGHTS, DRAINAGE DESIGN AND WATER CONNECTION POINTS REFER TO ASSOCIATED PROJECT DOCUMENTATION (BY OTHERS).
 - 1.6 FOR ALL ASSOCIATED IRRIGATION DESIGN REFER TO IRRIGATION DOCUMENTATION AND SPECIFICATION.
 - 1.7 PLANTING SETOUT SHOULD BE CHECKED BY SUPERINTENDENT BEFORE INSTALLATION BEGINS.
2. SOIL PREPARATION
 - 2.1 ALL AREAS ARE TO BE FINE GRADED EVENLY TO CONFORM TO KERB LEVELS AND SURROUNDING FINISHES.
 - 2.2 SURFACES SHALL BE FREE FROM DEPRESSIONS, IRREGULARITIES AND NOTICEABLE CHANGES IN GRADE. GENERALLY, GRADES SHALL DEVIATE IN LEVEL NO GREATER THAN 20mm IN ONE LINEAR METRE.
 - 2.3 PLANTED AREAS SHALL BE SPREAD WITH MIN. 50mm OF APPROVED STANDARD SOIL CONDITIONER THAT SHALL BE RIPPED INTO EXISTING SOIL TO A MIN. DEPTH OF 200mm.
 - 2.4 RAISED PLANTER AREAS AND POTS SHALL BE INSTALLED WITH APPROPRIATE DRAINAGE CELL, AGGREGATE AND GEOTEXTILE MEMBRANE BELOW SOIL.
 - 2.5 FILL SOIL TO RAISED PLANTER AREAS AND POTS TO BE APPROVED LIGHTWEIGHT LANDSCAPE MIX.
 - 2.6 PLANTING AREA SOIL PROFILES TO BE PREPARED AS SPECIFIED AND REVIEWED BY SUPERINTENDENT BEFORE PLANTING AND CONNECTING IRRIGATION.
3. PLANTING
 - 3.1 PLANTED AREAS SHALL BE MULCHED WITH AN ORGANIC MULCH UNLESS OTHERWISE STATED TO A MINIMUM DEPTH OF 75mm.
 - 3.2 ADVANCED TREES SHALL BE STAKED W/ 50x50mm DIA HARDWOOD POSTS. POSTS SHALL BE PAINTED BLACK AND INSTALLED TO A MIN DEPTH OF 500mm. TREES SHALL BE SECURED TO POLES W/ RUBBER TIES IN FIGURE 8.
 - 3.3 TREES PLANTED WITH IN 1000mm OF BOUNDARY WALLS AND/OR PARKING AREAS SHALL BE INSTALLED WITHIN 600mm DEPTH NYLEX ROOT BARRIER MEMBRANE. MEMBRANE SHALL BE INSTALLED AS PER MANUFACTURERS RECOMMENDATIONS.
 - 3.4 REFER TO PLANTING SCHEDULE FOR SPECIES AND SIZES.
 - 3.5 IF SPECIES ARE UNAVAILABLE (OR IN SIZES SPECIFIED), SUBSTITUTES MUST BE APPROVED BY SUPERINTENDENT BEFORE DELIVERY AND INSTALLATION.
 - 3.6 VERGE TREES TO BE APPROVED AND INSTALLED BY COUNCIL. SPECIES HAS BEEN SELECTED IN ACCORDANCE TO COUNCIL GUIDELINES
4. IRRIGATION
 - 4.1 PLANTING TO GROUND LEVEL TO BE IRRIGATED VIA A FULLY AUTOMATIC SYSTEM FROM MAINS.
 - 4.2 PLANTING ON UPPER LEVEL TO BE IRRIGATED VIA BATTERY OPERATED VALVE
 - 4.3 WATER PRESSURE TO HAVE A MINIMUM FLOW RATE OF 30L/pm AT 300kPa FROM THE WATER CONNECTION POINT.
 - 4.4 CONTROLLER TO BE LOCATED IN CERNTRAL STORE ROOM UNLESS OTHERWISE DIRECTED.
 - 4.5 SLEEVES BENEATH PAVED SURFACES AND TO RAISED PLANTING AREAS TO BE PROVIDED BY OTHERS.
 - 4.6 PLEASE REFER TO (FUTURE) IRRIGATION DRAWING SET FOR FINAL LAYOUT AND SCHEDULE.

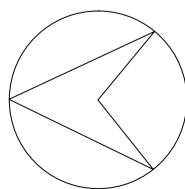
LEGEND
TREES

EXISTING TREES
(TO BE RETAINED)

SELECTED TREES
(REFER TO SCHEDULE)

PLANTING

- PLANTING TYPE 01 (LOW)
- PLANTING TYPE 02 (HEDGE)
- PLANTING TYPE 03 (SHADE)
- PLANTING TYPE 04 (STRAPPY)
- PLANTING TYPE 05 (STRAPPY)
- SELECTED LAWN SPECIES
- SELECTED ARTIFICIAL TURF
- PAVERS (BY OTHERS)



Attachment 8

**Lot 101 (3) Johnson Road Bertram –
34 Multiple Dwellings**

**Planning Assessment – SPP 7.3 R-Codes Volume 2 –
Apartments**

DA9805

ELEMENT 2.2	BUILDING HEIGHT	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
O2.2.1 – The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.	<i>The Site is located in Bertram on one of the last remaining vacant development sites in the Area. It is Zoned R40. The Site is surrounded by Single Lot Residential. The Bulk of the Single Lot Residential are single level Dwellings.</i> <i>The Proposed Development will be 2 level, which is permitted under SPP 7.3 (Design WA). The 2 Level development has a suburban residential scale and proportion in keeping with the suburban nature of the site. The overshadowing plan indicates compliance with Design WA</i>	<p>The proposed development is located within a small pocket of established, lower density R20 single housing. All housing within this area is established and all dwellings have been constructed as single storey.</p> <p>A 4ha vacant lot is located approximately 250m to the north of the subject site and is zoned R40 similar to the subject site. Similar to the subject site, this property also has potential for higher density multiple dwelling type density.</p> <p>As per the applicant comment, two storey development is permitted within the residential zoned (regardless of R20 or R40).</p>
O2.2.2 – The height of buildings within a development responds to changes in topography.	<i>There is an approximate 1.5m Cross Fall to the Site. North East falls to South West. To compensate for this cross fall, Block C Apartments have been raised approximately 500mm to reduce site works and on boundary retaining.</i>	<p>The subject site extends from RL14 in the south western corner to RL16 in the north eastern corner. The development responds to the changes in levels with all development having a FFL of 14.5 on the east and southern elevations. However, 'Block C' which extends to the north eastern corner, has a FFL of 15.</p> <p>In summary, 1m of cut maximum is proposed and 0.5m of fill (maximum) is proposed across the site.</p>
O2.2.3 – Development incorporates articulated roof design and/or roof top communal open space where appropriate.	<i>Communal Open Space is located in the Centre of the Development and has been designed to integrate into the existing established trees on site.</i> <i>The Communal open space will be a focal point for the development.</i>	<p>The roof of this development is a concealed design.</p> <p>A rooftop common area (130m²) is provided in the centre of the site.</p>
O2.2.4 – The height of development recognises the need for daylight and solar access to adjoining	<i>The proposed development meets the Overshadowing provisions of SPP 7.3. A501.</i>	<p>No impacts of overshadowing will occur to the abutting lots to the north.</p>

and nearby residential development, communal open space and in some cases, public spaces.	<i>The proposed development meets the provisions of SPP 4.1 A301-A302</i>	Access to afternoon sun will be reduced for 4x lots to the east – particularly impacting on outdoor living areas. All lots to the south (x3) are impacted by overshadowing (up to 25%). However, the applicant has provided an overshadowing plan that shows proposed overshadowing impacts to meet the acceptable outcomes of Element 3.2 regarding overshadowing.
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ACCEPTABLE OUTCOMES
Acceptable Outcome pathway may not be applicable where a performance solution is provided

A2.2.1 – Development complies with the building height limit (storeys) set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the building height limit set out in the applicable local planning instrument.

(Excerpt from table 2.1)

Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
Site R-Coding	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Building height (storeys) <i>refer 2.2</i>	2	3	3	4	4	5	3	6	7	9	

Comment:

- The height requirements are as per table 2.1 – the City of Kwinana planning framework does not alter this requirement.*
- Subject lot is zoned R40. The proposed multiple dwellings are 2 storeys as per table 2.1.*

ELEMENT 2.3 STREET SETBACKS		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	

O2.3.1 – The setback of the development from the street reinforces and/or complements the existing or proposed landscape character of the street.	<i>The site is located in an outer urban suburb. It is surrounded predominantly by Single Level Dwellings. The proposed building form will complement the existing street scape and add a point of difference to the character of this portion of Johnson Road. The elevations provide articulation and interest, balconies, Street Observation, internal activation to the Communal Open Space.</i>	The proposed development is designed to be stepped to ensure adequate setback from the street is provided. Existing dwellings in the area are zoned R20 and have a building setback from Johnson road of approximately 5 metres on average. The design of the development is such that the average setback is approximately 5m also.
O2.3.2 – The street setback provides a clear transition between the public and private realm.	<i>The Street Setbacks are consistent with the Provisions of Design WA. Street Setback in the SW Corner has been slightly increased to accommodate and retain existing established trees.</i>	A front fence is provided along the front boundary. Each residence fronting onto the street (at ground level) has its own entrance gate between the public and private realm.
O2.3.3 – The street setback assists in achieving visual privacy to apartments from the street.	<i>Achieved. The Apartment living spaces are setback from the Street Edge, Balcony Spaces provide a visual barrier and privacy element for the apartment occupants. Screening also contributes.</i>	The setback of dwellings and the fact the footpath on the verge is road aligned provides adequate visual privacy for apartments fronting the street.
O2.3.4 – The setback of the development enables passive surveillance and outlook to the street.	<i>Achieved, balconies to all apartments provide for good passive surveillance to Johnson Road.</i>	All ground floor dwellings have their outdoor living area within the street setback area providing great street surveillance.

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A3.2.1 – Development complies with the street setback set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the street setback set out in the applicable local planning instrument

(Excerpt from table 2.1)

Excerpt from table 2.1/												
Streetscape contexts and character refer A2		Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
Site R-Coding	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0	
Minimum primary and secondary street setbacks refer 2.3	4m 4	2m	2m		2m		2m or Nil 5	2m or Nil 5	2m or Nil 5			

(4) Minimum secondary street setback 1.5m

(5) Nil setback applicable if commercial use at ground floor

Comment:

- Zoning: R40. Minimum setback of 4m to the primary street is provided as per above table.
- Proposed Ground floor setback is a minimum of 4m to the primary street.
- Proposed first floor balcony encroaches into the 4m primary street setback for Units 19 + 21 + 24. Minor encroachments – refer to objectives.

ELEMENT 2.4 SIDE AND REAR SETBACKS		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O2.4.1 – Building boundary setbacks provide for adequate separation between neighbouring properties.	<i>The setbacks are in accordance with Design WA. Upper Level Balconies where facing North (to take advantage of Northern Light) have been setback to 7.5m in accordance with the design codes.</i>	The setback of the dwellings from the side boundaries ranges 2m to 3m on the northern boundary and 2m to 7m on the southern boundary (at ground floor). The first floor is setback similar as ground floor on the south, however is setback a minimum of 7.5m to the northern boundary. Existing dwellings to the north are setback approximately 1.5m and 4.5m to the south. The separation is considered adequate to limit potential for negative impacts on adjoining properties.
O2.4.2 – Building boundary setbacks are consistent with the existing streetscape pattern or the desired streetscape character.	<i>The Proposed Setbacks are consistent with the provisions of Design WA and the existing street setbacks. Note, Immediately South is a Corner Site, therefore the Johnson Road setback of this dwelling is oriented to Water Fields Drive</i>	As outlined above, proposed building setbacks are generally consistent with the existing single storey, pitched roof development in the area.
O2.4.3 – The setback of development from side and rear boundaries enables retention of existing trees and provision of deep soil areas that reinforce the landscape character of the area, support tree canopy and assist with stormwater management.	<i>Refer to the Landscape Proposal and the Arborist Report that form part of this submission. It has been elected to retain some of the existing mature trees in the centre of the site as a trade-off for on-site visitor parking.</i>	As per the landscaping plan provided, significant trees are proposed in the side and rear setback areas. These are 100L trees to provide for adequate landscaping. Retention of existing trees is proposed in the front setback area adjacent to Unit 7. Additionally, a condition is recommended for additional vegetation in the side and rear setback areas – this was also in response to submissions received as a result of advertising.
O2.4.4 – The setback of development from side and rear boundaries provides a transition between sites with different land uses or intensity of development.		The setbacks and articulation provided in the north and south elevations work to provide an acceptable transition. The proposed buildings to the eastern boundary are largely double storey, blank walls with an average setback of 3m. Whereas most existing dwellings to the east are setback 4/5m from this boundary.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A2.4.1 - Development complies with the side and rear setbacks set out in Table 2.1, except where: <ul style="list-style-type: none"> a) modified by the local planning framework, in which case development complies with the side and rear setbacks set out in the applicable local planning instrument 		

AND /OR

b) a greater setback is required to address 3.5 *Visual privacy*.

(Excerpt from table 2.1)

Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
Site R-Coding	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Boundary wall height (storeys) ^{1,2} <i>refer 2.4</i>	1 ³		1 ³	2 ³	2 ³		2	3	4		
Minimum side setbacks ⁶ <i>refer 2.4</i>	2m	3m	3m		3m		Nil				
Minimum rear setback <i>refer 2.4</i>	3m		3m		6m		6m	Nil	Nil		
Average side setback where building length exceeds 16m <i>refer 2.4</i>	2.4m	3.5m	3.5m	3.5m	3.5m	4.0m	NA	NA	NA		

(1) Wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions

(2) Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall on the boundary between them is determined by reference to the lower density code

(3) Boundary wall only permitted on one boundary, and shall not exceed 2/3 length.

(6) Boundary setbacks will also be determined by provisions for building separation and visual privacy within this SPP and building separation provisions of the NCC.


Comment:

- o No boundary walls are proposed.
- o Minimum side setbacks required: 2m; Proposed = 2m (minimum)
- o Minimum rear setback required: 3m; Proposed = 2.8m (minimum) (see above Objectives)
- o Average side setback required: 2.4m; Proposed = >2.4m (alternating setbacks from 2m to 3m)

A2.4.2 – Development is setback from the boundary in order to achieve the Objectives outlined in 2.7 *Building separation*, 3.3 *Tree canopy and deep soil areas*, 3.5 *Visual privacy* and 4.1 *Solar and daylight access*.

Comment:

- o See objectives above.

ELEMENT 2.5	PLOT RATIO	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O2.5.1 – The overall bulk and scale of development is appropriate for the existing or planned character of the area.		<p>34 Multiple Dwellings are proposed. Although the area is dominated by single storey development on ~ 500m² lots, the proposed development is a maximum of two storeys. This height of the development is permitted on all surrounding properties.</p> <p>As previously stated, an R40 zoned lot is located less than 300m to the north of the subject site that has the potential for similar type development:</p>  <p>Average area per multiple dwelling = 120m²</p>
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A2.5.1 – Development complies with the plot ratio requirements set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the plot ratio set out in the applicable local planning instrument. <i>(Excerpt from table 2.1)</i>		

Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
Site R-Coding	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Plot ratio ⁷ <i>refer 2.5</i>	0.6	0.7	0.8	1.0	1.3	2.0	1.2	2.0	2.5	3.0	

(6) Refer to Definitions for calculation of plot ratio

Comment:

- *Permitted Plot ratio = 0.6; Site area = 4096m²; Permitted plot ratio area = 2457m²;
PROPOSED PLOT RATIO = 2584m² = 0.63 (See objective above) It should be noted that the applicant has indicated different/incorrect floor area figures on the plans. The applicant has acknowledged this area and will seek to amend the figures as part of the building permit application to reduce confusion.*

ELEMENT 2.6		BUILDING DEPTH	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O2.6.1 – Building depth supports apartment layouts that optimise daylight and solar access and natural ventilation.		<i>The Proposed Apartments do not have an effective depth of greater than 9.0m (generally less) The apartments meet the provisions of 4.1 & 4.1.</i>	Apartments are designed having the ability for daylight and ventilation directly through (i.e. internal access corridors are generally not provided).
O2.6.2 – Articulation of building form to allow adequate access to daylight and natural ventilation where greater building depths are proposed.		<i>Refer 02.6.1 Above</i>	All apartment blocks are designed with articulation when viewed from all aspects. Depth of habitable rooms allow for sunlight access. Non habitable rooms located where least light is available. Multiple aspects for light/ventilation are provided.
O2.6.3 – Room depths and / or ceiling heights optimise daylight and solar access and natural ventilation.		<i>Proposed Ceiling Heights of habitable rooms are min 2700 as indicated on elevations/Sections</i>	As per applicants comment, proposed dwellings have a minimum 2.7m ceiling height. This is 300mm higher than the standard ceiling height of 2.4m.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
A2.6.1 – Developments that comprise single aspect apartments on each side of a central circulation corridor shall have a maximum building depth of 20m. All other proposals will be assessed on their merits with particular consideration to <i>4.1 Solar and daylight access</i> and <i>4.2 Natural ventilation</i> .			
COMMENT: <ul style="list-style-type: none"> <i>Proposed design does not include central circulation corridors. 'Block C' includes small corridors at ground and upper level – width of the units on either side is less than 9m.</i> 			

ELEMENT 2.7		BUILDING SEPARATION	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O2.7.1 – New development supports the desired future streetscape character with spaces between buildings.		<i>The Street scape for Johnson road is generally established as single/two level suburban context. As the subject site is the last to be developed in the immediate surround, the proposed development will complement the suburban nature of the area.</i>	The proposed development when viewed from Johnson road will complement the streetscape as the façade of the buildings is stepped, with adequate side setbacks and a 6.5m wide access way in the centre of the site to break up the development.
O2.7.2 – Building separation is in proportion to building height.			Considering the minimum side setback of the development is 2m and only minor portions of the buildings are at this setback, separation distances are adequate. As previously stated, the 6.5m wide access way breaks up the development adequately (height of the building is approximately 7m).
O2.7.3 – Buildings are separated sufficiently to provide for residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook.		<i>Achieved – see REF: A031-A302</i>	Dwellings are designed with windows that are generally offset to avoid direct overlooking. The development is designed to ensure balconies are located so as to avoid any direct overlooking onto another resident balcony. Orientations have been considered in this regard for balconies and major living areas to either face north or the street. Screening, where appropriate, is designed to still allow adequate ventilation and sunlight into dwellings.
O2.7.4 – Suitable areas are provided for communal and private open space, deep soil areas and landscaping between buildings		<i>Refer to Landscape Plan</i>	The landscaping plan indicates significant trees to be retained in the centre of the site. This will provide a good buffer between buildings in the internal section of the site, as the trees are central to the site.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
A2.7.1 – Development complies with the separation requirements set out in Table 2.7.			

Table 2.7 Building separation

	Separation between:	Building height		
		≤ 4 storeys (up to 15m)	5-8 storeys (up to 28m)	≥ 9 storeys (over 28m)
Within site boundary	Habitable rooms/balconies	12m	18m	24m
	Habitable and non-habitable rooms	7.5m	12m	18m
	Non-habitable rooms	4.5m	6m	9m
To adjoining property boundaries	Habitable rooms/balconies and boundary	Refer 2.4 <i>Side and rear setbacks</i> (Table 2.1) and 3.5 <i>Visual privacy</i> (Table 3.5)	9m	12m
Distances apply from major openings of rooms, or the inside of balustrading of balconies. Average dimensions may be applied subject to major openings meeting other requirements for privacy, daylight and the like.				

COMMENT:

- *Dwellings are generally designed and located to be in accordance with setbacks of table 2.7 above. Units 32 and 33 major openings for Bed 2 are designed with visually impermeable glass to reduce impacts of overlooking to the common area. Similar design (white glass) is proposed between Unit 31 and Unit 30.*

ELEMENT 3.2		ORIENTATION	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.2.1 – Building layouts respond to the streetscape, topography and site attributes while optimising solar and daylight access within the development.		<i>Refer to REF: A501-504. Provisions of 4.1 & 4.2 Achieved</i>	The development adequately orientates to and is designed to address Johnson Road. Majority of buildings are designed to have balconies and living areas that orientate to the north.
O3.2.2 – Building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties during mid-winter.		<i>Refer to A301. Overshadowing of Adjoining properties meets the provisions of SPP 7.3</i>	Buildings are adequately setback from each other reducing impacts of overshadowing. Overshadowing from the proposed development does impact on adjoining lots (to the south). However, no impacts are on solar collectors on the adjoining lots. Overshadowing does impact on the outdoor living areas, particularly of 1 and 1A Waterfields drive. However, there are portions of outdoor living areas on the lots to the south that will have access to sunlight on 21 June. Lot 5 Waterfields drive also has a significant front setback area that has access to sunlight. The objective has been met via acceptable outcomes Element 3.2.3.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
A3.2.1 – Buildings on street or public realm frontages are oriented to face the public realm and incorporate direct access from the street.			
COMMENT: <ul style="list-style-type: none"> ◦ <i>'Block A/B' orientates to Johnson Road. Both Ground and upper floor outdoor living areas/balconies face Johnson Road.</i> 			
A3.2.2 – Buildings that do not have frontages to streets or public realm are oriented to maximise northern solar access to living areas.			
COMMENT: <ul style="list-style-type: none"> ◦ <i>Block C: All living areas (both levels) are located to the north and designed with significant major openings to provide access to northern sunlight.</i> ◦ <i>Block E: Ground Floor: no major openings are on the norther elevation (see objectives). Balcony and Living Areas are located to the north on the first floor.</i> ◦ <i>Block D: Limited access to northern sunlight on Ground floor. Limited northern access provided on first floor (highlight/frosted windows) – Balcony for unit 30 should have some opening to the north. Objectives met.</i> 			
A3.2.3 – Development in climate zones 4, 5 and 6 shall be designed such that the shadow cast at midday on 21st June onto any adjoining property does not exceed: <ul style="list-style-type: none"> – adjoining properties coded R25 and lower – 25% of the site area¹ – adjoining properties coded R30 – R40 - 35% of the site area¹ 			

- adjoining properties coded R50 – R60 – 50% of the site area¹
- adjoining properties coded R80 or higher – Nil requirements.

(1) Where a development site shares its southern boundary with a lot, and that lot is bound to the north by other lot(s), the limit of shading at A3.2.3 shall be reduced proportionally to the percentage of the affected properties northern boundary that abuts the development site. (Refer to Figure A7.2 in Appendix 7)

COMMENT:

- o *Overshadowing to Lots 4,5,6 Waterfields Drive: Lot 4 = 25%; Lot 5 = 18%; Lot 6 = 9% - meets acceptable outcome.*

A3.2.4– Where adjoining sites are coded R40 or less, buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites.

N/A

ELEMENT 3.3	TREE CANOPY AND DEEP SOIL AREAS	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.3.1 – Site planning maximises retention of existing healthy and appropriate and protects the viability of adjoining trees.	<i>Refer to Landscape Plan Refer to Arborist Report that will be submitted as part of this Application.</i>	Majority of existing trees are proposed to be retained. Existing trees are contained within the front setback area and the communal open space.
O3.3.2 – Adequate measures are taken to improve tree canopy (long term) or to offset reduction of tree canopy from pre-development condition.	<i>As above.</i>	Landscaping plan indicates a variety of larger trees to be planted on the site, particularly on the parent lot boundaries to maintain tree cover and provide for a buffer to adjoining lots.
O3.3.3 – Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.	<i>As above</i>	Multiple deep soil areas provided across the site, for 'new' trees, particularly within side and front setback areas.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A3.3.1 – Retention of existing trees on the site that meet the following criteria: <ul style="list-style-type: none"> – healthy specimens with ongoing viability AND – species is not included on a State or local area weed register AND – height of at least 4m AND/OR – trunk diameter of at least 160mm, measured 1m from the ground AND/OR – average canopy diameter of at least 4m. COMMENT: <ul style="list-style-type: none"> ○ 10x significant trees exist on the site. 		
A3.3.2 – The removal of existing trees that meet any of the criteria at A3.3.1 is supported by an arboriculture report. COMMENT: <ul style="list-style-type: none"> ○ Arboriculture report provided – 7 trees to be retained. 3 to be removed. 		
A3.3.3 – The development is sited and planned to have no detrimental impacts on, and to minimise canopy loss of adjoining trees. COMMENT: <ul style="list-style-type: none"> ○ The development does not impact on any adjoining property significant vegetation. 		

A3.3.4 – Deep soil areas are provided in accordance with Table 3.3a. Deep soil areas are to be co-located with existing trees for retention and/or adjoining trees, or alternatively provided in a location that is conducive to tree growth and suitable for communal open space.

Table 3.3a Minimum deep soil area and tree provision requirements

Site Area	Minimum deep soil area	Minimum requirement for trees ¹
Less than 700m ²	10% OR 7% if existing tree(s) retained on site (% site area)	1 medium tree and small trees to suit area
700 – 1,000m ²		2 medium trees OR 1 large tree and small trees to suit area
> 1,000m ²		1 large tree and 1 medium tree for each additional 400m ² in excess of 1000m ² OR 1 large tree for each additional 900m ² in excess of 1000m ² and small trees to suit area

¹ Minimum requirement for trees includes retained or new trees
Refer Table 3.3b for tree sizes

COMMENT:

- 11.8% of the site is proposed to be DSA (7% required). 3 Large trees required to be provided and multiple small trees. The proposal is to retain 7 existing large trees. Landscaping plan indicates multiple small trees and hedges to be consistent with Table 3.3a.

A3.3.5 – Landscaping includes existing and new trees with shade producing canopies in accordance with Tables 3.3a and 3.3b.

Table 3.3b Tree sizes

Tree size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width	Minimum DSA width where additional rootable soil zone (RSZ) width provided ¹ (min 1m depth)	Indicative pot size at planting
Small	4–6m	4–8m	9m ²	2m	1m (DSA) + 1m (RSZ)	100L
Medium	6–9m	8–12m	36m ²	3m	2m (DSA) + 1m (RSZ)	200L
Large	>9m	>12m	64m ²	6m	4.5m (DSA) + 1.5m (RSZ)	500L

¹ Rootable areas are for the purposes of determining minimum width only and do not have the effect of reducing the required DSA.

COMMENT:

- *As above, the landscaping plan indicates a variety of 'small' and 'medium' trees throughout the site. This includes hedges and a variety of larger trees such as the Crepe Myrtle which can grow up to 8m tall. Landscaping plan indicates the DSA's for each medium and large tree to be in accordance with the above table. The minimum width of DSA is 1m for small trees on the side and rear boundaries.*

A3.3.6 – The extent of permeable paving or decking within a deep soil area does not exceed 20 per cent of its area and does not inhibit the planting and growth of trees.

COMMENT:

- *As above, trees are predominately located within the outdoor living area. Root systems will protrude into the paved areas of the outdoor living.*

A3.3.7 – Where the required deep soil areas cannot be provided due to site restrictions, planting on structure with an area equivalent to two times the shortfall in deep soil area provision is provided.

COMMENT:

- *Planting over parking structures (trellis), entrance feature is proposed. To be conditioned.*

ELEMENT 3.4		COMMUNAL OPEN SPACE	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.4.1 – Provision of quality communal open space that enhances resident amenity and provides opportunities for landscaping, tree retention and deep soil areas.		<i>Refer to Landscape Plan KDLA REV B Refer to Arborist Report that will be submitted as part of this Application.</i>	Communal Open Space (COS) is located where the majority of trees are proposed to be retained – good initiative.
O3.4.2 – Communal open space is safe, universally accessible and provides a high level of amenity for residents.		<i>Universal Access is achieved to the Common Area. Refer to Landscape Plan KDLA REV B</i>	There are two types of COS provided (ground floor and upper floor). Both are highly accessible and in the centre of the site. Lift is provided to enable universal access to upper floor.
O3.4.3 – Communal open space is designed and oriented to minimise impacts on the habitable rooms and private open space within the site and of neighbouring properties.		<i>Communal Open Space is located in the centre of the development as a raised deck that incorporates the retention of existing & established trees in the centre of the Development Site. The location of the communal open space, retention of the established trees, its proximity to the entry (visible as one enters the residential complex) gives it a strong presence within the centre of the development.</i>	Ground floor private open space is to the outside of the dwellings (i.e. opposite of the centre where the COS is located). Upper floor private OLA (balconies) are affected for Block D. 5m setback proposed to COS (upper floor) from balcony's for Block D – however some screening is provided on the upper floor COS and the trees proposed to be retained in the ground floor COS will assist in further screening.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
A3.4.1 – Developments include communal open space in accordance with Table 3.4			
Table 3.4 Provision of communal open space			
Development size	Overall communal open space requirement	Minimum accessible / hard landscape area (included in overall area requirement)	Minimum open space dimension
Up to 10 dwellings	Informal seating associated with deep soil or other landscaped areas	NA	NA
More than 10 dwellings	Total: 6m ² per dwelling up to maximum 300m ²	At least 2m ² per dwelling up to 100m ²	4m
COMMENT:			
<ul style="list-style-type: none"> <i>Total required communal open space = 204m² + 68m² = 272m². PROPOSED = 130m² (upper floor) + 131m² (ground floor) = 261m² (shortage of 11m²) See Objectives above.</i> 			

A3.4.2 – Communal open space located on the ground floor or on floors serviced by lifts must be accessible from the primary street entry of the development.

COMMENT:

- *Communal open space is located on the ground floor and on a floor serviced by a lift. It is accessible from the primary street entry of the development (via a gate).*

A3.4.3 – There is 50 per cent direct sunlight to at least one communal open space area for a minimum of two hours between 9am and 3pm on 21 June.

COMMENT:

- *Access to sunlight for the upper floor area is predominately unhindered throughout the day.*

A3.4.4– Communal open space is co-located with deep soil areas and/or planting on structure areas and/ or co-indoor communal spaces.

COMMENT:

- *Communal open space is co-located with an area that is in the centre of the site and where a number of existing trees will be retained.*

A3.4.5 – Communal open space is separated or screened from adverse amenity impacts such as bins, vents, condenser units, noise sources and vehicle circulation areas.

COMMENT:

- *Communal open space is in the centre of the site. There is a bin store nearby however it is screened (lockable room). While the ground floor communal space is near traffic driveways etc., the upper floor communal area will not be impacted by any adverse amenity factors.*

A3.4.6 – Communal open space is well-lit, minimises places for concealment and is open to passive surveillance from adjoining dwellings and/or the public realm.

COMMENT:

- *A lighting plan to be provided as a condition. COS is in the centre of the site and is open to passive surveillance from adjoining dwellings and/or the public realm (particularly apartments to the south and east – balconies).*

A3.4.7 – Communal open space is designed and oriented to minimise the impacts of noise, odour, light-spill and overlooking on the habitable rooms and private open spaces within the site and of neighbouring properties.

ELEMENT 3.5		VISUAL PRIVACY		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT		ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>		
O3.5.1 – The orientation and design of buildings, windows and balconies minimises direct overlooking of habitable rooms and private outdoor living areas within the site and of neighbouring properties, while maintaining daylight and solar access, ventilation and the external outlook of habitable rooms.		<i>7.5m Cone of Vision (COV) is achieved for the upper level apartments/North Elevation.</i>		Block A and B: First floor balconies orientate to the street having minimal impacts of overlooking within the site and neighbouring properties.
				Block C: The first floor has been designed with balconies having access to northern sunlight. Impacts of overlooking to the north are reduced as balconies are setback 7.5m from the northern boundary and solid balustrading is proposed to reduce direct overlooking.
				Block D: Balconies and major living of the first floor is located away from the adjoining property. Impacts of overlooking over the COS are reduced as screening is proposed for a portion of the balcony.
				Block D: Balconies face into the property, overlooking the parking area. Bedrooms are setback a minimum of 4.5m from adjoining properties to the south or windows are provided with obscure glazing.
ACCEPTABLE OUTCOMES				
<i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>				
A3.5.1 – Visual privacy setbacks to side and rear boundaries are provided in accordance with Table 3.5.				
Table 3.5 Required privacy setback to adjoining sites				
Cone of vision from unscreened:	First 4 storeys		5th storey and above	
	Adjoining sites coded R50 or lower	Adjoining sites coded higher than R50		
Major opening to bedroom, study and open access walkways	4.5m	3m	Refer Table 2.7	
Major openings to habitable rooms other than bedrooms and studies	6m	4.5m		
Unenclosed private outdoor spaces	7.5m	6m		
COMMENT:				
○ <i>Non compliances: (see overlooking plan)</i>				
- <i>Unit 24 (to south) – plan indicates screening – condition to confirm.</i>				
- <i>Unit 25 (to south) – white glass provided to 1650mm</i>				
- <i>Unit 26 (to south) – white glass provided to 1650mm</i>				
- <i>Unit 28 (to east) – plan indicates screening – condition to confirm.</i>				

- Unit 18 (to north) – plan indicates screening

A3.5.2 – Balconies are unscreened for at least 25 per cent of their perimeter (including edges abutting a building).

COMMENT:

- *All Balconies are unscreened for at least 25 per cent of their perimeter.*

A3.5.3 - Living rooms have an external outlook from at least one major opening that is not obscured by a screen.

COMMENT:

- *Living rooms have an external outlook from at least one major opening that is not obscured by a screen – YES!*

A3.5.4 – Windows and balconies are sited, oriented, offset or articulated to restrict direct overlooking, without excessive reliance on high sill levels or permanent screening of windows and balconies.

COMMENT:

- *Windows and balconies are sited, oriented, offset or articulated to restrict direct overlooking, without excessive reliance on high sill levels or permanent screening of windows and balconies.*
 - *Bedrooms only face into the southern adjoining lots – OK*

ELEMENT 3.6	PUBLIC DOMAIN INTERFACE	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.6.1 – The transition between the private and public domain enhances the privacy and safety of residents.	<i>Principal entry to the apartments is clearly indicated with clear sightlines for residents and visitors.</i>	All ground floor dwellings fronting onto Johnson Road have direct access via the front courtyard. A gate and pathway is provided for each residence. The front fencing is 1.5m above the ground level although the actual height of the actual fence is 1.2m when viewed from the street. This height will provide sufficient privacy for the OLA while maintaining surveillance onto the street.
O3.6.2 – Street facing development and landscape design retains and enhances the amenity and safety of the adjoining public domain, including the provision of shade.	<i>Refer O3.6.1 above and below. Principal Entry is located off Johnson Road with an Entrance Canopy for Shade and Weather Protection.</i>	The public domain incorporate trees for shade.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A3.6.1 – The majority of ground floor dwellings fronting onto a street or public open space have direct access by way of a private terrace, balcony or courtyard. COMMENT: <ul style="list-style-type: none"> <i>All ground floor dwellings fronting onto Johnson Road have direct access via the front courtyard. A gate and pathway is provided for each residence.</i> 		
A3.6.2 – Car-parking is not located within the primary street setback; and where car parking is located at ground level behind the street setback it is designed to integrate with landscaping and the building façade (where part of the building). COMMENT: <ul style="list-style-type: none"> <i>Car-parking is not visible from the primary street. Car parking is in the central area of the development with limited landscaping. To indicate greenery to grow on trellis wire over southern car parking bays in landscaping plan as condition.</i> 		
A3.6.3 – Upper level balconies and/or windows overlook the street and public domain areas. COMMENT: <ul style="list-style-type: none"> <i>All upper level balconies overlook Johnson Road</i> 		
A3.6.4 – Balustrading includes a mix of visually opaque and visually permeable materials to provide residents with privacy while maintaining casual surveillance of adjoining public domain areas. COMMENT:		

<ul style="list-style-type: none"> ○ <i>Balustrading includes a mix of visually opaque and visually permeable materials to provide residents with privacy while maintaining casual surveillance of adjoining public domain areas.</i>
<p>A3.6.5 – Changes in level between private terraces, front gardens and the ground floor level of the building and the street level average less than 1m and do not exceed 1.2m.</p> <p>N/A</p>
<p>A3.6.6 – Front fencing includes visually permeable materials above 1.2m and the average height of solid walls or fences to the street does not exceed 1.2m.</p> <p>COMMENT:</p> <ul style="list-style-type: none"> • <i>Fencing has a maximum solid height of 1.5m.</i>
<p>A3.6.7 – Fencing, landscaping and other elements on the frontage are designed to eliminate opportunities for concealment.</p> <p>N/A</p>
<p>A3.6.8 – Bins are not located within the primary street setback or in locations visible from the primary street.</p> <p>COMMENT:</p> <ul style="list-style-type: none"> • <i>Bins are located in 3x storage areas distributed across the site and out of view.</i>
<p>A3.6.9 – Services and utilities that are located in the primary street setback are integrated into the design of the development and do not detract from the amenity and visual appearance of the street frontage.¹</p> <p>(1) Firefighting and access to services such as power and water meters require careful consideration in the design of the front façade. Consult early with relevant authorities to resolve functional requirements in an integrated design solution.</p> <p>COMMENT:</p> <ul style="list-style-type: none"> • <i>To be conditioned.</i>

ELEMENT 3.7	PEDESTRIAN ACCESS AND ENTRIES	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.7.1 – Entries and pathways are universally accessible, easy to identify and safe for residents and visitors.	<i>Pedestrian entry is clearly defined within the Building Elevation.</i>	Entry into the site is only accessible if you have a gate code – promoting safety. Each dwelling fronting Johnson road also has its own gate and access ways – easy to identify.
O3.7.2 – Entries to the development connect to and address the public domain with an attractive street presence.	<i>Achieved Ref: Elevations and Perspectives lodged with this submission. Clear Pathways defined</i>	One vehicle entrance – An harbour feature is proposed for the vehicle entrance way. Each ground floor dwelling fronting Johnson Road has its own gate and pathway connecting to the existing footpath.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A3.7.1 – Pedestrian entries are connected via a legible, well-defined, continuous path of travel to building access areas such as lift lobbies, stairs, accessways and individual dwelling entries. COMMENT: <ul style="list-style-type: none"> <i>All pedestrian entries are connected via legible, well-defined paths. The paths link the parking areas and can be accessed from the pedestrian entry into the site.</i> 		
A3.7.2 – Pedestrian entries are protected from the weather. COMMENT: <ul style="list-style-type: none"> <i>All pedestrian entries are protected under the roof cover.</i> 		
A3.7.3 – Pedestrian entries are well-lit for safety and amenity, visible from the public domain without opportunity for concealment, and designed to enable casual surveillance of the entry from within the site. COMMENT: <ul style="list-style-type: none"> <i>Pedestrian entries are all visible from the COS. The opportunity for concealment is minimised even for stair wells as they are designed with high roofs that are ‘open’.</i> 		
A3.7.4 – Where pedestrian access is via a shared zone with vehicles, the pedestrian path is clearly delineated and/or measures are incorporated to prioritise the pedestrian and constrain vehicle speed. COMMENT: <ul style="list-style-type: none"> <i>Pedestrian paths are separate from the vehicle access ways and are delineated via different material.</i> 		
A3.7.5 – Services and utilities that are located at the pedestrian entry are integrated into the design and do not detract from the amenity of the entry.		

COMMENT:

- *Services and utilities that are located at the pedestrian entry are integrated into the design and do not detract from the amenity of the entry*

A3.7.6 – Bins are not located at the primary pedestrian entry.

COMMENT:

- *Bins are not located at the primary pedestrian entry. To be confirmed in a Waste Management Plan.*

ELEMENT 3.8 VEHICLE ACCESS		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.8.1 – Vehicle access points are designed and located to provide safe access and egress for vehicles and to avoid conflict with pedestrians, cyclists and other vehicles.	<i>Achieved. Carparking Spaces are designed to the Building Code and Australian Standard. Bay Width and Length Complies. Blind Isles are included. Wheel Stops will be included. Residential Parking Spaces will be clearly annotated/signage within the complex.</i>	One vehicle access point into the site is proposed. The design of the driveways is delineated from the paths within the site for pedestrians. A shared space is proposed for the entrance way, although pedestrian and vehicle access ways are clearly delineated with different materials.
O3.8.2 – Vehicle access points are designed and located to reduce visual impact on the streetscape.	<i>Vehicle Entry is located off the Johnson Road Elevation. This is the only entry point to the site. IE, no ROW Access.</i>	Only one vehicle access point is proposed. The vehicle access point breaks up the built form on the front elevation. The entrance way is designed with an 'Arbour' to provide for an attractive feature entrance.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A3.8.1 – Vehicle access is limited to one opening per 20m street frontage that is visible from the street.		
COMMENT:		
<ul style="list-style-type: none"> ○ <i>Only one entrance is proposed that is less than 20m in width.</i> 		
A3.8.2 – Vehicle entries are identifiable from the street, while being integrated with the overall façade design and/ or located behind the primary building line.		
COMMENT:		
<ul style="list-style-type: none"> • <i>A trellis entrance structure is designed. See Objectives above.</i> 		
A3.8.3 – Vehicle entries have adequate separation from street intersections.		

COMMENT:

- See Objectives above.

A3.8.4 – Vehicle circulation areas avoid headlights shining into habitable rooms within the development and adjoining properties.

COMMENT:

- Habitable rooms are generally located within the site to be consistent with this outcome.

A3.8.5 – Driveway width is kept to a functional minimum, relative to the traffic volumes and entry/egress requirements.

COMMENT:

- Ok

A3.8.6 – Driveways designed for two way access to allow for vehicles to enter the street in forward gear where:

- the driveway serves more than 10 dwellings
- the distance from an on-site car parking to the street is 15m or more **OR**
- the public street to which it connects is designated as a primary distributor, district distributor or integrated arterial road.

COMMENT:

- Ok

A3.8.7 – Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, other structures adjoin vehicle access points where a driveway meets a public street and where two streets intersect (refer Figure 3.8a).

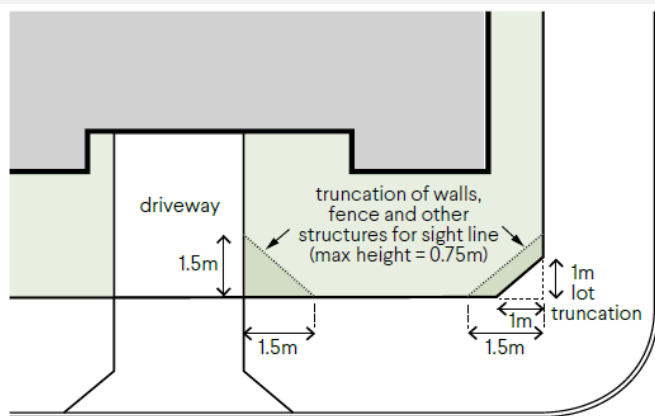


Figure 3.8a Truncation at street corner to provide sightlines (refer A3.8.7).

COMMENT:

- The width of the driveway and the setback of street aligned footpath (very wide footpath) will ensure safety.

ELEMENT 3.9 CAR AND BICYCLE PARKING		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.9.1 – Parking and facilities are provided for cyclists and other modes of transport.	<i>Bike Racks are provided on site for Residents (located in stores) and for the Public as indicated below the common area deck. 'Steadyracks' are proposed.</i>	1 x bicycle rack is provided per 2 dwellings at the ground level.
O3.9.2 – Car parking provision is appropriate to the location, with reduced provision possible in areas that are highly walkable and/or have good public transport or cycle networks and/or are close to employment centres.	<i>The Proposed Development is in a Location A in accordance with Part 3.9. Site is Located within 900m of Kwinana Train Station. Transperth Bus 543 Stop is immediately outside the Main Entry to the Complex Buses run direct to Kwinana Tran Station Proposed On Site Parking is in accordance with Table 3.9 Parking Ratio</i>	The proposal is approximately 820m from the Kwinana Train Station and there is a bus stop directly adjacent to the development site. The development is 500m from the Bertram commercial centre. There is also commercial zoned land (currently vacant) located approximately 500m to the north of the subject site. Footpaths connect the site to all of the above centres/locations. These factors demonstrate the site to be located in an area that has good public transport and in close proximity to current and future commercial centres.
O3.9.3 – Car parking is designed to be safe and accessible.	<i>Achieved. Car parking is designed in accordance with Aus Standard, the NCC and will be reviewed/certified as part of the Build Permit Submission.</i>	Parking is generally designed to be safe. Applicant to remove bay 22 from the Common Area to further enhance safety. See recommended condition.
O3.9.4 – The design and location of car parking minimises negative visual and environmental impacts on amenity and the streetscape.	<i>Parking is located within the Development Complex, therefore no impact on the Streetscape.</i>	Car parking is located in the centre of the development and cannot be viewed from the street.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A3.9.1 – Secure, undercover bicycle parking is provided in accordance with Table 3.9 and accessed via a continuous path of travel from the vehicle or cycle entry point.		

Table 3.9 Parking ratio

Parking types		Location A	Location B
Car parking ¹	1 bedroom dwellings	0.75 bay per dwelling	1 bay per dwelling
	2+ bedroom dwellings	1 bay per dwelling	1.25 bays per dwelling
	Visitor	1 bay per four dwellings up to 12 dwellings 1 bay per eight dwellings for the 13th dwelling and above	
Bicycle parking ¹	Resident	0.5 space per dwelling	
	Visitor	1 space per 10 dwellings	
Motorcycle/ Scooter parking ²	Developments exceeding 20 dwellings provide 1 motorcycle/scooter space for every 10 car bays		

¹ Calculations of parking ratios shall be rounded up to the next whole number.

² For each five motorcycle/scooter parking bays provided in accordance with Table 3.9, car parking bays may be reduced by one bay.

Definitions:

Location A: within 800m walkable catchment of a train station and/or 250m of a transit stop (bus or light rail) of a high-frequency route and/or within the defined boundaries of an activity centre.

Location B: not within Location A.

COMMENT:

- *Bicycle parking provided as per requirements (except Unit 22 – to request amended plans showing access to unit 22)*

A3.9.2 – Parking is provided for cars and motorcycles in accordance with Table 3.9.

COMMENT:

- *Location A: Required = 33 bays; Location B: Required = 42; Visitor Bays required = 3; PROPOSED = 36 bays. Scooter/motorcycle parking not provided.*

A3.9.3 – Maximum parking provision does not exceed double the minimum number of bays specified in Table 3.9

COMMENT:

- *OK – only 36 bays are provided.*

A3.9.4 – Car parking and vehicle circulation areas are designed in accordance with AS2890.1 (as amended) or the requirements of applicable local planning instruments.

COMMENT:

- *This is designed in accordance with AS2890.1*

A3.9.5 – Car parking areas are not located within the street setback and are not visually prominent from the street.

COMMENT:

- *Parking is located behind buildings.*

A3.9.6 – Car parking is designed, landscaped or screened to mitigate visual impacts when viewed from dwellings and private outdoor spaces.

COMMENT:

- *Car parking is generally located with the upper floor above to mitigate visual impacts when viewed from dwellings and private outdoor spaces*

A3.9.7 – Visitor parking is clearly visible from the driveway, is signed 'Visitor Parking' and is accessible from the primary entry or entries.

COMMENT:

- *Visitor parking is not clearly visible or marked as 'Visitor Parking' (Condition).*

A3.9.8 – Parking shade structures, where used, integrate with and complement the overall building design and site aesthetics and have a low reflectance to avoid glare into apartments.

COMMENT:

- *Trellis wire is provided over some parking.*

A3.9.9 – Uncovered at-grade parking is planted with trees at a minimum rate of one tree per four bays.

COMMENT:

- *Landscaping plan is sufficient, particularly with large retained trees central of the site.*

A3.9.10 – Basement parking does not protrude more than 1m above ground, and where it protrudes above ground is designed or screened to prevent negative visual impact on the streetscape.

N/A

ELEMENT 4.1 SOLAR AND DAYLIGHT ACCESS		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.1.1 – In climate zones 4, 5 and 6: the development is sited and designed to optimise the number of dwellings receiving winter sunlight to private open space and via windows to habitable rooms.	<p><i>All apartments meet the provisions of 4.1 Solar Access Climate Zone 5</i></p> <p><i>60% and above of apartments achieve the Cross-Ventilation Requirements as indicated by 'NCV' note on apartment plan.</i></p> <p><i>Common Area Spaces (apartment Levels will have operable windows to allow for NCV)</i></p>	<p>Blocks A, B, C and D are designed with adequate sunlight to access the Private Open Space.</p> <p>Majority of dwellings are designed with major habitable areas such as balconies and living areas to have a northern orientation. Otherwise, outdoor living areas are large enough to accommodate for some sunlight.</p>
O4.1.2 – Windows are designed and positioned to optimise daylight access for habitable rooms.	<p><i>All Habitable Rooms have windows that are positions to enhance natural light ingress.</i></p> <p><i>All Habitable Rooms have windows visible from the interior of the room</i></p>	Majority of dwellings are designed to have windows to the north (whether it be hi-lite or glazed). As outlined below, more than 85% of dwellings have more than adequate access to northern sunlight for major openings.
<p>O4.1.3 – The development incorporates shading and glare control to minimise heat gain and glare:</p> <ul style="list-style-type: none"> – from mid-spring to autumn in climate zones 4, 5 and 6 AND – year-round in climate zones 1 and 3. 	<p><i>Balconies have shade devices over REF Apartment Floor Plans</i></p> <p><i>Windows have shade devices REF Apartment Floor Plans</i></p>	A significant number of balconies are designed to have a portion that is somewhat screened to minimise heat gain and glare.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
<p>A4.1.1 – In climate zones 4, 5 and 6 <u>only</u>:</p> <ul style="list-style-type: none"> a) Dwellings with a northern aspect are maximised, with a minimum of 70 per cent of dwellings having living rooms and private open space that obtain at least 2 hours direct sunlight between 9am and 3pm on 21 June AND b) A maximum of 15 per cent of dwellings in a building receiving no direct sunlight between 9am and 3pm on 21 June. <p>○ In climate zones 4, 5 and 6 <u>only</u>:</p> <ul style="list-style-type: none"> a) Dwellings with a northern aspect are maximised, with a minimum of 70 per cent of dwellings having living rooms and private open space that obtain at least 2 hours direct sunlight between 9am and 3pm on 21 June AND ○ A maximum of 15 per cent of dwellings in a building receiving no direct sunlight between 9am and 3pm on 21 June. <p>COMMENT:</p> <ul style="list-style-type: none"> • <i>The ground floor dwellings in Block D do not receive direct sunlight. However, this equates to less than 15% of the total number of dwellings complying with this Acceptable Outcome.</i> 		
A4.1.2 – Every habitable room has at least one window in an external wall, visible from all parts of the room, with a glazed area not less than 10 per cent of the floor area and comprising a minimum of 50 per cent of clear glazing.		

COMMENT:

- See objectives.

A4.1.3 – Lightwells and/or skylights do not form the primary source of daylight to any habitable room.

N/A

A4.1.4 – The building is oriented and incorporates external shading devices in order to:

- minimise direct sunlight to habitable rooms:
 - between late September and early March in climate zones 4, 5 and 6 only **AND**
 - in all seasons in climate zones 1 and 3
- permit winter sun to habitable rooms in accordance with A 4.1.1 (a).

- The building is oriented and incorporates external shading devices in order to:

- minimise direct sunlight to habitable rooms:
 - between late September and early March in climate zones 4, 5 and 6 only **AND**
 - in all seasons in climate zones 1 and 3
- permit winter sun to habitable rooms in accordance with A 4.1.1 (a).

COMMENT:

- See objectives above.

ELEMENT 4.2	NATURAL VENTILATION	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
O4.2.1 – Development maximises the number of apartments with natural ventilation.	<i>Achieved. Refer above and A301-A302</i>	All apartments are designed to have natural ventilation through.
O4.2.2 – Individual dwellings are designed to optimise natural ventilation of habitable rooms.	<i>Achieved. Refer above and A301-A302</i>	Louvered Windows are proposed to the rear of most apartments to ensure natural ventilation is maintained and does not rely solely on the entrance/door into the apartment.
O4.2.3 – Single aspect apartments are designed to maximise and benefit from natural ventilation.	<i>Achieved. A301-A302</i>	All apartments have at least two aspects.

ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

A4.2.1 – Habitable rooms have openings on at least two walls with a straight line distance between the centre of the openings of at least 2.1m.

COMMENT:

- *Proposed apartments meet this requirement with multiple openings that provide for ventilation.*

A4.2.2 –

- A minimum 60 per cent of dwellings are, or are capable of, being naturally cross ventilated in the first nine storeys of the building
 - All apartments are designed with natural cross ventilation. See Natural Ventilation Diagram.
- Single aspect apartments included within the 60 per cent minimum at (a) above must have:
 - ventilation openings oriented between 45° – 90° of the prevailing cooling wind direction **AND**
 - room depth no greater than 3 × ceiling height

COMMENT:

- *All ventilation openings are 45 degrees to prevailing cooling South West wind.*
- *The maximum room depth (Living/Kitchen) is 8m (see Block C ground floor) – 3 x ceiling height = 8.229m.*

A4.2.3 – The depth of cross-over and cross-through apartments with openings at either end and no openings on side walls does not exceed 20m.

COMMENT:

- *The maximum depth of all proposed apartments is 12m*

A4.2.4 – No habitable room relies on lightwells as the primary source of fresh-air.

COMMENT:

- *No lightwells proposed/required.*

ELEMENT 4.3		SIZE AND LAYOUT OF DWELLINGS											
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT										
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>											
O4.3.1 – The internal size and layout of dwellings is functional with the ability to flexibly accommodate furniture settings and personal goods, appropriate to the expected household size.		<i>Apartments have been designed in accordance with Table 4.3a & 4.3b</i> <i>Refer to dimensions indicated on Apartment Plans</i>	Internal layout of apartments is generally functional. The 'snorkel' design of some bedrooms (see GF Unit 10, Bed 2) is 1.17m wide which is adequate space for a chair and/or desk.										
O4.3.2 – Ceiling heights and room dimensions provide for well-proportioned spaces that facilitate good natural ventilation and daylight access.		<i>Ceiling Heights to Habitable rooms are 2.700m minimum and minimum Sizes in accordance with Table 4.3b</i>	Ceiling heights are 2.743m. The depth of the apartments is generally consistent with a maximum depth of 8m to allow natural sunlight access through the living area through to Kitchen areas. Sloping roofs and ceiling heights (for balconies particularly) is proposed to allow for greater daylight access.										
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>													
A4.3.1 – Dwellings have a minimum internal floor area in accordance with Table 4.3a.													
<div>Table 4.3a Minimum floor areas for dwelling types</div> <table><thead><tr><th>Dwelling type</th><th>Minimum internal floor area</th></tr></thead><tbody><tr><td>Studio</td><td>37m²</td></tr><tr><td>1 bed</td><td>47m²</td></tr><tr><td>2 bed x 1 bath¹</td><td>67m²</td></tr><tr><td>3 bed x 1 bath¹</td><td>90m²</td></tr></tbody></table> <div>¹An additional 3m² shall be provided for designs that include a second or separate toilet, and 5m² for designs that include a second bathroom.</div>				Dwelling type	Minimum internal floor area	Studio	37m ²	1 bed	47m ²	2 bed x 1 bath ¹	67m ²	3 bed x 1 bath ¹	90m ²
Dwelling type	Minimum internal floor area												
Studio	37m ²												
1 bed	47m ²												
2 bed x 1 bath ¹	67m ²												
3 bed x 1 bath ¹	90m ²												
COMMENT: <ul style="list-style-type: none">Proposed 1 bed apartments are 60m2 (excluding store room). Proposed 2 x 1 apartments are 80m2 (excluding store room).													
A4.3.2 – Habitable rooms have minimum floor areas and dimensions in accordance with Table 4.3b.													

Table 4.3b Minimum floor areas and dimensions for habitable rooms

Habitable room type	Minimum internal floor area	Minimum internal dimension
Master bedroom	10m ²	3m
Other bedrooms	9m ²	3m
Living room – studio and 1 bed apartments	N/A	3.6m
Living room – other dwelling types	N/A	4m
¹ Excluding robes		

COMMENT:

- *All areas and dimensions meet Table 4.3b. Living rooms have a 4m width.*

A4.3.3 – Measured from the finished floor level to finished ceiling level, minimum ceiling heights are:

- Habitable rooms – 2.7m
- Non-habitable rooms – 2.4m
- All other ceilings meet or exceed the requirements of the NCC.

COMMENT:

- *All ceiling heights are 2.743m*

A4.3.4 – The length of a single aspect open plan living area is equal to or less than 3 x the ceiling height. An additional 1.8m length may be provided for a kitchen, where the kitchen is the furthest point from the window in an open plan living area provided that the maximum length does not exceed 9m.

COMMENT:

- *Apartments are generally designed to appear as single aspect dwellings. However, a major opening (louvered) window is proposed on the opposite side of the outdoor living area in each applicable apartment. Regardless, the maximum depth of living/kitchen areas is 8m.*

ELEMENT 4.4 PRIVATE OPEN SPACE AND BALCONIES																	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT															
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>																
O4.4.1 – Dwellings have good access to appropriately sized private open space that enhances residential amenity.	<i>Achieved. Areas of balconies & dimensions indicated on submission drawings</i>	All outdoor living areas and balconies exceed the minimum requirements and are adequately sized for the two bedroom apartments.															
O4.4.2 – Private open space is sited, oriented and designed to enhance liveability for residents.	<i>Achieved. Balcony spaces are located directly abutting habitable spaces and are located to give privacy and amenity to the resident/occupier.</i>	Private open space is generally orientated to have access to northern sunlight for majority of buildings.															
O4.4.3 – Private open space and balconies are integrated into the overall architectural form and detail of the building.	<i>Achieved. Areas of balconies indicated on submission drawing, perspectives and elevations</i>	All private open space areas are designed to be integrated into the building.															
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>																	
A4.4.1 – Each dwelling has private open space accessed directly from a habitable room with dimensions in accordance with Table 4.4.																	
Table 4.4 Private open space requirements <table border="1"> <thead> <tr> <th>Dwelling type</th><th>Minimum Area¹</th><th>Minimum Dimension¹</th></tr> </thead> <tbody> <tr> <td>Studio apartment + 1 bedroom</td><td>8m²</td><td>2.0m</td></tr> <tr> <td>2 bedroom</td><td>10m²</td><td>2.4m</td></tr> <tr> <td>3 bedroom</td><td>12m²</td><td>2.4m</td></tr> <tr> <td>Ground floor / apartment with a terrace</td><td>15m²</td><td>3m</td></tr> </tbody> </table> <p>¹ Services and fixtures located within private open space, including but not limited to air-conditioner units and clothes drying, are not visible from the street and/or are integrated into the building design.</p>			Dwelling type	Minimum Area ¹	Minimum Dimension ¹	Studio apartment + 1 bedroom	8m ²	2.0m	2 bedroom	10m ²	2.4m	3 bedroom	12m ²	2.4m	Ground floor / apartment with a terrace	15m ²	3m
Dwelling type	Minimum Area ¹	Minimum Dimension ¹															
Studio apartment + 1 bedroom	8m ²	2.0m															
2 bedroom	10m ²	2.4m															
3 bedroom	12m ²	2.4m															
Ground floor / apartment with a terrace	15m ²	3m															
COMMENT: <ul style="list-style-type: none"> Block A/B: Ground Floor Private open space far exceeds 10m2. Upper Floor: Balconies are 10m2 where dimension is minimum 3m Block C: Ground Floor: minimum dimension of 3m and area of 13m2. Upper Floor: Minimum dimension of 2.8m and area of 10.5m2 (although it is L shaped with total 19m2 area). Block D (1 bed dwellings): Ground Floor: minimum dimension is 3.7m. Total area exceeds 8m2. Upper Floor: Minimum balcony dimension is 3m (18m2 total area) Block E: Ground floor: Minimum dimension and area exceeds requirements of table 4.4. Upper Floor: Minimum balcony dimension = 3.3m; Minimum area = 17m2 																	
A4.4.2 – Where private open space requires screening to achieve visual privacy requirements, the entire open space is not screened and any screening is designed such that it does not obscure the outlook from adjacent living rooms.																	

COMMENT:

- Living areas for every apartment on the first floor have a direct view onto a balcony. Beyond each balcony, no screening is proposed providing for an acceptable outlook (only a small portion of the living area for Unit 28 will be affected by screening).

A4.4.3 – Design detailing, materiality and landscaping of the private open space is integrated with or complements the overall building design.

COMMENT:

- Landscaping plan indicates consistent landscaping for Private open space as per public areas and COS. All materials/colours and designs of private open space is integrated into the overall building design.

A4.4.4 – Services and fixtures located within private open space, including but not limited to air-conditioner units and clothes drying, are not visible from the street and/or are integrated into the building design.

COMMENT:

- This is to be conditioned – further detail to be provided at building permit stage.

ELEMENT 4.5	CIRCULATION AND COMMON SPACES	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
O4.5.1 – Circulation spaces have adequate size and capacity to provide safe and convenient access for all residents and visitors.	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.5.2 – Circulation and common spaces are attractive, have good amenity and support opportunities for social interaction between residents.	<i>Circulation Spaces min dimensions 1600mm as indicated on Submission Drawings</i>	
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.5.1 – Circulation corridors are a minimum 1.5m in width. COMMENT: <ul style="list-style-type: none"> Block C: Corridors to stairs/dwelling entrance is 2.4m wide. Block A/B and C – Corridor between the two buildings is 1.8m wide Block A/B and E – Corridor between the two buildings is 2.18m wide. 		
A4.5.2 – Circulation and common spaces are designed for universal access. COMMENT:		

<ul style="list-style-type: none"> Both common access areas are accessible via a lift or are at ground floor.
<p>A4.5.3 – Circulation and common spaces are capable of passive surveillance, include good sightlines and avoid opportunities for concealment.</p> <p>COMMENT:</p> <ul style="list-style-type: none"> The common spaces are located within the centre of the lot ensuring adequate passive surveillance.
<p>A4.5.4 – Circulation and common spaces can be illuminated at night without creating light spill into the habitable rooms of adjacent dwellings.</p> <p>COMMENT:</p> <ul style="list-style-type: none"> Condition added.
<p>A4.5.5 – Bedroom windows and major openings to living rooms do not open directly onto circulation or common spaces and are designed to ensure visual privacy and manage noise intrusion.</p> <p>COMMENT:</p> <ul style="list-style-type: none"> Majority of bedrooms are located away from common access ways (generally to the ‘rear’ of the apartment). Obscure glazing is provided for Unit 32 and 33 to reduce overlooking onto Common area. Block D (upper floor) balconies have been amended to have screening to a portion of the communal open space to increase privacy.

ELEMENT 4.6 STORAGE		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.6.1 – Well-designed, functional and conveniently located storage is provided for each dwelling.	<i>Achieved. Storage Spaces are provided, access from either within the apartment or in immediate proximity to the apartment front door.</i>	Storage ‘rooms’ are provided for each dwelling and are convenient. They are private and integrated to have no impact on Private Open Space.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.6.1 – Each dwelling has exclusive use of a separate, ventilated, weatherproof, bulky goods storage area. This can be located either internally or externally to the dwelling with dimensions in accordance with Table 4.6.		

Table 4.6 Storage requirements

Dwelling type	Storage area ¹	Minimum dimension ¹	Minimum height ¹
Studio dwelling	3m ²	1.5m	2.1m
1 bedroom dwelling	3m ²		
2 bedroom dwellings	4m ²		
3 bedroom dwellings	5m ²		
¹ Dimensions exclusive of services and plant.			

COMMENT:

- All store rooms are 4m² minimum area with a minimum dimension of 1.5m. Store heights are as per building – 2.74m

A4.6.2 – Bulky good stores that are not directly accessible from the dwelling/private open space are located in areas that are convenient, safe, well-lit, secure and subject to passive surveillance.

COMMENT:

- All stores are located within apartments, except for Block D ground floor apartments (access is directly adjacent to the 'front' entrance to the dwelling – not affecting private open space). Strata Store is provided opposite the COS and is integrated into the building.

A4.6.3 – Storage provided separately from dwellings or within or adjacent to private open space¹, is integrated into the design of the building or open space and is not readily visible from the public domain.

(1) Storage on/adjacent to private open space is additional to required open space area and dimensions.

COMMENT:

- N/A

ELEMENT 4.7 MANAGING THE IMPACT OF NOISE		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.7.1 – The siting and layout of development minimises the impact of external noise sources and provides appropriate acoustic privacy to dwellings and on-site open space.	<i>Achieved. Apartment Construction will be in accordance with the Reporting as provided by a Qualified Acoustic Engineer</i>	Apartments are generally designed with balconies only overlooking/impacting on on-site open space. Two balconies (unit 29 and 30) and a bedroom window (unit 33) have potential to be impacted by common areas considering proximity. However, the Common areas are designed with screening on the permitter and adequate landscaping.
O4.7.2 – Acoustic treatments are used to reduce sound transfer within and between dwellings and to reduce noise transmission from external noise sources.	<i>Achieved. Apartment Construction will be in accordance with the Reporting as provided by a Qualified Acoustic Engineer</i>	Adequate noise treatments to be applied at building permit stage.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.7.1 – Dwellings exceed the minimum requirements of the NCC, such as a rating under the AAAC Guideline for Apartment and Townhouse Acoustic Rating (or equivalent). COMMENT: <ul style="list-style-type: none"> <i>This will be considered at Building Permit Stage. No additional conditions to this effect required.</i> 		
A4.7.2 – Potential noise sources such as garage doors, driveways, and service areas, plant rooms, building services, mechanical equipment, active communal open space and refuse bins are not located adjacent to the external wall of habitable rooms or within 3m of a window to a bedroom. COMMENT: <ul style="list-style-type: none"> <i>Majority of bedrooms are located away from access ways/driveways and service areas.</i> 		
A4.7.3 – Major openings to habitable rooms are oriented away or shielded from external noise sources. COMMENT: <ul style="list-style-type: none"> <i>Major openings are generally shielded. Unit 33 is setback 5m from COS (upper floor bed 2) – minimum impacts considering landscaping and screening for COS.</i> 		

ELEMENT 4.8 DWELLING MIX		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.8.1 – A range of dwelling types, sizes and configurations is provided that caters for diverse household types and changing community demographics.	<i>Apartment Types are 1 Bed and 2 Bed to provide a diverse mix of dwelling types to cater for a variety of end occupants/owners/residents.</i>	The proposal is for a mix of 1 and 2 bedroom dwellings on the site. Considering the wider residential area this is located, the proposal will add diversity to the existing 4 x 2 dwellings that dominate the wider area.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.8.1 – <ul style="list-style-type: none"> a) Dwelling mix is provided in accordance with the objectives, proportions or targets specified in a local housing strategy or relevant local planning instrument OR b) Where there is no local housing strategy, developments of greater than 10 dwellings include at least 20 per cent of apartments of differing bedroom numbers. COMMENT: <ul style="list-style-type: none"> o 30 @ 2x1 and 4 @ 1x1: 7% in lieu of 20% mixture – see objectives above. 		
A4.8.2 – Different dwelling types are well distributed throughout the development, including a mix of dwelling types on each floor. COMMENT: <ul style="list-style-type: none"> o All 1 bed dwelling types are in Block D only. See objectives above. 		

ELEMENT 4.9	UNIVERSAL DESIGN	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
O4.9.1 – Development includes dwellings with universal design features providing dwelling options for people living with disabilities or limited mobility and/or to facilitate ageing in place.	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i> 20% (3.2) Apartments will meet the Silver Level of the Universal Access requirements 1-15 http://www.liveablehousingaustralia.org.au/library/SLLHA_GuidelinesJuly2017FINAL4.pdf Apartments Type A & b meet the Universal Access Requirements. Refer HJA Drawing A204	All ground floor dwellings in Block A/B are designed to accommodate for people living with disabilities/limited mobility. All these are silver level designed buildings.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.9.1 – <ul style="list-style-type: none"> a) 20 per cent of all dwellings, across a range of dwelling sizes, meet Silver Level requirements as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia) OR b) 5 per cent of dwellings are designed to Platinum Level as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia). COMMENT: <ul style="list-style-type: none"> o 7 dwellings (20%) of yield is Silver Level. See Drawing No. A204. 		

ELEMENT 4.10 FAÇADE DESIGN		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.10.1 – Building façades incorporate proportions, materials and design elements that respect and reference the character of the local area.	<i>Facades and elevations contain materials and finishes that reflect the suburban nature of the development. IE, face & rendered brick, windows of a residential nature/etc.</i>	Building facades are designed with a combination of materials and colours (grey rendered, brown brick, white rendered). Colours are suitable for the area considering it is opposite a nature reserve.
O4.10.2 – Building façades express internal functions and provide visual interest when viewed from the public realm.	<i>Achieved. The treatment of the facades have good scale/proportion and relief</i>	Building facades facing Johnson Road could be designed with greater/additional materials/colours/ articulation to provide greater visual interest (roof is just one height).
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.10.1 – Façade design includes: <ul style="list-style-type: none"> – scaling, articulation, materiality and detailing at lower levels that reflect the scale, character and function of the public realm – rhythm and visual interest achieved by a combination of building articulation, the composition of different elements and changes in texture, material and colour. COMMENT: <ul style="list-style-type: none"> ○ <i>Proposed buildings are articulated with minimal lengths of ‘blank’ walls on the north/south and west facades.</i> ○ <i>Building facades as viewed from the east are minimally articulated, although different façade treatments/windows are proposed.</i> 		
A4.10.2 – In buildings with height greater than four storeys, façades include a defined base, middle and top for the building. COMMENT: <ul style="list-style-type: none"> ○ N/A 		
A4.10.3 – The façade includes design elements that relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights. COMMENT: <ul style="list-style-type: none"> ○ <i>Proposed Block C is a ‘stepped’ design with the upper floor setback from the northern boundary.</i> ○ <i>No parapets are proposed with all development being setback a sufficient distance from side boundaries.</i> 		
A4.10.4 – Building services fixtures are integrated in the design of the façade and are not visually intrusive from the public realm. COMMENT: <ul style="list-style-type: none"> ○ To condition 		

A4.10.5 – Development with a primary setback of 1m or less to the street includes awnings that:

- define and provide weather protection to entries
- are integrated into the façade design
- are consistent with the streetscape character.

COMMENT:

- N/A

A4.10.6 – Where provided, signage is integrated into the façade design and is consistent with the desired streetscape character.

COMMENT:

- N/A

ELEMENT 4.11 ROOF DESIGN		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.11.1 – Roof forms are well integrated into the building design and respond positively to the street.	<i>Flat Roofs are proposed. The surrounding area contains a variety and mix of generally new housing stock. Some have flat roofs, some pitched. Flat roofs are not inconsistent with the immediate surrounding area</i>	Roof forms are concealed. While the streetscape is dominated by pitched roofs, the proposed concealed design seeks to reduce heights and impacts of building bulk.
O4.11.2 – Where possible, roof spaces are utilised to add open space, amenity, solar energy generation or other benefits to the development.	<i>Future Solar Panels can be located on the Roof Spaces Air Conditioning plant will be located on the ground floors or Roof Areas, screed and generally non-visible from the Street. Refer to the Roof Plans as part of the Submission</i>	The COS utilises the roof of a car parking area. The concealed design allows for services such as AC to be better shielded from view. The development is capable of solar energy generation on the concealed roofs.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.11.1 – The roof form or top of building complements the façade design and desired streetscape character.		
COMMENT:		
○ <i>The proposed concealed roof form complements the façade and reduces the overall height and bulk of the building.</i>		
A4.11.2 – Building services located on the roof are not visually obtrusive when viewed from the street.		
COMMENT:		

- *Air con units are proposed on the roof tops and the concealed design will reduce visibility and adverse impacts of visual amenity.*

A4.11.3 – Useable roof space is safe for users and minimises overlooking and noise impacts on private open space and habitable rooms within the development and on adjoining sites.

COMMENT:

- *The proposed upper level COS in the centre of the site is designed with vegetation on its perimeter to reduce impacts of overlooking.*

ELEMENT 4.12 LANDSCAPE DESIGN		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
04.12.1 – Landscape design enhances streetscape and pedestrian amenity; improves the visual appeal and comfort of open space areas; and provides an attractive outlook for habitable rooms.	<i>Refer to Landscape Plan KDLA REV B</i>	Diversity in landscaping is proposed across the site. Existing trees to be retained will provide an attractive outlook, particularly those in the centre of the site within the COS.
04.12.2 – Plant selection is appropriate to the orientation, exposure and site conditions and is suitable for the adjoining uses.	<i>Refer to Landscape Plan KDLA REV B</i>	The proposed plants are suitable for the site and surrounding area. Distribution of plants is also based on access to sunlight.
04.12.3 – Landscape design includes water efficient irrigation systems and where appropriate incorporates water harvesting or water re-use technologies.	<i>Refer to Landscape Plan KDLA REV B</i>	Irrigation plan not provided. No significant technologies proposed.
04.12.4 – Landscape design is integrated with the design intent of the architecture including its built form, materiality, key functional areas and sustainability strategies.	<i>Refer to Landscape Plan KDLA REV B</i>	The notable landscape design is the fact the buildings are designed around the COS where a number of existing trees are proposed to be retained.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.12.1 – Submission of a landscape plan prepared by a competent landscape designer. This is to include a species list and irrigation plan demonstrating achievement of Waterwise design principles. COMMENT: <ul style="list-style-type: none"> <i>Irrigation plan not provided (referenced).</i> <i>Landscaping plan OK – see landscaping architect comments.</i> 		
A4.12.2 – Landscaped areas are located and designed to support mature, shade-providing trees to open space and the public realm, and to improve the outlook and amenity to habitable rooms and open space areas. COMMENT: <ul style="list-style-type: none"> <i>7 of 10 large trees that exist on the site are proposed to be retained. Larger shade providing trees are proposed in open space around the perimeter of the site. Trees proposed to be retained and additional added to front setback area.</i> 		
A4.12.3 – Planting on building structures meets the requirements of Table 4.12.		

Table 4.12 Planting on structure: minimum soil standards for plant types and sizes

Plant type	Definition	Soil volume	Soil depth	Soil area
Large tree	Over 12m high, crown spread at maturity	76.8m ³	1,200mm	64m ² with minimum dimension 7m
Medium tree	8-12m high, crown spread at maturity	36m ³	1,000mm	36m ² with minimum dimension 5m
Small tree	4-8m high, crown spread at maturity	7.2m ³	800mm	3m × 3m
Small ornamentals	3-4m high, crown spread at maturity	3.2m ³	800mm	2m × 2m
Shrubs	--	--	500-600mm	--
Ground cover	--	--	300-450mm	--
Turf	--	--	200mm	--

- Small shrubbery only proposed on the COS rooftop.

A4.12.4 – Building services fixtures are integrated in the design of the landscaping and are not visually intrusive.

COMMENT:

- *Building services are generally integrated into the building. Landscaping is proposed around, for example the bin storage areas.*

ELEMENT 4.13 ADAPTIVE REUSE		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.13.1 – New additions to existing buildings are contemporary and complementary and do not detract from the character and scale of the existing building.	N/A	N/A
O4.13.2 – Residential dwellings within an adapted building provide good amenity for residents, generally in accordance with the requirements of this policy.	N/A	N/A

ELEMENT 4.15		ENERGY EFFICIENCY	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
O4.15.1 – Reduce energy consumption and greenhouse gas emissions from the development.		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
		<i>The Development will be assessed and certified in accordance with the current Building Code Energy Efficiency requirements.</i>	The applicant has indicated that the common area will be powered by solar. A condition is recommended to ensure at least one energy efficient initiative is proposed.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
<p>A4.15.1 –</p> <ul style="list-style-type: none"> a) <i>Incorporate at least one significant energy efficiency initiative within the development that exceeds minimum practice (refer Design Guidance) OR</i> b) <i>All dwellings exceed the minimum NATHERS requirement for apartments by 0.5 stars.1</i> <p>COMMENT: <i>See objectives above.</i></p>			

ELEMENT 4.16 WATER MANAGEMENT AND CONSERVATION		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.16.1 – Minimise potable water consumption throughout the development.	<i>Dwellings will be individually metered</i>	Each unit is proposed to be individually metred. Single bathrooms provided for two bedroom units.
O4.16.2 – Stormwater runoff from small rainfall events is managed on-site, wherever practical.	<i>Stormwater will be managed on site</i>	The development is designed with a landscaping strip along the entire perimeter of the site. This will allow for stormwater to be contained on site.
O4.16.3 – Reduce the risk of flooding so that the likely impacts of major rainfall events will be minimal.		1800 x 1800 soak wells provided throughout the site, to manage stormwater.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.16.1 – Dwellings are individually metered for water usage. COMMENT: <ul style="list-style-type: none"> <i>Applicant has indicated that all dwellings will be individually metred.</i> 		
A4.16.2 – Stormwater runoff generated from small rainfall events is managed on-site. COMMENT: <ul style="list-style-type: none"> <i>Soft/drainage areas are provided along the entire perimeter of the site to further ensure stormwater will be managed on site.</i> 		
A4.16.3 – Provision of an overland flow path for safe conveyance of runoff from major rainfall events to the local stormwater drainage system. COMMENT: <ul style="list-style-type: none"> <i>N/A</i> 		

ELEMENT 4.17 WASTE MANAGEMENT		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
04.17.1 – Waste storage facilities minimise negative impacts on the streetscape, building entries and the amenity of residents.	<i>Refer to the Waste management Plan as part of the Submission Documents</i>	<p>Access for bins provided on either side of the site is adequate. The bins storage areas are enclosed and away from view of the street.</p> <p>A waste management plan was provided. However, the City's Health team stated that it was inconsistent and not adequate. Due to timeframes, a condition is recommended for a waste management plan.</p>
04.17.2 – Waste to landfill is minimised by providing safe and convenient bins and information for the separation and recycling of waste.	<i>Refer to the Waste management Plan as part of the Submission Documents.</i> <i>Green Waste and Hard Waste management to be as per the WMP and coordinated with the Local Government Waste Services</i>	<p>The City's Waste Team provide education to all residents to further insure separation of recycling and waste.</p>
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.17.1 – Waste storage facilities are provided in accordance with the Better Practice considerations of the WALGA Multiple Dwelling Waste Management Plan Guidelines (or local government requirements where applicable).		
COMMENT: <ul style="list-style-type: none"> 21x bins provided to comply with Appendix 1 of the above Guidelines. 		
A4.17.2 – A Level 1 Waste Management Plan (Design Phase) is provided in accordance with the WALGA Multiple Dwelling Waste Management Plan Guidelines - Appendix 4A (or equivalent local government requirements).		
COMMENT: <ul style="list-style-type: none"> Condition added – see objective. 		
A4.17.3 – Sufficient area is provided to accommodate the required number of bins for the separate storage of green waste, recycling and general waste in accordance with the WALGA Multiple Dwelling Waste Management Plan Guidelines - Level 1 Waste Management Plan (Design Phase) (or local government requirements where applicable).		
COMMENT: <ul style="list-style-type: none"> 3x bin storage areas provided. They are enclosed and of adequate size for manoeuvring bins. 		

A4.17.4 – Communal waste storage is sited and designed to be screened from view from the street, open space and private dwellings.

COMMENT:

- *3x waste storage areas are enclosed and located within the site, away from view of the street. 1 bin storage area is central in the site, however is enclosed to ensure limited impact on the open space and dwellings.*

ELEMENT 4.17 WASTE MANAGEMENT		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
04.18.1 –The site is serviced with power, water, gas (where available), wastewater, fire services and telecommunications/broadband services that are fit for purpose and meet current performance and access requirements of service providers.	<i>Utilities and Building Services are located as indicated on the Submission drawings</i> <i>Services will be designed, installed and certified by a suitable qualified and or experienced Engineer or Supplier/Trade where applicable.</i> <i>Services and utilities will be carefully designed and hidden from view where possible.</i>	Proponent has indicated that all utilities are provided.
04.18.2 – All utilities are located such that they are accessible for maintenance and do not restrict safe movement of vehicles or pedestrians.	<i>Achieved</i>	Utilities are located so as to not interfere with pedestrian and/or vehicular movements. Further information to be indicated on building permit plans as per a recommended condition. Comms area located to the rear of Unit 7 (enclosed area)
04.18.3 – Utilities, such as distribution boxes, power and water meters are integrated into design of buildings and landscape so that they are not visually obtrusive from the street or open space within the development.	<i>Achieved</i>	To be conditioned.
04.18.4 – Utilities within individual dwellings are of a functional size and layout and located to minimise noise or air quality impacts on habitable rooms and balconies.	<i>No Utilities such as Air Conditioning units are located on balconies or near habitable spaces.</i>	To be conditioned.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.18.1 – Utilities that must be located within the front setback, adjacent to the building entry or on visible parts of the roof are integrated into the design of the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive. COMMENT: <ul style="list-style-type: none"> <i>This is to be conditioned.</i> 		
A4.18.2 – Developments are fibre-to-premises ready, including provision for installation of fibre throughout the site and to every dwelling. COMMENT: <ul style="list-style-type: none"> <i>The applicant has indicated this will be achieved as part of the development.</i> 		

A4.18.3 – Hot water units, air-conditioning condenser units and clotheslines are located such that they can be safely maintained, are not visually obtrusive from the street and do not impact on functionality of outdoor living areas or internal storage.

COMMENT:

- To be conditioned

A4.18.4 – Laundries are designed and located to be convenient to use, secure, weather-protected and well-vented; and are of an overall size and dimension that is appropriate to the size of the dwelling.

COMMENT:

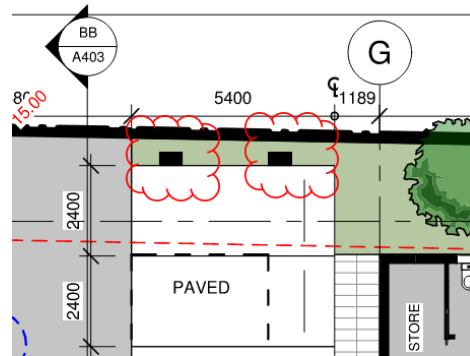
- *Laundry areas located within Bathroom or a separate area located within a cabinet (adjacent to hallway within dwelling). Small 2 bed dwellings proposed and therefore the size is appropriate.*

Attachment 9

Submitter	Submitter comments
1A Waterfields Drive	<p>OBJECTION:</p> <ol style="list-style-type: none"> 1. Traffic congestion and noise: Johnson Road is a busy road that generates significant road noise and light spill from vehicles. The proposed development will increase noise and light spill impacts on existing dwellings. 2. Car Parking: There is limited off street parking available in the existing residential area and the proposed development will make the parking situation worse. 3. Bushfire: the proposed development is located opposite a conservation reserve and the number of dwellings will increase the number of people in the area, which could lead to evacuation issues during a bushfire emergency. 4. Tree Retention: Trees are characteristic of this residential area. Any development on Lot 101 Johnson Road should retain existing vegetation. 5. Density and Visual Appearance: the proposed development is out of character with the existing, much less dense, development that characterises the area. 6. Overshadowing: Overshadowing will affect my property as it will impact on the outdoor living area and vegetation within. 7. Visual Privacy: properties that are adjoining the proposed development will lose privacy. There should be no windows or balconies that overlook adjoining properties. 8. Earthworks and Construction: earthworks and construction will have adverse impacts on the adjoining lots. The construction of the proposed development could result in the structural integrity of existing dwellings being compromised. Dust and noise from the site will impact on adjoining lots. 9. Property Value: The proposed development will decrease the value of the properties around it. 10. Crime: If the dwellings promote a lower socio-economic status, who will be accountable for the increase in crime and theft?
1 Waterfields Drive	<p>OBJECTION:</p> <ol style="list-style-type: none"> 1. Overshadowing: The proposed development is not in keeping with Objective 3.2.2 of the R-Codes Volume 2. Overshadowing from the proposed development impacts on the entire backyard of my property. Overshadowing from the proposed development prevents winter sun from entering the main living area and bedroom of the adjoining property dwelling. The proposed development has considered access to sunlight for the development only and not impacts on the adjoining lots. An area on my property that has significant vegetation (lemon tree, garden and vegetables) will be impacted by overshadowing, which will have an adverse impact on the use of my property's backyard. Overshadowing will impact on the adjoining properties clothes drying area. The significant overshadowing over my backyard/outdoor living area interferes with the practical use and enjoyment of the back yard and major habitable areas in the house. The overshadowing unreasonably interferes with the use of our land and does not adhere to the guidelines found in SPP .3.

	<p>2. Traffic Congestion: Johnson Road has become a high thoroughfare road. Congestion on Johnson Road is commonly a result of the bus stopping at the bus stop that is directly opposite the proposed development area. The proposed development will generate additional traffic that would impact on safety on Johnson Road</p> <p>3. Car Parking: There is limited off street parking available in the existing residential area and the proposed development will make the parking situation worse. The proposed development will make it difficult for visitors of existing residents in the neighbourhood.</p> <p>4. Density: The development plans indicate a plot ration of 0.57, where 0.6 is permitted, showing this development is at the upper limit. The proposed development is not in keeping with the local context of single level family homes. The proposal is the most dense apartment development in the Kwinana area (apart from Wellard Village) – see example images below (appendix A). The proposed development would be better suited closer to a train station. A proposal with fewer dwellings would be better suited in this context.</p> <p>5. Tree Retention: Although the proposed plans indicate trees to be retained in the centre of the site, the trees are much larger than indicated. The 'Block D' units will impact on the trees (see Appendix B below). The required deep soil area for the retained trees is required to be 220m2 and the common open space area is insufficient. The existing trees on the site attract bird species all year round and add aesthetic value to the existing neighbourhood.</p> <p>6. Visual Bulk/Appearance: The proposed large development will negatively impact on our backyard outlook and dominate our private open space. The proposal will impact on the single storey dwellings in the area that enjoy views of the natural reserve areas.</p> <p>7. Noise: The proposal for 34 apartments will generate considerable noise, impacting the amenity of adjoining dwellings.</p> <p>8. The proposed development has little regard to our dwelling and the wider neighbourhood.</p> <p>The submitter also stated they support development in the area and suggested the following amendments:</p> <ul style="list-style-type: none"> • <i>The development's overshadowing would be rectified by making Block 'E' single story instead of two (double) story.</i> • <i>The tree retention issue could be resolved by dropping Block 'D' from the plans altogether. This would give more room for a better implemented common space that does not clash with the trees.</i> • <i>The above two measures also take care of the insufficient car parking on site as there would be fewer dwellings.</i>
11 Waterfields Drive & 13 Waterfields Drive	<p>OBJECTION:</p> <p>1. Visual Privacy: Our properties will lose a significant amount of privacy specifically due to Units 28, 29 and 30. These Units have full line of sight into the backyards of the adjoining lots. Unit 28 has full line of site into the backyard of 11 and 13 Waterfields Drive.</p>

- | | |
|--|---|
| | <ol style="list-style-type: none">2. Unit 28: Upper storey screening is inadequate. The proposed screening only covers a small corner of the balcony and seems to be visually permeable. The screening is insufficient and provides a full line of sight into adjoining property habitable rooms and outdoor living area.3. Unit 29/Unit 30: Upper floor windows are inadequate privacy. The plan indicates 'white glass' to 1650mm only with the remaining window are remaining clear. This impacts on the privacy on the adjoining lots. There is no indication that these windows open. 'White Glass' is requested to be added to the entire height of the windows.4. Unit 29/Unit 31: The plans indicate a 'hi-light' window that can slide open which will impact the privacy of adjoining lots. 'white glass' is requested on the windows that face directly onto the backyards of all residents along Waterfields Drive.5. Noise: The existing residential area is a quite/peaceful area. Adding 34 units will create a significant increase in noise, impacting the peaceful and quite character of the area. The existing dwellings to the east, where the proposed internal driveways extend will be impacted by noise from vehicles.
The location of courtyards directly adjacent to the eastern boundary and close proximity of 2 storey dwellings will increase noise on, and adversely impact adjoining lots.
Vehicle access ways within the proposed development will channel noise to the eastern boundary, adversely impacting on adjoining lots.6. Tree Retention: The proposal for an 82m2 common area to retain existing trees is unrealistic. The existing trees are very large and have a significant span and are relatively low to the ground.
How will these trees actually be retained? How much of the trees will be trimmed/removed?7. Landscaping: the plan indicates trees on the perimeter of the development site which is insufficient. A higher quantity of mature trees is to be planted to assist with reducing impacts of privacy. It is requested that these trees be mature trees to ensure screening and privacy is retained (this is specifically applicable for the balcony from Unit 28).8. Proposed plan No. A501 (Shadow Diagram) indicates 4 pillars to the rear of the property. Please clarify what these are for and if they will be visible from adjoining lots |
|--|---|



The submitter suggested the following amendment:

- Construct a full limestone block wall to a minimum height of 1800mm along the eastern boundary to reduce noise levels.

1 Karakin Place

OBJECTION:

1. The existing area surrounding the proposed development site is quite and characterised by young families.
2. All existing dwellings in the area are single storey and the proposed development is therefore not in keeping with the established area.
3. The double storey proposal will be detrimental to the existing residential area.
4. Visual Privacy: Residents on the adjoining lots will lose privacy as the proposed apartments view directly into adjoin property back yards.
5. Noise: The proposal for 34 apartments will increase noise levels, thus disturbing the quiet neighbourhood.
6. Traffic: the proposed development will increase traffic on the quiet streets in the area and increase traffic on Johnson road, which is already a very busy road.
7. House values will decrease as a result of this development.

2 Brixton Gate

OBJECTION:

1. Traffic congestion and noise: Johnson Road is a busy road that generates significant road noise and light spill from vehicles. The proposed development will increase noise and light spill impacts on existing dwellings.
2. Car Parking: There is limited off street parking available in the existing residential area and the proposed development will make the parking situation worse.

	<ol style="list-style-type: none"> 3. Bushfire: the proposed development is opposite a reserve and the number of dwellings will increase the number of people in the area which could lead to evacuation issues during a bushfire emergency. 4. Tree Retention: Trees are very important to this residential area. Any development on Lot 101 Johnson Road is to retain existing vegetation as it provides visual amenity for the existing neighbourhood. 5. Density and Visual Appearance: the proposed development is out of character with the existing, much less dense, development that characterises the area. The proposal is out of character with the existing neighbourhood and will become an eyesore. 6. The number of dwellings should be reduced to be more appropriate in the circumstances.
95 Johnson Road	<p>OBJECTION:</p> <ol style="list-style-type: none"> 1. 34 dwellings means at least 75 people in a small space, plus kids, teenagers, etc. This is too many people in a small space and will have adverse impacts on the area. 2. The proposed development will increase traffic and Johnson Road will become a busy, non-stop road impacting on the safety of my family to get on to the road. 3. The proposed development will cause safety issues as it could create traffic jams on Johnson Road also due to the location of the bus stop. 4. The proposed development could be a public housing development that may have adverse impacts on the amenity of the area and existing residents. 5. The value of the properties in the area will be reduced because of congestion. 6. I would be very pleased and thankful if you brought the number of dwellings down to 6 to 7 dwellings, in keeping with the area.
17 Waterfields Drive	<p>OBJECTION:</p> <ol style="list-style-type: none"> 1. The proposed development is too many dwellings for such a small area. 2. The area consists of many families and Johnson Road is already busy enough. 3. We don't oppose the building of units but feel that it should be a smaller number than 34 4. The proposed development will cause the wider neighbourhood to lose its neighbourly characteristic. 5. The school in the area is large and lacks the room to expand.
19 Waterfields Drive	<p>OBJECTION:</p> <ol style="list-style-type: none"> 1. The proposed development will increase vehicle pollution. For every unit there will be at least one car causing excessive greenhouse gases for such a small land area. 2. Noise: The proposed 34 units for this small land mass will magnify the noise levels. 3. Traffic: the proposed development will generate extra traffic impacting on the safety of vehicles on Johnson road. Johnson road should be widened prior to extra traffic being permitted on.

	<ol style="list-style-type: none">4. The proposed two story dwellings will adversely impact on our privacy.5. The proposed number of units will devalue our property6. The proposed development will have a large volume of people living closely together, which can have negative social impacts.7. Parking: There is no parking on Johnson Road, enhancing traffic safety issues.
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Appendix A

Examples of other apartments in the Orelia Kwinana area.



Canham Way Orelia



Jecks Place & Steward Way Orelia



Langridge Crescent Orelia



Morrit Way/Disney Rd Orelia

Appendix B - Superimposed image of the development and the location of the trees. Trees & Common Space Deck, Block D clash.



17.2 Parking Restrictions on the residents side of Jasper Bend, Wellard

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

Wellard Primary School has requested consideration be given for installation of parking prohibition 'No Stopping on Road or Verge' signs on Jasper Bend, Wellard. The proposed parking prohibition is to control traffic congestion, illegal parking on the bend, across driveways and on residential verges, contributing to an unsafe road environment along Jasper Bend in front of Wellard Primary School. The proposed signs will deter drivers from parking in front of the residential properties. A plan showing the proposed parking regime is included at Attachment A.

The City has received several complaints regarding parents of Wellard Primary School students parking in front of residential properties; and as a result of increasing student intake at Wellard Primary School, there has been an increased demand for on-street and off-street parking spaces at the school during morning drop off and afternoon pick up periods. This in turn results in saturated conditions causing motorists to drive around in search of available parking spots and parking in front of residential properties (on verges and across driveways). To address this problem, the Wellard Primary School, in consultation with City Officers, have determined the need to install parking prohibition signs at Jasper Bend.

The purpose of this report is for the Elected Members to consider, by way of resolution, regulating the parking of vehicles by installing 'No Parking on Road or Verge' signs at the road verge adjacent to Jasper Bend.

OFFICER RECOMMENDATION:

That Council, in accordance with clause 1.8 of the City of Kwinana *Parking and Parking Facilities Local Law 2018*, approve implementation of No Parking zones, on a portion of Jasper Bend, Wellard, through the installation of 'No Parking on Road or Verge' signs, as shown at Attachment A.

DISCUSSION:

Wellard Primary School was planned and identified in the Local Development Plan No. 12 in 2017, and opened in the suburb of Wellard in February 2018 with a population of 430 students, from Kindergarten to Year 6. At the beginning of 2021, Wellard Primary School anticipate an enrolment of 720 students, which shows an increase of 67% in student enrolments in three years.

This growth in student numbers has resulted in an increase in traffic and parking demand during drop off and pick up periods. This trend is anticipated to continue and demand for parking is expected to increase in the future with further residential development occurring at Wellard and Casuarina. In addition, the number of staff employed at the school will increase to meet the demands of the expanding school. Recent data from the Department of Education shows that there are approximately 57 full-time employees employed at the school, with this number expected to increase to 65 in 2021.

17.2 PARKING RESTRICTIONS ON THE RESIDENTS SIDE OF JASPER BEND, WELLARD

As this school provides kindergarten to year six education, it is expected that the younger age group students are more dependant, and require assistance from parents for transportation to and from the school. Accordingly, it is expected that there is a higher proportion of the school community travelling to and from school in private cars.

Currently, Wellard Primary School has 117 standard parking bays and four (4) ACROD parking bays on site. In addition, there are 16 on-street parallel parking bays located along Jasper Bend. The existing parking supply exceeds the minimum requirements and parking supply ratio of the Department of Education for a primary school site. In spite of the existing parking supply exceeding the minimum requirements, after observing the performance of parking at the school, City Officers have determined that parking occupancy is near capacity during peak times.

The City's authorised officers have the ability to issue infringements to offenders at this location using the provisions of the City's Local Law. The Local Law prohibits, at clauses 4.11(1) (a) or 5.14 (1)(a), the parking or stopping on verges without consent of the landowner adjacent to the verge, clauses 4.5 (2)(f) and 5.13, the stopping or parking on or any portion over a path or footpath area and (clause 4.5 (k)) for parking within 10 metres of an intersection. However, it is recommended that this matter could be better administered by Council resolving to regulate parking by way of installing parking prohibition signage on Jasper Bend, and for this signage to be installed and displayed on the residents' sides of the road, preventing vehicles from parking in front of residential properties. The parking prohibition 'No Stopping on Road or Verge' sign has no time restrictions as there is ample parking on the school side of Jasper Bend. The residents of Jasper Bend are in support of the proposed parking prohibition.

The introduction of these parking restrictions will regulate the parking of vehicles at the selected on-street parking bays, in accordance with the *City's Parking and Parking Facilities Local Law 2018* clause 5.1 where:

"A driver shall not stop on a part of a carriageway, or in an area to which a no stopping sign applies"

The proposed treatment will provide sufficient road width for traffic to flow freely on Jasper Bend, provide improved access and improved road safety for all road users, including pedestrians, potentially increasing walking and riding to school, reducing maintenance costs of the City verges and footpaths, and increasing public awareness of parking legalities. Moreover, once implemented, this treatment will minimise the demand for Officers responding to parking matters, as the signs will clearly define the restricted parking areas.

LEGAL/POLICY IMPLICATIONS:

The proposed parking restriction signs design, manufacturing and implementation will be in accordance with the *Road Traffic Code 2000* (Code), Australian Standard 1742.11 – Parking Controls, and the *City's Parking and Parking Facilities Local Law 2018*. The relevant section of the *City's Parking and Parking Facilities Local Law 2018*, is provided within the Discussion above.

17.2 PARKING RESTRICTIONS ON THE RESIDENTS SIDE OF JASPER BEND, WELLARD**FINANCIAL/BUDGET IMPLICATIONS:**

The approximate cost of supply and installation of the parking restriction signs will be \$1,770.88.

There will be no financial implications to the City resulting from the initial supply and installation of the signs as the Wellard Primary School has agreed to fund the cost. However, the City of Kwinana will retain responsibility for the maintenance and enforcement of these signs going forward.

ASSET MANAGEMENT IMPLICATIONS:

The parking restriction signs will be owned and maintained by the City of Kwinana. The whole of life cost of the signs will be negligible.

ENVIRONMENTAL IMPLICATIONS:

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

STRATEGIC/SOCIAL IMPLICATIONS:

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

Plan	Outcome	Objective
Strategic Community Plan 2019 - 2029	A connected transport network	4.6 Provide a safe and efficient integrated network of roads, footpaths and cycle routes supported by a good public transport system

The recommendations in this report will ultimately increase the amenity and safety of the areas adjacent and fronting the school for residents and road users.

COMMUNITY ENGAGEMENT:

Community consultation process has been conducted in November / December 2020; and the residents are supporting the proposed parking prohibitions.

PUBLIC HEALTH IMPLICATIONS:

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

17.2 PARKING RESTRICTIONS ON THE RESIDENTS SIDE OF JASPER BEND, WELLARD**RISK IMPLICATIONS:**

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

Risk Event	Non-compliance with the new parking regime, resulting in traffic issues.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Effect/Impact	Reputation
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Possible
Rating (before treatment)	Low
Risk Treatment in place	Reduce (mitigate the risk)
Response to risk treatment required/in place	Enforcement action, if problems emerge.
Rating (after treatment)	Low

COUNCIL DECISION

335

MOVED CR W COOPER**SECONDED CR S WOOD**

That Council, in accordance with clause 1.8 of the City of Kwinana *Parking and Parking Facilities Local Law 2018*, approve implementation of No Parking zones, on a portion of Jasper Bend, Wellard, through the installation of 'No Parking on Road or Verge' signs, as shown at Attachment A.

CARRIED
8/0

LEGEND

EXISTING PROPOSED

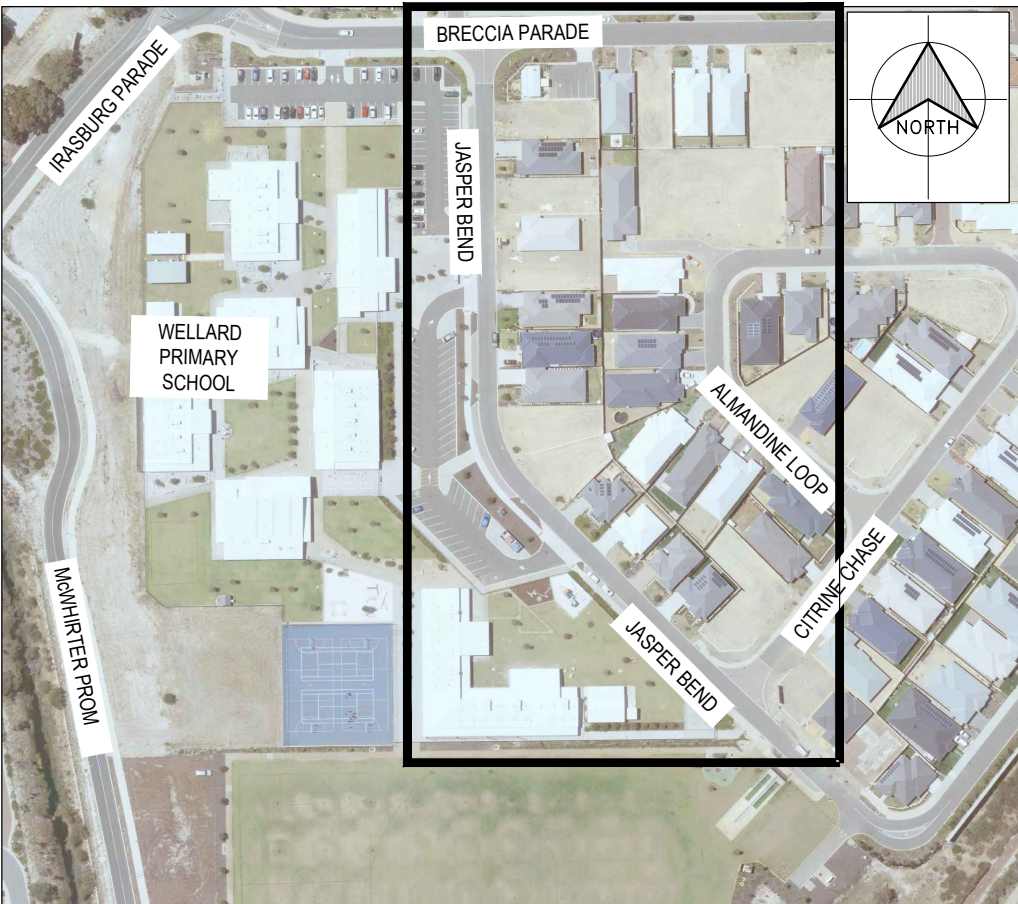
SINGLE POST SIGN

NOTES:

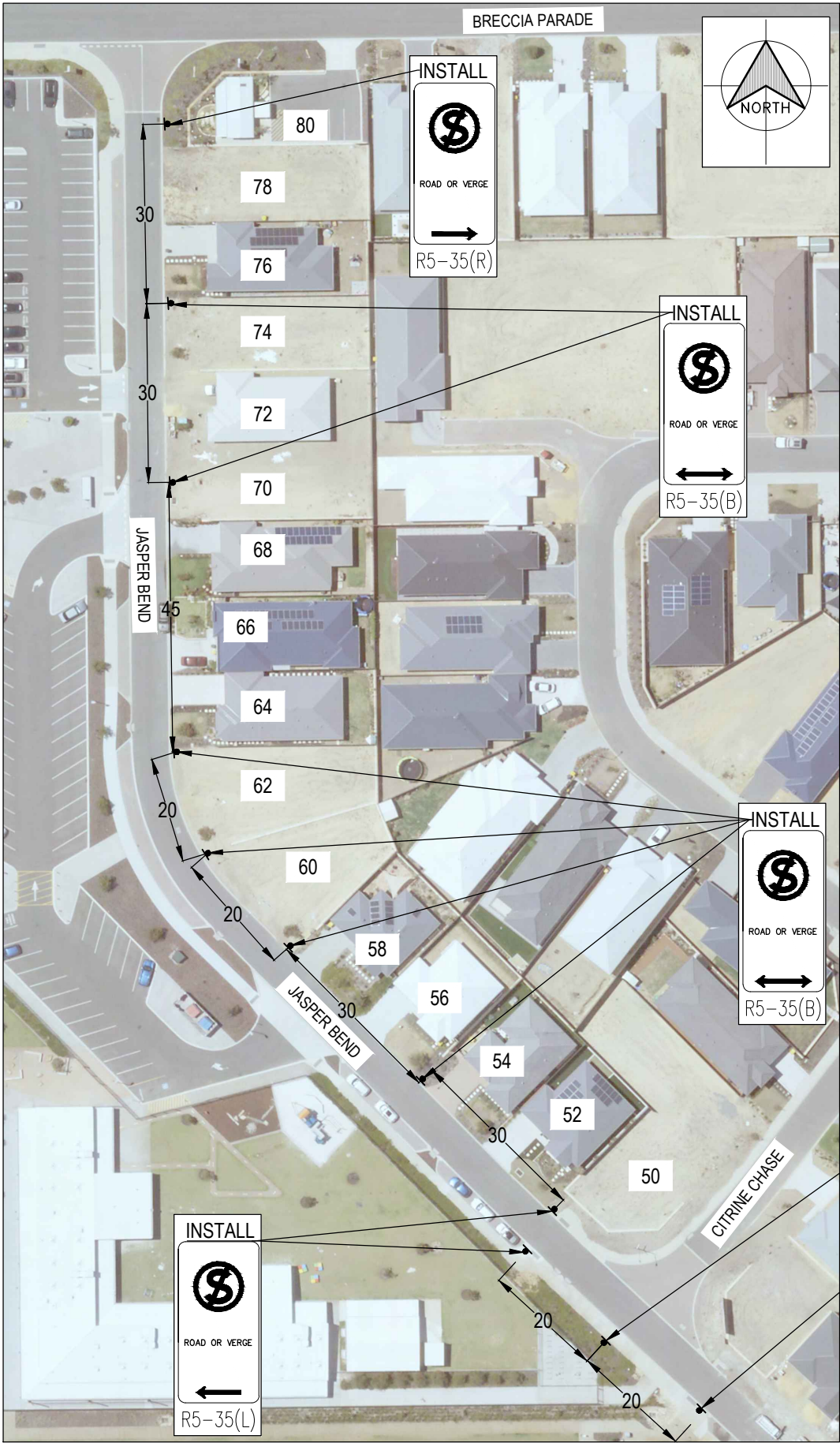
- 1. CADASTRAL INFORMATION APPROXIMATE ONLY.
- 2. ALL DIMENSIONS ARE IN METER UNLESS NOTED OTHERWISE

QUANTITIES

PROPOSED SIGN POST LOCATION - 11 OF



LOCALITY PLAN



JASPER BEND



LEFT - 2 OF
RIGHT - 2 OF
BOTH - 7 OF

				ASSOCIATE CONSULTANT:		PROJECT: PROPOSED PARKING PROHIBITION AT JASPER BEND, WELLARD	SCALE N.T.S	DRAWING TITLE			
							DESIGN S.S	CHECK S.H	PARKING PROHIBITION		
							DRAWN S.S	DATE 11/20	WELLARD PRIMARY SCHOOL		
							AUTHORISED (MANAGER ENGINEERING SERVICES)			FILE NO. JASP	
							R.NAJAFZADEH			DRAWING NUMBER 21-044-01	REVISION A
						ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167					
						PHONE: (08) 9439 0200					
						FAX: (08) 9439 0222					
						EMAIL: admin@kwinana.wa.gov.au					
						WEB: http://www.kwinana.wa.gov.au					
A	11/20	ISSUE FOR CONSTRUCTION	S.S								
REV	DATE	DESCRIPTION	DRAWN								

18 Reports – Civic Leadership

18.1 Control of dogs in certain public places – Petition received requesting Dogs on Lead signage be considered for all parks and reserves containing playground areas - *Dog Act 1976 (WA)* (results of public notice)

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

At its 25 November 2020 Council Meeting, Council was presented with a petition by Susan Heaton of 2 Selsey Lane, Wellard, seeking that Council consider installing dog on lead signage at all the parks and reserve areas that contain playgrounds within the City of Kwinana.

This petition had been submitted following a serious dog attack. Ms Heaton had advised that her family member's dog was injured in that attack, and she attributed the incident to the offending dog owner not being a responsible dog owner and the park itself not containing signage advising the dog owners of the need to have their dog on a lead.

This had resulted in the submission of a signed petition being received by Council, which contained 10 notable responses on 25 November 2020 and resolved to prepare a report for Council consideration in early 2021.

Following City Officers review of the request it is considered and recommended:

OFFICER RECOMMENDATION:

That Council;

1. Reject the proposal submitted by Ms Heaton and the submissions' on the petition, noting compliance measures are already in place to control dogs in public areas as contained within state legislation.
2. Support that advice be provided to Ms Heaton and any other parties listed on the petition, to call the City's City Assist service, when parties are identified breaching requirements of the *Dog Act 1976*, as officers will respond and if need be undertake target patrols of the area in an effort to educate and make dog owners aware on their legal requirements in this area
3. Continue to support the education and awareness advice currently being provided to the City's residents as per the Communications Plan prepared for this purpose.

DISCUSSION:

A review of the City's recorded reports for dog attacks since 1 July 2020 has indicated that the City itself has received 72 reported cases of dog attacks up and until 31 December 2020, which equates to around 12 reported cases per month across the entire district.

18.1 CONTROL OF DOGS IN CERTAIN PUBLIC PLACES – PETITION RECEIVED REQUESTING DOGS ON LEAD SIGNAGE BE CONSIDERED FOR ALL PARKS AND RESERVES CONTAINING PLAYGROUND AREAS - DOG ACT 1976 (WA) (RESULTS OF PUBLIC NOTICE)

The City had also received 315 reported cases of dogs wandering and not under control in a public place. These statistics refer to all public areas within the City of Kwinana and on average, this also equates to around 52-reported cases per month and again for the period 1 July- 31 December 2020.

From a legal perspective, the *Dog Act 1976* sets out the legal requirement for all dogs to be tethered in a public place at all times.

The only time where a dog is permitted not be tethered is in an area declared as dog exercise area by the Local Government Authority.

Further, there is no legal requirement for the local government authorities to install signage in any public place stating that a dog must be on a lead at all times.

Signage is only required to be displayed at locations, which have been declared as a dog exercise areas by the Local Government Authority. This signage displayed provides advice to all potential users of this permitted activity, therefore allowing the users the option to consider continue using the park or reserve or to seek an alternate location.

Similarly, by having such signage displayed, it advises dog owners that this park is a permitted and declared dog exercise area, therefore allowing for the dog owner to exercise their dog off a lead but still under their proper control at all times.

A recent audit completed by the City's City Assist service during the period May – June 2020, had identified that some of the declared dog exercise areas within the City, lacked some signage. Therefore, new and revised dog exercise signage at these locations were reinstated, making users of these parks and reserve aware of this permitted activity.

The City currently has 16- declared dog exercise areas within its district and of these, two are fenced off areas. These are located within the suburbs of Orelia and Wandi (Honeywood Estate) and both contain playground equipment located outside of the fenced off dog exercise area.

Further, and whilst these declared dog exercise areas allow the dog owners to exercise their dogs off a lead, these dogs still must be under the direct or proper control of their owners or person responsible for the dog commands at all times. If this cannot be achieved then the dog must remain tethered at all times.

Penalties can and are imposed for those who do not comply with these requirements which range from an on the spot fine of \$200 and up to \$5,000 in the Magistrates Court. Penalties can be double this value if the dog is a dangerous dog.

The City has and will continue to invest necessary resources to educate and make owners aware of their responsible animal ownership requirements.

A Communications Plan is prepared on an annual basis to support ongoing messaging through all media channels around responsible pet ownership, registrations, etc. The City recently produced an information pamphlet, for distribution to all animal owners in making them aware of their responsibilities in this area (See attached copy of Responsible Animal Owner information pamphlet Attachment A).

18.1 CONTROL OF DOGS IN CERTAIN PUBLIC PLACES – PETITION RECEIVED REQUESTING DOGS ON LEAD SIGNAGE BE CONSIDERED FOR ALL PARKS AND RESERVES CONTAINING PLAYGROUND AREAS - DOG ACT 1976 (WA) (RESULTS OF PUBLIC NOTICE)

The Essential Service's area also undertakes regular reviews of the issue at hand based on statistical data reported to the City on where the problem areas are within the district and provides education and awareness notification via the electronic mediums to broadcast these concerns to City residents. (See attached recent advertorial publication Attachment B)

City Assist officers also undertake where possible, regular patrols of known reported problem areas based on the data collated or reports received within the district, and they also ensure that proactive attendance to these locations are provided.

Each time these proactive patrols are undertaken, officers endeavour to educate and make dog owners aware of their legal requirements in relation to responsible dog ownership. These proactive patrols have proven to be fruitful on most occasions. However unfortunately the City officers can only target the areas if these matters are reported, and the resources are on hand to target these locations at the times or days alleged.

The petition and supplementary advice received by Council on 25 November 2020, refers to placing Dog on Lead signage in all parks that contain a playground area. A recent audit of the parks and reserves areas within the City lists 81 parks and reserves that contain a playground within them.

Should council support the petition to have signage installed in these areas, then the City has noted that the cost of producing a sign and the installation of the sign is around \$200 per sign and post including installation.

By simply installing one sign at each of these playgrounds locations, would equate to around **\$16,200** for this supply and installation process, or **\$32,400** if the City were to consider installing at least two signs per playground area.

However, this cost may also be more than indicated above as the number of signs may also vary dependent on the size and the location of the park or reserve and or the playgrounds themselves and the number of access points leading to these playground areas.

Further and apart from the initial installation and supply cost referred to above, there is also the need to factor in the ongoing maintenance and replacement costs for these signs and or posts. In the past where similar signage had been installed, that this signage is mostly being ignored, and or had graffiti placed on it, or simply destroyed increasing the maintenance costs. Also the placement of these signs may impact on the amenity of the area itself and the users of the parks, therefore missing its intended purpose.

Given the amenity impacts of such signage, costs of implementation and ongoing maintenance it is recommended that signage not be erected at all playgrounds in the City, but rather focus on reviewing messaging and communications around keeping dogs on lead and/or under control at all times.

18.1 CONTROL OF DOGS IN CERTAIN PUBLIC PLACES – PETITION RECEIVED REQUESTING DOGS ON LEAD SIGNAGE BE CONSIDERED FOR ALL PARKS AND RESERVES CONTAINING PLAYGROUND AREAS - DOG ACT 1976 (WA) (RESULTS OF PUBLIC NOTICE)

LEGISLATIVE/POLICY IMPLICATIONS:

Dog Act 1976

31. Control of dogs in certain public places

- (1) A dog shall not be in a public place unless it is —
 - (a) held by a person who is capable of controlling the dog; or
 - (b) securely tethered for a temporary purpose, by means of a chain, cord, leash or harness of sufficient strength and not exceeding the prescribed length.
- (2A) Despite subsection (1), a dog shall not be in a public place —
 - (a) at all if the place is specified under subsection (2B) as a place where dogs are prohibited at all times; or
 - (b) at a time when the place is specified under subsection (2B) as a place where dogs are prohibited at that time.
- (2B) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a place where dogs are prohibited —
 - (a) at all times; or
 - (b) at specified times.
- (2) A dog is exempt from the requirements of subsection (1) if —
 - (a) it is in a dog exercise area specified under subsection (3A); or
 - (b) it is in a public place that is in an area of the State outside the metropolitan region or outside a townsite, and that is not a rural leashing area specified under subsection (3B); or
 - (c) it is in or on a vehicle; or
 - (d) it is being exhibited for show purposes; or
 - (e) it is participating in an obedience trial or classes conducted under the auspices of the body known as the Canine Association of Western Australia (Inc.) or a body approved by the local government in whose district the obedience trial or classes are conducted; or
 - (f) it is registered as being *bona fide* used in the droving or tending of stock and is being so used or is going to or returning from a place where it will be, or has been, so used; or
 - (g) it is a foxhound in a pack *bona fide* engaged in hunting or hound exercise or in going to or returning from hunting or hound exercise; or
 - (h) it is being used for retrieving, duck hunting or other customary sporting purposes.
- (3A) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.

FINANCIAL/BUDGET IMPLICATIONS:

Should council support the petition submitted there could be an initial set up cost for the supply and installation of the signage at these parks with playgrounds.

These initial costs have been estimated to be between \$16,200 and \$32,400 dependant on the number of signs required and this cost may be more than this dependant on the size of the park or reserve and the playground area itself within the park.

18.1 CONTROL OF DOGS IN CERTAIN PUBLIC PLACES – PETITION RECEIVED REQUESTING DOGS ON LEAD SIGNAGE BE CONSIDERED FOR ALL PARKS AND RESERVES CONTAINING PLAYGROUND AREAS - DOG ACT 1976 (WA) (RESULTS OF PUBLIC NOTICE)

There also need to be consideration for ongoing maintenance needs for this annually.

ASSET MANAGEMENT IMPLICATIONS:

Should Council determine to install signage as per the petition, the signage will form part of the City's assets register and require ongoing maintenance.

ENVIRONMENTAL IMPLICATIONS:

There are no environmental implications arising from the recommendations of this report.

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following outcomes and objectives detailed in the Strategic Community Plan 2019 – 2029.

Plan	Outcome	Objective
Strategic Community Plan 2019 – 2029	Great public places	4.1 Residents are provided with a range of multifunctional community places and accessible recreation facilities.
	Well-kept green spaces	4.2 The community has easy access to well equipped, quality parks and public open spaces.

PUBLIC HEALTH IMPLICATIONS:

The proposal has the potential to negatively impact Environmental Quality and Neighbourhood Amenity, with little impact on Community Safety.

COMMUNITY ENGAGEMENT:

No community engagement has been undertaken as part of the preparation of this report. Advice will only be provided to the petition submitter Ms Heaton on the outcomes determined by Council on the submission.

RISK IMPLICATIONS:

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

Risk Event	Dogs on leash signage not installed on public park and reserves containing playground areas and further dog attacks take place.
Risk Theme	Business and community disruption

18.1 CONTROL OF DOGS IN CERTAIN PUBLIC PLACES – PETITION RECEIVED REQUESTING DOGS ON LEAD SIGNAGE BE CONSIDERED FOR ALL PARKS AND RESERVES CONTAINING PLAYGROUND AREAS - DOG ACT 1976 (WA) (RESULTS OF PUBLIC NOTICE)

Risk Effect/Impact	People/Health
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Likely
Rating (before treatment)	Moderate
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	No change to current signage in place Review of Communications Plan to ensure targeted messaging Ongoing monitoring of parks based on reporting/incidents
Rating (after treatment)	Low

COUNCIL DECISION

336

MOVED MAYOR C ADAMS

SECONDED CR S WOOD

That Council;

- 1. Support City Officers exploring appropriate signage installation regarding Dogs on Lead signage, within all City public spaces, including playgrounds and sporting ovals. City Officers will prepare a report to Council of the proposed deemed appropriate signage and seek budget consideration.**
- 2. Support that advice be provided to Ms Heaton and any other parties listed on the petition, to call the City's City Assist service, when parties are identified breaching requirements of the *Dog Act 1976*, as officers will respond and if need be undertake target patrols of the area in an effort to educate and make dog owners aware on their legal requirements in this area.**
- 3. Continue to support the education and awareness advice currently being provided to the City's residents as per the Communications Plan prepared for this purpose.**

**CARRIED
8/0**

NOTE – That Council recommended that the Officer Recommendation be amended at point 1.

CATS

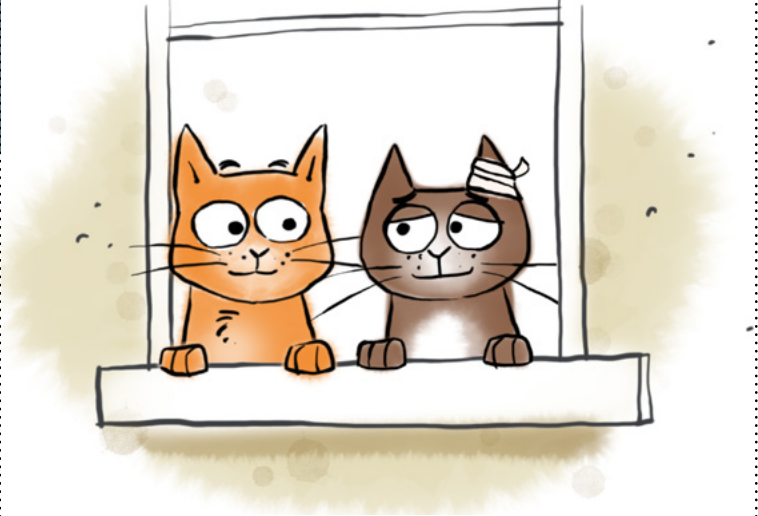
Legal Responsibilities and Your Responsibilities

The State Government has specific legislation regarding cats in WA. The Cat Act 2011 and the associated regulations and local laws are administered and enforced by Local Governments. The Act outlines registration for cats, microchipping, sterilisation and the obligations and rights of owners and others.

Having a cat in your life can be a wonderful experience. To keep your cat safe and in good health they should have access to clean water, be safely confined to your property and regular visits to the vet to keep vaccinations up to date.

Infringements may be issued by the City for a number of offences, such as:

- failing to register your cat;
- failing to microchip your cat; and
- failing to sterilise your cat.



Happy at Home

The City of Kwinana encourages cat owners to confine their pets to their properties and not to let them wander. This is for the safety of the cat and the native flora and fauna. Cats can pass on deadly diseases, like toxoplasmosis, to the native animal population.

Cats are happiest and healthiest at home with you and can be contained safely and cheaply to their own properties by creating cat enclosures called 'catios', or by using lightweight mesh or fence-top rollers. These also keep other cats out, reducing the risk of fights and associated injuries.

Keeping cats happy at home extends their average life expectancy from just three years to between 12 and 18 years, while helping preserve the 46 per cent of Australia's threatened fauna that live in our City and surrounding areas.

To find out more about how you can keep your feline companion happy at home visit www.southwestgroup.com.au/happyathome

Registration, Microchipping and Sterilisation

The Cat Act 2011 requires all cats that have reached six months of age to be microchipped, sterilised and registered with your Local Government. A numbered registration tag (which you receive on registration of your cat) must be placed on your cat's collar, as well as an identification tag displaying a contact number and/or name and address of the owner.

In Kwinana, cat registration fees contribute to the upkeep of our local Animal Care Facility and supports the City Assist Team to service the community.

Registering and having your cat microchipped is important in the event that if they are ever lost. Vets and the City Assist Team are able to check registration tags and scan pets for a microchip so they can be reunited with their owner as soon as possible.

Cat registrations can be applied for either yearly, every three years or lifetime, for those who have a one or three year registration these need to be renewed prior to 1 November of the expiring year.

To renew your cat registration you can pay online at www.kwinana.wa.gov.au, in person at the City's Administration Building or via post.

New cat registrations can be made in person at the City's Administration Building, corner Gilmore Avenue and Sulphur Road, Kwinana, or via email and post with an electronic copy of the Cat registration form available on the City's website. When all the paperwork has been completed including microchip



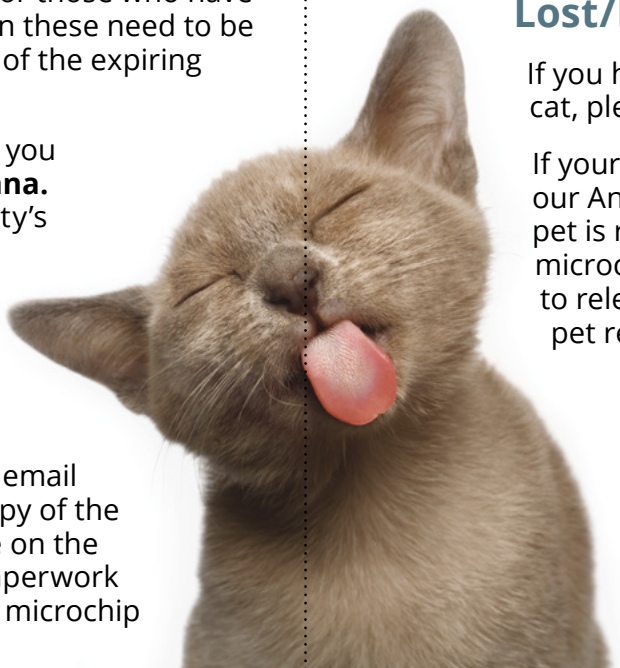
details and proof of sterilisation paperwork, payment can be made by cash, EFTPOS, cheque or credit card.

If you have changed any details including address or the cat's ownership details have changed, please contact the City. Current cat registrations are transferable between Councils within Western Australia. You will also need to contact the microchip registry to change your details.

Lost/Found Cats

If you have lost your cat or found a cat, please contact the City.

If your cat has been taken to our Animal Care Facility your pet is required to be registered, microchipped and sterilised prior to release. Fees apply to have your pet released.



Cat Trapping

Due to animal welfare concerns, the City does not condone trapping of cats by members of the public, which may be in breach of the WA Animal Welfare Act 2002.

City's authorised staff on council owned property only may have cause to undertake trapping as required. However welfare of the cats always comes first, utilising purpose built traps in accordance with the provisions of the Animal Welfare Act 2002.

Cat Deterrents

There a number of safe ways to deter wandering cats from your property.

- Put a sprinkler on, cats don't like getting wet.
- Use an ultrasonic deterrent or a natural spray.
- Place chicken wire or gutter guard over garden beds.
- Install cat proof fencing.

Natural Cat Deterrents:

- citrus peels and sprays;
- garlic;
- cinnamon;
- lemongrass;
- eucalyptus;
- citronella; and
- vinegar.

You will also find cat-deterrent products in most pet stores.

If you are having problems with a cat in your area please contact the City.



For More Information

For more information on responsible cat ownership in Kwinana, please contact the City on 9439 0200 or customer@kwinana.wa.gov.au or visit the City's website www.kwinana.wa.gov.au/cats

Additional Resources and Contacts:

- Happy at Home www.southwestgroup.com.au/happyathome
- Cat Haven **9442 3600** www.cathaven.com.au
- Kwinana Veterinary Clinic **9419 1346**
- Challenger Vet Hospital **9419 4133**
- RSPCA **9209 9300** www.rspca.org.au

Responsible Pet Ownership in Kwinana



Pets are an important part of the family, put your pet's health and safety first, be a responsible pet owner.

DOGS

Legal Responsibilities and Your Responsibilities

The State Government has specific legislation regarding dogs in Western Australia. The Dog Act 1976 and the associated regulations and local laws established are administered and enforced by Local Governments. The Act outlines the control and registration of dogs, the ownership and keeping of dogs, and the obligations and rights of owners and others.

Having a dog in your life can be a wonderful experience. You will need to spend time exercising and training your dog. To keep your dog safe and in good health your dog should have access to clean water, a safely enclosed backyard and regular visits to the vet to keep vaccinations up to date.

Infringements may be issued by the City for a number of offences, such as:

- walking your dog without a lead in a public place;
- failing to register and/or have your dog microchipped;
- not picking up your dog's poo; and
- not having proper control of your dog.



Registration and Microchipping

The Dog Act 1976 requires that all dogs over the age of three months are to be microchipped and registered with the Local Government. A numbered registration tag (which you receive on registration of your dog) must be placed on your dog's collar.

In Kwinana, dog registration fees contribute to the upkeep of our local Animal Care Facility and supports the City Assist Team to service the community.

Registering and having your dog microchipped is important in the event that if they are ever lost. Vets and the City Assist Team are able to check registration tags and scan for your dog's microchip so that they can be quickly reunited with their owners.

Dog registrations can be applied for either yearly, every three years or lifetime, for those who have a one or three year registration these need to be renewed prior to 1 November of the expiring year.

To renew your dog registration you can pay online at www.kwinana.wa.gov.au, in person at the City's Administration Building or via post.

New dog registrations can be made in person at the City's Administration Building, corner Gilmore Avenue and Sulphur Road, Kwinana, or via email and post with an electronic copy of the dog registration form available on the City's website. When all the paperwork has been completed including microchip details and sterilisation paperwork (if applicable), payment can be made by, cash, EFTPOS, cheque or credit card.

For the latest registration fees, please refer to the City's website.

If your details change or the dog's ownership details have changed, please contact the City.

Current dog registrations are transferable between Councils within Western Australia. You will also need to contact the microchip registry to change your details.

Lost/Found Dogs

If you have lost your dog or found a dog, please contact the City.

If your dog has been taken to our Animal Care Facility, your pet is required to be registered and microchipped prior to release. Fees apply to have your pet released.

Keeping More Than Two Dogs

An application is required to keep more than two dogs per property. To apply please contact the City to request an application. A non-refundable application fee applies.

Nuisance Barking

As an owner or person responsible, you must ensure that, your dog is not creating a nuisance by such things as barking excessively or causing a nuisance to your neighbours. It is your responsibility as a dog owner or the person in charge of the dog to ensure that if your dog is causing a nuisance that you take measures to control this.

If you believe your dog is barking excessively, it may be experiencing loneliness, anxiety, ill health, need training and/or regular exercise.

Information on how to deal with nuisance barking can be found on the Department of Local

Government website www.dlgsc.wa.gov.au/local-government/community/cats-and-dogs

If you believe that you are being impacted by nuisance barking, please contact the City.



Restricted Breeds

The Dog Act 1976 requires that owners of Pit Bull Terriers, American Pit Bull Terriers, Dogo Argentino, Fila Brasileiro, Japanese Tosa and Perro de Prensa Canario (or crosses of these breeds), must have their dogs on a lead and muzzled at all times in public places . The owner or persons responsible for these dogs must ensure the dogs are suitably confined on the property. These dogs must also be registered annually, microchipped and sterilised.

People who own a restricted breed are also subject to annual property inspections by City authorised Officers.

Declared Dangerous Dogs

Due to the nature or actions related to a dog, the City has the authority to declare the dog as dangerous. The owner of a declared dangerous dog will be advised of additional requirements that they must be complied with. Failure to comply with the declared dangerous dog requirements may result in legal action from the City.

These dogs must be registered annually, microchipped and will be subject to annual property inspections by City authorised Officers, inspections incur an additional fee.

Dog Attacks

A dog attack is a very serious matter. If your dog attacks a person, or another animal, you may be responsible even if you are not present at the time. A person who has been attacked may also take civil legal action for any injury or damage. A dog attack includes a dog aggressively rushing at or attempting to attack a person or animal, as well as tearing clothing, biting or causing physical injury.

If you or your dog are involved in a dog attack, seek appropriate veterinary/medical assistance, and then contact the City immediately on **9439 0200**.

Dog Exercise Areas/Dogs in Public

When taking your dog into a public place it is important that the dog be on a lead at all times. Failure to do so may result in an infringement from the City.

Located within the City are a number of declared dog exercise areas. Dog owners can exercise their dogs without a lead in these declared areas, provided the dog is under proper supervision and under effective control at all times. If you believe that you can not do this or have proper control, then it is advisable that your dog remains on a lead at all times when in these declared dog exercise areas as well.

Dog exercise areas in the City of Kwinana can be found on the website www.kwinana.wa.gov.au/dogs



Picking up After Your Dog

Please ensure you pick up after your dog immediately, failure to do so may result in an infringement under the Dog Local Law 2010.

The City has placed 'dog poo' bags at many convenient locations, but we suggest that you carry your own bags for this purpose.

	<h3>For More Information</h3> <p>For more information on responsible dog ownership in Kwinana, please contact our Customer Service Team on 9439 0200 or customer@kwinana.wa.gov.au or visit the City's website www.kwinana.wa.gov.au/dogs</p> <p>Additional Resources and Contacts:</p> <ul style="list-style-type: none">• Kwinana Veterinary Clinic 9419 1346• Challenger Vet Hospital 9419 4133• RSPCA 9209 9300 www.rspca.org.au
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For more information on responsible pet ownership in Kwinana contact **9439 0200** or customer@kwinana.wa.gov.au or visit the City's website www.kwinana.wa.gov.au/animals



Artwork Approval

All efforts are made by the Marketing Team to ensure the highest quality work at all times and avoid costly mistakes. However, if you sign and approve this artwork and then find an error after production has commenced, we cannot accept responsibility. **Your signature is final acceptance of correct artwork.** Any alterations or additions thereafter may incur extra printing costs and/or deadlines to be missed.

Therefore:

- please check all details thoroughly including spelling of words and names, dates, locations and prices where applicable;
- raise any concerns you may have about colours or general layout of graphics;
- if any amends are necessary, please let the Marketing Team know as soon as possible;
- please note that this is a 'proof' quality PDF, and may have had the resolution and quality reduced in order to keep file sizes down, once approved the artwork will be re-saved as a 'print-ready' PDF; and
- please note it is your responsibility as requesting officer to save this PDF proof in a suitable folder in CM9 once you have granted approval.

Artwork is **NOT** approved, amends are required
(please provide details in return email or as comments to the PDF)

Artwork approved, please place print-order

Signed _____ Date _____

Please return this PDF to the Marketing team once completed. Thank you!

Spirit

OF KWINANA

The Councillors and staff at
the City of Kwinana wish you

*a Merry Christmas and a
Safe and Prosperous New Year.*

ATTACHMENT B

City of
Kwinana

Put your Things in the Right Bins

The recycling process starts with you. There are a lot of items that can be recycled, however not all items.

The top five contaminants we found in Kwinana recycle bins were food scraps, textiles, plastic bags, dust/dirt/rock and nappies/sanitary items these items do not belong in your recycle bin.

How do you dispose of these items correctly:

- Food scraps belong in the general waste bin or compost, worm farm, Bokashi bin
- Textiles can be taken to a charity bin or store. If the items are badly soiled or unsuitable please place them in your general waste bin
- Take your plastic bags to a REDcycle bin outside of Coles or Woolworths
- Dust/dirt/rock belongs in the general waste bin
- Nappies/sanitary items also belong in the general waste bin

X Top five Contaminants

-  Food scraps
-  Textiles
-  Plastic bags
-  Dust/dirt/rock
-  Nappies/Sanitary



Putting these items in your recycle bin contaminates all the items that could be recycled undoing all your good work by recycling.

Please make sure you put the right thing in the right bin.

For more information on ways to recycle see www.kwinana.wa.gov.au/our-services/waste-and-recycling/waste-disposal-site/Pages/default.aspx

Dog Exercise Areas/Dogs in Public

Did you know your dog must be on a lead in a public area unless it has been otherwise specified?

Dog owners can exercise their dogs without a lead in declared areas, provided the dog is under proper supervision and under effective control at all times. If you believe that you can not do this or have proper control, then it is advisable that your dog remains on a lead at all times when in these declared dog exercise areas as well.

Dog exercise areas in the City of Kwinana can be found on the website please visit www.kwinana.wa.gov.au/dogs or contact our City Assist team on **9439 0200**.



PLEASE NOTE: the City's Administration Building, City Operations, Banksia Park Retirement Village Office, Bright Futures Children's Services, and Community Centres will be **closed** between the following dates:

7.30am to 9.30am on Wednesday, 16 December 2020

**12pm Thursday, 24 December 2020,
reopening Monday, 4 January 2021**

The City Assist Team will be working normal hours and available via the emergency, after hours line, **9439 0200** on the public holidays.

Artwork Approval

All efforts are made by the Marketing Team to ensure the highest quality work at all times and avoid costly mistakes. However, if you sign and approve this artwork and then find an error after production has commenced, we cannot accept responsibility. **Your signature is final acceptance of correct artwork.** Any alterations or additions thereafter may incur extra printing costs and/or deadlines to be missed.

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- please note it is your responsibility as requesting officer to save this PDF proof in a suitable folder in CM9 once you have granted approval.

Artwork is **NOT** approved, amends are required
(please provide details in return email or as comments to the PDF)

Artwork approved, please place print-order

Signed _____ Date _____

Please return this PDF to the Marketing team once completed. Thank you!

GREENWASTE VERGE COLLECTION (RESIDENTIAL ONLY) FEBRUARY 2021

Area	Place waste out	Pickup commences
1: Calista, Medina, Orelia	6-7 Feb	8 Feb
2: Leda west of railway line, Parmelia, Wellard West (west of railway line), Kwinana City Centre	13-14 Feb	15 Feb
3: Anketell, Bertram, Casuarina, Hope Valley, Kwinana Beach, Leda (east of railway line), Mandogalup, Naval Base, Postans, The Spectacles, Wandl, Wellard West (east of railway line) and Wellard East (east of freeway)	20-21 Feb	22 Feb

THE FOLLOWING ITEMS WILL BE COLLECTED:

- ✓ Tree and shrub prunings up to 1.5 metres in length, 30cm in diameter.

THE FOLLOWING ITEMS WILL NOT BE COLLECTED:

- ✗ No leaves or lawn clippings
- ✗ No weeds and root materials
- ✗ No sand and soil materials
- ✗ No dug out lawn
- ✗ No general rubbish, junk or white goods
- ✗ No mattresses or e-waste
- ✗ No hazardous material

IMPORTANT INFORMATION:

- Two trailer (6x4) loads or two cubic metres per residence applies to this collection.
- Allow 10 working days for collection.
- Call 1300 867 166 if your collection is missed.
- Ensure that your waste is only placed on the verge **on the weekend before pickup commences** (litter infringements may apply).

QUESTIONS?

Call 1300 867 166 (Monday to Friday, 8am to 4pm).

NOTE: Refer to your Waste and Recycling Guide 2020-2021 for further information.

Verge collection dates can be obtained through the City's website online mapping system.

Dogs in Public

When in a public area, you must keep your dog on a lead at all times, unless you're in an authorised dog exercise area and the dog is under proper supervision and under effective control at all times.

Failure to do so may result in an infringement from the City.

Dog exercise areas in the City of Kwinana can be found on the website please visit www.kwinana.wa.gov.au/dogs or contact our City Assist team on **9439 0200**.



Petition to have "Dogs must be kept on leads" signs at all Playgrounds

Lodged by Susan Heaton (2 Selsey Lane, Wellard)

Name	Address	Signature
Josie Nettleton	25 Larkin court Medina	J. Nettleton
Gayle Parker	20 Larkin Ct Medina	G. Parker
Jesse Clavby	8 Selsey Rd Medina	J. Clavby
Lorraine Blight	24 Larkin Ct Medina	L. Blight
DAVID CHARLES WORTH	6 SELSEY LANE WELLARD	D. Worth
MAJOK WUTCHOK	7 PAIGINTON AVE WELLARD WA 6170	M. Wutchok
Suresh Dayalan	5 Paington Avenue wellard, WA-6170	S. Dayalan
Paula Bean	4 Paington Ave Wellard WA 6170	P. Bean
P. P. ROSE	15 ENNIS CT. ARELIA	P. Rose
Petrina Gill	14 Ennis Court arelia	P. Gill

Petition to have “Dogs must be kept on leads” signs at all Playgrounds

Lodged by Susan Heaton (2 Selsey Lane, Wellard)

I am an animal lover. I have lived in Kwinana for 45 years. I have always had a dog and have always been a responsible dog owner. I owned a dog before there was any of these dog parks, lovely children playgrounds and Family areas. I should be able to feel as though I can walk my dog ON HIS LEAD around these beautiful areas without feeling fear from irresponsible dogs' owners. Unfortunately, the irresponsible dog owners are treating these parks as dog exercise areas and have these dogs off leads. Please have signs put around these children's playgrounds that “Dogs must be kept on leads”. Some irresponsible idiots won't take notice but some others will. Some is better than none! Please don't say you can't afford it when dog owners are paying thousands of dollars on vet bills from dog attacks. Not to mention the trauma from witnessing these attacks. **PLEASE FINISH OF THESE PARKS.**

My grandsons' dog (lives with me) was viciously attacked by another dog who was off his lead in a children's playground. My dog had to have immediate surgery from this attack and we had to pay \$2000 for this. I am now traumatized from this and am too scared to walk my dog. As are a lot of other people who have signed our online petition.

1. I would like to try and get the council to consider the recent petition I have started to try and get signs at all playgrounds / BBA areas saying "Dogs must be kept on leads".

2. Dog owners to be more educated about dog laws.

Outside the dog park in Parmelia, there is 3 "Keep off the grass" signs. How can they be more important than a sign saying "Keep dogs on a lead" in all children's playgrounds and BBA areas.

2 Dog owners around the park on Selsey Lane in Welland, say that their dogs are allowed at these playgrounds without a lead. They need to be educated on the laws about dogs on leads.

1 house owner said its a very good thing as children play at that playground and get terrified when dogs run upto them or around the park.

300 Signed Petition For This.

Susan Heaton

2 Selsey Lane, Wellard

18.2 Budget Variations

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

To amend the 2020/2021 budget to reflect various adjustments to the General Ledger with nil effect to the budgeted surplus position as detailed below.

OFFICER RECOMMENDATION:

That Council approves the required budget variations to the Current Budget for 2020/2021 as follows.

ITEM #	DESCRIPTION	CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
1	Capital Expense – Buildings – Various capital projects	(229,000)	(280,500)	(509,500)
	Capital Expense – Footpaths – Various capital projects	(145,720)	(356,306)	(502,026)
	Capital Expense – Roads – Various capital projects	(160,000)	(905,000)	(1,065,000)
	Capital Revenue – Grant - Local Roads and Community Infrastructure Program	534,720	1,541,806	2,076,526
2	Capital Expense – Plant and Equipment – Transportation Vehicles – Bright Futures	Nil	(55,000)	(55,000)
	Operating Expense – Bright Futures Day Care - Lease - Vehicles	Nil	(5,000)	(5,000)
	Reserve Transfer – Family Day Care Reserve	Nil	60,000	60,000
3	Capital Expense – Plant and Equipment – New fleet vehicle	Nil	(39,697)	(39,697)
	Capital Revenue – Insurance proceeds - Claim 6057344	Nil	36,197	36,197
	Operating Expense - Plant Operating Costs - Contractors	(118,453)	500	(117,953)
4	Operating Expense – City Operations – Expendable Equipment	(55,500)	(13,771)	(69,271)
	Capital Expense – Plant and Equipment – City Operations – Toxic chemical storage cabinet	Nil	(6,081)	(6,081)

18.2 BUDGET VARIATIONS

	Capital Revenue – Plant and Equipment – Sale Proceeds – Trailers x 2	Nil	6,602	6,602
	Operating Revenue – City Operations – Sale of operating equipment	Nil	13,250	13,250
5	Prepayment – Plant and Equipment – Transportation Vehicles – Deposit	Nil	(3,000)	(3,000)
	Reserve Transfer – Plant and Equipment Replacement Reserve	Nil	3,000	3,000

NOTE: AN ABSOLUTE MAJORITY OF COUNCIL IS REQUIRED

DISCUSSION:

ITEM #	DESCRIPTION	CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
1	Capital Expense – Buildings – Various capital projects	(229,000)	(280,500)	(509,500)
	Capital Expense – Footpaths – Various capital projects	(145,720)	(356,306)	(502,026)
	Capital Expense – Roads – Various capital projects	(160,000)	(905,000)	(1,065,000)
	Capital Revenue – Grant - Local Roads and Community Infrastructure Program	534,720	1,541,806	2,076,526

The City of Kwinana has entered into an agreement to receive the second round of funding from the Australian Government for the Local Roads and Community Infrastructure (LRCI) Program. This program aims to assist a community-led recovery from COVID-19 by supporting local jobs, firms, and procurement. It is expected Councils, where possible, will use local businesses and workforces to deliver projects to ensure stimulus funding flows into local communities.

The detailed list of projects for the second round of funding is as follows:

Buildings

Darius Wells Library and Resource Centre - Electrical Works (Including solar switchboard and C-Bus lighting control screens replacement and voltage optimisation unit).	\$ 80,000
Darius Wells Library and Resource Centre - Ken Jackman hall flooring replacement with acoustic hard flooring material.	\$ 5,000
John Wellard Community Centre - Repair solar panels connection to roof sheeting to reseal to prevent leaking.	\$ 10,000
Koorliny Community Arts Centre - Air conditioner and exhaust fan replacements.	\$ 8,500
Medina Oval Spectators Stand and Shelter - Grinding, cleaning and repair all steel members and repaint.	\$ 20,000

18.2 BUDGET VARIATIONS

Recquatic Centre - Front Admin east and Reception area - Air conditioner replacements.	\$ 67,000
Thomas Oval Pavilion (Old) - Roof Restoration including gutters and downpipes.	\$ 20,000
Zone Youth Centre – Repaint Basketball court	\$ 30,000

Footpaths

Gamble Place, Orelia - Install new footpath and widen the cul-de sac.	\$ 30,000
Joiner Place, Parmelia - Install new footpath and widen the cul-de sac.	\$ 30,000
Hunt Place (with Cowling Way), Parmelia - New 1.5m footpath construction.	\$ 20,000
Cowling Way (with Hunt Place), Parmelia - New 1.5m footpath construction.	\$ 50,000
Porter Garden, Leda - New 1.5m footpath construction.	\$ 60,000
Pudney Place, Orelia - New 1.5m footpath construction.	\$ 20,000
Napolean Way, Bertram - New 1.5m footpath construction.	\$ 16,000
Warrior Pass, Bertram - New 1.5m footpath construction.	\$ 18,000
Tranby Way, Bertram - New 1.5m footpath construction.	\$ 25,000
Ameer Cres, Bertram - New 1.5m footpath construction	\$ 23,000
Trust Way West, Bertram - New 1.5m footpath construction.	\$ 14,306
Roach Place, Orelia - New 1.5m footpath construction.	\$ 20,000
Sub N drain path - Sunrise/Living Edge - New 2m footpath construction.	\$ 30,000

Roads

Sicklemore Road, Parmelia reconstruction. Strip spray seal, remove roots, backfill with road base compact, asphalt. Reconstruct kerbs. Construct 2.5m red asphalt shared path.

Summertown Road, Calista Traffic signals - Pedestrian crossing upgrade.

2	Capital Expense – Plant and Equipment – Transportation Vehicles – Bright Futures	Nil	(55,000)	(55,000)
	Operating Expense – Bright Futures Day Care - Lease - Vehicles	Nil	(5,000)	(5,000)
	Reserve Transfer – Family Day Care Reserve	Nil	60,000	60,000

The leased vehicle for Bright Futures Family Day Care is about to expire. It is proposed that this vehicle is replaced with a purchase of an 8-seater people mover to deliver Family Day Care services, and is funded by the Family Day Care Reserve. It is also requested that an additional \$5,000 is transferred from the Family Day Care Reserve to finalise lease pay-out due to high mileage.

18.2 BUDGET VARIATIONS

3	Capital Expense – Plant and Equipment – New fleet vehicle	Nil	(39,697)	(39,697)
	Capital Revenue – Insurance proceeds - Claim 6057344	Nil	36,197	36,197
	Operating Expense - Plant Operating Costs - Contractors	(118,453)	500	(117,953)

One of the City's trailers was damaged in an accident and declared to be beyond economic repair by the City's insurers. It is proposed that the fleet vehicle is replaced using the insurance proceeds, and the difference, being the excess, funded from the trailer's plant operating budget.

4	Operating Expense – City Operations – Expendable Equipment	(55,500)	(13,771)	(69,271)
	Capital Expense – Plant and Equipment – City Operations – Toxic chemical storage cabinet	Nil	(6,081)	(6,081)
	Capital Revenue – Plant and Equipment – Sale Proceeds – Trailers x 2	Nil	6,602	6,602
	Operating Revenue – City Operations – Sale of operating equipment	Nil	13,250	13,250

City Operations has sold various items of minor plant and equipment that are no longer an operational requirement through public auction. It is proposed that new minor equipment is purchased with these sale proceeds. Due to one of the items being just over the capitalisation threshold, the funds will need to be transferred from operating to capital.

5	Prepayment – Plant and Equipment – Transportation Vehicles – Deposit	Nil	(3,000)	(3,000)
	Reserve Transfer – Plant and Equipment Replacement Reserve	Nil	3,000	3,000

As a result of vehicle manufacturing slowdown in response to the global Covid-19 pandemic, there is limited availability of vehicles to renew the City's fleet in the 2021 calendar year. In order to secure utilities that will be due for replacement early in the 2021/22 financial year, it is necessary to place orders for the vehicles now. It is proposed that a budget variation transfers funds from the Plant and Equipment reserve to be used as a deposit to secure three utilities due for replacement early in the new financial year.

LEGAL/POLICY IMPLICATIONS:

The *Local Government Act 1995* Part 6 Division 4 s 6.8 (1) requires the local government not to incur expenditure from its municipal fund for an additional purpose except where the expenditure-

18.2 BUDGET VARIATIONS

(b) is authorised in advance by resolution*

“additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

*requires an absolute majority of Council.

FINANCIAL/BUDGET IMPLICATIONS:

The financial implications are detailed in this report.

ASSET MANAGEMENT IMPLICATIONS:

The allocation of funds towards the upgrading and purchase of City assets will be included in the City’s Asset Management Strategy.

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 outcome and objective detailed in the Corporate Business Plan.

Plan	Outcome	Objective
Corporate Business Plan	Business Performance	5.4 Ensure the financial sustainability of the City of Kwinana into the future

COMMUNITY ENGAGEMENT:

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

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	The City does not manage its finances adequately and allows budget expenditure to exceed allocation and the City then finds itself unable to fund its services that have been approved through the budget process
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18.2 BUDGET VARIATIONS

Risk Theme	Failure to fulfil statutory regulations or compliance Providing inaccurate advice/information
Risk Effect/Impact	Financial Reputation Compliance
Risk Assessment Context	Operational
Consequence	Major
Likelihood	Rare
Rating (before treatment)	Low
Risk Treatment in place	Reduce (mitigate risk)
Response to risk treatment required/in place	Submit budget variation requests to Council as they arise, identifying financial implications and ensuring there is nil effect on the budget adopted
Rating (after treatment)	Low

COUNCIL DECISION

337

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

That Council approves the required budget variations to the Current Budget for 2020/2021 as follows.

ITEM #	DESCRIPTION	CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
1	Capital Expense – Buildings – Various capital projects	(229,000)	(280,500)	(509,500)
	Capital Expense – Footpaths – Various capital projects	(145,720)	(356,306)	(502,026)
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18.2 BUDGET VARIATIONS

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	Operating Revenue – City Operations – Sale of operating equipment	Nil	13,250	13,250
5	Prepayment – Plant and Equipment – Transportation Vehicles – Deposit	Nil	(3,000)	(3,000)
	Reserve Transfer – Plant and Equipment Replacement Reserve	Nil	3,000	3,000

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL
8/0

18.3 Monthly Financial Report November 2020

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

The Monthly Financial Report, which includes the Monthly Statement of Financial Activity and explanation of material variances, for the period ended 30 November 2020 has been prepared for Council acceptance.

OFFICER RECOMMENDATION:

That Council:

1. Accepts the Monthly Statements of Financial Activity for the period ended 30 November 2020, contained within Attachment A; and
2. Accepts the explanations for material variances for the period ended 30 November 2020, contained within Attachment A.

DISCUSSION:

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

The period of review is November 2020. The current closing municipal surplus for this period is \$35,559,232 compared to a budget position of \$32,256,362. This is considered a satisfactory result for the City as it is maintaining a healthy budget surplus position.

The City's cash balances are tracking well with a positive unrestricted cash balance as at 30 November of \$18,109,465. To date, the City has not had to draw on either the Waste Reserve contingency or the WATC Short Term Lending Facility.

Income for the November 2020 period year to date is \$53,228,880. This is made up of \$52,524,470 in operating revenues and \$704,410 in non-operating grants, contributions and subsidies received and proceeds from other investing activities. The budget estimated \$51,609,073 would be received for the same period. The variance to budget is \$705,023. Details of all significant variances are provided in the notes to the Monthly Financial Report contained within Attachment A.

Expenditure for the November 2020 period year to date is \$24,339,837. This is made up of \$22,133,564 in operating expenditure and \$2,206,273 in capital expenditure. The budget estimated \$34,727,247 would be spent for the same period. The variance to budget is \$10,387,410. This expenditure variance is predominantly due to depreciation budgeted YTD (\$6.1m) unable to be recognised in our system until the 2019-2020 Financial Report audit has been finalised, this is expected to occur in December. The remaining \$4.3m variance can be attributed to the timing of works being completed and the supplier invoicing the City. Details of all significant variances are provided in the notes to the Monthly Financial Report contained within Attachment A.

18.3 MONTHLY FINANCIAL REPORT NOVEMBER 2020**LEGAL/POLICY IMPLICATIONS:**

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

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

FINANCIAL/BUDGET IMPLICATIONS:

Any material variances that have an impact on the outcome of the budgeted closing surplus position are detailed in the Monthly Financial Report contained within Attachment A.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications associated with this report.

ENVIRONMENTAL IMPLICATIONS:

There are no environmental implications associated with this report.

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	Business Performance	5.4 Ensure the financial sustainability of the City of Kwinana into the future

COMMUNITY ENGAGEMENT:

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

PUBLIC HEALTH IMPLICATIONS:

There are no public health implications as a result of this report.

18.3 MONTHLY FINANCIAL REPORT NOVEMBER 2020

RISK IMPLICATIONS:

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

Risk Event	Inadequate management of the City's provisions, revenues and expenditures.
Risk Theme	Failure to fulfil statutory regulations or compliance Providing inaccurate advice/information
Risk Effect/Impact	Financial Reputation Compliance
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Unlikely
Rating (before treatment)	Low
Risk Treatment in place	Reduce (mitigate the risk)
Response to risk treatment required/in place	Annual adoption of variance tolerances for reporting purposes.
Rating (after treatment)	Low

COUNCIL DECISION

338

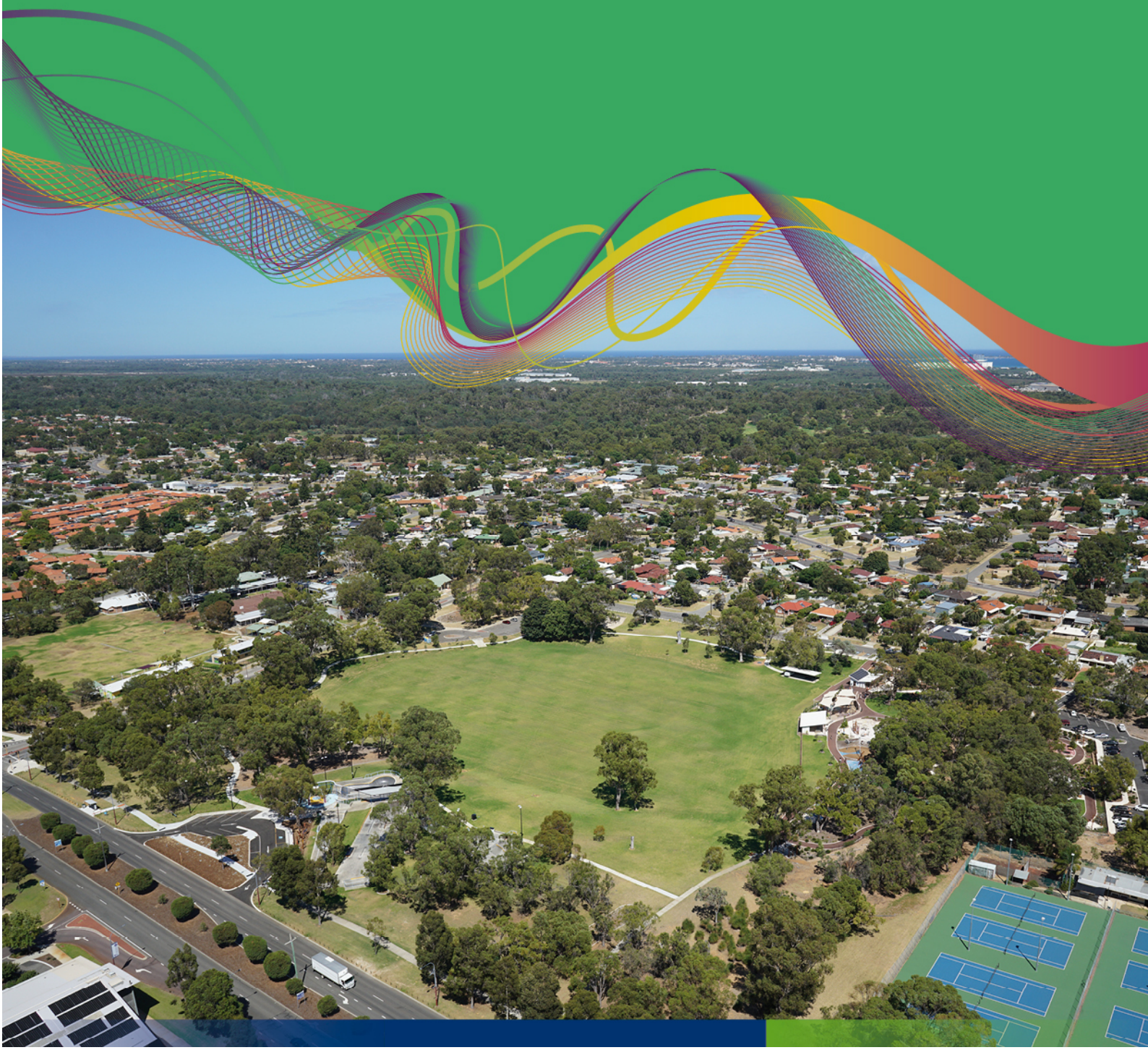
MOVED CR M KEARNEY**SECONDED CR M ROWSE**

That Council:

1. **Accepts the Monthly Statements of Financial Activity for the period ended 30 November 2020, contained within Attachment A; and**
2. **Accepts the explanations for material variances for the period ended 30 November 2020, contained within Attachment A.**

CARRIED
8/0

Monthly Financial Report



CITY OF KWINANA
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 30 November 2020

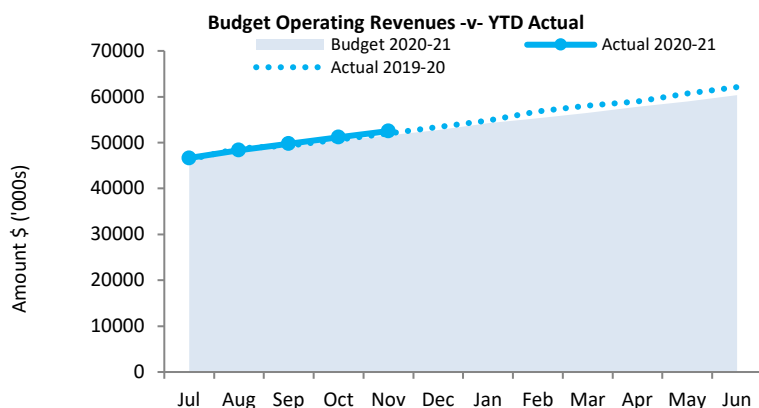
LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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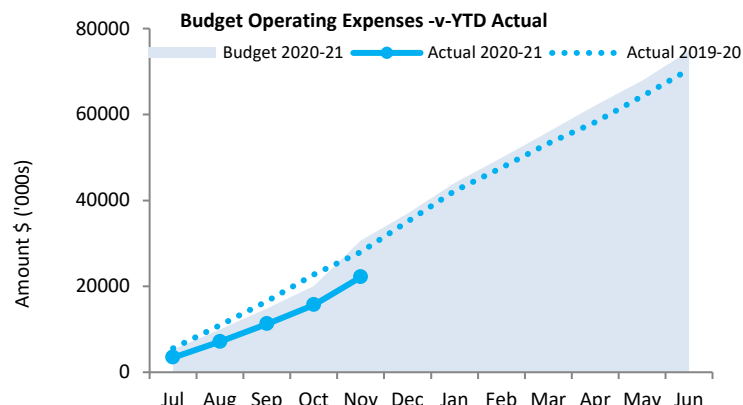
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OPERATING ACTIVITIES

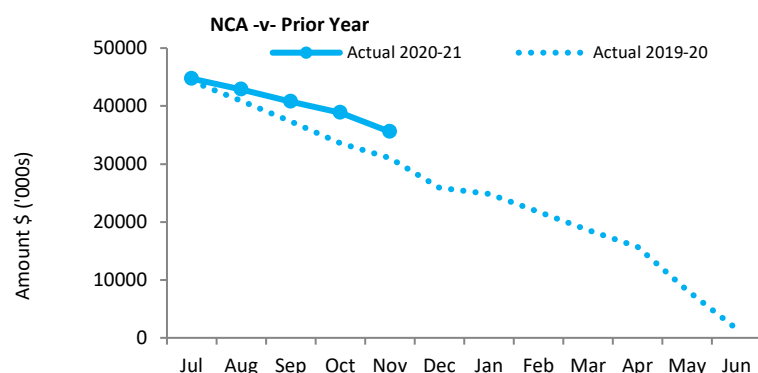
OPERATING REVENUE



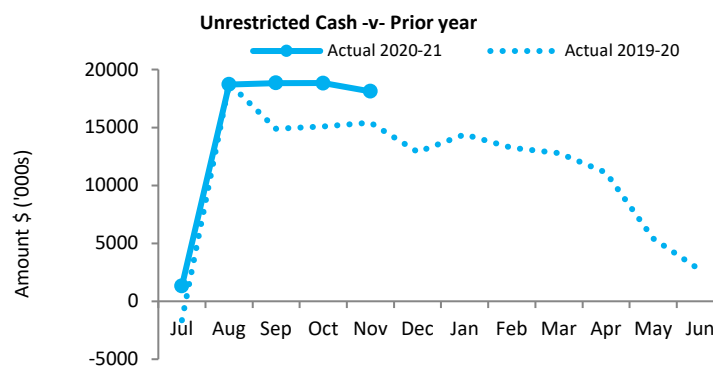
OPERATING EXPENSES



NET CURRENT ASSETS

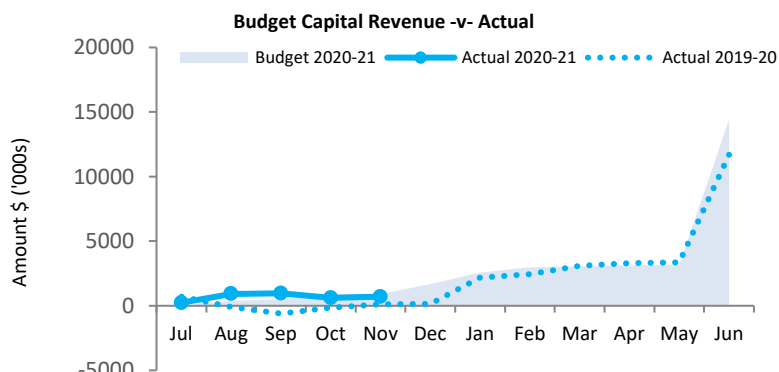


UNRESTRICTED CASH

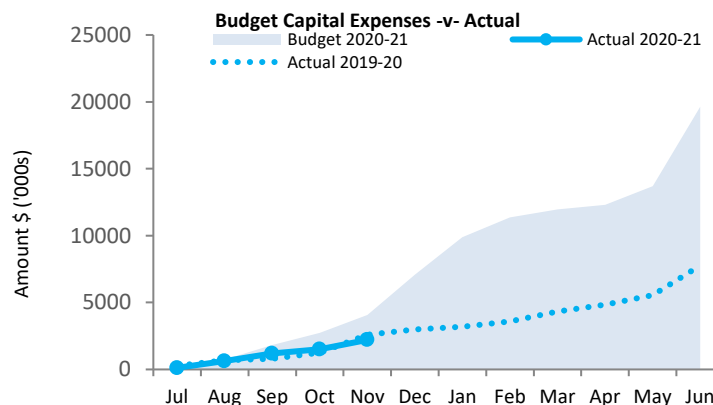


INVESTING ACTIVITIES

CAPITAL REVENUE

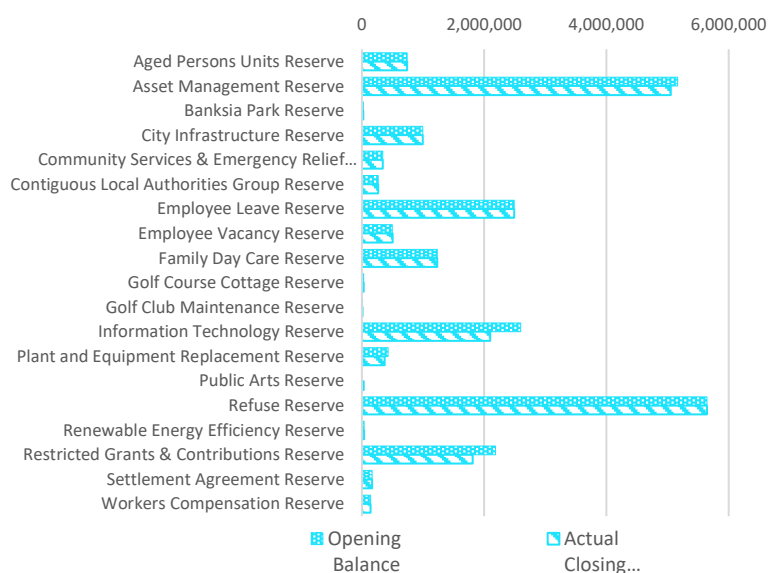


CAPITAL EXPENSES

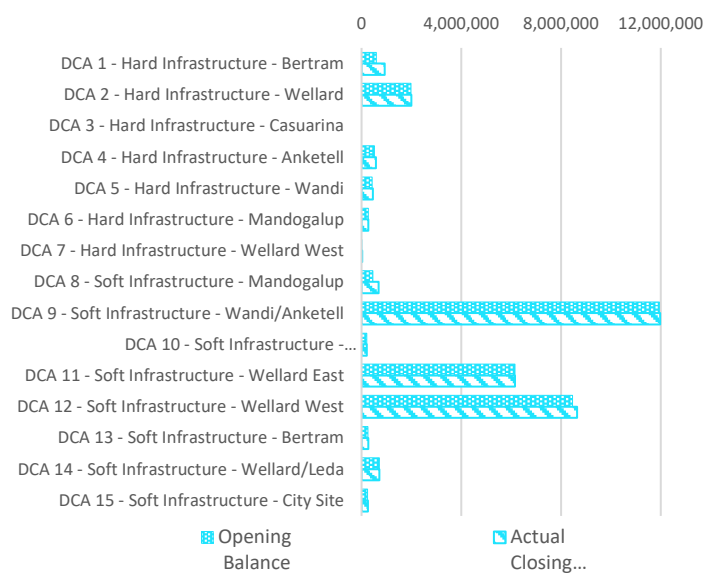


FINANCING ACTIVITIES

RESERVES



DCA RESERVES



Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Current Budget	YTD Current Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$1.36 M	\$1.42 M	\$2.83 M	\$1.41 M
Closing	\$0.00 M	\$32.26 M	\$35.56 M	\$3.30 M
Refer to Statement of Financial Activity				

Cash and cash equivalents		
	\$75.51 M	% of total
Unrestricted Cash	\$18.11 M	24.0%
Restricted Cash	\$57.40 M	76.0%
Refer to Note 3 - Cash and Financial Assets		

Payables	
	\$5.52 M
Trade Payables	\$2.33 M
Bonds & Deposits Held	\$1.93 M
Other Payables	\$1.26 M

Receivables		
	\$19.42 M	% Outstanding
Rates Receivable	\$17.68 M	32.4%
Trade Receivable	\$1.74 M	
Refer to Note 4 - Receivables		

Key Operating Activities

Amount attributable to operating activities			
Current Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$6.19 M)	\$27.07 M	\$35.10 M	\$8.03 M
Refer to Statement of Financial Activity			

Rates Revenue		
YTD Actual	\$40.29 M	% Variance
YTD Budget	\$39.93 M	0.9%
Refer to Statement of Financial Activity		

Operating Grants and Contributions		
YTD Actual	\$2.87 M	% Variance
YTD Budget	\$2.81 M	2.1%
Refer to Note 10 - Operating Grants and Contributions		

Fees and Charges		
YTD Actual	\$8.51 M	% Variance
YTD Budget	\$8.11 M	5.0%
Refer to Statement of Financial Activity		

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$5.21 M)	(\$3.14 M)	(\$1.50 M)	\$1.64 M
Refer to Statement of Financial Activity			

Proceeds on sale		
YTD Actual	\$0.13 M	% Spent
YTD Budget	\$0.00 M	
Current Budget	\$0.47 M	26.8%
Refer to Note 5 - Disposal of Assets		

Asset Acquisition		
YTD Actual	\$2.21 M	% Spent
Current Budget	\$19.63 M	11.2%
Adopted Budget	\$19.12 M	11.5%
Refer to Note 6 - Capital Acquisition		

Capital Grants		
YTD Actual	\$0.58 M	% Received
Current Budget	\$3.61 M	16.0%
Adopted Budget	\$3.11 M	18.6%
Refer to Note 6 - Capital Acquisition		

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$10.08 M	\$6.91 M	(\$0.87 M)	(\$7.78 M)
Refer to Statement of Financial Activity			

Borrowings	
Principal repayments	\$0.93 M
Interest expense	\$0.43 M
Principal due	\$19.34 M
Refer to Note 7 - Borrowings	

Reserves	
Reserves balance	\$21.99 M
DCA Reserve Balance	\$33.17 M
Interest earned	\$0.09 M
Refer to Note 9 - Cash Reserves	

Lease Liability	
Principal repayments	\$0.04 M
Interest expense	\$0.00 M
Principal due	\$0.16 M
reclassified from Lease Expense June 2020 - AASB16	

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

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2020

BY NATURE OR TYPE

	Ref Note	Adopted Budget	Current Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$		\$	\$	\$	%	
Opening funding surplus / (deficit)		1,360,000	1,421,046	1,421,046	2,833,950	1,412,904	99.4%	▲
Revenue from operating activities								
Rates	5	39,933,543	39,933,543	39,933,543	40,285,434	351,891	0.9%	
Operating grants, subsidies and contributions	10	6,617,653	6,640,896	2,813,478	2,871,888	58,410	2.1%	
Fees and charges		11,913,171	11,957,229	8,107,592	8,509,651	402,059	5.0%	
Interest earnings		1,220,577	1,220,577	486,077	410,669	(75,408)	(15.5%)	▼
Other revenue		451,881	481,781	268,383	446,828	178,445	66.5%	▲
Profit on disposal of assets	5	124,510	124,510	0	0	0	0.0%	
		60,261,335	60,358,536	51,609,073	52,524,470	915,397		
Expenditure from operating activities								
Employee costs		(28,033,854)	(28,137,780)	(11,141,790)	(10,989,659)	152,131	1.4%	
Materials and contracts		(27,604,630)	(27,304,999)	(11,573,773)	(9,257,914)	2,315,859	20.0%	▲
Utility charges		(2,557,908)	(2,557,908)	(1,071,644)	(865,069)	206,575	19.3%	▲
Depreciation on non-current assets		(14,691,676)	(14,691,676)	(6,121,327)	0	6,121,327	100.0%	▲
Interest expenses		(987,579)	(987,579)	(51,096)	(427,658)	(376,562)	(737.0%)	▼
Insurance expenses		(583,736)	(583,736)	(583,736)	(584,756)	(1,020)	(0.2%)	
Other expenditure		(189,547)	(446,888)	(119,620)	(8,508)	111,112	92.9%	▲
Loss on disposal of assets	5	(83,085)	(83,085)	0	0	0	0.0%	
		(74,732,015)	(74,793,651)	(30,662,986)	(22,133,564)	8,529,422		
Non-cash amounts excluded from operating activities	2	8,241,957	8,241,957	6,121,327	4,708,548	(1,412,779)	(23.1%)	▼
Amount attributable to operating activities		(6,228,723)	(6,193,158)	27,067,414	35,099,453	8,032,039		
Investing activities								
Grants, Subsidies and Contributions	11	13,434,461	13,930,014	914,784	577,454	(337,330)	(36.9%)	
Proceeds from disposal of assets	5	473,350	473,350	0	126,957	126,957	0.0%	▲
Self-Supporting Loan Principal Received	7	17,269	17,269	7,195	8,563	1,368	19.0%	
Self-Supporting Loan Principal Paid		(17,269)	(17,269)	0	(8,563)	(8,563)	0.0%	
Payments for property, plant and equipment	6	(19,121,835)	(19,634,406)	(4,064,261)	(2,206,273)	1,857,988	45.7%	▲
Amount attributable to investing activities		(5,214,024)	(5,231,042)	(3,142,282)	(1,501,863)	1,640,419		
Financing Activities								
Proceeds from new debentures	7	5,000,000	5,000,000	2,000,000	0	(2,000,000)	(100.0%)	▼
Repayment of debentures	7	(6,871,990)	(6,871,990)	(53,733)	(924,543)	(870,810)	(1620.6%)	▼
Payments for principal portion of lease liabilities		(229,206)	(229,206)	(112,104)	(36,060)	76,044	67.8%	▲
Transfer from reserves	9	20,399,567	20,349,874	5,266,275	1,065,738	(4,200,537)	79.8%	
Transfer to reserves	9	(8,215,624)	(8,245,524)	(190,254)	(977,444)	(787,190)	(413.8%)	▼
Amount attributable to financing activities		10,082,747	10,003,154	6,910,184	(872,309)	(7,782,493)		
Closing funding surplus / (deficit)		0	0	32,256,362	35,559,232	3,302,870		

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 1 for an explanation of the reasons for the variance.

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

**STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 30 NOVEMBER 2020**

	NOTE	Closing 30 June 2020 \$	Current Month 30 November 2020 \$	This Time Last Year 30 November 2019 \$
CURRENT ASSETS				
Cash and cash equivalents	9	25,471,026	21,634,606	7,912,245
Other financial assets - Term Deposits	9	33,787,559	53,561,294	62,635,847
Other financial assets - Banksia Park Deferred Mgmt Fees		319,490	319,490	297,819
Other financial assets - Self Supporting Loans		17,269	17,269	16,709
Rates receivable	4	3,588,655	17,679,558	16,991,795
Other receivables (<i>incl. allowance for impairment</i>)	4	866,606	2,010,589	1,639,130
Inventories		37,323	38,417	26,434
Other assets		1,776,055	1,311,758	0
TOTAL CURRENT ASSETS		65,863,982	96,572,981	89,519,979
NON-CURRENT ASSETS				
Trade and other receivables		760,126	752,007	707,184
Other financial assets - Banksia Park Deferred Mgmt Fees		3,184,673	3,184,673	3,095,582
Other financial assets - Local Govt House Trust		124,637	124,637	122,620
Other financial assets - Self Supporting Loans		232,704	224,141	241,687
Investment in associate (SMRC)		504,775	504,775	319,244
Property, plant and equipment		135,058,794	135,614,005	149,177,110
Infrastructure		363,572,820	364,615,982	359,873,121
Intangible assets		616,115	1,097,059	397,185
Right of use assets		190,680	190,680	0
TOTAL NON-CURRENT ASSETS		504,245,324	506,307,959	513,933,733
TOTAL ASSETS		570,109,306	602,880,940	603,453,712
CURRENT LIABILITIES				
Trade and other payables		7,443,587	5,515,598	4,396,835
Banksia Park Unit Contributions		16,975,350	16,975,350	17,133,425
Contract and other liabilities	10 & 11	10,282,025	10,434,811	0
Lease liabilities		114,357	78,297	0
Borrowings	7	2,314,779	2,314,779	1,451,093
Employee related provisions		5,505,931	5,497,814	4,890,422
TOTAL CURRENT LIABILITIES		42,636,029	40,816,649	27,871,775
NON-CURRENT LIABILITIES				
Other liabilities (Developer Contributions)	11	16,953,626	21,509,386	0
Lease liabilities		77,148	77,148	0
Borrowings	7	17,953,926	17,020,819	20,076,943
Employee related provisions		410,209	410,209	469,604
TOTAL NON-CURRENT LIABILITIES		35,394,909	39,017,563	20,546,547
TOTAL LIABILITIES		78,030,938	79,834,212	48,418,322
NET ASSETS		492,078,369	523,046,728	555,035,390
EQUITY				
Retained surplus		216,805,177	247,861,830	268,176,615
Reserves - cash/financial asset backed	9	55,249,686	55,161,393	55,126,940
Revaluation surplus		220,023,505	220,023,505	231,731,835
TOTAL EQUITY		492,078,369	523,046,728	555,035,390

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2020

NOTE 1
EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.
The material variance adopted by Council for the 2020-21 year is \$50,000 or 5.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing/ Permanent	Explanation of Variance
	\$	%		
Revenue from operating activities				
Rates	351,891	1%	No Material Variance	
Operating Grants, Subsidies and Contributions	58,410	2%	No Material Variance	Refer note 10.
Fees and Charges	402,059	5%	Permanent/Timing	Building and Statutory Planning approvals higher than budgeted \$341k.
Interest Earnings	(75,408)	(16%)	▼ Permanent	Low interest rates on term deposits.
Other Revenue	178,445	66%	▲ Permanent	Insurance reimbursements and rebate.
Profit on Disposal of Assets	0	0%	No Material Variance	
Expenditure from operating activities				
Employee Costs	152,131	1%	No Material Variance	Pay period 12 budgeted in December was recognised in November (w/e 29th Nov paid on 2nd Dec). Salary & wages below budget due to timing of filling various position vacancies. Other employee costs below budget due to lower than budgeted workers compensation premium \$223k.
Materials and Contracts	2,315,859	20%	▲ Timing	Timing of works. Environmental Health \$631k below budget (\$539k Mainstream Waste, \$69k Natural Environment). Facilities Management \$358k below budget (\$229k Parks & Reserves, \$129k Building Services). Engineering Services \$232k below budget, Family Day Care \$230k below budget and Kwinana Village \$216k below budget.
Utility Charges	206,575	19%	▲ Permanent/Timing	Lower electricity costs for Administration building and Recquatic.
Depreciation on Non-Current Assets	6,121,327	100%	▲ Timing	Depreciation to be calculated after the annual financial report audit has been finalised.
Interest Expenses	(376,562)	(737%)	▼ Timing	WATC Loan payments entered into payables in November, to be paid in December as budgeted.
Insurance Expenses	(1,020)	(0%)	No Material Variance	
Other Expenditure	111,112	93%	▲ Permanent	DCA - City contributions budgeted as an expense.
Loss on Disposal of Assets	0	0%	No Material Variance	
Investing activities				
Non-Operating Grants, Subsidies and Contributions	(337,330)	(37%)	Timing	Refer note 11. Predominantly timing of roads and transport infrastructure project funding.
Proceeds from disposal of assets	126,957	0%	▲ Timing	
Self-Supporting Loan Principal	1,368	19%	Timing	
Payments for property, plant and equipment	1,857,988	46%	▲ Timing	Refer note 6. Timing of project expenditure.
Financing activities				
Proceeds from new debentures	(2,000,000)	(100%)	▼ Timing	WATC Short-term funding to cover potential cash shortage is yet to be required.
Repayment of debentures	(870,810)	(1621%)	▼ Timing	December loan payments entered to payables in November.
Payments for principal portion of lease liabilities	76,044	68%	▲ Timing	New gym equipment and Youth vehicle leases budgeted, however new agreements yet to be finalised.
Transfer from reserves	(4,200,537)	80%	Timing	\$3m budgeted drawdown of Refuse Reserve to cover potential cash shortage is yet to be required. \$1m transfer from DCA 9 Reserve to fund Honeywood sportsground clubroom onhold as project undergoing community engagement.
Transfer to reserves	(787,190)	(414%)	▼ Timing	Timing of interest earned on Reserve term deposits and Developer Contributions received.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2020**

**NOTE 2
NET CURRENT FUNDING POSITION**

	Notes	Last Years Closing 30 June 2020	This Time Last Year 30 November 2019	YTD Actual 30 November 2020
		\$	\$	\$
(a) Non-cash items excluded from operating activities				
The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.				
Non-cash items excluded from operating activities				
Adjustments to operating activities				
Less: Profit on asset disposals	5	(124,076)	-	-
Less: Movement in pensioner deferred rates (non-current)		(48,371)	4,571	8,118
Movement in employee benefit provisions		544,157	(11,957)	(8,117)
Add: Loss on asset disposals		1,247,308	29,164	-
Add: Mvmt in Local Govt House Trust		(2,017)	-	-
Add: Change in accounting policies		(1,040,123)	-	-
Add: Depreciation on assets		15,630,143	6,040,551	-
Add: Mvmt in operating contract liabilities associated with restricted cash		194,030	-	(47,043)
Add: Mvmt in non-operating liabilities associated with restricted cash		82,701	-	4,755,589
Movement in Banksia Park deferred management fund receivable		(110,762)	-	-
Movement in Banksia Park valuation of unit contribution		(158,075)	-	(0)
Total non-cash items excluded from operating activities		16,214,915	6,062,329	4,708,548

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation* 32 to agree to the surplus/(deficit) after imposition of general rates.

Adjustments to net current assets

Less: Reserves - restricted cash	(55,249,686)	(55,249,686)	(55,161,393)
Less: Financial assets at amortised cost - self supporting loans	(17,269)	(16,709)	(17,269)
Less: Banksia Park DMF Recievable	(319,490)	(297,819)	(319,490)
Add: Borrowings	2,314,779	1,451,093	2,314,779
Add: Provisions - employee	5,505,931	4,890,422	5,497,814
Add: Current portion of contract and other liability held in reserve	10,282,025	-	10,434,811
Add: Lease liabilities	114,357	-	78,297
Add: Banksia Park Unit Contributions	16,975,350	17,133,425	16,975,350
Total adjustments to net current assets	(20,394,003)	(32,089,274)	(20,197,100)

(c) Net current assets used in the Statement of Financial Activity

Current assets	65,863,982	89,519,979	96,572,981
Less: Current liabilities	(42,636,029)	(27,871,775)	(40,816,649)
Less: Total adjustments to net current assets	(20,394,003)	(32,089,274)	(20,197,100)
Closing funding surplus / (deficit)	2,833,950	29,558,929	35,559,232

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

Description	Unrestricted	Restricted	Trust	Total Cash	Interest Rate	Institution	S&P Rating	Maturity Date	Days
	\$	\$	\$	\$					
Cash on hand									
CBA Municipal Bank Account	4,096,421	3,525,689		7,622,110	Variable	CBA	AA		
CBA Online Saver Bank Account	11,009,275	0		11,009,275	0.45%	CBA	AA		
CBA Trust Bank Account			308,711	308,711	N/A	CBA	AA		
Cash On Hand - Petty Cash	3,770			3,770	N/A	PC	N/A		
Term Deposits - Investments									
NAB	3,000,000			3,000,000	0.50%	NAB	AA	Jan 2021	90
Reserve Funds Investments (Cash Backed Reserves)									
Family Day Care Reserve		1,280,000		1,280,000	0.70%	NAB	AA	Dec 2020	122
City Infrastructure Reserve		1,000,000		1,000,000	0.70%	NAB	AA	Dec 2020	122
APU Reserve		745,000		745,000	0.70%	NAB	AA	Dec 2020	122
BP Reserve		25,000		25,000	0.70%	NAB	AA	Dec 2020	122
Renewable Energy Efficiency Reserve		35,000		35,000	0.70%	NAB	AA	Dec 2020	122
Information Technology Reserve		2,597,170		2,597,170	0.70%	NAB	AA	Dec 2020	122
Asset Management Reserve		5,178,180		5,178,180	0.54%	WBC	AA	Dec 2020	91
Refuse Reserve		5,644,890		5,644,890	0.54%	WBC	AA	Dec 2020	91
Plant and Equipment Replacement Reserve		431,400		431,400	0.54%	WBC	AA	Dec 2020	91
Employee Vacancy Reserve		500,805		500,805	0.54%	WBC	AA	Dec 2020	91
Employee Leave Reserve		2,488,385		2,488,385	0.65%	NAB	AA	Feb 2021	157
Golf Club Maintenance Reserve		8,860		8,860	0.65%	NAB	AA	Mar 2021	181
Golf Course Cottage Reserve		29,430		29,430	0.65%	NAB	AA	Mar 2021	181
Community Services & Emergency Relief Reserve		342,725		342,725	0.60%	NAB	AA	Jan 2021	120
CLAG Reserve		266,451		266,451	0.60%	NAB	AA	Feb 2021	150
Workers Compensation Reserve		144,235		144,235	0.60%	NAB	AA	Feb 2021	150
Settlement Agreement Reserve		168,130		168,130	0.60%	NAB	AA	Feb 2021	150
Reserve Funds Investments (Developer Contributions)									
DCA - 1 Hard Infrastructure - Bertram		600,664		600,664	0.55%	BEN	AAA	Mar 2021	180
DCA - 2 Hard Infrastructure - Wellard		1,991,997		1,991,997	0.55%	BEN	AAA	Mar 2021	180
DCA 6 - Hard Infrastructure - Mandogalup		274,651		274,651	0.55%	BEN	AAA	Mar 2021	180
DCA - 11 Soft Infrastructure - Wellard East		6,162,219		6,162,219	0.55%	BEN	AAA	Mar 2021	180
DCA - 12 Soft Infrastructure - Wellard West		8,480,802		8,480,802	0.55%	BEN	AAA	Mar 2021	180
DCA - 4 Hard Infrastructure - Anketell		575,926		575,926	0.55%	NAB	AA	Apr 2021	180
DCA 5 - Hard Infrastructure - Wandi		456,267		456,267	0.55%	NAB	AA	Apr 2021	180
DCA 7 - Hard Infra Mandogalup		31,613		31,613	0.55%	NAB	AA	Apr 2021	180
DCA - 8 Soft Infrastructure - Mandogalup		684,193		684,193	0.55%	NAB	AA	Apr 2021	180
DCA - 9 Soft Infrastructure - Wandi/Anketell		11,972,544		11,972,544	0.55%	NAB	AA	Apr 2021	180
DCA - 10 Soft Infrastructure - Casuarina/Anketell		204,782		204,782	0.55%	NAB	AA	Apr 2021	180
DCA - 13 Soft Infrastructure - Bertram		264,079		264,079	0.55%	NAB	AA	Apr 2021	180
DCA - 14 Soft Infrastructure - Wellard/Leda		717,656		717,656	0.55%	NAB	AA	Apr 2021	180
DCA - 15 Soft Infrastructure - Townsite		258,241		258,241	0.55%	NAB	AA	Apr 2021	180
Total	18,109,465	57,086,983	308,711	75,505,159					
	24%	76%	0.4%						
Comprising									
Cash and cash equivalents (Exclude Trust)	18,109,465	3,525,689	0	21,635,155					
Financial assets at amortised cost	0	53,561,294	0	53,561,294					
Trust	0	0	308,711	308,711					
	18,109,465	57,086,983	308,711	75,505,159					

KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Note 3(b): Cash and Investments - Compliance with Investment Policy

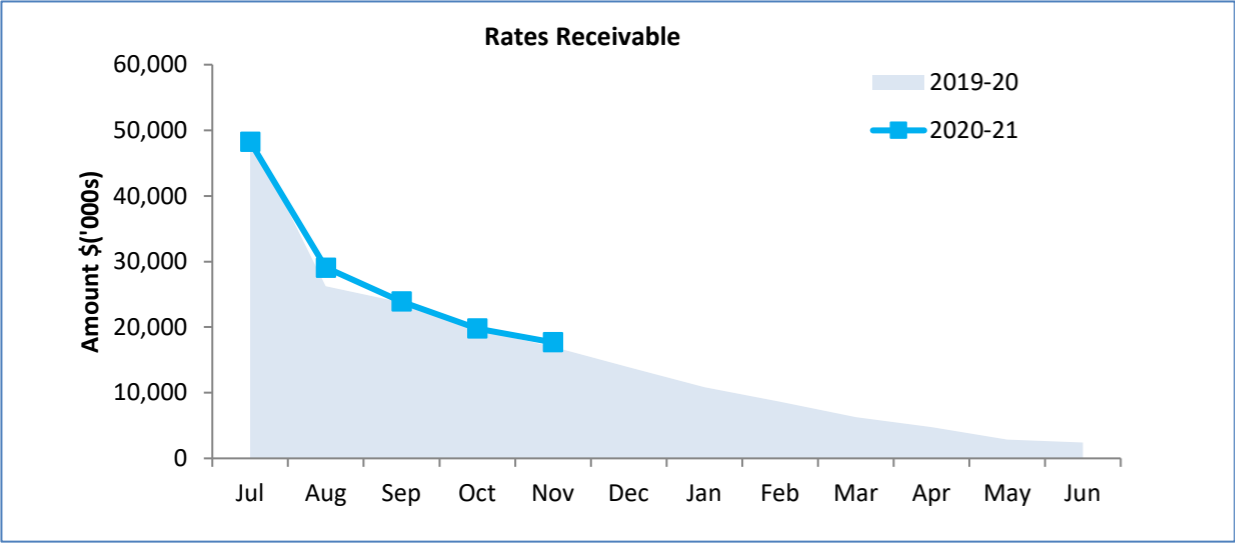
Portfolio Credit Risk	Funds Held	Actual at Period End	Limit per Policy	
AAA & Bendigo Bank Kwinana Community Branch	17,510,332	23%	100%	✓
AA	57,991,057	77%	100%	✓
A	-	0%	60%	✓
BBB	-	0%	20%	✓
Unrated	3,770	0%	20%	✓

Counterparty Credit Risk	Funds Held	Actual at Period End	Limit per Policy	
BEN (AAA)	17,510,332	23%	45%	✓
NAB (AA)	27,295,687	36%	45%	✓
CBA (AA)	18,940,095	25%	45%	✓
WBC (AA)	11,755,275	16%	45%	✓

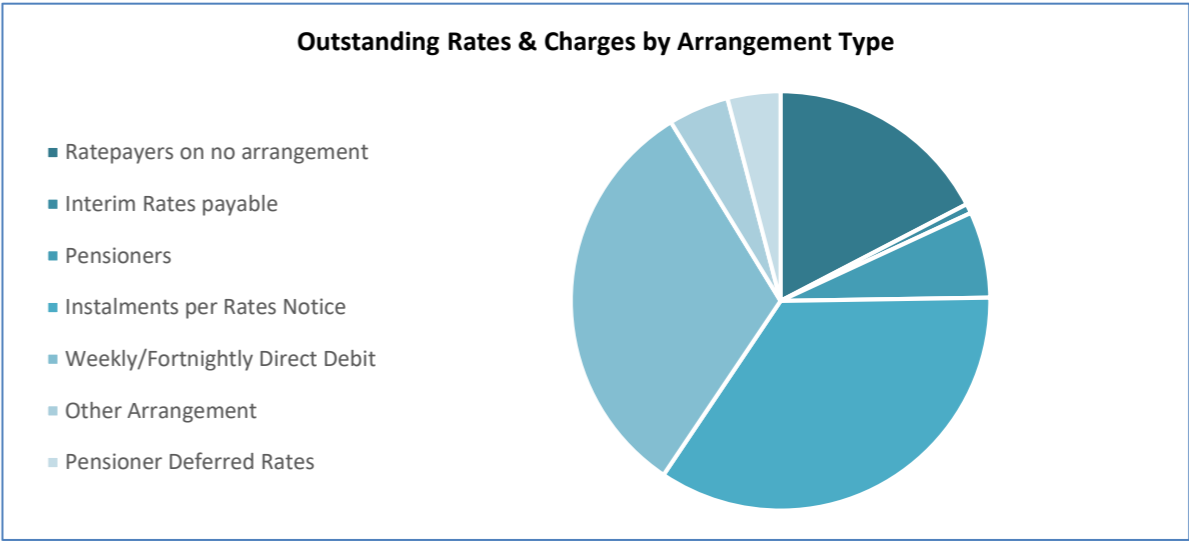
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2020

OPERATING ACTIVITIES
NOTE 4
RECEIVABLES

Rates receivable	30 Jun 2020	30 Nov 2019	30 Nov 2020
	\$		\$
Opening arrears previous years	4,576,831	4,576,831	3,148,533
Levied this year	51,941,047	51,834,283	51,415,138
Rates & Charges to be collected	56,517,878	56,411,114	54,563,671
<u>Less</u> Collections to date	(52,169,098)	(38,712,135)	(36,132,106)
<u>Less</u> Pensioner Deferred Rates	(760,126)	(707,184)	(752,007)
Net Rates & Charges Collectable	3,588,655	16,991,795	17,679,558
% Outstanding	6.35%	30.12%	32.40%
<u>Prepaid</u> Rates received (not included above)	(1,198,500)	(482,152)	(522,364)
	4.23%	29.27%	31.44%



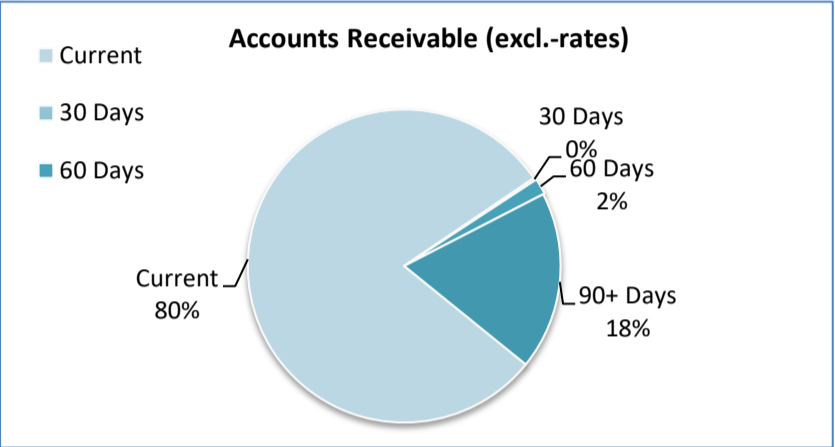
Outstanding Rates & Charges by Payment Arrangement Type	30 Nov 2020		
	No. of Assessments	\$	%
Ratepayers on no arrangement	1,275	3,201,361	17%
Interim Rates payable	79	135,488	1%
Pensioners	1,388	1,225,240	7%
Instalments per Rates Notice	4,128	6,390,231	35%
Weekly/Fortnightly Direct Debit	4,688	5,866,243	32%
Other Arrangement	156	860,995	5%
	11,714	17,679,558	96%
Pensioner Deferred Rates	211	752,007	4%
	11,925	18,431,566	100%



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2020

OPERATING ACTIVITIES
NOTE 4
RECEIVABLES

Receivables - general	Current	30 Days	60 Days	90+ Days	Total
Amounts shown below include GST (where applicable)	\$	\$	\$	\$	\$
Sundry receivable	563,260	3,444	26,416	111,749	704,870
Infringements Register	4,300	821	2,404	208,993	216,518
Rebates receivable - Rates	760,859	0	0	0	760,859
Rebates receivable - ESL	60,127	0	0	0	60,127
Total general receivables outstanding	1,388,546	4,265	28,820	320,742	1,742,373
Exclude rebates receivable	62%	0%	3%	35%	



KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for impairment of receivables is raised when there is objective evidence that they will not be collectible.


















































Sundry Debtors Outstanding Over 90 Days Exceeding \$1,000				
Debtor #	Description	Status		\$
Debts with Fines Enforcement Registry (FER)				
2442.07	Prosecution Dog Act 1976	Registered with FER.		5,278
3859.07	Prosecution Planning & Development Act	Registered with FER.		16,813
3909.07	Prosecution Local Government Act 1995	Registered with FER.		3,652
4131.07	Prosecution Dog Act 1976 Dangerous Dog	Registered with FER. Debtor is making payments to FER. City yet to receive payments due to quantum of fines outstanding.		4,654
4233.07	Prosecution Local Law Fencing	Registered with FER.		2,500
4274.07	Prosecution Dog Act 1976	Registered with FER. Regular payments being received.		5,467
4275.07	Prosecution Local Law Urban Environment Nuisance - Disrepair Vehicle	Registered with FER.		13,734
4387.07	Prosecution Dog Act 1976	Registered with FER.		10,200
4465.07	Prosecution Dog Act 1976	Registered with FER. Regular payments being received.		6,090
4467.07	Prosecution Planning & Development Act	Registered with FER. Regular payments being received.		14,865
4545.07	Prosecution Dog Act 1976	Registered with FER. Regular payments being received.		1,020
4741.07	Prosecution Dog Act 1976	Registered with FER.		5,200
				89,474
Other Sundry Debtors				
854.16	Lease & Outgoings	Reconciliation of final tenancy costs to be completed December.		2,953
3884.03	Local Government Act 1995 abandoned vehicle	Defaulted payment arrangement.		1,155
4355.03	Hazard reduction costs	Debt to be transferred onto property by end of January.		1,168
4955.03	Hazard reduction costs	Repayment arrangement in place, to be cleared by end December.		2,600
4956.03	Hazard reduction costs	Debt to be transferred onto property by end of January.		2,475
Total Debtors 90+ days > \$1,000				99,825




































Asset Ref.	Asset description	Current Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Motor Vehicles								
	Plant Replacement - P432	20,000	19,800	0	(200)	0	0	0	0
	Plant Replacement - P448	3,488	17,100	13,612	0	0	0	0	0
	Plant Replacement - P479	3,439	15,500	12,061	0	0	0	0	0
	Plant Replacement - P483 - Insurance Claim	6,386	10,800	4,414	0	13,500	13,500	0	0
	Plant Replacement - P484	10,006	18,900	8,894	0	0	0	0	0
	Plant Replacement - P485	20,848	18,900	0	(1,948)	22,273	22,273	0	0
	Plant Replacement - P487	14,999	19,800	4,801	0	22,273	22,273	0	0
	Plant Replacement - P492	7,467	22,050	14,583	0	0	0	0	0
	Plant Replacement - P493	13,279	19,800	6,521	0	0	0	0	0
	Plant Replacement - P494	14,167	20,700	6,533	0	0	0	0	0
	Plant Replacement - P511	17,824	27,000	9,176	0	32,632	32,632	0	0
	Plant Replacement - P515	12,997	18,000	5,003	0	0	0	0	0
	Plant Replacement - P551	29,260	24,300	0	(4,960)	29,678	29,678	0	0
	Plant & Equipment								
	Plant Replacement P275 - Trailer Roller	1,788	4,000	2,212	0	0	0	0	0
	Plant Replacement P499 - DECK - Toro Ride on mower	14,499	0	0	(14,499)	0	0	0	0
	Plant Replacement P500 - DECK - Toro Ride on mower	12,196	0	0	(12,196)	0	0	0	0
	Plant Replacement P531 - DECK - Toro Ride on mower	0	0	0	0	0	0	0	0
	Plant Replacement P114 - Tandem Axle Tilt Trailer	0	2,000	2,000	0	0	0	0	0
	Plant Replacement P120 - Trailer Box top - Coast care	0	700	700	0	0	0	0	0
	Plant Replacement P148 Trailer box 7x4 with water tank and Pump	0	2,000	2,000	0	0	0	0	0
	Plant Replacement P199 Trailer box 7x4 with water tank and Pump	0	2,000	2,000	0	0	0	0	0
	Plant Replacement P351 Mitsubishi Canter Tip Truck	25,600	25,000	0	(600)	0	0	0	0
	Plant Replacement P392 Mitsubishi Canter Fuso	35,500	25,000	0	(10,500)	0	0	0	0
	Plant Replacement P443 Isuzu Tip Truck 6x4	118,182	80,000	0	(38,182)	0	0	0	0
	Plant Replacement P223 Volvo Loader L70	50,000	80,000	30,000	0	0	0	0	0
	Disposal P350 - Tandem Axle Trailer	0	0	0	0	4,403	4,403	0	0
	Disposal 1TMI199 - trailer	0	0	0	0	2,199	2,199	0	0
		431,925	473,350	124,510	(83,085)	126,957	126,957	0	0
				Net Profit/(Loss)	41,425			Net Profit/(Loss)	0






























Capital acquisitions	Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Variance
	\$	\$	\$	\$	\$
Land and Buildings	5,231,570	5,463,970	1,327,630	430,315	(897,315)
Plant, Furniture and Equipment	2,344,265	2,394,310	58,714	251,852	193,138
Intangible Assets	622,809	622,809	422,857	480,944	58,087
Infrastructure - Roads	3,642,090	3,875,423	1,186,326	485,414	(700,912)
Infrastructure - Parks & Reserves	994,154	845,227	441,593	382,889	(58,704)
Infrastructure - Footpaths	191,075	336,795	187,839	98,014	(89,825)
Infrastructure - Car Parks	0	0	0	0	0
Infrastructure - Drainage	5,822,737	5,822,737	227,447	68,766	(158,681)
Infrastructure - Bus Shelters	36,630	36,630	3,330	6,221	2,891
Infrastructure - Street Lights	236,505	236,505	208,525	1,858	(206,667)
Infrastructure - Other	0	0	0	0	0
Payments for Capital Acquisitions	19,121,835	19,634,406	4,064,261	2,206,273	(1,857,988)
Right of use assets	553,030	553,030	518,969	0	(518,969)
Total Capital Acquisitions	19,674,865	20,187,436	4,583,230	2,206,273	(2,376,957)
Capital Acquisitions Funded By:					
	\$	\$	\$	\$	\$
Capital grants and contributions	3,112,697	3,608,250	914,784	577,454	(337,330)
Borrowings	0	0	0	0	0
Lease liabilities	553,030	553,030	518,969	0	(518,969)
Disposal of Assets	473,350	473,350	0	122,554	122,554
Cash Backed Reserves	8,684,361	14,714,023	1,651,731	508,409	(1,143,322)
Municipal Funds	6,298,397	285,753	978,777	997,857	19,080
Capital funding total	19,121,835	19,634,406	4,064,261	2,206,273	(1,857,988)


















SIGNIFICANT ACCOUNTING POLICIES

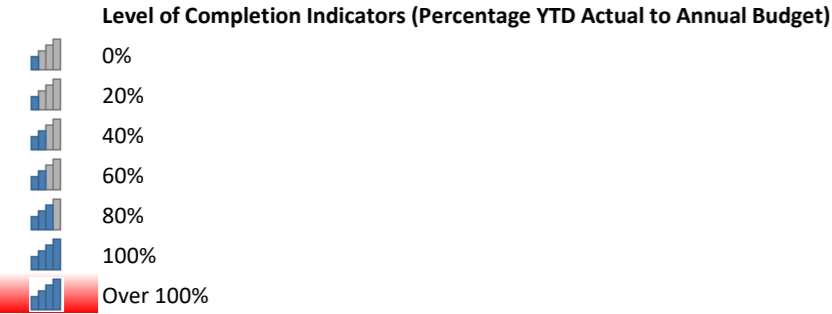
All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current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

Capital Expenditure				Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Variance	Comments
				\$	\$	\$	\$	\$	
Buildings									
	13617	Building & Parks Contingency		101,750	101,750	25,437	37,504	12,067	
	13634	Administration Building Refurbishment		40,000	40,000	20,000	15,887	(4,113)	In progress.
	13636	Animal Care Facility Refurbishment		85,470	85,470	0	0	0	In progress.
	13619	Kwinana South VBFB Station Extensions		376,000	376,000	0	183	183	Contract to be awarded.
	13620	Kwinana South VBFB Station Upgrade		30,000	62,700	0	0	0	Contract to be awarded.
	13621	Mandogalup VBFB Station Extensions		328,159	328,159	0	134,246	134,246	DFES Grant funded. Construction completed August (budgeted December).
	13622	Mandogalup VBFB Station Upgrade		25,000	25,000	0	1,600	1,600	Construction completed August.
	13849	Mandogalup VBFB - Repair storage room cracked wall		0	5,000	0	0	0	LRCI Projects.
	13616	Recquatic Front Counter - Automated Gates		90,000	90,000	0	0	0	
	13873	Recquatic - Swim School Office Relocation		0	10,400	2,664	2,664	0	
	13640	Recquatic Resurface Floor		7,875	7,875	375	375	0	To be completed by end of December.
	13641	Recquatic Spa balance tank lid and ladder		8,400	8,400	400	400	0	
	13642	Recquatic 25m backwash tank lid Replacement		7,350	350	350	350	0	
	13643	Recquatic Centre - Internal paint public areas		0	8,000	0	0	0	LRCI Projects.
	13834	Recquatic Centre - Entrance area external walls repaint		0	25,000	0	0	0	LRCI Projects.
	13835	Recquatic Centre - Grout renewal - change rooms replace damaged grout		0	25,000	0	0	0	LRCI Projects.
	13627	Darius Wells Stormwater System		27,300	27,300	1,300	1,300	0	Specification complete, quoting in progress.
	13629	Darius Wells Roof Fall Arrest System		21,000	21,000	1,000	1,000	0	Works planned for February.
	13836	Darius Wells Knowledge Centre - Roof leak repair		0	3,500	3,500	0	(3,500)	LRCI Projects.
	13630	Darius Wells Automate Disabled Toilet Doors		21,000	26,000	21,000	1,000	(20,000)	LRCI Projects. Works complete, awaiting invoices.
	13632	Darius Wells Room Conversion		9,666	9,666	9,666	0	(9,666)	To be completed by end of May 2021.
	13623	John Wellard Community Centre External Paint		6,300	6,300	300	300	0	LRCI Projects. In progress.
	13628	John Wellard Community Centre Stormwater System		22,050	17,050	1,050	12,382	11,332	Project complete, awaiting invoices.
	13838	John Wellard Community Centre - Paving stain cleaning/repaint due to vandalism		0	10,000	10,000	0	(10,000)	LRCI Projects. In progress.
	13839	John Wellard Community Centre - Wall Finishes - meeting rooms repaint		0	7,000	7,000	0	(7,000)	LRCI Projects. In progress.
	13840	John Wellard Community Centre - Wisteria room carpet replacement		0	15,000	0	0	0	LRCI Projects.
	13846	William Bertram Community Centre - External cracked walls repairs/metal fencing repaint		0	7,000	0	0	0	LRCI Projects.
	13847	William Bertram Community Centre - External walls repaint in the playground area		0	7,000	7,000	0	(7,000)	LRCI Projects.
	13848	William Bertram Community Centre - Rusted gutters restoration close to playground area		0	7,000	0	0	0	LRCI Projects.
	13850	Zone Youth Centre - Roof leak repair		0	10,000	0	0	0	LRCI Projects.
	13633	Sloans Cottage Accessibility Works		26,709	12,709	12,709	0	(12,709)	Engaging heritage architect.
	13644	Sloans Heritage (Caretaker) Cottage Accessibility Works		20,700	64,700	64,700	350	(64,350)	Engaging heritage architect.
	13624	Parmelia House Roof Renovation		47,775	15,075	15,075	15,002	(73)	Project complete. Budget savings transferred to Kwinana South VBFB Station upgrade.
	13842	Medina Oval Changerooms - Terracing/seating/accessibility		0	15,000	0	0	0	LRCI Projects.
	13626	Medina Oval Toilet Refurbishment		26,250	26,250	26,250	1,250	(25,000)	Work planned for November.
	13841	Medina Hall - Isabela Corker wing - lift, dispose, install and underlay carpet		0	4,000	0	0	0	LRCI Projects.
	13814	Medina Centre - CCTV, lighting and WIFI upgrades		0	0	0	6,958	6,958	\$10k cfwd from 2019/20.
	13631	Calista Oval Tennis Clubrooms		137,363	137,363	6,541	122,764	116,223	Project complete.
	13635	Rhodes Park Accessible Toilet Design		15,750	15,750	0	450	450	Brief in progress.
	13637	Challenger Beach Ablutions Structural Renewal		10,500	10,500	10,500	500	(10,000)	Assessment in progress.
	13618	DCA 9 Local Sportsground Clubroom Honeywood Primary School Oval		3,718,203	3,718,203	1,052,813	72,850	(979,963)	Project on hold during community engagement process.
	13639	Wandi Resource Centre Asbestos Removal Program		15,750	15,750	15,750	750	(15,000)	Quotes received.
	13837	Goldney Velodrome BMX Track Kiosk & Ablution - External wall repaint/paving restoration		0	12,000	0	0	0	LRCI Projects.
	13843	Thomas Oval Electrical Compound - External walls cleaning/renewal and painting		0	4,500	0	0	0	LRCI Projects.
	13844	Wellard Pavilion - External wall finishes.		0	10,000	0	0	0	LRCI Projects.
	13845	Wells Park public toilet - External brick wall and paving cleaning/repaint		0	10,000	0	0	0	LRCI Projects.
	13638	18 Maydwell Way Asbestos Removal Program		5,250	5,250	5,250	250	(5,000)	Quotes received.
	13856	18 Maydwell Way - Window screen renewal		0	7,000	7,000	0	(7,000)	Quotes received.
	13855	Magenup Equestrian Centre - Stable renovation		0	7,000	0	0	0	Budget reallocated from Sloans Cottage.
Buildings Total				5,231,570	5,463,970	1,327,630	430,315	(897,314)	

Capital Expenditure			Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Variance	Comments
			\$	\$	\$	\$	\$	
Plant, Furniture and Equipment								
Furniture and Equipment								
	13660	Library - self returns shelves	12,355	12,355	12,355	0	(12,355)	
	13661	Library - self check out touchscreen computer & workstation	7,000	7,000	0	7,046	7,046	Purchase complete.
	13662	Library - self check out stations for Community Centres	25,438	25,438	0	0	0	
	13825	Replacement of Mayoral Chains	0	10,540	0	0	0	Carried forward from 2019/20.
	13900	Folding/insertion machine with software for Rates	0	17,505	0	0	0	
Computing Equipment								
	13646	City Website Redevelopment Stage 3 of 3	122,860	122,860	25,434	29,709	4,275	In progress.
	13647	Computing Equipment as required	25,438	25,438	6,359	0	(6,359)	
	13648	Corporate Business System Implementation	1,519,953	1,519,953	397,423	451,235	53,812	In progress.
Plant and Equipment								
	13606	Plant Replacement P275 Trailer Roller	23,500	23,500	0	0	0	
	13663	Plant Replacement P499 DECK - Toro Ride on mower	5,500	5,500	0	0	0	
	13664	Plant Replacement P500 DECK - Toro Ride on mower	5,500	5,500	0	0	0	
	13665	Plant Replacement P531 DECK - Toro Ride on mower	5,500	5,500	0	0	0	
	13666	Plant Replacement P114 Tandem Axle Tilt Trailer	15,000	15,000	0	0	0	
	13667	Plant Replacement P120 Trailer Box top - Coastcare	3,500	3,500	0	0	0	
	13668	Plant Replacement P148 Trailer box 7x4 with water tank and Pump	10,500	10,500	0	9,200	9,200	Purchase complete.
	13669	Plant Replacement P199 Trailer box 7x4 with water tank and pump	10,500	10,500	0	0	0	
	13670	Plant Replacement P351 Mitsubishi Canter Tip Truck	135,000	135,000	0	0	0	
	13671	Plant Replacement P392 Mitsubishi Canter Fuso	95,000	95,000	0	0	0	
	13672	Plant Replacement P443 Isuzu Tip Truck 6x4	150,000	150,000	0	0	0	
	13673	Plant Replacement P223 Volvo Loader L70	260,000	260,000	0	0	0	
	13674	Traffic Management - Traffic Equipment	26,530	26,530	0	22,491	22,491	Signs arrived August.
	13833	Recquatic Pool Upgrades	0	32,000	7,000	0	(7,000)	
Motor Vehicles								
	13886	Plant Replacement P551	43,000	33,000	33,000	0	(33,000)	Change in replacement vehicle purpose - reduced cost.
	13686	Plant Replacement P483	27,500	27,500	0	25,978	25,978	Purchase complete.
	13693	Plant Replacement P511	43,000	43,000	0	42,629	42,629	Purchase complete.
	13696	Plant Replacement P515	35,000	35,000	0	34,826	34,826	Purchase complete.
	13697	Plant Replacement P492	27,500	27,500	0	27,069	27,069	Purchase complete.
	13694	Plant Replacement P448	42,000	42,000	0	0	0	
	13687	Plant Replacement P479	40,000	40,000	0	0	0	
	13688	Plant Replacement P484	45,000	45,000	0	0	0	
	13695	Plant Replacement P485	40,000	40,000	0	39,971	39,971	Purchase complete.
	13685	Plant Replacement P487	40,000	40,000	0	42,641	42,641	Purchase complete.
	13689	Plant Replacement P493	40,000	40,000	0	0	0	
	13690	Plant Replacement P494	40,000	40,000	0	0	0	
	13691	Plant Replacement P432	45,000	45,000	0	0	0	
Plant , Furniture and Equipment Total			2,967,074	3,017,119	481,571	732,796	251,225	

Capital Expenditure			Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Variance	Comments
			\$	\$	\$	\$	\$	
Park and Reserves								
	13675	KIA Street Tree Planting Program	76,313	76,313	3,634	3,634	0	Design completed.
	13676	Kwinana Loop Trail	10,000	10,000	10,000	10,608	608	Carried forward from 2019/20. Project complete.
	13677	Thomas Oval Lighting	413,361	278,754	278,754	260,298	(18,456)	Construction complete, awaiting programming.
	13678	Bertram Street Tree Planting Program	111,925	111,925	5,330	5,330	0	Design complete.
	13679	Parks for People Strategy Ascot Park	145,000	1,320	1,320	1,320	0	Design endorsed by Community, project on hold to July 2021.
	13680	Parks for People Strategy Peace Park	10,000	10,000	10,000	1,200	(8,800)	In progress.
	13888	Parks for People Strategy Gemstone Park	0	129,360	0	0	0	Tree assessment in progress.
	13682	POS / Parks & Reserves Renewals Bores, Fencing, Irrigation	227,555	227,555	132,555	100,499	(32,056)	
Parks and Reserves Total			994,154	845,227	441,593	382,889	(58,704)	
Roads								
Urban Road Grant Construction								
	13704	Wellard Road Duplication Project MRRG / DCA Funded	282,905	282,905	0	4,562	4,562	Design and drafting in progress. Landscaping to be completed December.
	13705	Road Reseal Renewals MRRG Ocean Street	345,200	345,200	345,200	112,144	(233,056)	Project near completion, awaiting line marking.
	13706	Road Reseal Renewals MRRG Mandurah Road SB1	188,300	188,300	188,300	134,443	(53,857)	Project completed, awaiting line marking.
	13710	Road Reseal Renewals MRRG Mandurah Road NB 2	64,800	64,800	5,891	57,360	51,469	Project completed, awaiting line marking.
	13707	Road Reseal Renewals MRRG Cockburn Road NB	46,400	46,400	4,218	46,224	42,006	Project completed, awaiting line marking.
	13709	Road Reseal Renewals MRRG Leath Road 1	99,300	99,300	9,027	9,027	0	In progress.
	13711	Road Reseal Renewals MRRG Leath Road 2	49,700	49,700	4,518	4,518	0	In progress.
	13708	Road Reseal Renewals MRRG Leath Road 3	395,300	395,300	35,936	35,936	0	In progress.
	13712	Road Reseal Renewals MRRG Mason Rd	211,701	211,701	19,246	20,934	1,688	In progress.
Black Spot Grant Construction								
	13703	Gilmore Avenue Pedestrian Crossing	262,073	262,073	262,073	2,194	(259,879)	Power connection planned for December.
	13887	Meares Road Challenger Avenue roundabout pre-deflection treatment	0	110,000	0	0	0	
Roads to Recovery Grant Construction								
	13700	Road Reseal Renewals RTR Pace Road	275,000	275,000	275,000	25,000	(250,000)	
	13701	Road Reseal Renewals RTR Orton Road	174,000	174,000	15,818	15,818	0	
	13702	Road Reseal Renewals RTR Milton Place	77,000	77,000	7,000	7,000	0	
DCA Funded Construction								
	13713	DCA 5 - Lyon Road - Cassowary to Kenby	437,250	437,250	0	0	0	
	13714	DCA 2 Millar Road Chg 470 to 577. Developer to complete	293,983	293,983	0	0	0	
	13715	DCA 2 Sunrise Boulevard Internal Collector Road (b) Lot 59 (Developer to complete)	351,079	351,079	0	0	0	
LRCI Projects								
	13853	Stefanelli Close - Road Resurfacing	0	75,000	0	0	0	LRCI Projects.
	13854	Wandi Drive - Road Resurfacing	0	85,000	0	0	0	LRCI Projects.
Municipal Road Construction								
	13698	Traffic Management - Breccia Parade speed calming	6,699	6,699	6,699	0	(6,699)	
	13699	General Traffic Management - Traffic calming	81,400	44,733	7,400	10,252	2,852	
Roads Total			3,642,090	3,875,423	1,186,326	485,414	(700,912)	

Capital Expenditure		Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Variance	Comments
		\$	\$	\$	\$	\$	
Street Lighting							
	13683 Street Lighting - New - Leath Road	208,525	208,525	208,525	500	(208,025)	Installation in December.
	13684 Street Lighting Upgrade reactive work street light requests	27,980	27,980	0	1,358	1,358	
Street Lighting Total		236,505	236,505	208,525	1,858	(206,667)	
Bus Shelter Construction							
	13645 Bus Shelter Upgrades	36,630	36,630	3,330	6,221	2,891	Civil works completed.
Bus Shelter Construction Total		36,630	36,630	3,330	6,221	2,891	
Footpath Construction							
	13657 Footpath Renewals	50,875	50,875	12,719	35,350	22,631	
	13658 Gilmore Avenue Shared Path Stage 1 Design (Perth Bicycle Network LG Grants Program)	81,400	81,400	0	14,500	14,500	Design in progress.
	13659 Parmelia Avenue Shared Path Stage 1 Design (Perth Bicycle Network LG Grants Program)	58,800	58,800	29,400	13,400	(16,000)	Design in progress.
	13821 Breccia Parade footpath	0	0	0	970	970	Carried forward from 2019/20. Project complete.
	13851 Barwell Road - Construction of 1.5m wide concrete footpath	0	30,720	30,720	33,794	3,074	LRCI Funding. Project complete.
	13852 Bilya Gardens - Construction of 2m wide concrete footpath	0	115,000	115,000	0	(115,000)	LRCI Funding. Construction in progress.
Footpath Construction Total		191,075	336,795	187,839	98,014	(89,825)	
Drainage Construction							
	13651 Drainage - DCA 2 Peel Sub N Drain - Lot 64 Woolcoot Road & Lot 379	1,093,205	1,093,205	0	3,887	3,887	Carried forward from 2019/20.
	13652 Drainage - DCA 2 - Peel Sub N1 Drain - Lot 378 & 90	334,000	334,000	0	0	0	Completed last year.
	13653 DCA1 Stormwater Management Infrastructure	572,473	572,473	0	8,670	8,670	Design work awarded.
	13654 DCA 3 Peel Sub P1 Drain Casuarina	1,164,627	1,164,627	0	0	0	
	13655 DCA 3 Peel Sub P1A Drain Casuarina	1,098,363	1,098,363	0	0	0	
	13656 DCA 3 Peel Sub P Drain Anketell South & Casuarina	1,186,647	1,186,647	0	0	0	
	13649 Drainage New Ocean Street	212,850	212,850	212,850	41,612	(171,238)	In progress.
	13650 Drainage New Pace Road	160,572	160,572	14,597	14,597	0	
Drainage Construction Total		5,822,737	5,822,737	227,447	68,766	(158,681)	
Capital Expenditure Total		19,121,835	19,634,406	4,064,261	2,206,273	(1,857,987)	



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2020

FINANCING ACTIVITIES
NOTE 7
BORROWINGS

Repayments - borrowings

Information on borrowings

Particulars	Finalisation of Loan	1 July 2020	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Current Budget	Actual	Current Budget	Actual	Current Budget	Actual	Current Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Governance										
Loan 99 - Administration Building Renovations	2024/25	576,328	0	0	49,985	101,532	526,343.10	474,796	18,010	38,476
WATC Short Term Lending Facility	TBA	0	0	5,000,000	0	5,000,000	0	0	0	11,371
Education and welfare										
Loan 96 - Youth Specific Space	2022/23	95,162	0	0	14,432	29,407	80,730.36	65,755	3,583	7,290
Loan 100 - Youth Specific Space	2027/28	1,270,494	0	0	66,407	134,365	1,204,086.25	1,136,129	29,666	66,272
Recreation and culture										
Loan 94 - Wellard Sports Pavilion	2021/22	108,836	0	0	25,941	52,709	82,894.56	56,127	3,472	6,728
Loan 95 - Orelia Oval Pavilion	2022/23	228,389	0	0	34,636	70,576	193,753.01	157,813	8,599	17,497
Loan 97 - Orelia Oval Pavilion Extension	2024/25	1,275,247	0	0	110,602	224,660	1,164,645.24	1,050,587	39,851	85,135
Loan 102 - Library & Resource Centre	2028/29	6,820,176	0	0	310,973	629,005	6,509,203.29	6,191,171	154,818	347,778
Loan 104 - Recquatic Refurbishment	2029/30	3,350,000	0	0	137,532	277,849	3,212,467.89	3,072,151	67,838	155,846
Loan 105 - Bertram Community Centre	2029/30	1,269,272	0	0	55,809	112,530	1,213,462.69	1,156,742	20,400	48,147
Loan 106 - Destination Park - Calista	2030/31	1,321,267	0	0	50,747	102,291	1,270,519.47	1,218,976	20,744	49,749
Transport										
Loan 98 - Streetscape Beautification	2024/25	778,043	0	0	67,479	137,066	710,563.32	640,977	24,314	51,943
Loan 101 - City Centre Redevelopment	2021/22*	2,500,000	0	0	0	0	2,500,000	2,500,000	30,875	79,250
B/Fwd Balance		19,593,213	0	5,000,000	924,543	6,871,990	18,668,669	17,721,223	422,169	965,482
Self supporting loans										
Recreation and culture										
Loan 103B - Golf Club Refurbishment	2031/32	249,972	0	0	8,563	17,269	241,409.13	232,703	4,150	9,869
		249,972	0	0	8,563	17,269	241,409	232,703	4,150	9,869
**Share of SMRC Loan		425,520	0	0	0	0	425,520.00	425,520	0	0
Total		20,268,705	0	5,000,000	933,107	6,889,259	19,335,598	18,379,446	426,319	975,351
Current borrowings		6,889,259					2,314,779.30			
Non-current borrowings		13,379,446					17,020,819.01			
		20,268,705					19,335,598			

*City Centre Redevelopment loan expected to be refinanced upon maturity in 2021/22, as the City awaits reimbursement from the State Government.
** Current portion of borrowings includes \$425,520, which represents the City's share of the Southern Metropolitan Regional Council (SMRC) Administration Building loan with the WATC.

KEY INFORMATION

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

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2020**

OPERATING ACTIVITIES

NOTE 9

CASH RESERVES

Cash backed reserve

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual Closing Balance
Municipal Reserves	\$	\$	\$	\$	\$	\$	\$	\$	\$
Aged Persons Units Reserve	741,044	9,404	724	195,678	0	(190,000)	0	756,126	741,768
Asset Management Reserve	5,163,247	151,936	19,622	0	0	(2,036,739)	(127,385)	3,278,444	5,055,484
Banksia Park Reserve	23,997	996	34	175,000	0	(246,050)	0	(46,057)	24,031
City Infrastructure Reserve	995,255	11,700	940	0	0	0	0	1,006,955	996,195
Community Services & Emergency Relief Reserve	340,995	4,084	2,212	0	0	(250,000)	0	95,079	343,207
Contiguous Local Authorities Group Reserve	265,918	3,156	533	21,504	0	(29,508)	0	261,070	266,451
Employee Leave Reserve	2,488,383	0	0	0	0	0	0	2,488,383	2,488,383
Employee Vacancy Reserve	500,233	6,000	751	0	0	0	0	506,233	500,984
Family Day Care Reserve	1,229,903	13,872	1,202	0	0	(46,706)	0	1,197,069	1,231,104
Golf Course Cottage Reserve	29,396	352	44	0	0	0	0	29,748	29,440
Golf Club Maintenance Reserve	8,846	108	13	5,004	0	(5,004)	0	8,954	8,859
Information Technology Reserve	2,597,169	34,760	1,964	0	0	(2,153,806)	(498,831)	478,123	2,100,301
Plant and Equipment Replacement Reserve	430,899	5,076	654	355,350	0	(744,150)	(61,215)	47,175	370,338
Public Arts Reserve	0	0	0	29,900	29,900	0	0	29,900	29,900
Refuse Reserve	5,644,888	0	0	3,000,000	0	(3,479,515)	0	5,165,373	5,644,888
Renewable Energy Efficiency Reserve	34,172	412	32	2,035	0	(2,035)	0	34,584	34,204
Restricted Grants & Contributions Reserve	2,187,985	0	0	0	0	(822,357)	(378,308)	1,365,628	1,809,677
Settlement Agreement Reserve	167,771	2,012	358	0	0	0	0	169,783	168,129
Workers Compensation Reserve	143,928	1,728	307	0	0	0	0	145,656	144,235
Sub-Total Municipal Reserves	22,994,028	245,596	29,389	3,784,471	29,900	(10,005,870)	(1,065,738)	17,018,225	21,987,579
Developer Contribution Reserves									
DCA 1 - Hard Infrastructure - Bertram	599,722	7,504	828	250,000	329,250	(713,153)	0	144,073	929,800
DCA 2 - Hard Infrastructure - Wellard	1,988,294	29,704	3,255	0	0	(2,117,556)	0	(99,558)	1,991,549
DCA 3 - Hard Infrastructure - Casuarina	0	0	0	3,499,637	0	(3,472,686)	0	26,951	0
DCA 4 - Hard Infrastructure - Anketell	521,489	6,484	1,412	0	53,024	(23,049)	0	504,924	575,926
DCA 5 - Hard Infrastructure - Wandi	427,218	5,312	1,169	20,000	27,881	(460,299)	0	(7,769)	456,267
DCA 6 - Hard Infrastructure - Mandogalup	274,056	4,776	524	0	0	(23,049)	0	255,783	274,579
DCA 7 - Hard Infrastructure - Wellard West	18,172	220	47	50,000	13,394	(23,049)	0	45,343	31,613
DCA 8 - Soft Infrastructure - Mandogalup	450,501	5,732	1,248	0	232,443	(24,120)	0	432,113	684,193
DCA 9 - Soft Infrastructure - Wandi/Anketell	11,941,274	142,840	31,270	0	0	(3,342,323)	0	8,741,791	11,972,544
DCA 10 - Soft Infrastructure - Casuarina/Anketell	204,182	2,700	599	0	0	(24,120)	0	182,762	204,782
DCA 11 - Soft Infrastructure - Wellard East	6,152,977	74,084	8,125	0	0	(24,120)	0	6,202,941	6,161,101
DCA 12 - Soft Infrastructure - Wellard West	8,468,096	101,872	11,170	0	172,217	(24,120)	0	8,545,848	8,651,483
DCA 13 - Soft Infrastructure - Bertram	263,326	3,408	754	0	0	(24,120)	0	242,614	264,079
DCA 14 - Soft Infrastructure - Wellard/Leda	706,921	8,104	1,922	0	8,813	(24,120)	0	690,905	717,656
DCA 15 - Soft Infrastructure - City Site	239,431	3,080	688	0	18,122	(24,120)	0	218,391	258,241
Sub-Total Developer Contribution Reserves	32,255,658	395,820	63,011	3,819,637	855,144	(10,344,004)	0	26,127,111	33,173,814
Total Reserves	55,249,686	641,416	92,400	7,604,108	885,044	(20,349,874)	(1,065,738)	43,145,336	55,161,393

Provider	Unspent operating grant, subsidies and contributions liability				Operating grants, subsidies and contributions revenue					Comments
	Opening Liability 1 July 2020	Increase in Liability	Liability Reduction (As revenue)	Liability 30 Nov 2020	Adopted Budget Receivable	Current Budget Receivable	Current Budget Revenue	Budget YTD Revenue	Actual YTD Revenue	
Operating grants, subsidies and contributions	\$	\$	\$	\$	\$	\$	\$		\$	
General purpose funding										
Local Government General Purpose Grant					314,584	314,584	314,584	157,292	251,596	Qtr 1 instalment received, higher than budgeted.
Local Government General Purpose Grant - Roads					270,000	270,000	270,000	135,000	196,132	Qtr 1 instalment received, higher than budgeted.
Non Rateable Property - Dampier to Bunbury Natural Gas Pipeline Corridor					175,570	175,570	175,570	0	0	
Law, order, public safety										
Department Fire and Emergency Services - ESL	47,043	47,043	(94,086)	0	181,180	188,172	188,172	92,338	94,086	\$47,043 First instalment of 2021 grant received early in June 20.
Department Fire and Emergency Services - RCTI ESG 1819	0	28,646	(28,646)	0	0	0	0	0	28,646	DFES Operating Grant from FY19 received July.
Western Australian Local Government (WALGA)	0	2,000	(2,000)	0	0	0	0	0	2,000	Review & development of plan for animal welfare in emergencies.
Mitigation Activity Fund Grant 20/21 Round 2	0	7,626	(7,626)	0	0	15,251	15,251	7,625	7,626	
Health										
Mosquito Management Contributions (CLAG)	0	25,201	(25,201)	0	21,504	21,504	21,504	8,960	25,201	
Department of Health - Larvicide	0	1,839	(1,839)	0	2,000	2,000	2,000	2,000	1,839	
Education and welfare										
Banksia Park Operating Cost Contribution	0	144,300	(144,300)	0	346,320	346,320	346,320	144,300	144,300	
Family Daycare - Mainstream Childcare Benefit Subsidy					3,436,608	3,436,608	3,436,608	1,431,920	1,083,185	
Family Daycare - Subsidy Other					46,476	46,476	46,476	19,365	200,285	
Family Daycare - Inclusion Subsidy Scheme					5,160	5,160	5,160	2,150	0	
In-Home Care - CCB Subsidy					900,000	900,000	900,000	375,000	393,675	
In-Home Care - Subsidy - Department of Communities					10,320	10,320	10,320	4,300	34,277	
Family Day Care Sustainability Grant	80,904	31,180	(31,180)	80,904	62,360	62,360	62,360	31,180	31,180	
NGALA My Time Program	0	5,280	(5,280)	0	10,560	10,560	10,560	5,280	5,280	
Operational Subsidy - Aboriginal Resource Worker					31,500	31,500	31,500	15,257	15,257	
Library Contributions and Donations					0	0	0	0	64	
Youth Social Justice Program	0	89,380	(89,380)	0	174,000	174,000	174,000	87,000	89,380	
Youth Leadership and Development LYRIK	0	0	0	0	30,000	30,000	30,000	20,000	0	
Youth Intervention Program	0	0	0	0	20,000	20,000	20,000	20,000	0	
Youth Spaces Activation	0	0	0	0	5,000	5,000	5,000	5,000	0	
Community amenities										
PTA Bus Shelter Subsidy					7,000	7,000	7,000	0	0	
SMCC - KIC Coastcare in the KIA					12,518	12,518	12,518	0	0	
SMCC - BP Coastcare					10,000	10,000	10,000	0	0	
SMCC - Perth Region NRM Kleenheat Project					0	0	0	0	0	
SMCC - Tronox Adopt a Beach					5,000	5,000	5,000	0	0	
SMCC - Suez/ProAlliance Adopt a Beach					5,000	5,000	5,000	0	0	
Greening fund	62,853	0	0	62,853	62,852	62,852	62,852	0	0	\$100k Grant received in 2018. 3year funding to 2021.
Bin Tagging Funding	0	0	0	0	12,000	12,000	12,000	0	0	
Sustainability Workshops	0	0	0	0	7,000	7,000	7,000	0	0	
Grow it Local	0	0	0	0	19,000	19,000	19,000	0	0	
Recreation and culture										
Shared Use Agreements	0	74,134	(74,134)	0	100,911	100,911	100,911	58,511	74,134	
Stay on Your Feet Program - Injury Matters	3,230	0	0	3,230	3,230	3,230	3,230	0	0	
Australia Day branding grant	0	1,000	(1,000)	0	0	0	0	0	1,000	
Good Things Foundation Grant - Get Online Week	0	1,000	(1,000)	0	0	1,000	1,000	1,000	1,000	
Transport										
Main Roads Annual Direct Grant					190,000	190,000	190,000	190,000	191,745	
Main Roads Street Light Subsidy					6,000	6,000	6,000	0	0	
Main Roads Maintenance Contribution					134,000	134,000	134,000	0	0	
TOTALS	194,030	458,629	(505,672)	146,987	6,617,653	6,640,896	6,640,896	2,813,478	2,871,888	

Provider	Unspent non operating grants, subsidies and contributions liability				Non operating grants, subsidies and contributions revenue						Comments
	Liability 1 July 2020	Increase in Liability	Liability Reduction (As revenue)	Liability 30 Nov 2020	Adopted Budget Receivable	Current Budget Receivable	Adopted Budget Revenue	Current Budget Revenue	Budget YTD Revenue	Actual YTD Revenue	
	\$	\$	\$	\$	\$	\$		\$		\$	
Non-operating grants, subsidies and contributions											
Law, order, public safety											
Department Premier & Cabinet - Kwinana South extensions	30,000	0	0	30,000	431,000	431,000	431,000	431,000	0	0	
Department Premier & Cabinet - Mandogalup extensions	13,151	0	(13,151)	0	328,159	328,159	328,159	328,159	0	13,151	Final recognition of Grant received FY19. Project complete.
Department Fire and Emergency Services - Mandogalup Ablutions	20,894	89,930	(110,824)	0	0	0	0	0	0	110,824	Final 25% claim received October. Project complete.
Recreation and culture											
Medina Oval Extension/Upgrade - Changeroom Development	0	0	0	0	400,000	400,000	400,000	400,000	0	0	
Department of Infrastructure - Thomas Oval Lighting	0	0	0	0	150,000	37,500	150,000	37,500	0	0	
Department of Education - McWhirter Promenade and Johnson Road landscaping	55,663	0	0	55,663	0	0	0	0	0	0	
Department of Education - Breccia Parade Footpath	2,547	0	(2,547)	0	0	0	0	0	0	2,547	
Local Roads and Community Infrastructure Program	0	0	0	0	0	229,000	0	229,000	0	0	
Lotterywest - Kwinana Loop Trail	0	38,000	(38,000)	0	0	0	0	0	0	38,000	Related to FY20 project.
Transport											
Roads to Recovery - Pace Road Re-seal	0	0	0	0	275,000	275,000	275,000	275,000	275,000	0	
Roads to Recovery - Orton Road Re-seal	0	0	0	0	174,000	174,000	174,000	174,000	0	0	
Roads to Recovery - Milton Place Re-seal	0	0	0	0	48,903	48,903	48,903	48,903	0	0	
State Road Grant - Wellard Road Duplication Project	0	0	0	0	142,997	142,997	142,997	142,997	0	0	
State Road Grant - Road Reseal - Ocean Street	0	90,976	(90,976)	0	230,133	230,133	230,133	230,133	184,106	90,976	
State Road Grant - Road Reseal - Cockburn Road NB	0	11,739	(11,739)	0	30,933	30,933	30,933	30,933	12,373	11,739	
State Road Grant - Road Reseal - Leath Road 1	0	26,480	(26,480)	0	66,200	66,200	66,200	66,200	26,480	26,480	
State Road Grant - Road Reseal - Leath Road 2	0	12,664	(12,664)	0	33,133	33,133	33,133	33,133	13,253	12,664	
State Road Grant - Road Reseal - Leath Road 3	0	104,604	(104,604)	0	263,533	263,533	263,533	263,533	105,413	104,604	
State Road Grant - Road Reseal - Mandurah Road SB1	0	49,460	(49,460)	0	125,533	125,533	125,533	125,533	100,426	49,460	
State Road Grant - Road Reseal - Mandurah Road NB 2	0	16,673	(16,673)	0	43,200	43,200	43,200	43,200	17,280	16,673	
State Road Grant - Road Reseal - Mason Rd	0	55,376	(55,376)	0	141,133	141,133	141,133	141,133	56,453	55,376	
Black Spot - Gilmore Avenue Pedestrian Crossing	30,940	0	(30,940)	0	158,740	158,740	158,740	158,740	124,000	30,940	
Black Spot - Meares Road - roundabout deflection treatment	0	0	0	0	0	73,333	0	73,333	0	0	
Perth Bicycle Network LG Grant - Gilmore Avenue Shared Path Stage 1 Design	0	8,140	(8,140)	0	40,700	40,700	40,700	40,700	0	8,140	
Perth Bicycle Network LG Grant - Parmelia Avenue Shared Path Stage 1 Design	0	5,880	(5,880)	0	29,400	29,400	29,400	29,400	0	5,880	
Local Roads and Community Infrastructure Program	0	267,360	0	267,360	0	305,720	0	305,720	0	0	
Economic services											
Medina CCTV Grant	10,007	0	0	10,007	0	0	0	0	0	0	
Community amenities											
DCA 1 - Hard Infrastructure - Bertram	0	660,537	0	660,537	257,504	257,504	713,153	713,153	0	0	
DCA 2 - Hard Infrastructure - Wellard	1,704,451	16,847	0	1,721,297	29,704	29,704	2,095,316	2,095,316	0	0	
DCA 3 - Hard Infrastructure - Casuarina	0	0	0	0	3,499,637	3,499,637	3,472,686	3,472,686	0	0	
DCA 4 - Hard Infrastructure - Anketell	514,192	53,024	0	567,216	6,484	6,484	23,049	23,049	0	0	
DCA 5 - Hard Infrastructure - Wandi	54,070	561,924	0	615,994	25,312	25,312	460,299	460,299	0	0	
DCA 6 - Hard Infrastructure - Mandogalup	272,392	297,311	0	569,703	4,776	4,776	23,049	23,049	0	0	
DCA 7 - Hard Infrastructure - Mandogalup (west)	17,272	31,989	0	49,262	50,220	50,220	23,049	23,049	0	0	Developer Contributions are estimated at budget, but actual receipts rely on the timing of subdivisions.
DCA 8 - Soft Infrastructure - Mandogalup	444,048	859,335	0	1,303,383	5,732	5,732	24,120	24,120	0	0	Revenue is recognised upon meeting performance obligations (in-line with expenditure on DCA infrastructure).
DCA 9 - Soft Infrastructure - Wandi / Anketell	10,010,005	696,383	0	10,706,387	142,840	142,840	3,342,323	3,342,323	0	0	
DCA 10 - Soft Infrastructure - Casuarina/Anketell	194,800	0	0	194,800	2,700	2,700	24,120	24,120	0	0	
DCA 11 - Soft Infrastructure - Wellard East	5,415,345	307,660	0	5,723,005	74,084	74,084	24,120	24,120	0	0	
DCA 12 - Soft Infrastructure - Wellard West	7,274,182	988,378	0	8,262,560	101,872	101,872	24,120	24,120	0	0	
DCA 13 - Soft Infrastructure - Bertram	170,063	0	0	170,063	3,408	3,408	24,120	24,120	0	0	
DCA 14 - Soft Infrastructure - Wellard / Leda	547,758	69,729	0	617,486	8,104	8,104	24,120	24,120	0	0	
DCA 15 - Soft Infrastructure - Townsite	259,842	12,645	0	272,487	3,080	3,080	24,120	24,120	0	0	
TOTALS	27,041,620.93	5,333,043	(577,454)	31,797,210.03	7,328,154	7,823,707	13,434,461	13,930,014	914,784	577,454	

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2020**

**NOTE 12
TRUST FUND**

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

Description	Opening Balance 1 July 2020	Amount Received	Amount Paid	Closing Balance 30 Nov 2020
	\$	\$	\$	\$
APU Security Bonds	17,934	2,500	0	20,434
Contiguous Local Authorities Group (CLAG)	3,594	1,383	0	4,977
Public Open Space Cash In Lieu	283,848	0	0	283,848
	305,376	3,883	0	309,259

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2020**

**NOTE 13
BUDGET VARIATIONS**

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

Date	Description	Increase / (Decrease) to Net Surplus	Amended Budget Running Balance
		\$	\$
24/06/2020	Annual Budget adoption	0	0
12/08/2020	Non-Operating Grants & Contributions - Local Roads and Community Infrastructure Program	534,720	
	Capital projects expenditure- Buildings	(229,000)	
	Capital projects expenditure - Footpaths	(145,720)	
	Capital projects expenditure - Roads	(160,000)	0
26/08/2020	Opening Surplus Adjustment	25,000	
	Capital project expenditure - Plant & Equipment - Recquatic upgrades	(25,000)	
	Opening Surplus Adjustment	3,540	
	Transfer from Reserve - Restricted Grants and Contributions Reserve	7,000	
	Capital project expenditure - Furniture & Equipment - Mayoral Chains	(10,540)	0
9/09/2020	Reallocation of budgets between Capital building projects as did not meet LRCI criteria		
	W13856 - Maydwell Way - Window screens renewal	7,000	
	W13855 - Magenup Equestrian Centre - Stable renovation	7,000	
	W13633 - Sloans Cottage Accessibility Works	(14,000)	0
	Allocation of FESA ESL Grant received		
	FESA ESL Grant - Govt Grant State	6,992	
	FESA ESL - Kwinana South Vehicle Expenses	(1,320)	
	FESA ESL - Mandogalup Vehicle Expenses	(1,321)	
	FESA ESL - Kwinana South Plant & Equipment Purchases	(1,422)	
	FESA ESL - Mandogalup Plant & Equipment Purchases	(2,929)	0
20/09/2020	Transfer of Insurance proceeds from stolen statue to Public Arts Reserve.		
	Insurance Proceeds	29,900	
	Transfer to Public Arts Reserve	(29,900)	0
	Reallocation of capital funding.		
	W13833 - Pool upgrades to align with new chlorine gas standard.	(7,000)	
	W13642 - Backwash tank no longer required	7,000	
	Transfer from Reserve Asset Mgmt Reserve - to W13833 Pool Upgrades	7,000	
	Transfer from Reserve Asset Mgmt Reserve - to W13642 25m backwash tank lid	(7,000)	
	W13630 - Darius Wells Automated Disabled toilet doors - additional expenditure	(5,000)	
	W13628 - John Wellard CC Stormwater system	5,000	
	Transfer from Asset Management Reserve - W13630 Darius Wells Automated Doors	5,000	
	Transfer from Asset Management Reserve - W13628 John Wellard Community Centre Stormwater System	(5,000)	0
14/10/2020	Reallocation of capital funding to Kwinana South VBFB Station.		
	W13624 - Transfer from Asset Management Reserve (savings in Parmelia House roof renovation)	32,700	
	W13620 - Transfer from Asset Management Reserve to Kwinana South VBFB Station upgrade	(32,700)	
	W13624 - Capital Expenditure - savings in Parmelia House roof renovation	(32,700)	
	W13620 - Capital Expenditure- Kwinana South VBFB Station upgrade.	32,700	
	Site works construction costs not allowed for under DFES funding.		0
28/10/2020	Reallocation of fleet vehicle replacement Plant 551.		
	W13692/W13886 - Capital Expense - Plant and equipment	(10,000)	
	W13692/W13886 - Reserve Transfer - Plant and Equipment Replacement Reserve	10,000	0
	Playground remediation work for Gemstone Park - reallocation of Parks for People Strategy funding.		
	Capital Expense - Parks for People Strategy - Gemstone Park	(129,360)	
	Capital Expense - Parks for People Strategy - Ascot Park	143,680	
	Transfer from Asset Management Reserve	(14,320)	0

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2020**

**NOTE 13
BUDGET VARIATIONS**

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

Date	Description	Increase / (Decrease) to Net Surplus	Amended Budget Running Balance
		\$	\$
28/10/2020	Main Roads Black Spot funding (2/3) to construct pre-deflection treatment at Meares Avenue.		
	Capital Expense - Meares Avenue - Challenger Avenue roundabout pre deflection treatment	(110,000)	
	W13699 - Traffic Management - Traffic Calming	36,667	
	W13699 Transfer from Asset Management Reserve	(36,667)	
	W13887 Transfer from Asset Management Reserve	36,667	
	Capital Revenue - Grant - Black Spot Grant Funding	73,333	0
	In-house delivery of Age Friendly Strategy.		
	Operating expense - City Engagement Admin - Salaries	(75,000)	
	Operating expense - City Executive - Consultancy	75,000	0
	Thomas Oval Lighting carried forward from 2019/2020.		
	Capital Expense - Reserve Development - Sport - Thomas Oval Lighting	134,607	
	Capital Revenue - Grant - Department of Sport and Recreation	(112,500)	
	Reserve transfer - Restricted Grants and Contributions - Thomas Oval Lighting	(54,613)	
	Opening Surplus	32,506	0
	Maintenance of Wellard sub drain for 21months following handover per Development Contribution Plan.		
	Operating expense - Drainage maintenance - Wellard	(22,240)	
	Reserve transfer - DCA 2 Reserve	22,240	0
12/11/2020	Good Things Foundation Grant		
	Operating Grant Revenue	1,000	
	Operating expense - Special Events	(1,000)	0
	Recquatic Café Splash opening		
	Revenue - Café Income	44,058	
	Operating Expenditure (employee expenses, materials and contracts)	(44,058)	0
25/11/2020	Recquatic Swim Club Office relocation		
	W13873 Capital Expense - Swim Club Office relocation	(10,400)	
	Operating expense - Expendable equipment	10,400	0
	Inhouse Printer for Rates department		
	Capital expense - Folding/insertion machine with software	(17,505)	
	Operating expense - stationary and printing	17,505	0
	DFES Mitigation Works Grant		
	Revenue - Operating Grants	15,251	
	Operating expense - Mitigation works	(15,251)	0
		0	0

KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 30 NOVEMBER 2020

NATURE OR TYPE DESCRIPTIONS

REVENUE

RATES

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

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

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

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EARNINGS

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

OTHER REVENUE / INCOME

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

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

EXPENSES

EMPLOYEE COSTS

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

MATERIALS AND CONTRACTS

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

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

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

INSURANCE

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

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

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

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

18.4 Monthly Financial Report December 2020

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

The Monthly Financial Report, which includes the Monthly Statement of Financial Activity and explanation of material variances, for the period ended 31 December 2020 has been prepared for Council acceptance.

OFFICER RECOMMENDATION:

That Council:

1. Accepts the Monthly Statements of Financial Activity for the period ended 31 December 2020, contained within Attachment A; and
2. Accepts the explanations for material variances for the period ended 31 December 2020, contained within Attachment A.

DISCUSSION:

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

The period of review is December 2020. The current closing municipal surplus for this period is \$29,023,610 compared to a budget position of \$28,101,238. This is considered a satisfactory result for the City as it is maintaining a healthy budget surplus position.

The City's cash balances are tracking well with a positive unrestricted cash balance as at 31 December of \$13,764,248. To date, the City has not had to draw on either the Waste Reserve contingency or the WATC Short Term Lending Facility.

Income for the December 2020 period year to date is \$55,042,431. This is made up of \$54,180,675 in operating revenues and \$861,756 in non-operating grants, contributions and subsidies received and proceeds from other investing activities. The budget estimated \$54,452,755 would be received for the same period. The variance to budget is \$589,676. Details of all significant variances are provided in the notes to the Monthly Financial Report contained within Attachment A.

Expenditure for the December 2020 period year to date is \$37,954,505. This is made up of \$34,049,047 in operating expenditure and \$3,905,458 in capital expenditure. The budget estimated \$44,027,815 would be spent for the same period. The variance to budget is \$6,073,310 due to the timing of works being completed and the supplier invoicing the City. Details of all significant variances are provided in the notes to the Monthly Financial Report contained within Attachment A.

18.4 MONTHLY FINANCIAL REPORT DECEMBER 2020

LEGAL/POLICY IMPLICATIONS:

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

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

FINANCIAL/BUDGET IMPLICATIONS:

Any material variances that have an impact on the outcome of the budgeted closing surplus position are detailed in the Monthly Financial Report contained within Attachment A.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications associated with this report.

ENVIRONMENTAL IMPLICATIONS:

There are no environmental implications associated with this report.

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	Business Performance	5.4 Ensure the financial sustainability of the City of Kwinana into the future

COMMUNITY ENGAGEMENT:

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

PUBLIC HEALTH IMPLICATIONS:

There are no public health implications as a result of this report.

18.4 MONTHLY FINANCIAL REPORT DECEMBER 2020**RISK IMPLICATIONS:**

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

Risk Event	Inadequate management of the City's provisions, revenues and expenditures.
Risk Theme	Failure to fulfil statutory regulations or compliance Providing inaccurate advice/information
Risk Effect/Impact	Financial Reputation Compliance
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Unlikely
Rating (before treatment)	Low
Risk Treatment in place	Reduce (mitigate the risk)
Response to risk treatment required/in place	Annual adoption of variance tolerances for reporting purposes.
Rating (after treatment)	Low

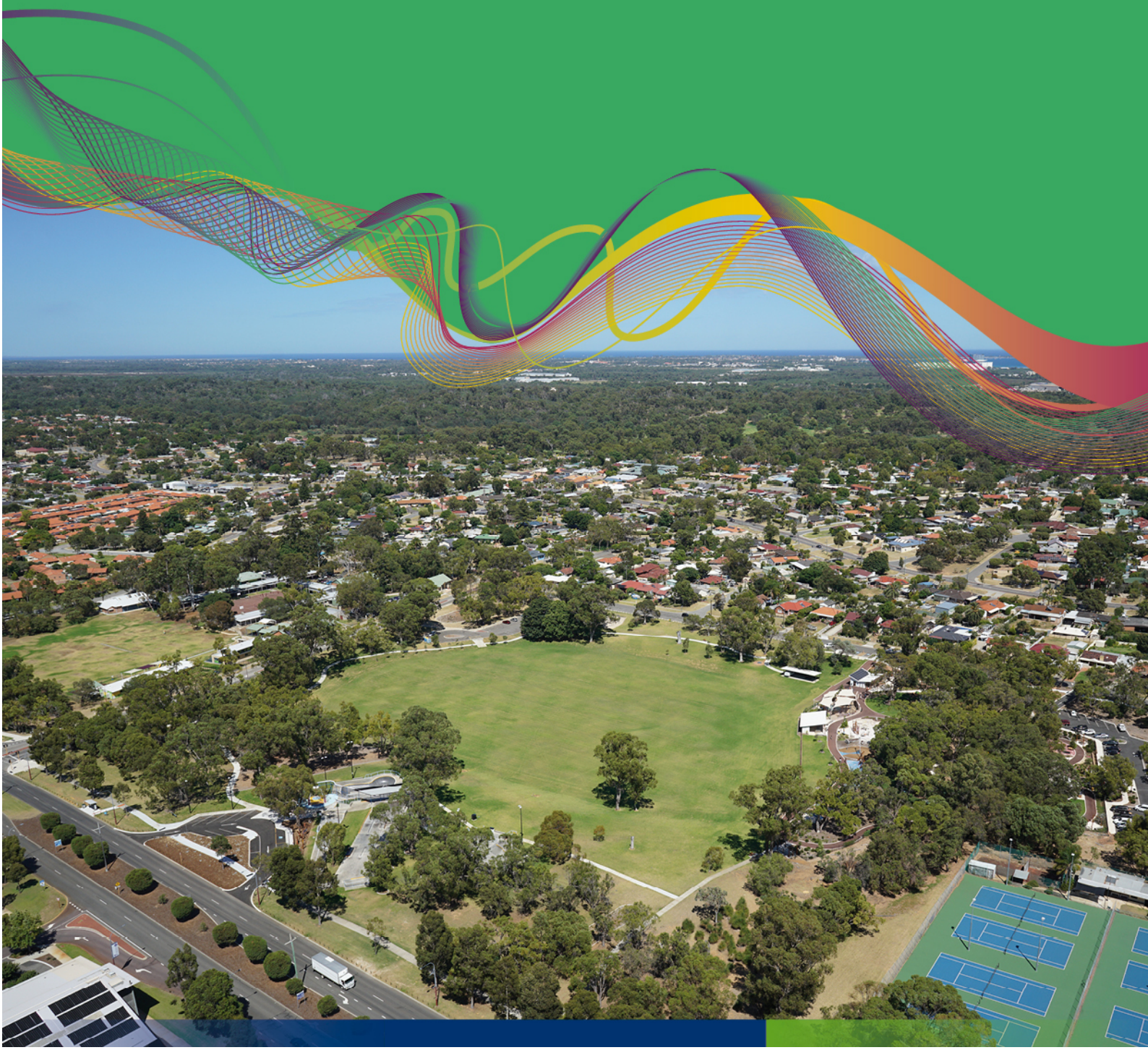
COUNCIL DECISION**339****MOVED CR D WOOD****SECONDED CR S WOOD**

That Council:

- 1. Accepts the Monthly Statements of Financial Activity for the period ended 31 December 2020, contained within Attachment A; and**
- 2. Accepts the explanations for material variances for the period ended 31 December 2020, contained within Attachment A.**

CARRIED
8/0

Monthly Financial Report



CITY OF KWINANA

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 31 December 2020

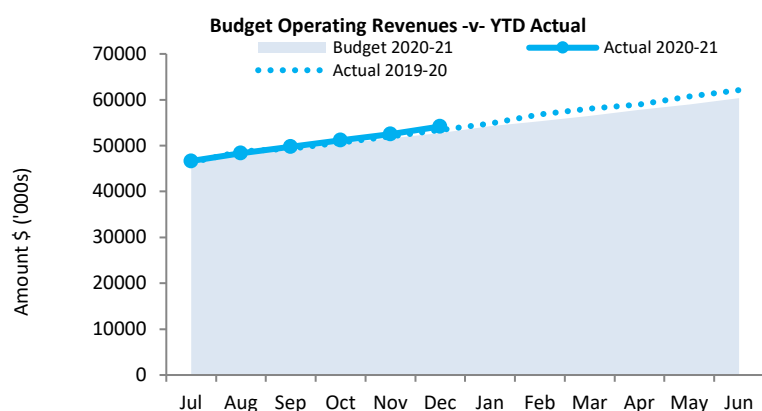
LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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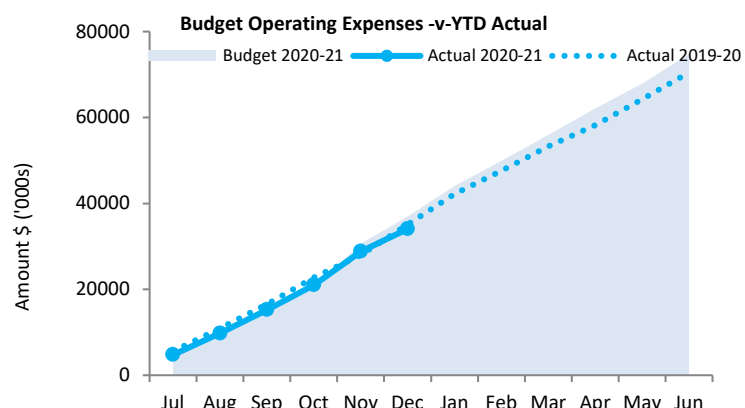
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OPERATING ACTIVITIES

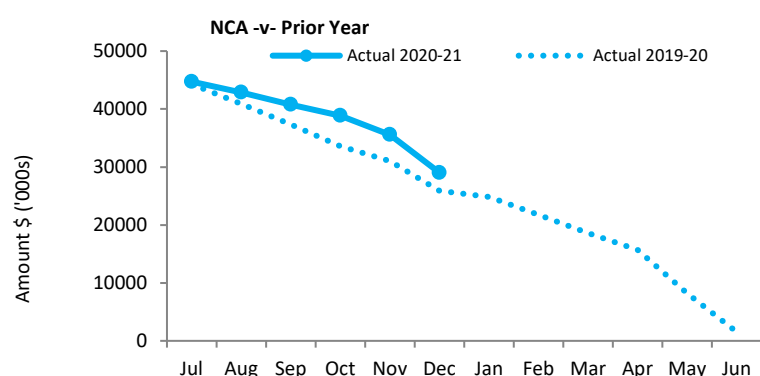
OPERATING REVENUE



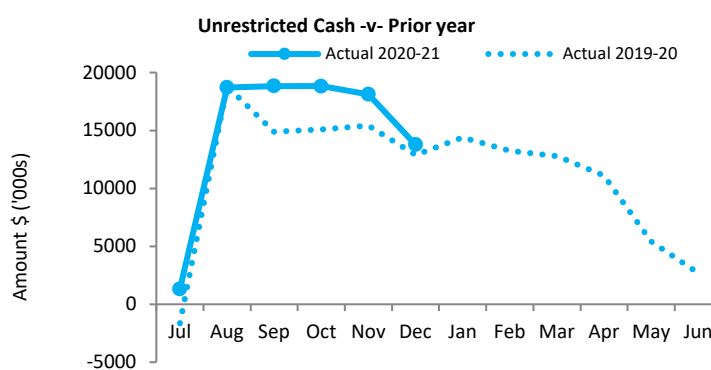
OPERATING EXPENSES



NET CURRENT ASSETS

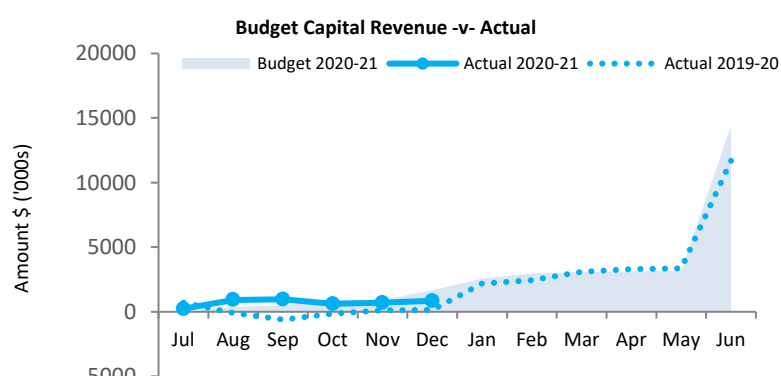


UNRESTRICTED CASH

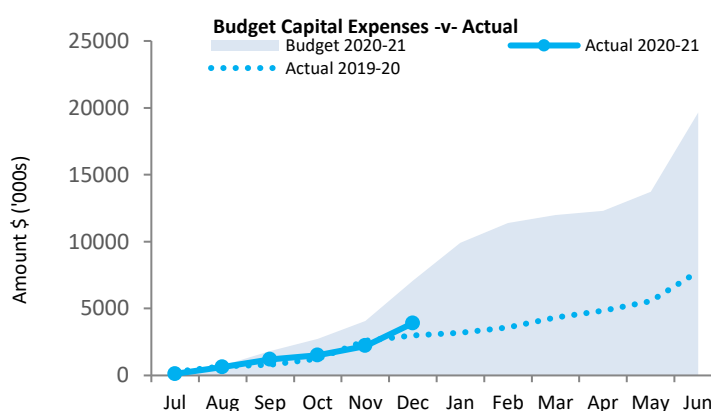


INVESTING ACTIVITIES

CAPITAL REVENUE

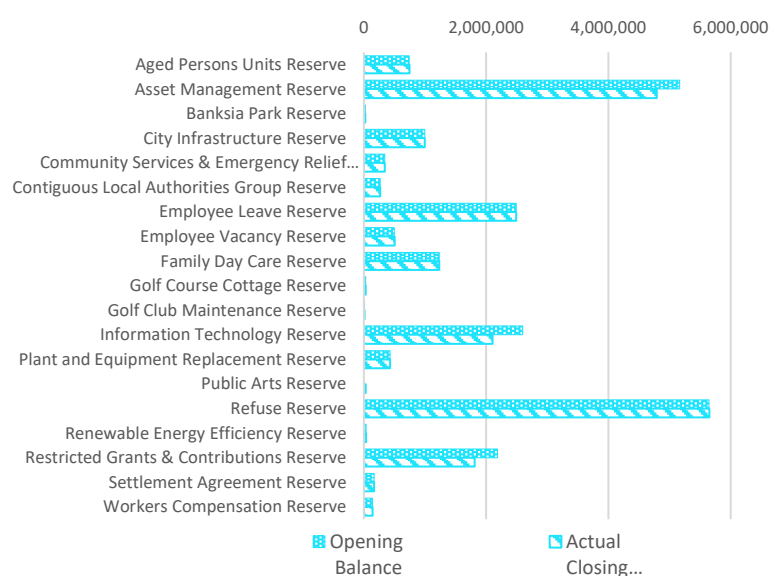


CAPITAL EXPENSES

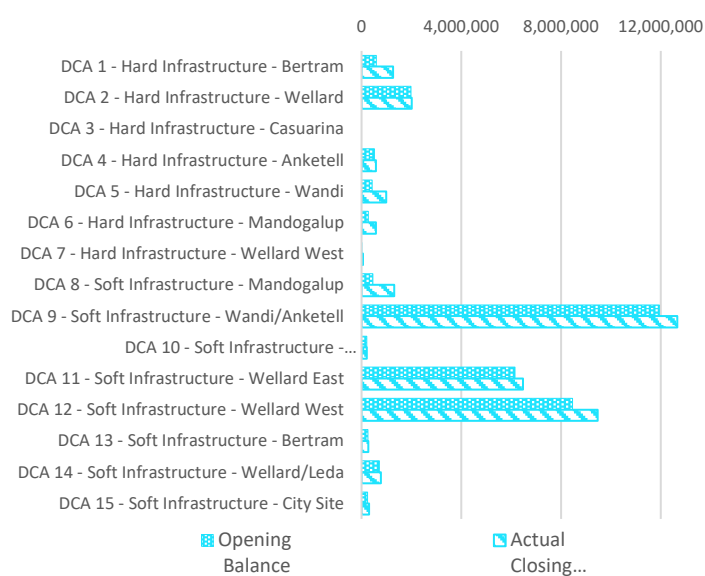


FINANCING ACTIVITIES

RESERVES



DCA RESERVES



Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Current Budget	YTD Current Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$1.42 M	\$1.42 M	\$2.83 M	\$1.41 M
Closing	\$0.00 M	\$28.10 M	\$29.02 M	\$0.92 M
Refer to Statement of Financial Activity				

Cash and cash equivalents		
	\$74.72 M	% of total
Unrestricted Cash	\$13.76 M	18.4%
Restricted Cash	\$60.96 M	81.6%
Refer to Note 3 - Cash and Financial Assets		

Payables	
	\$4.07 M
Trade Payables	\$0.83 M
Bonds & Deposits Held	\$1.93 M
Other Payables	\$1.32 M

Receivables		
	\$15.85 M	% Outstanding
Rates Receivable	\$14.30 M	26.0%
Trade Receivable	\$1.54 M	
Refer to Note 4 - Receivables		

Key Operating Activities

Amount attributable to operating activities			
Current Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$6.18 M)	\$23.17 M	\$33.69 M	\$10.51 M
Refer to Statement of Financial Activity			

Rates Revenue		
YTD Actual	\$40.68 M	% Variance
YTD Budget	\$39.93 M	1.9%
Refer to Statement of Financial Activity		

Operating Grants and Contributions		
YTD Actual	\$3.38 M	% Variance
YTD Budget	\$3.31 M	2.3%
Refer to Note 10 - Operating Grants and Contributions		

Fees and Charges		
YTD Actual	\$9.15 M	% Variance
YTD Budget	\$8.70 M	5.3%
Refer to Statement of Financial Activity		

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$5.21 M)	(\$5.40 M)	(\$3.04 M)	\$2.36 M
Refer to Statement of Financial Activity			

Proceeds on sale		
YTD Actual	\$0.15 M	% Received
YTD Budget	\$0.00 M	
Current Budget	\$0.47 M	31.4%
Refer to Note 5 - Disposal of Assets		

Asset Acquisition		
YTD Actual	\$3.91 M	% Spent
Current Budget	\$19.65 M	19.9%
Adopted Budget	\$19.12 M	20.4%
Refer to Note 6 - Capital Acquisition		

Capital Grants		
YTD Actual	\$0.71 M	% Received
Current Budget	\$3.61 M	19.7%
Adopted Budget	\$3.11 M	22.9%
Refer to Note 6 - Capital Acquisition		

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$10.08 M	\$8.91 M	(\$4.46 M)	(\$13.37 M)
Refer to Statement of Financial Activity			

Borrowings	
Principal repayments	\$0.93 M
Interest expense	\$0.40 M
Principal due	\$19.34 M
Refer to Note 7 - Borrowings	

Reserves	
Reserves balance	\$21.80 M
DCA Reserve Balance	\$36.92 M
Interest earned	\$0.12 M
Refer to Note 9 - Cash Reserves	

Lease Liability	
Principal repayments	\$0.06 M
Interest expense	\$0.00 M
Principal due	\$0.13 M
reclassified from Lease Expense June 2020 - AASB16	

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

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2020

BY NATURE OR TYPE

	Ref Note	Adopted Budget	Current Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$		\$	\$	\$	%	
Opening funding surplus / (deficit)		1,360,000	1,421,046	1,421,046	2,833,950	1,412,904	99.4%	▲
Revenue from operating activities								
Rates	5	39,933,543	39,933,543	39,933,543	40,683,131	749,588	1.9%	
Operating grants, subsidies and contributions	10	6,617,653	6,640,896	3,306,503	3,381,081	74,578	2.3%	
Fees and charges		11,913,171	11,957,229	8,695,434	9,153,461	458,027	5.3%	▲
Interest earnings		1,220,577	1,220,577	522,283	468,843	(53,440)	(10.2%)	▼
Other revenue		451,881	481,781	304,915	484,970	180,055	59.1%	▲
Profit on disposal of assets	5	124,510	124,510	0	9,190	9,190	0.0%	
		60,261,335	60,358,536	52,762,678	54,180,675	1,417,997		
Expenditure from operating activities								
Employee costs		(28,033,854)	(28,137,780)	(13,343,631)	(13,024,312)	319,319	2.4%	
Materials and contracts		(27,604,630)	(27,287,958)	(13,823,775)	(11,000,782)	2,822,993	20.4%	▲
Utility charges		(2,557,908)	(2,557,908)	(1,278,953)	(1,051,524)	227,429	17.8%	▲
Depreciation on non-current assets		(14,691,676)	(14,691,676)	(7,345,505)	(7,969,600)	(624,095)	(8.5%)	▼
Interest expenses		(987,579)	(987,579)	(434,110)	(397,839)	36,271	8.4%	
Insurance expenses		(583,736)	(583,736)	(583,736)	(584,756)	(1,020)	(0.2%)	
Other expenditure		(189,547)	(446,888)	(125,021)	(8,781)	116,240	93.0%	▲
Loss on disposal of assets	5	(83,085)	(83,085)	0	(11,454)	(11,454)	0.0%	
		(74,732,015)	(74,776,610)	(36,934,731)	(34,049,047)	2,885,684		
Non-cash amounts excluded from operating activities	2	8,241,957	8,241,957	7,345,505	13,556,034	6,210,529	84.5%	▲
Amount attributable to operating activities		(6,228,723)	(6,176,117)	23,173,452	33,687,662	10,514,210		
Investing activities								
Grants, Subsidies and Contributions	11	13,434,461	13,930,014	1,690,077	712,526	(977,551)	(57.8%)	
Proceeds from disposal of assets	5	473,350	474,850	0	149,230	149,230	0.0%	▲
Self-Supporting Loan Principal Received	7	17,269	17,269	8,634	10,014	1,380	16.0%	
Self-Supporting Loan Principal Paid		(17,269)	(17,269)	(8,563)	(8,563)	(0)	0.0%	
Payments for property, plant and equipment	6	(19,121,835)	(19,652,947)	(7,093,084)	(3,905,458)	3,187,626	44.9%	▲
Amount attributable to investing activities		(5,214,024)	(5,248,083)	(5,402,936)	(3,042,252)	2,360,684		
Financing Activities								
Proceeds from new debentures	7	5,000,000	5,000,000	4,000,000	0	(4,000,000)	(100.0%)	▼
Repayment of debentures	7	(6,871,990)	(6,871,990)	(924,544)	(924,543)	1	0.0%	
Payments for principal portion of lease liabilities		(229,206)	(229,206)	(115,494)	(58,625)	56,869	49.2%	▲
Transfer from reserves	9	20,399,567	20,349,874	6,239,968	1,377,625	(4,862,343)	77.9%	
Transfer to reserves	9	(8,215,624)	(8,245,524)	(290,254)	(4,850,207)	(4,559,953)	(1571.0%)	▼
Amount attributable to financing activities		10,082,747	10,003,154	8,909,676	(4,455,751)	(13,365,427)		
Closing funding surplus / (deficit)		0	0	28,101,238	29,023,610	922,372		

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 1 for an explanation of the reasons for the variance.

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

**STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 DECEMBER 2020**

	NOTE	Closing 30 June 2020 \$	Current Month 31 December 2020 \$	This Time Last Year 31 December 2019 \$
CURRENT ASSETS				
Cash and cash equivalents	9	25,471,026	21,725,356	5,724,384
Other financial assets - Term Deposits	9	33,787,559	52,649,167	61,979,217
Other financial assets - Banksia Park Deferred Mgmt Fees		319,490	319,490	297,819
Other financial assets - Self Supporting Loans		17,269	17,269	16,709
Rates receivable	4	3,588,655	14,303,445	14,220,025
Other receivables (<i>incl. allowance for impairment</i>)	4	866,606	1,790,484	1,595,760
Inventories		37,323	39,745	38,322
Other assets		1,776,055	1,311,758	0
TOTAL CURRENT ASSETS		65,863,982	92,156,712	83,872,237
NON-CURRENT ASSETS				
Trade and other receivables		760,126	751,653	707,184
Other financial assets - Banksia Park Deferred Mgmt Fees		3,184,673	3,184,673	3,095,582
Other financial assets - Local Govt House Trust		124,637	124,637	122,620
Other financial assets - Self Supporting Loans		232,704	222,690	240,283
Investment in associate (SMRC)		504,775	504,775	319,244
Property, plant and equipment		135,058,794	132,925,499	148,708,327
Infrastructure		363,572,820	360,973,535	359,491,937
Intangible assets		616,115	1,191,527	398,717
Right of use assets		190,680	132,214	0
TOTAL NON-CURRENT ASSETS		504,245,324	500,011,202	513,083,894
TOTAL ASSETS		570,109,306	592,167,914	596,956,131
CURRENT LIABILITIES				
Trade and other payables		7,443,587	4,074,075	4,147,937
Banksia Park Unit Contributions		16,975,350	16,975,350	17,184,501
Contract and other liabilities	10 & 11	10,282,025	10,404,091	0
Lease liabilities		114,357	55,732	0
Borrowings	7	2,314,779	2,314,779	1,451,093
Employee related provisions		5,505,931	5,494,743	4,889,764
TOTAL CURRENT LIABILITIES		42,636,029	39,318,770	27,673,295
NON-CURRENT LIABILITIES				
Other liabilities (Developer Contributions)	11	16,953,626	22,418,446	0
Lease liabilities		77,148	77,148	0
Borrowings	7	17,953,926	17,020,819	19,398,709
Employee related provisions		410,209	410,209	469,604
TOTAL NON-CURRENT LIABILITIES		35,394,909	39,926,622	19,868,313
TOTAL LIABILITIES		78,030,938	79,245,392	47,541,608
NET ASSETS		492,078,369	512,922,522	549,414,523
EQUITY				
Retained surplus		216,805,177	234,176,748	262,863,199
Reserves - cash/financial asset backed	9	55,249,686	58,722,269	54,819,489
Revaluation surplus		220,023,505	220,023,505	231,731,835
TOTAL EQUITY		492,078,369	512,922,522	549,414,523

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

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2020**

**NOTE 1
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.
The material variance adopted by Council for the 2020-21 year is \$50,000 or 5.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing/ Permanent	Explanation of Variance
	\$	%		
Revenue from operating activities				
Rates	749,588	2%	No Material Variance	
Operating Grants, Subsidies and Contributions	74,578	2%	No Material Variance	Refer note 10.
Fees and Charges	458,027	5%	▲ Permanent/Timing	Building and Statutory Planning approvals higher than budgeted \$391k.
Interest Earnings	(53,440)	(10%)	▼ Permanent	Low interest rates on term deposits.
Other Revenue	180,055	59%	▲ Permanent	Insurance reimbursements and rebate.
Profit on Disposal of Assets	9,190	0%	No Material Variance	
Expenditure from operating activities				
Employee Costs	319,319	2%	Permanent/Timing	Other employee costs below budget predominantly due to lower than budgeted workers compensation premium \$150k, timing of FBT instalments \$65k and staff training under budget \$54k.
Materials and Contracts	2,822,993	20%	▲ Timing	Timing of works. Environmental Health \$645k below budget (\$517k Mainstream Waste, \$90k Natural Environment). Facilities Management \$478k below budget (\$394k Parks & Reserves, \$84k Building Services). Engineering Services \$453k below budget, Family Day Care \$312k below budget, Planning& Building Services \$261k below budget, Kwinana Village \$209k below budget, Ranger & Emergency Services \$177k below budget and Community Development \$163k below budget.
Utility Charges	227,429	18%	▲ Permanent/Timing	Lower electricity costs for Administration building and Recquatic.
Depreciation on Non-Current Assets	(624,095)	(8%)	▼ Permanent	
Interest Expenses	36,271	8%	No Material Variance	
Insurance Expenses	(1,020)	(0%)	No Material Variance	
Other Expenditure	116,240	93%	▲ Permanent	DCA - City contributions budgeted as an expense.
Loss on Disposal of Assets	(11,454)	0%	No Material Variance	
Investing activities				
Non-Operating Grants, Subsidies and Contributions	(977,551)	(58%)	Timing	Refer note 11. Predominantly timing of roads and transport infrastructure project funding.
Proceeds from disposal of assets	149,230	0%	▲ Timing	Timing of disposals budgeted in January.
Self-Supporting Loan Principal	1,380	16%	No Material Variance	
Payments for property, plant and equipment	3,187,626	45%	▲ Timing	Refer note 6. Timing of project expenditure.
Financing activities				
Proceeds from new debentures	(4,000,000)	(100%)	▼ Timing	WATC Short-term funding to cover potential cash shortage is yet to be required.
Repayment of debentures	1	0%	No Material Variance	
Payments for principal portion of lease liabilities	56,869	49%	▲ Timing	New gym equipment and Youth vehicle leases budgeted, new agreements yet to be finalised.
Transfer from reserves	(4,862,343)	78%	Timing	\$3m budgeted drawdown of Refuse Reserve to cover potential cash shortage is yet to be required. \$1m transfer from DCA 9 Reserve to fund Honeywood sportsground clubroom onhold as project undergoing community engagement.
Transfer to reserves	(4,559,953)	(1571%)	▼ Timing	Timing of interest earned on Reserve term deposits and Developer Contributions received.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2020**

**NOTE 2
NET CURRENT FUNDING POSITION**

	Notes	Last Years Closing 30 June 2020	This Time Last Year 31 December 2019	YTD Actual 31 December 2020
		\$	\$	\$
(a) Non-cash items excluded from operating activities				
The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.				
Non-cash items excluded from operating activities				
Adjustments to operating activities				
Less: Profit on asset disposals	5	(124,076)	-	(9,190)
Less: Movement in pensioner deferred rates (non-current)		(48,371)	4,571	8,472
Movement in employee benefit provisions		544,157	(12,615)	(11,188)
Add: Loss on asset disposals		1,247,308	53,830	11,454
Add: Mvmt in Local Govt House Trust		(2,017)	-	-
Add: Change in accounting policies		(1,040,123)	-	-
Add: Depreciation on assets		15,630,143	7,215,161	7,969,600
Add: Mvmt in operating contract liabilities associated with restricted cash		194,030	-	(47,043)
Add: Mvmt in non-operating liabilities associated with restricted cash		82,701	-	5,633,928
Movement in Banksia Park deferred management fund receivable		(110,762)	-	-
Movement in Banksia Park valuation of unit contribution		(158,075)	51,076	-
Total non-cash items excluded from operating activities		16,214,915	7,312,023	13,556,034
(b) Adjustments to net current assets in the Statement of Financial Activity				
The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with <i>Financial Management Regulation</i> 32 to agree to the surplus/(deficit) after imposition of general rates.				
Adjustments to net current assets				
Less: Reserves - restricted cash		(55,249,686)	(55,249,686)	(58,722,269)
Less: Financial assets at amortised cost - self supporting loans		(17,269)	(16,709)	(17,269)
Less: Banksia Park DMF Recievable		(319,490)	(297,819)	(319,490)
Add: Borrowings		2,314,779	1,451,093	2,314,779
Add: Provisions - employee		5,505,931	4,889,764	5,494,743
Add: Current portion of contract and other liability held in reserve		10,282,025	-	10,404,091
Add: Lease liabilities		114,357	-	55,732
Add: Banksia Park Unit Contributions		16,975,350	17,184,501	16,975,350
Total adjustments to net current assets		(20,394,003)	(32,038,857)	(23,814,333)
(c) Net current assets used in the Statement of Financial Activity				
Current assets		65,863,982	83,872,237	92,156,712
Less: Current liabilities		(42,636,029)	(27,673,295)	(39,318,770)
Less: Total adjustments to net current assets		(20,394,003)	(32,038,857)	(23,814,333)
Closing funding surplus / (deficit)		2,833,950	24,160,085	29,023,610

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

Description	Unrestricted	Restricted	Trust	Total Cash	Interest Rate	Institution	S&P Rating	Maturity Date	Days
	\$	\$	\$	\$					
Cash on hand									
CBA Municipal Bank Account	5,747,558			5,747,558	Variable	CBA	AA		
CBA Online Saver Bank Account	5,012,921	7,998,921		13,011,841	0.20%	CBA	AA		
CBA Trust Bank Account			308,711	308,711	N/A	CBA	AA		
Cash On Hand - Petty Cash	3,770			3,770	N/A	PC	N/A		
Term Deposits - Investments									
NAB	3,000,000			3,000,000	0.50%	NAB	AA	Jan 2021	90
Reserve Funds Investments (Cash Backed Reserves)									
Community Services & Emergency Relief Reserve		342,725		342,725	0.60%	NAB	AA	Jan 2021	120
CLAG Reserve		266,451		266,451	0.60%	NAB	AA	Feb 2021	150
Workers Compensation Reserve		144,235		144,235	0.60%	NAB	AA	Feb 2021	150
Settlement Agreement Reserve		168,130		168,130	0.60%	NAB	AA	Feb 2021	150
Employee Leave Reserve		2,488,385		2,488,385	0.65%	NAB	AA	Feb 2021	157
Golf Club Maintenance Reserve		8,860		8,860	0.65%	NAB	AA	Mar 2021	181
Golf Course Cottage Reserve		29,430		29,430	0.65%	NAB	AA	Mar 2021	181
Asset Management Reserve		4,798,260		4,798,260	0.40%	NAB	AA	Mar 2021	90
Refuse Reserve		5,644,890		5,644,890	0.40%	NAB	AA	Mar 2021	90
Plant and Equipment Replacement Reserve		438,640		438,640	0.40%	NAB	AA	Mar 2021	90
Family Day Care Reserve		1,234,100		1,234,100	0.40%	BEN	AAA	Jun 2021	182
City Infrastructure Reserve		998,535		998,535	0.40%	BEN	AAA	Jun 2021	182
APU Reserve		743,513		743,513	0.40%	BEN	AAA	Jun 2021	182
BP Reserve		25,059		25,059	0.40%	BEN	AAA	Jun 2021	182
Information Technology Reserve		2,106,378		2,106,378	0.40%	BEN	AAA	Jun 2021	182
Renewable Energy Efficiency Reserve		34,286		34,286	0.40%	BEN	AAA	Jun 2021	182
Employee Vacancy Reserve		501,658		501,658	0.40%	NAB	AA	Jun 2021	180
Reserve Funds Investments (Developer Contributions)									
DCA - 1 Hard Infrastructure - Bertram		600,664		600,664	0.55%	BEN	AAA	Mar 2021	180
DCA - 2 Hard Infrastructure - Wellard		1,991,997		1,991,997	0.55%	BEN	AAA	Mar 2021	180
DCA 6 - Hard Infrastructure - Mandogalup		274,651		274,651	0.55%	BEN	AAA	Mar 2021	180
DCA - 11 Soft Infrastructure - Wellard East		6,162,219		6,162,219	0.55%	BEN	AAA	Mar 2021	180
DCA - 12 Soft Infrastructure - Wellard West		8,480,802		8,480,802	0.55%	BEN	AAA	Mar 2021	180
DCA - 4 Hard Infrastructure - Anketell		575,926		575,926	0.55%	NAB	AA	Apr 2021	180
DCA 5 - Hard Infrastructure - Wandi		456,267		456,267	0.55%	NAB	AA	Apr 2021	180
DCA 7 - Hard Infra Mandogalup		31,613		31,613	0.55%	NAB	AA	Apr 2021	180
DCA - 8 Soft Infrastructure - Mandogalup		684,193		684,193	0.55%	NAB	AA	Apr 2021	180
DCA - 9 Soft Infrastructure - Wandi/Anketell		11,972,544		11,972,544	0.55%	NAB	AA	Apr 2021	180
DCA - 10 Soft Infrastructure - Casuarina/Anketell		204,782		204,782	0.55%	NAB	AA	Apr 2021	180
DCA - 13 Soft Infrastructure - Bertram		264,079		264,079	0.55%	NAB	AA	Apr 2021	180
DCA - 14 Soft Infrastructure - Wellard/Leda		717,656		717,656	0.55%	NAB	AA	Apr 2021	180
DCA - 15 Soft Infrastructure - Townsite		258,241		258,241	0.55%	NAB	AA	Apr 2021	180
Total	13,764,248	60,648,087	308,711	74,721,046					
	18%	81%	0.4%						
Comprising									
Cash and cash equivalents (Exclude Trust)	13,764,248	18,880,711	0	32,644,959					
Financial assets at amortised cost	0	41,767,377	0	41,767,377					
Trust	0	0	308,711	308,711					
	13,764,248	60,648,087	308,711	74,721,046					

KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Note 3(b): Cash and Investments - Compliance with Investment Policy

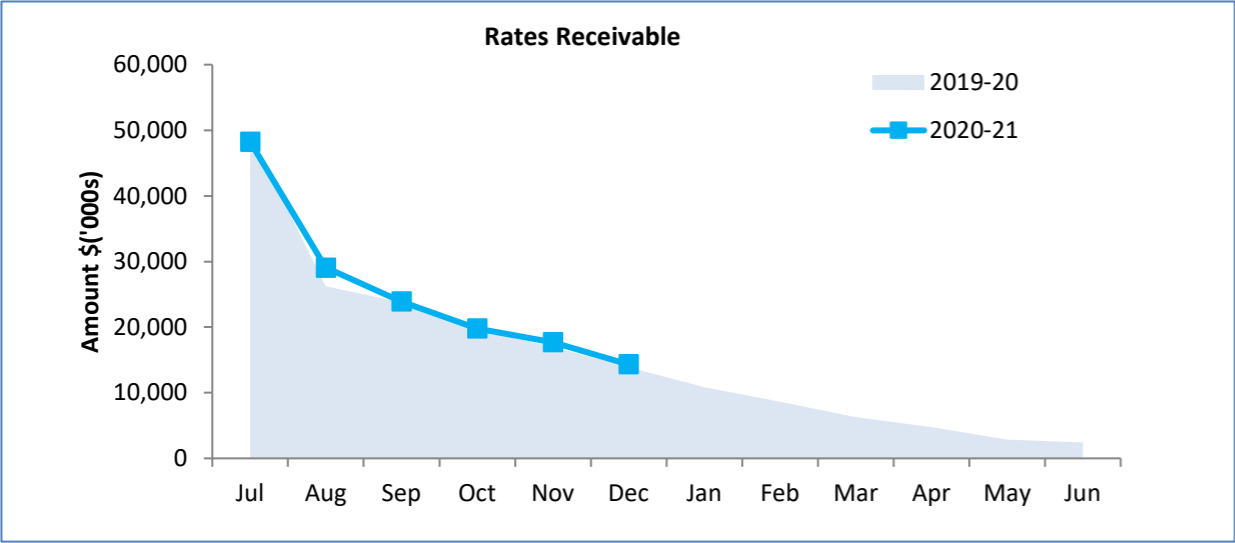
Portfolio Credit Risk	Funds Held	Actual at Period End	Limit per Policy	
AAA & Bendigo Bank Kwinana Community Branch	22,652,202	30%	100%	✓
AA	52,065,075	70%	100%	✓
A	-	0%	60%	✓
BBB	-	0%	20%	✓
Unrated	3,770	0%	20%	✓

Counterparty Credit Risk	Funds Held	Actual at Period End	Limit per Policy	
BEN (AAA)	22,652,202	30%	45%	✓
NAB (AA)	32,996,965	44%	45%	✓
CBA (AA)	19,068,110	26%	45%	✓
WBC (AA)	-	0%	45%	✓

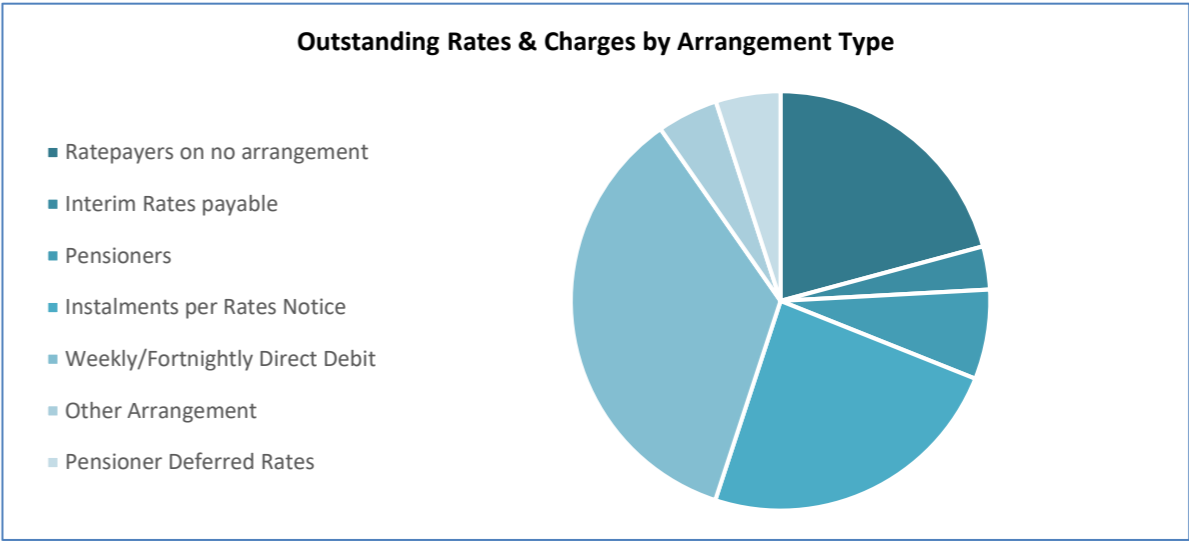
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2020

OPERATING ACTIVITIES
NOTE 4
RECEIVABLES

Rates receivable	30 Jun 2020	31 Dec 2019	31 Dec 2020
	\$		\$
Opening arrears previous years	4,576,831	4,576,831	3,148,533
Levied this year	51,941,047	51,459,147	51,867,414
Rates & Charges to be collected	56,517,878	56,035,978	55,015,947
<u>Less</u> Collections to date	(52,169,098)	(41,108,769)	(39,960,850)
<u>Less</u> Pensioner Deferred Rates	(760,126)	(707,184)	(751,653)
Net Rates & Charges Collectable	3,588,655	14,220,025	14,303,445
% Outstanding	6.35%	25.38%	26.00%
<u>Prepaid</u> Rates received (not included above)	(1,198,500)	(811,806)	(622,961)
	4.23%	23.93%	24.87%



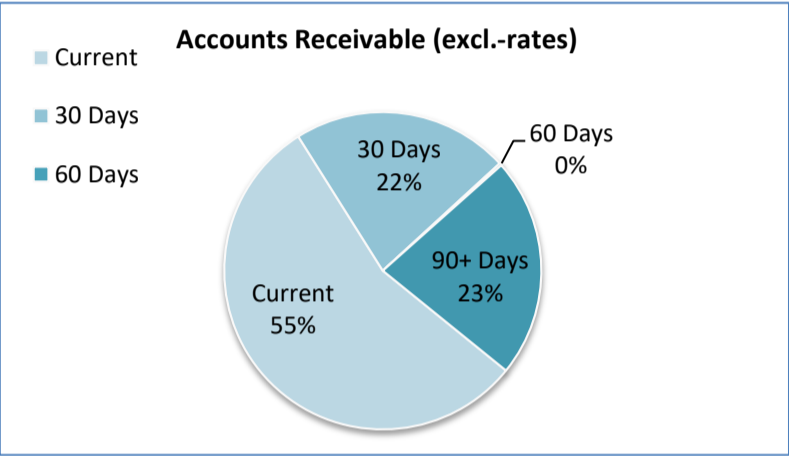
Outstanding Rates & Charges by Payment Arrangement Type	31 Dec 2020		
	No. of Assessments	\$	%
Ratepayers on no arrangement	1,246	3,132,720	21%
Interim Rates payable	151	500,733	3%
Pensioners	1,280	1,041,347	7%
Instalments per Rates Notice	3,557	3,611,494	24%
Weekly/Fortnightly Direct Debit	4,665	5,309,092	35%
Other Arrangement	136	708,057	5%
	11,035	14,303,445	95%
Pensioner Deferred Rates	211	751,653	5%
	11,246	15,055,098	100%



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2020

OPERATING ACTIVITIES
NOTE 4
RECEIVABLES

Receivables - general	Current	30 Days	60 Days	90+ Days	Total
Amounts shown below include GST (where applicable)	\$	\$	\$	\$	\$
Sundry receivable	51,006	338,117	2,318	135,889	527,330
Infringements Register	7,070	3,641	1,418	209,916	222,045
Rebates receivable - Rates	751,335	0	0	0	751,335
Rebates receivable - ESL	42,921	0	0	0	42,921
Total general receivables outstanding	852,332	341,758	3,736	345,805	1,543,631
Exclude rebates receivable	8%	46%	0%	46%	



KEY INFORMATION
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for impairment of receivables is raised when there is objective evidence that they will not be collectible.

Sundry Debtors Outstanding Over 90 Days Exceeding \$1,000			
Debtor #	Description	Status	\$
Debts with Fines Enforcement Registry (FER)			
2442.07	Prosecution Dog Act 1976	Registered with FER. Request sent to commence collection of debt.	5,178
3859.07	Prosecution Planning & Development Act	Registered with FER.	16,813
3909.07	Prosecution Local Government Act 1995	Registered with FER.	3,652
4131.07	Prosecution Dog Act 1976 Dangerous Dog	Registered with FER. Debtor is making payments to FER. City yet to receive payments due to quantum of fines outstanding.	4,654
4233.07	Prosecution Local Law Fencing	Registered with FER.	2,500
4274.07	Prosecution Dog Act 1976	Registered with FER. Regular payments being received.	5,257
4275.07	Prosecution Local Law Urban Environment Nuisance - Disrepair Vehicle	Registered with FER. Request sent to commence collection of debt.	13,734
4387.07	Prosecution Dog Act 1976	Registered with FER.	10,200
4465.07	Prosecution Dog Act 1976	Registered with FER. Regular payments being received.	5,950
4467.07	Prosecution Planning & Development Act	Registered with FER. Regular payments being received.	14,600
4610.07	Prosecution Dog Act 1976	Registered with FER.	25,598
4741.07	Prosecution Dog Act 1976	Registered with FER.	5,050
			113,186
Other Sundry Debtors			
854.16	Lease & Outgoings	Customer advised of outgoings outstanding in December 2020.	2,953
3884.03	Local Government Act 1995 abandoned vehicle	Defaulted Payment arrangement.	1,155
4355.03	Hazard reduction costs	Debt to be transferred onto property by February 2021.	1,168
4814.03	Repair of reticulation Thomas Oval	Private works - Engineering negotiating with customer.	1,987
4955.03	Hazard reduction costs	Repayment arrangement in place, to be cleared by 31/1/21.	1,300
4956.03	Hazard reduction costs	Debt to be transferred onto property.	2,475
Total Debtors 90+ days > \$1,000			124,224

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2020



















































OPERATING ACTIVITIES
NOTE 5
DISPOSAL OF ASSETS






































Asset description	Current Budget				YTD Actual			
	Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
	\$	\$	\$	\$	\$	\$	\$	\$
Motor Vehicles								
Plant Replacement - P432	20,000	19,800	0	(200)	0	0	0	0
Plant Replacement - P448	3,488	17,100	13,612	0	0	0	0	0
Plant Replacement - P479	3,439	15,500	12,061	0	0	0	0	0
Plant Replacement - P483 - Insurance Claim	6,386	10,800	4,414	0	17,256	13,500	0	(3,756)
Plant Replacement - P484	10,006	18,900	8,894	0	0	0	0	0
Plant Replacement - P485	20,848	18,900	0	(1,948)	19,828	22,273	2,445	0
Plant Replacement - P487	14,999	19,800	4,801	0	19,800	22,273	2,473	0
Plant Replacement - P492	7,467	22,050	14,583	0	0	0	0	0
Plant Replacement - P493	13,279	19,800	6,521	0	18,000	22,273	4,273	0
Plant Replacement - P494	14,167	20,700	6,533	0	0	0	0	0
Plant Replacement - P511	17,824	27,000	9,176	0	34,137	32,632	0	(1,505)
Plant Replacement - P515	12,997	18,000	5,003	0	0	0	0	0
Plant Replacement - P551	29,260	24,300	0	(4,960)	34,289	29,678	0	(4,611)
Plant & Equipment								
Plant Replacement P275 - Trailer Roller	1,788	4,000	2,212	0	0	0	0	0
Plant Replacement P499 - DECK - Toro Ride on mower	14,499	0	0	(14,499)	0	0	0	0
Plant Replacement P500 - DECK - Toro Ride on mower	12,196	0	0	(12,196)	0	0	0	0
Plant Replacement P531 - DECK - Toro Ride on mower	0	0	0	0	0	0	0	0
Plant Replacement P114 - Tandem Axle Tilt Trailer	0	2,000	2,000	0	0	0	0	0
Plant Replacement P120 - Trailer Box top - Coast care	0	700	700	0	0	0	0	0
Plant Replacement P148 Trailer box 7x4 with water tank and Pump	0	2,000	2,000	0	0	0	0	0
Plant Replacement P199 Trailer box 7x4 with water tank and Pump	0	2,000	2,000	0	0	0	0	0
Plant Replacement P351 Mitsubishi Canter Tip Truck	25,600	25,000	0	(600)	0	0	0	0
Plant Replacement P392 Mitsubishi Canter Fuso	35,500	25,000	0	(10,500)	0	0	0	0
Plant Replacement P443 Isuzu Tip Truck 6x4	118,182	80,000	0	(38,182)	0	0	0	0
Plant Replacement P223 Volvo Loader L70	50,000	80,000	30,000	0	0	0	0	0
Plant Replacement P227 Molnar 4 post Hoist	1,500	1,500	0	0	0	0	0	0
Disposal P350 - KWN5307 Tandem Axle Trailer	0	0	0	0	5,412	4,403	0	(1,009)
Disposal P348 - 1TMI191 trailer	0	0	0	0	2,771	2,199	0	(572)
	433,425	474,850	124,510	(83,085)	151,493	149,230	9,190	(11,454)
			Net Profit/(Loss)	41,425			Net Profit/(Loss)	(2,264)






























Capital acquisitions	Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Variance
	\$	\$	\$	\$	\$
Land and Buildings	5,231,570	5,463,970	3,118,915	461,932	(2,656,983)
Plant, Furniture and Equipment	2,344,265	2,412,851	82,578	372,663	290,085
Intangible Assets	622,809	622,809	561,519	575,411	13,892
Infrastructure - Roads	3,642,090	3,875,423	2,042,569	1,348,961	(693,608)
Infrastructure - Parks & Reserves	994,154	845,227	570,953	384,689	(186,264)
Infrastructure - Footpaths	191,075	336,795	229,958	190,656	(39,302)
Infrastructure - Car Parks	0	0	0	0	0
Infrastructure - Drainage	5,822,737	5,822,737	227,447	434,143	206,696
Infrastructure - Bus Shelters	36,630	36,630	36,630	6,221	(30,409)
Infrastructure - Street Lights	236,505	236,505	222,515	130,783	(91,732)
Infrastructure - Other	0	0	0	0	0
Payments for Capital Acquisitions	19,121,835	19,652,947	7,093,084	3,905,458	(3,187,626)
Right of use assets	553,030	553,030	518,969	0	(518,969)
Total Capital Acquisitions	19,674,865	20,205,977	7,612,053	3,905,458	(3,706,595)
Capital Acquisitions Funded By:					
	\$	\$	\$	\$	\$
Capital grants and contributions	3,112,697	3,608,250	1,690,077	712,526	(977,551)
Borrowings	0	0	0	0	0
Lease liabilities	553,030	553,030	518,969	0	(518,969)
Disposal of Assets	473,350	474,850	0	142,628	142,628
Cash Backed Reserves	8,684,361	14,714,023	2,540,194	820,295	(1,719,899)
Municipal Funds	6,298,397	302,794	2,343,844	2,230,009	(113,835)
Capital funding total	19,121,835	19,652,947	7,093,084	3,905,458	(3,187,626)


















SIGNIFICANT ACCOUNTING POLICIES

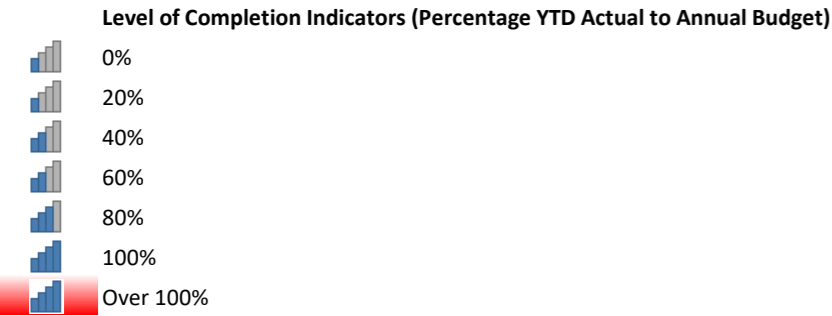
All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current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

Capital Expenditure				Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Variance	Comments
				\$	\$	\$	\$	\$	
Buildings									
	13617	Building & Parks Contingency		101,750	101,750	50,874	37,504	(13,370)	
	13634	Administration Building Refurbishment		40,000	40,000	40,000	15,887	(24,113)	In progress.
	13636	Animal Care Facility Refurbishment		85,470	85,470	28,490	0	(28,490)	Quotes to be received January.
	13619	Kwinana South VBFB Station Extensions		376,000	376,000	376,000	183	(375,817)	Funding to be finalised.
	13620	Kwinana South VBFB Station Upgrade		30,000	62,700	30,000	0	(30,000)	Funding to be finalised.
	13621	Mandogalup VBFB Station Extensions		328,159	328,159	328,159	134,246	(193,913)	DFES Grant funded. Construction completed August.
	13622	Mandogalup VBFB Station Upgrade		25,000	25,000	25,000	1,600	(23,400)	Construction completed August.
	13849	Mandogalup VBFB - Repair storage room cracked wall		0	5,000	0	0	0	LRCI Projects. Commencing February.
	13616	Recquatic Front Counter - Automated Gates		90,000	90,000	0	0	0	
	13873	Recquatic - Swim School Office Relocation		0	10,400	10,400	3,484	(6,916)	
	13640	Recquatic Resurface Floor		7,875	7,875	375	375	0	
	13641	Recquatic Spa balance tank lid and ladder		8,400	8,400	8,400	400	(8,000)	
	13642	Recquatic 25m backwash tank lid Replacement		7,350	350	350	350	0	
	13643	Recquatic Centre - Internal paint public areas		0	8,000	0	0	0	LRCI Projects. Works planned for January/February.
	13834	Recquatic Centre - Entrance area external walls repaint		0	25,000	0	0	0	LRCI Projects. Works planned for January/February.
	13835	Recquatic Centre - Grout renewal - change rooms replace damaged grout		0	25,000	0	0	0	LRCI Projects.
	13627	Darius Wells Stormwater System		27,300	27,300	27,300	1,300	(26,000)	Specification complete, quoting in progress.
	13629	Darius Wells Roof Fall Arrest System		21,000	21,000	1,000	1,000	0	Works planned for February.
	13836	Darius Wells Knowledge Centre - Roof leak repair		0	3,500	3,500	0	(3,500)	LRCI Projects. In progress.
	13630	Darius Wells Automate Disabled Toilet Doors		21,000	26,000	26,000	21,505	(4,495)	LRCI Projects. Works complete, awaiting invoices.
	13632	Darius Wells Room Conversion		9,666	9,666	9,666	0	(9,666)	To be completed by end of May 2021.
	13623	John Wellard Community Centre External Paint		6,300	6,300	300	300	0	LRCI Projects. In progress.
	13628	John Wellard Community Centre Stormwater System		22,050	17,050	17,050	12,382	(4,668)	Project complete.
	13838	John Wellard Community Centre - Paving stain cleaning/repaint due to vandalism		0	10,000	10,000	0	(10,000)	LRCI Projects. In progress.
	13839	John Wellard Community Centre - Wall Finishes - meeting rooms repaint		0	7,000	7,000	5,020	(1,980)	LRCI Projects. Project complete, awaiting invoice.
	13840	John Wellard Community Centre - Wisteria room carpet replacement		0	15,000	0	0	0	LRCI Projects.
	13846	William Bertram Community Centre - External cracked walls repairs/metal fencing repaint		0	7,000	0	0	0	LRCI Projects.
	13847	William Bertram Community Centre - External walls repaint in the playground area		0	7,000	7,000	0	(7,000)	LRCI Projects.
	13848	William Bertram Community Centre - Rusted gutters restoration close to playground area		0	7,000	0	0	0	LRCI Projects.
	13850	Zone Youth Centre - Roof leak repair		0	10,000	0	0	0	LRCI Projects.
	13633	Sloans Cottage Accessibility Works		26,709	12,709	12,709	5,272	(7,437)	Engaging heritage architect.
	13644	Sloans Heritage (Caretaker) Cottage Accessibility Works		20,700	64,700	64,700	350	(64,350)	Engaging heritage architect.
	13624	Parmelia House Roof Renovation		47,775	15,075	15,075	15,002	(73)	Project complete. Budget savings transferred to Kwinana South VBFB Station upgrade.
	13842	Medina Oval Changerooms - Terracing/seating/accessibility		0	15,000	0	0	0	LRCI Projects. Works planned for January.
	13626	Medina Oval Toilet Refurbishment		26,250	26,250	26,250	1,250	(25,000)	
	13841	Medina Hall - Isabela Corker wing - lift, dispose, install and underlay carpet		0	4,000	0	0	0	LRCI Projects.
	13814	Medina Centre - CCTV, lighting and WIFI upgrades		0	0	0	6,958	6,958	\$10k cfwd from 2019/20.
	13631	Calista Oval Tennis Clubrooms		137,363	137,363	6,541	122,764	116,223	Project complete.
	13635	Rhodes Park Accessible Toilet Design		15,750	15,750	0	450	450	Brief in progress.
	13637	Challenger Beach Ablutions Structural Renewal		10,500	10,500	10,500	500	(10,000)	Assessment in progress.
	13618	DCA 9 Local Sportsground Clubroom Honeywood Primary School Oval		3,718,203	3,718,203	1,941,276	72,850	(1,868,426)	Project on hold during community engagement process.
	13639	Wandi Resource Centre Asbestos Removal Program		15,750	15,750	15,750	750	(15,000)	Quotes received.
	13837	Goldney Velodrome BMX Track Kiosk & Ablution - External wall repaint/paving restoration		0	12,000	0	0	0	LRCI Projects. Works planned for February.
	13843	Thomas Oval Electrical Compound - External walls cleaning/renewal and painting		0	4,500	0	0	0	LRCI Projects. Works planned for February.
	13844	Wellard Pavilion - External wall finishes.		0	10,000	0	0	0	LRCI Projects. Works planned for February.
	13845	Wells Park public toilet - External brick wall and paving cleaning/repaint		0	10,000	0	0	0	LRCI Projects.
	13638	18 Maydwell Way Asbestos Removal Program		5,250	5,250	5,250	250	(5,000)	Works planned for January.
	13856	18 Maydwell Way - Window screen renewal		0	7,000	7,000	0	(7,000)	Works planned for January.
	13855	Magenup Equestrian Centre - Stable renovation		0	7,000	7,000	0	(7,000)	Works planned for March.
	Buildings Total			5,231,570	5,463,970	3,118,915	461,932	(2,656,983)	

Capital Expenditure			Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Variance	Comments
			\$	\$	\$	\$	\$	
Plant, Furniture and Equipment								
Furniture and Equipment								
	13660	Library - self returns shelves	12,355	12,355	12,355	0	(12,355)	
	13661	Library - self check out touchscreen computer & workstation	7,000	7,000	7,000	7,046	46	Purchase complete.
	13662	Library - self check out stations for Community Centres	25,438	25,438	0	0	0	
	13825	Replacement of Mayoral Chains	0	10,540	0	0	0	Carried forward from 2019/20.
	13900	Folding/insertion machine with software for Rates	0	17,505	10,505	0	(10,505)	Purchase complete, awaiting invoices.
Computing Equipment								
	13646	City Website Redevelopment Stage 3 of 3	122,860	122,860	30,522	29,709	(813)	In progress.
	13647	Computing Equipment as required	25,438	25,438	12,718	0	(12,718)	
	13648	Corporate Business System Implementation	1,519,953	1,519,953	530,997	545,702	14,705	In progress.
Plant and Equipment								
	13606	Plant Replacement P275 Trailer Roller	23,500	23,500	0	0	0	
	13663	Plant Replacement P499 DECK - Toro Ride on mower	5,500	5,500	0	5,440	5,440	Purchase complete.
	13664	Plant Replacement P500 DECK - Toro Ride on mower	5,500	5,500	0	5,440	5,440	Purchase complete.
	13665	Plant Replacement P531 DECK - Toro Ride on mower	5,500	5,500	0	0	0	
	13666	Plant Replacement P114 Tandem Axle Tilt Trailer	15,000	15,000	0	0	0	
	13667	Plant Replacement P120 Trailer Box top - Coastcare	3,500	3,500	0	0	0	
	13668	Plant Replacement P148 Trailer box 7x4 with water tank and Pump	10,500	10,500	0	9,200	9,200	Purchase complete.
	13669	Plant Replacement P199 Trailer box 7x4 with water tank and pump	10,500	10,500	0	0	0	
	13670	Plant Replacement P351 Mitsubishi Canter Tip Truck	135,000	135,000	0	0	0	
	13671	Plant Replacement P392 Mitsubishi Canter Fuso	95,000	95,000	0	0	0	
	13672	Plant Replacement P443 Isuzu Tip Truck 6x4	150,000	150,000	0	0	0	
	13673	Plant Replacement P223 Volvo Loader L70	260,000	260,000	0	0	0	
	13905	Plant Replacement P227 Molnar 4 post Hoist	0	18,541	0	0	0	
	13674	Traffic Management - Traffic Equipment	26,530	26,530	0	22,491	22,491	Signs arrived August.
	13833	Recquatic Pool Upgrades	0	32,000	7,000	30,500	23,500	
	13903	Outdoor toxic substance unit PR850-6	0	0	0	6,080	6,080	
Motor Vehicles								
	13886	Plant Replacement P551	43,000	33,000	33,000	32,117	(883)	Purchase complete.
	13686	Plant Replacement P483	27,500	27,500	0	25,978	25,978	Purchase complete.
	13693	Plant Replacement P511	43,000	43,000	0	42,629	42,629	Purchase complete.
	13696	Plant Replacement P515	35,000	35,000	0	34,826	34,826	Purchase complete.
	13697	Plant Replacement P492	27,500	27,500	0	27,069	27,069	Purchase complete.
	13694	Plant Replacement P448	42,000	42,000	0	0	0	
	13687	Plant Replacement P479	40,000	40,000	0	0	0	
	13688	Plant Replacement P484	45,000	45,000	0	0	0	
	13695	Plant Replacement P485	40,000	40,000	0	39,971	39,971	Purchase complete.
	13685	Plant Replacement P487	40,000	40,000	0	42,641	42,641	Purchase complete.
	13689	Plant Replacement P493	40,000	40,000	0	41,234	41,234	Purchase complete.
	13690	Plant Replacement P494	40,000	40,000	0	0	0	
	13691	Plant Replacement P432	45,000	45,000	0	0	0	
Plant , Furniture and Equipment Total			2,967,074	3,035,660	644,097	948,074	303,977	

Capital Expenditure			Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Variance	Comments
			\$	\$	\$	\$	\$	
Park and Reserves								
	13675	KIA Street Tree Planting Program	76,313	76,313	3,634	3,634	0	Design completed.
	13676	Kwinana Loop Trail	10,000	10,000	10,000	10,608	608	Carried forward from 2019/20. Project complete.
	13677	Thomas Oval Lighting	413,361	278,754	278,754	260,298	(18,456)	Project complete, awaiting invoices.
	13678	Bertram Street Tree Planting Program	111,925	111,925	5,330	5,330	0	Design complete.
	13679	Parks for People Strategy Ascot Park	145,000	1,320	1,320	1,320	0	Design endorsed by community.
	13680	Parks for People Strategy Peace Park	10,000	10,000	10,000	1,200	(8,800)	In progress.
	13888	Parks for People Strategy Gemstone Park	0	129,360	129,360	1,800	(127,560)	Tree assessment complete.
	13682	POS / Parks & Reserves Renewals Bores, Fencing, Irrigation	227,555	227,555	132,555	100,499	(32,056)	
Parks and Reserves Total			994,154	845,227	570,953	384,689	(186,264)	
Roads								
Urban Road Grant Construction								
	13704	Wellard Road Duplication Project MRRG / DCA Funded	282,905	282,905	0	15,502	15,502	Design and drafting in progress. Landscaping tender completed.
	13705	Road Reseal Renewals MRRG Ocean Street	345,200	345,200	345,200	314,079	(31,121)	Project completed, awaiting line marking.
	13706	Road Reseal Renewals MRRG Mandurah Road SB1	188,300	188,300	188,300	137,309	(50,991)	Project completed, awaiting line marking.
	13710	Road Reseal Renewals MRRG Mandurah Road NB 2	64,800	64,800	64,800	62,014	(2,786)	Project completed, awaiting line marking.
	13707	Road Reseal Renewals MRRG Cockburn Road NB	46,400	46,400	46,400	46,224	(176)	Project completed, awaiting line marking.
	13709	Road Reseal Renewals MRRG Leath Road 1	99,300	99,300	99,300	32,795	(66,505)	Project completed, awaiting line marking and invoices.
	13711	Road Reseal Renewals MRRG Leath Road 2	49,700	49,700	4,518	20,411	15,893	Project completed, awaiting line marking and invoices.
	13708	Road Reseal Renewals MRRG Leath Road 3	395,300	395,300	395,300	136,831	(258,469)	Project completed, awaiting line marking and invoices.
	13712	Road Reseal Renewals MRRG Mason Rd	211,701	211,701	19,246	170,973	151,727	In progress.
Black Spot Grant Construction								
	13703	Gilmore Avenue Pedestrian Crossing	262,073	262,073	262,073	244,629	(17,444)	Project complete, awaiting invoices.
	13887	Meares Road Challenger Avenue roundabout pre-deflection treatment	0	110,000	110,000	0	(110,000)	Design in progress.
Roads to Recovery Grant Construction								
	13700	Road Reseal Renewals RTR Pace Road	275,000	275,000	275,000	25,000	(250,000)	Works planned for March.
	13701	Road Reseal Renewals RTR Orton Road	174,000	174,000	174,000	15,818	(158,182)	Works planned for February.
	13702	Road Reseal Renewals RTR Milton Place	77,000	77,000	7,000	7,000	0	Works planned for March.
DCA Funded Construction								
	13713	DCA 5 - Lyon Road - Cassowary to Kenby	437,250	437,250	0	0	0	
	13714	DCA 2 Millar Road Chg 470 to 577. Developer to complete	293,983	293,983	0	0	0	
	13715	DCA 2 Sunrise Boulevard Internal Collector Road (b) Lot 59 - (Developer to complete)	351,079	351,079	0	0	0	
LRCI Projects								
	13853	Stefanelli Close - Road Resurfacing	0	75,000	0	24,755	24,755	LRCI Projects. In progress.
	13854	Wandi Drive - Road Resurfacing	0	85,000	0	71,167	71,167	LRCI Projects. Project complete, awaiting invoices.
Municipal Road Construction								
	13698	Traffic Management - Breccia Parade speed calming	6,699	6,699	6,699	0	(6,699)	
	13699	General Traffic Management - Traffic calming	81,400	44,733	44,733	24,454	(20,279)	
Roads Total			3,642,090	3,875,423	2,042,569	1,348,961	(693,608)	

Capital Expenditure		Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Variance	Comments
		\$	\$	\$	\$	\$	
Street Lighting							
	13683 Street Lighting - New - Leath Road	208,525	208,525	208,525	129,425	(79,100)	Project complete, awaiting invoices.
	13684 Street Lighting Upgrade reactive work street light requests	27,980	27,980	13,990	1,358	(12,632)	
Street Lighting Total		236,505	236,505	222,515	130,783	(91,732)	
Bus Shelter Construction							
	13645 Bus Shelter Upgrades	36,630	36,630	36,630	6,221	(30,409)	Civil works completed.
Bus Shelter Construction Total		36,630	36,630	36,630	6,221	(30,409)	
Footpath Construction							
	13657 Footpath Renewals	50,875	50,875	25,438	35,350	9,912	
	13658 Gilmore Avenue Shared Path Stage 1 Design (Perth Bicycle Network LG Grants Program)	81,400	81,400	0	16,900	16,900	Design in progress.
	13659 Parmelia Avenue Shared Path Stage 1 Design (Perth Bicycle Network LG Grants Program)	58,800	58,800	58,800	15,800	(43,000)	Design completed.
	13821 Breccia Parade footpath	0	0	0	3,590	3,590	Carried forward from 2019/20. Project complete.
	13851 Barwell Road - Construction of 1.5m wide concrete footpath	0	30,720	30,720	33,997	3,277	LRCI Funding. Project complete.
	13852 Bilya Gardens - Construction of 2m wide concrete footpath	0	115,000	115,000	85,018	(29,982)	LRCI Funding. Project complete, awaiting invoices.
Footpath Construction Total		191,075	336,795	229,958	190,656	(39,302)	
Drainage Construction							
	13651 Drainage - DCA 2 Peel Sub N Drain - Lot 64 Woolcoot Road & Lot 379	1,093,205	1,093,205	0	241,407	241,407	Carried forward from 2019/20. Project complete, awaiting invoices.
	13652 Drainage - DCA 2 - Peel Sub N1 Drain - Lot 378 & 90	334,000	334,000	0	0	0	Completed last year.
	13653 DCA1 Stormwater Management Infrastructure	572,473	572,473	0	16,170	16,170	Draft design issued, tender planned for January.
	13654 DCA 3 Peel Sub P1 Drain Casuarina	1,164,627	1,164,627	0	0	0	
	13655 DCA 3 Peel Sub P1A Drain Casuarina	1,098,363	1,098,363	0	0	0	
	13656 DCA 3 Peel Sub P Drain Anketell South & Casuarina	1,186,647	1,186,647	0	0	0	
	13649 Drainage New Ocean Street	212,850	212,850	212,850	161,968	(50,882)	Project complete, awaiting invoices.
	13650 Drainage New Pace Road	160,572	160,572	14,597	14,597	0	
Drainage Construction Total		5,822,737	5,822,737	227,447	434,143	206,696	
Capital Expenditure Total		19,121,835	19,652,947	7,093,084	3,905,458	(3,187,626)	



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2020

FINANCING ACTIVITIES
NOTE 7
BORROWINGS

Repayments - borrowings

Information on borrowings

Particulars	Finalisation of Loan	1 July 2020	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Current Budget	Actual	Current Budget	Actual	Current Budget	Actual	Current Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Governance										
Loan 99 - Administration Building Renovations	2024/25	576,328	0	0	49,985	101,532	526,343	474,796	17,420	38,476
WATC Short Term Lending Facility	TBA	0	0	5,000,000	0	5,000,000	0	0	0	11,371
Education and welfare										
Loan 96 - Youth Specific Space	2022/23	95,162	0	0	14,432	29,407	80,730.36	65,755	3,328	7,290
Loan 100 - Youth Specific Space	2027/28	1,270,494	0	0	66,407	134,365	1,204,086	1,136,129	28,693	66,272
Recreation and culture										
Loan 94 - Wellard Sports Pavilion	2021/22	108,836	0	0	25,941	52,709	82,895	56,127	2,377	6,728
Loan 95 - Orelia Oval Pavilion	2022/23	228,389	0	0	34,636	70,576	193,753	157,813	7,988	17,497
Loan 97 - Orelia Oval Pavilion Extension	2024/25	1,275,247	0	0	110,602	224,660	1,164,645	1,050,587	38,545	85,135
Loan 102 - Library & Resource Centre	2028/29	6,820,176	0	0	310,973	629,005	6,509,203	6,191,171	149,742	347,778
Loan 104 - Recquatic Refurbishment	2029/30	3,350,000	0	0	137,532	277,849	3,212,468	3,072,151	65,984	155,846
Loan 105 - Bertram Community Centre	2029/30	1,269,272	0	0	55,809	112,530	1,213,463	1,156,742	19,951	48,147
Loan 106 - Destination Park - Calista	2030/31	1,321,267	0	0	50,747	102,291	1,270,519	1,218,976	19,950	49,749
Transport										
Loan 98 - Streetscape Beautification	2024/25	778,043	0	0	67,479	137,066	710,563	640,977	23,517	51,943
Loan 101 - City Centre Redevelopment	2021/22*	2,500,000	0	0	0	0	2,500,000	2,500,000	14,766	79,250
B/Fwd Balance		19,593,213	0	5,000,000	924,543	6,871,990	18,668,669	17,721,223	392,263	965,482
Self supporting loans										
Recreation and culture										
Loan 103B - Golf Club Refurbishment	2031/32	249,972	0	0	8,563	17,269	241,409	232,703	3,605	9,869
		249,972	0	0	8,563	17,269	241,409	232,703	3,605	9,869
**Share of SMRC Loan		425,520	0	0	0	0	425,520	425,520	0	0
Total		20,268,705	0	5,000,000	933,107	6,889,259	19,335,598	18,379,446	395,868	975,351
Current borrowings		6,889,259					2,314,779			
Non-current borrowings		13,379,446					17,020,819			
		20,268,705					19,335,598			

*City Centre Redevelopment loan expected to be refinanced upon maturity in 2021/22, as the City awaits reimbursement from the State Government.
** Current portion of borrowings includes \$425,520, which represents the City's share of the Southern Metropolitan Regional Council (SMRC) Administration Building loan with the WATC.

KEY INFORMATION

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

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2020**

OPERATING ACTIVITIES

NOTE 9

CASH RESERVES

Cash backed reserve

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual Closing Balance
Municipal Reserves	\$	\$	\$	\$	\$	\$	\$	\$	\$
Aged Persons Units Reserve	741,044	9,404	2,467	195,678	0	(190,000)	0	756,126	743,511
Asset Management Reserve	5,163,247	151,936	26,601	0	0	(2,036,739)	(399,179)	3,278,444	4,790,669
Banksia Park Reserve	23,997	996	93	175,000	0	(246,050)	0	(46,057)	24,090
City Infrastructure Reserve	995,255	11,700	3,279	0	0	0	0	1,006,955	998,535
Community Services & Emergency Relief Reserve	340,995	4,084	2,212	0	0	(250,000)	0	95,079	343,207
Contiguous Local Authorities Group Reserve	265,918	3,156	533	21,504	0	(29,508)	0	261,070	266,451
Employee Leave Reserve	2,488,383	0	675	0	0	0	0	2,488,383	2,489,058
Employee Vacancy Reserve	500,233	6,000	751	0	0	0	0	506,233	500,984
Family Day Care Reserve	1,229,903	13,872	4,196	0	0	(46,706)	0	1,197,069	1,234,099
Golf Course Cottage Reserve	29,396	352	44	0	0	0	0	29,748	29,440
Golf Club Maintenance Reserve	8,846	108	13	5,004	0	(5,004)	0	8,954	8,859
Information Technology Reserve	2,597,169	34,760	8,040	0	0	(2,153,806)	(498,831)	478,123	2,106,378
Plant and Equipment Replacement Reserve	430,899	5,076	1,235	355,350	100,000	(744,150)	(101,307)	47,175	430,827
Public Arts Reserve	0	0	0	29,900	29,900	0	0	29,900	29,900
Refuse Reserve	5,644,888	0	7,607	3,000,000	0	(3,479,515)	0	5,165,373	5,652,496
Renewable Energy Efficiency Reserve	34,172	412	114	2,035	0	(2,035)	0	34,584	34,286
Restricted Grants & Contributions Reserve	2,187,985	0	0	0	0	(822,357)	(378,308)	1,365,628	1,809,677
Settlement Agreement Reserve	167,771	2,012	358	0	0	0	0	169,783	168,129
Workers Compensation Reserve	143,928	1,728	307	0	0	0	0	145,656	144,235
Sub-Total Municipal Reserves	22,994,028	245,596	58,526	3,784,471	129,900	(10,005,870)	(1,377,625)	17,018,225	21,804,830
Developer Contribution Reserves									
DCA 1 - Hard Infrastructure - Bertram	599,722	7,504	828	250,000	660,537	(713,153)	0	144,073	1,261,087
DCA 2 - Hard Infrastructure - Wellard	1,988,294	29,704	3,255	0	16,847	(2,117,556)	0	(99,558)	2,008,396
DCA 3 - Hard Infrastructure - Casuarina	0	0	0	3,499,637	0	(3,472,686)	0	26,951	0
DCA 4 - Hard Infrastructure - Anketell	521,489	6,484	1,412	0	53,024	(23,049)	0	504,924	575,926
DCA 5 - Hard Infrastructure - Wandi	427,218	5,312	1,169	20,000	561,924	(460,299)	0	(7,769)	990,310
DCA 6 - Hard Infrastructure - Mandogalup	274,056	4,776	524	0	297,311	(23,049)	0	255,783	571,890
DCA 7 - Hard Infrastructure - Wellard West	18,172	220	47	50,000	31,989	(23,049)	0	45,343	50,208
DCA 8 - Soft Infrastructure - Mandogalup	450,501	5,732	1,248	0	858,335	(24,120)	0	432,113	1,310,085
DCA 9 - Soft Infrastructure - Wandi/Anketell	11,941,274	142,840	31,270	0	696,383	(3,342,323)	0	8,741,791	12,668,927
DCA 10 - Soft Infrastructure - Casuarina/Anketell	204,182	2,700	599	0	0	(24,120)	0	182,762	204,782
DCA 11 - Soft Infrastructure - Wellard East	6,152,977	74,084	8,125	0	307,660	(24,120)	0	6,202,941	6,468,761
DCA 12 - Soft Infrastructure - Wellard West	8,468,096	101,872	11,170	0	988,378	(24,120)	0	8,545,848	9,467,644
DCA 13 - Soft Infrastructure - Bertram	263,326	3,408	754	0	0	(24,120)	0	242,614	264,079
DCA 14 - Soft Infrastructure - Wellard/Leda	706,921	8,104	1,922	0	69,729	(24,120)	0	690,905	778,572
DCA 15 - Soft Infrastructure - City Site	239,431	3,080	688	0	56,655	(24,120)	0	218,391	296,774
Sub-Total Developer Contribution Reserves	32,255,658	395,820	63,011	3,819,637	4,598,770	(10,344,004)	0	26,127,111	36,917,440
Total Reserves	55,249,686	641,416	121,537	7,604,108	4,728,670	(20,349,874)	(1,377,625)	43,145,336	58,722,269

Operating grants, subsidies and contributions	Unspent operating grant, subsidies and contributions liability				Operating grants, subsidies and contributions revenue					Comments
	Opening Liability 1 July 2020	Increase in Liability	Liability Reduction (As revenue)	Liability 31 Dec 2020	Adopted Budget Receivable	Current Budget Receivable	Current Budget Revenue	Budget YTD Revenue	Actual YTD Revenue	
Provider	\$	\$	\$	\$	\$	\$	\$		\$	
General purpose funding										
Local Government General Purpose Grant					314,584	314,584	314,584	157,292	251,596	Qtr 1 instalment received, higher than budgeted.
Local Government General Purpose Grant - Roads					270,000	270,000	270,000	135,000	196,132	Qtr 1 instalment received, higher than budgeted.
Non Rateable Property - Dampier to Bunbury Natural Gas Pipeline Corridor					175,570	175,570	175,570	0	0	
Law, order, public safety										
Department Fire and Emergency Services - ESL	47,043	47,043	(94,086)	0	181,180	188,172	188,172	92,338	94,086	First instalment of 2021 grant received early in June 20.
Department Fire and Emergency Services - RCTI ESG 1819	0	28,646	(28,646)	0	0	0	0	0	28,646	DFES Operating Grant from FY19 received July.
Western Australian Local Government (WALGA)	0	2,000	(2,000)	0	0	0	0	0	2,000	Review & development of plan for animal welfare in emergencies.
Mitigation Activity Fund Grant 20/21 Round 2	0	7,626	(7,626)	0	0	15,251	15,251	15,251	7,626	
Health										
Mosquito Management Contributions (CLAG)	0	28,477	(28,477)	0	21,504	21,504	21,504	10,752	28,477	
Department of Health - Larvicide	0	1,839	(1,839)	0	2,000	2,000	2,000	2,000	1,839	
Education and welfare										
Banksia Park Operating Cost Contribution	0	173,160	(173,160)	0	346,320	346,320	346,320	173,160	173,160	
Family Daycare - Mainstream Childcare Benefit Subsidy					3,436,608	3,436,608	3,436,608	1,718,304	1,311,807	
Family Daycare - Subsidy Other					46,476	46,476	46,476	23,238	200,285	
Family Daycare - Inclusion Subsidy Scheme					5,160	5,160	5,160	2,580	0	
In-Home Care - CCB Subsidy					900,000	900,000	900,000	450,000	451,519	
In-Home Care - Subsidy - Department of Communities					10,320	10,320	10,320	5,160	34,277	
Family Day Care Sustainability Grant	80,904	31,180	(31,180)	80,904	62,360	62,360	62,360	31,180	31,180	
NGALA My Time Program	0	5,280	(5,280)	0	10,560	10,560	10,560	5,280	5,280	
Operational Subsidy - Aboriginal Resource Worker					31,500	31,500	31,500	15,257	15,257	
Library Contributions and Donations					0	0	0	0	76	
Youth Social Justice Program	0	134,071	(134,071)	0	174,000	174,000	174,000	87,000	134,071	
Youth Leadership and Development LYRIK	0	0	0	0	30,000	30,000	30,000	20,000	0	
Youth Intervention Program	0	0	0	0	20,000	20,000	20,000	20,000	0	
Youth Spaces Activation	0	0	0	0	5,000	5,000	5,000	5,000	0	
Community amenities										
PTA Bus Shelter Subsidy					7,000	7,000	7,000	0	0	
SMCC - KIC Coastcare in the KIA					12,518	12,518	12,518	0	0	
SMCC - BP Coastcare					10,000	10,000	10,000	0	0	
SMCC - Perth Region NRM Kleenheat Project					0	0	0	0	0	
SMCC - Tronox Adopt a Beach					5,000	5,000	5,000	0	0	
SMCC - Suez/ProAlliance Adopt a Beach					5,000	5,000	5,000	0	0	
Greening fund	62,853	0	0	62,853	62,852	62,852	62,852	0	0	\$100k Grant received in 2018. 3year funding to 2021.
Bin Tagging Funding	0	0	0	0	12,000	12,000	12,000	0	0	
Sustainability Workshops	0	0	0	0	7,000	7,000	7,000	0	0	
Grow it Local	0	0	0	0	19,000	19,000	19,000	0	0	
Recreation and culture										
Shared Use Agreements	0	74,134	(74,134)	0	100,911	100,911	100,911	79,711	74,134	
Stay on Your Feet Program - Injury Matters	3,230	0	0	3,230	3,230	3,230	3,230	0	0	
Australia Day branding grant	0	1,000	(1,000)	0	0	0	0	0	1,000	
Good Things Foundation Grant - Get Online Week	0	1,000	(1,000)	0	0	1,000	1,000	1,000	1,000	
KIC Sponsorship 2020 Lollyrun					0	0	0	0	10,000	
Community Development Fund - Kwinana Industries Council					0	0	0	0	20,000	Kwinana Community Chest.
OMG Kwinana Fringe Festival - DLGSC					0	0	0	0	50,000	
Transport										
Main Roads Annual Direct Grant					190,000	190,000	190,000	190,000	191,745	
Main Roads Street Light Subsidy					6,000	6,000	6,000	0	0	
Main Roads Maintenance Contribution					134,000	134,000	134,000	67,000	65,890	
TOTALS	194,030	535,455	(582,498)	146,987	6,617,653	6,640,896	6,640,896	3,306,503	3,381,081	

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2020

NOTE 11
NON-OPERATING GRANTS AND CONTRIBUTIONS

Non-operating grants, subsidies and contributions	Unspent non operating grants, subsidies and contributions liability				Non operating grants, subsidies and contributions revenue						Comments
	Liability	Increase	Liability	Liability	Adopted Budget	Current Budget	Adopted Budget	Current Budget	Budget	Actual	
	1 July 2020	in	Reduction	31 Dec 2020	Receivable	Receivable	Revenue	Revenue	YTD Revenue	YTD Revenue	
Provider	\$	\$	\$	\$	\$	\$		\$		\$	
Law, order, public safety											
Department Premier & Cabinet - Kwinana South extensions	30,000	0	0	30,000	431,000	431,000	431,000	431,000	376,000	0	
Department Premier & Cabinet - Mandogalup extensions	13,151	0	(13,151)	0	328,159	328,159	328,159	328,159	0	13,151	Final recognition of Grant received FY19. Project complete.
Department Fire and Emergency Services - Mandogalup Ablutions	20,894	89,930	(110,824)	0	0	0	0	0	328,159	110,824	Final 25% claim received October. Project complete.
Recreation and culture											
Medina Oval Extension/Upgrade - Changeroom Development	0	0	0	0	400,000	400,000	400,000	400,000	0	0	
Department of Infrastructure - Thomas Oval Lighting	0	37,500	(37,500)	0	150,000	37,500	150,000	37,500	0	37,500	Final claim completed.
Department of Education - McWhirter Promenade and Johnson Road landscaping	55,663	0	0	55,663	0	0	0	0	0	0	
Department of Education - Breccia Parade Footpath	2,547	0	(2,547)	0	0	0	0	0	0	2,547	
Local Roads and Community Infrastructure Program	0	0	0	0	0	229,000	0	229,000	0	0	
Lotterywest - Kwinana Loop Trail	0	38,000	(38,000)	0	0	0	0	0	0	38,000	Related to FY20 project.
Transport											
Roads to Recovery - Pace Road Re-seal	0	0	0	0	275,000	275,000	275,000	275,000	275,000	0	
Roads to Recovery - Orton Road Re-seal	0	0	0	0	174,000	174,000	174,000	174,000	0	0	
Roads to Recovery - Milton Place Re-seal	0	0	0	0	48,903	48,903	48,903	48,903	0	0	
State Road Grant - Wellard Road Duplication Project	0	0	0	0	142,997	142,997	142,997	142,997	0	0	
State Road Grant - Road Reseal - Ocean Street	0	90,976	(90,976)	0	230,133	230,133	230,133	230,133	230,133	90,976	
State Road Grant - Road Reseal - Cockburn Road NB	0	23,478	(23,478)	0	30,933	30,933	30,933	30,933	12,373	23,478	
State Road Grant - Road Reseal - Leath Road 1	0	26,480	(26,480)	0	66,200	66,200	66,200	66,200	26,480	26,480	
State Road Grant - Road Reseal - Leath Road 2	0	12,664	(12,664)	0	33,133	33,133	33,133	33,133	13,253	12,664	
State Road Grant - Road Reseal - Leath Road 3	0	104,604	(104,604)	0	263,533	263,533	263,533	263,533	105,413	104,604	
State Road Grant - Road Reseal - Mandurah Road SB1	0	49,460	(49,460)	0	125,533	125,533	125,533	125,533	125,533	49,460	
State Road Grant - Road Reseal - Mandurah Road NB 2	0	16,673	(16,673)	0	43,200	43,200	43,200	43,200	17,280	16,673	
State Road Grant - Road Reseal - Mason Rd	0	55,376	(55,376)	0	141,133	141,133	141,133	141,133	56,453	55,376	
Black Spot - Gilmore Avenue Pedestrian Crossing	30,940	0	(30,940)	0	158,740	158,740	158,740	158,740	124,000	30,940	
Black Spot - Meares Road - roundabout deflection treatment	0	29,333	(29,333)	0	0	73,333	0	73,333	0	29,333	
Perth Bicycle Network LG Grant - Gilmore Avenue Shared Path Stage 1 Design	0	16,280	(16,280)	0	40,700	40,700	40,700	40,700	0	16,280	
Perth Bicycle Network LG Grant - Parmelia Avenue Shared Path Stage 1 Design	0	23,520	(23,520)	0	29,400	29,400	29,400	29,400	0	23,520	
Local Roads and Community Infrastructure Program	0	267,360	(30,720)	236,640	0	305,720	0	305,720	0	30,720	Barwell Rd Footpath completed.
Economic services											
Medina CCTV Grant	10,007	0	0	10,007	0	0	0	0	0	0	Carried forward 2019/20.
Community amenities											
DCA 1 - Hard Infrastructure - Bertram	0	660,537	0	660,537	257,504	257,504	713,153	713,153	0	0	
DCA 2 - Hard Infrastructure - Wellard	1,704,451	16,847	0	1,721,297	29,704	29,704	2,095,316	2,095,316	0	0	
DCA 3 - Hard Infrastructure - Casuarina	0	0	0	0	3,499,637	3,499,637	3,472,686	3,472,686	0	0	
DCA 4 - Hard Infrastructure - Anketell	514,192	638,814	0	1,153,006	6,484	6,484	23,049	23,049	0	0	
DCA 5 - Hard Infrastructure - Wandi	54,070	561,924	0	615,994	25,312	25,312	460,299	460,299	0	0	
DCA 6 - Hard Infrastructure - Mandogalup	272,392	297,311	0	569,703	4,776	4,776	23,049	23,049	0	0	
DCA 7 - Hard Infrastructure - Mandogalup (west)	17,272	31,989	0	49,262	50,220	50,220	23,049	23,049	0	0	Developer Contributions are estimated at budget, but actual receipts
DCA 8 - Soft Infrastructure - Mandogalup	444,048	859,335	0	1,303,383	5,732	5,732	24,120	24,120	0	0	rely on the timing of subdivisions.
DCA 9 - Soft Infrastructure - Wandi / Anketell	10,010,005	973,353	0	10,983,358	142,840	142,840	3,342,323	3,342,323	0	0	Revenue is recognised upon meeting performance obligations (in-line
DCA 10 - Soft Infrastructure - Casuarina/Anketell	194,800	0	0	194,800	2,700	2,700	24,120	24,120	0	0	with expenditure on DCA infrastructure).
DCA 11 - Soft Infrastructure - Wellard East	5,415,345	307,660	0	5,723,005	74,084	74,084	24,120	24,120	0	0	
DCA 12 - Soft Infrastructure - Wellard West	7,274,182	988,378	0	8,262,560	101,872	101,872	24,120	24,120	0	0	
DCA 13 - Soft Infrastructure - Bertram	170,063	0	0	170,063	3,408	3,408	24,120	24,120	0	0	
DCA 14 - Soft Infrastructure - Wellard / Leda	547,758	69,729	0	617,486	8,104	8,104	24,120	24,120	0	0	
DCA 15 - Soft Infrastructure - Townsite	259,842	58,945	0	318,787	3,080	3,080	24,120	24,120	0	0	
TOTALS	27,041,620.93	6,346,454	(712,526)	32,675,549.42	7,328,154	7,823,707	13,434,461	13,930,014	1,690,077	712,526	

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2020**

**NOTE 12
TRUST FUND**

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

Description	Opening Balance	Amount	Amount	Closing Balance
	1 July 2020	Received	Paid	31 Dec 2020
	\$	\$	\$	\$
APU Security Bonds	17,934	3,000	0	20,934
Contiguous Local Authorities Group (CLAG)	3,594	1,383	0	4,977
Public Open Space Cash In Lieu	283,848	36,765	0	320,613
	305,376	41,148	0	346,524

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2020**

**NOTE 13
BUDGET VARIATIONS**

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

Date	Description	Increase / (Decrease) to Net Surplus	Amended Budget Running Balance
		\$	\$
24/06/2020	Annual Budget adoption	0	0
12/08/2020	Non-Operating Grants & Contributions - Local Roads and Community Infrastructure Program	534,720	
	Capital projects expenditure- Buildings	(229,000)	
	Capital projects expenditure - Footpaths	(145,720)	
	Capital projects expenditure - Roads	(160,000)	0
26/08/2020	Opening Surplus Adjustment	25,000	
	Capital project expenditure - Plant & Equipment - Recquatic upgrades	(25,000)	
	Opening Surplus Adjustment	3,540	
	Transfer from Reserve - Restricted Grants and Contributions Reserve	7,000	
	Capital project expenditure - Furniture & Equipment - Mayoral Chains	(10,540)	0
9/09/2020	Reallocation of budgets between Capital building projects as did not meet LRCI criteria		
	W13856 - Maydwell Way - Window screens renewal	7,000	
	W13855 - Magenup Equestrian Centre - Stable renovation	7,000	
	W13633 - Sloans Cottage Accessibility Works	(14,000)	0
	Allocation of FESA ESL Grant received		
	FESA ESL Grant - Govt Grant State	6,992	
	FESA ESL - Kwinana South Vehicle Expenses	(1,320)	
	FESA ESL - Mandogalup Vehicle Expenses	(1,321)	
	FESA ESL - Kwinana South Plant & Equipment Purchases	(1,422)	
	FESA ESL - Mandogalup Plant & Equipment Purchases	(2,929)	0
20/09/2020	Transfer of Insurance proceeds from stolen statue to Public Arts Reserve.		
	Insurance Proceeds	29,900	
	Transfer to Public Arts Reserve	(29,900)	0
	Reallocation of capital funding.		
	W13833 - Pool upgrades to align with new chlorine gas standard.	(7,000)	
	W13642 - Backwash tank no longer required	7,000	
	Transfer from Reserve Asset Mgmt Reserve - to W13833 Pool Upgrades	7,000	
	Transfer from Reserve Asset Mgmt Reserve - to W13642 25m backwash tank lid	(7,000)	
	W13630 - Darius Wells Automated Disabled toilet doors - additional expenditure	(5,000)	
	W13628 - John Wellard CC Stormwater system	5,000	
	Transfer from Asset Management Reserve - W13630 Darius Wells Automated Doors	5,000	
	Transfer from Asset Management Reserve - W13628 John Wellard Community Centre Stormwater System	(5,000)	0
14/10/2020	Reallocation of capital funding to Kwinana South VBFB Station.		
	W13624 - Transfer from Asset Management Reserve (savings in Parmelia House roof renovation)	32,700	
	W13620 - Transfer from Asset Management Reserve to Kwinana South VBFB Station upgrade	(32,700)	
	W13624 - Capital Expenditure - savings in Parmelia House roof renovation	(32,700)	
	W13620 - Capital Expenditure- Kwinana South VBFB Station upgrade.	32,700	
	Site works construction costs not allowed for under DFES funding.		0
28/10/2020	Reallocation of fleet vehicle replacement Plant 551.		
	W13692/W13886 - Capital Expense - Plant and equipment	(10,000)	
	W13692/W13886 - Reserve Transfer - Plant and Equipment Replacement Reserve	10,000	0
	Playground remediation work for Gemstone Park - reallocation of Parks for People Strategy funding.		
	Capital Expense - Parks for People Strategy - Gemstone Park	(129,360)	
	Capital Expense - Parks for People Strategy - Ascot Park	143,680	
	Transfer from Asset Management Reserve	(14,320)	0

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 DECEMBER 2020**

**NOTE 13
BUDGET VARIATIONS**

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

Date	Description	Increase / (Decrease) to Net Surplus	Amended Budget Running Balance
		\$	\$
28/10/2020	Main Roads Black Spot funding (2/3) to construct pre-deflection treatment at Meares Avenue.		
	Capital Expense - Meares Avenue - Challenger Avenue roundabout pre deflection treatment	(110,000)	
	W13699 - Traffic Management - Traffic Calming	36,667	
	W13699 Transfer from Asset Management Reserve	(36,667)	
	W13887 Transfer from Asset Management Reserve	36,667	
	Capital Revenue - Grant - Black Spot Grant Funding	73,333	0
	In-house delivery of Age Friendly Strategy.		
	Operating expense - City Engagement Admin - Salaries	(75,000)	
	Operating expense - City Executive - Consultancy	75,000	0
	Thomas Oval Lighting carried forward from 2019/2020.		
	Capital Expense - Reserve Development - Sport - Thomas Oval Lighting	134,607	
	Capital Revenue - Grant - Department of Sport and Recreation	(112,500)	
	Reserve transfer - Restricted Grants and Contributions - Thomas Oval Lighting	(54,613)	
	Opening Surplus	32,506	0
	Maintenance of Wellard sub drain for 21months following handover per Development Contribution Plan.		
	Operating expense - Drainage maintenance - Wellard	(22,240)	
	Reserve transfer - DCA 2 Reserve	22,240	0
12/11/2020	Good Things Foundation Grant		
	Operating Grant Revenue	1,000	
	Operating expense - Special Events	(1,000)	0
	Recquatic Café Splash opening		
	Revenue - Café Income	44,058	
	Operating Expenditure (employee expenses, materials and contracts)	(44,058)	0
25/11/2020	Recquatic Swim Club Office relocation		
	W13873 Capital Expense - Swim Club Office relocation	(10,400)	
	Operating expense - Expendable equipment	10,400	0
	Inhouse Printer for Rates department		
	Capital expense - Folding/insertion machine with software	(17,505)	
	Operating expense - stationary and printing	17,505	0
	DFES Mitigation Works Grant		
	Revenue - Operating Grants	15,251	
	Operating expense - Mitigation works	(15,251)	0
15/12/2020	Plant Replacement P227 Molnar 4 post Hoist		
	W13905 Capital Expense - Plant & Equipment - New Molnar 4 post hoist	(18,541)	
	Sales Proceeds - Plant & Equipment	1,500	
	Operating Expense - savings in City Operations Infrastructure Maintenance	17,041	0
		0	0

KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 31 DECEMBER 2020

REVENUE

RATES

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

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

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

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EARNINGS

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

OTHER REVENUE / INCOME

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

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

NATURE OR TYPE DESCRIPTIONS

EXPENSES

EMPLOYEE COSTS

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

MATERIALS AND CONTRACTS

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

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

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

INSURANCE

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

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

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

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

18.5 Accounts for payment for the month ended 31 December 2020

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

The purpose of this report is to present to Council a list of accounts paid under delegated authority for the month ended 31 December 2020, as required by the *Local Government (Financial Management) Regulations 1996*.

OFFICER RECOMMENDATION:

That Council:

1. Accepts the list of accounts, totalling \$7,662,807.66, paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 December 2020, as contained within Attachment A.
2. Accepts the detailed transaction listing of credit card expenditure paid for the period ended 31 December 2020, as contained within Attachment B.

DISCUSSION:

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the City's Municipal and Trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996* a list of accounts paid is to be provided to Council, where such delegation is made.

The following table summarises the payments for the period by payment type, with full details of the accounts paid contained within Attachment A.

Payment Type	Amount (\$)
Automatic Payment Deductions	\$ 43,783.11
Cheque Payments #201036 to #201039	\$ 667.10
EFT Payments #4124 to #4135	\$ 6,329,517.69
Payroll Payments 13/12/20 and 27/12/20 and Interim Payroll Payments 01/12/20, 13/12/20 and 20/12/20	\$ 1,288,839.76
Total Attachment A	\$ 7,662,807.66

Contained within Attachment B is a detailed transaction listing of credit card expenditure paid for the period ended 31 December 2020. This amount is included within the total payments, listed above.

18.5 ACCOUNTS FOR PAYMENT FOR THE MONTH ENDED 31 DECEMBER 2020**LEGAL/POLICY IMPLICATIONS:**

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states:

13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
 - (a) *the payee's name; and*
 - (b) *the amount of the payment; and*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing*
 - (a) *for each account which requires council authorisation in that month —*
 - (i) *the payee's name; and*
 - (ii) *the amount of the payment; and*
 - (iii) *sufficient information to identify the transaction;*
and
 - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under subregulation (1) or (2) is to be —*
 - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

FINANCIAL/BUDGET IMPLICATIONS:

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

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

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

18.5 ACCOUNTS FOR PAYMENT FOR THE MONTH ENDED 31 DECEMBER 2020**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	Business Performance	5.4 Ensure the financial sustainability of the City of Kwinana into the future

COMMUNITY ENGAGEMENT:

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

PUBLIC HEALTH IMPLICATIONS:

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

RISK IMPLICATIONS:

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

Risk Event	That Council does not accept the payments
Risk Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Effect/Impact	Compliance
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Possible
Rating (before treatment)	Low
Risk Treatment in place	Reduce – mitigate risk
Response to risk treatment required/in place	Officers provide a full detailed listing of payments made in a timely manner
Rating (after treatment)	Low

18.5 ACCOUNTS FOR PAYMENT FOR THE MONTH ENDED 31 DECEMBER 2020

COUNCIL DECISION

340

MOVED CR S LEE

SECONDED CR M ROWSE

That Council:

- 1. Accepts the list of accounts, totalling \$7,662,807.66, paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 December 2020, as contained within Attachment A.**
- 2. Accepts the detailed transaction listing of credit card expenditure paid for the period ended 31 December 2020, as contained within Attachment B.**

**CARRIED
8/0**

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Automatic Deductions			
Go Go On-Hold Pty Ltd	00044925	On hold phone message system December 2020	198.00
Commonwealth Bank	031220A	Credit card Functions Officer to 031220	2,115.66
Commonwealth Bank	031220B	Credit card Executive Assistant to 031220	86.90
Commonwealth Bank	031220C	Credit card Coordinator Environmental Health to 031220	240.00
Commonwealth Bank	031220D	Credit card Director City Development to 031220	226.90
Commonwealth Bank	031220E	Credit card Director City Infrastructure to 031220	7,591.29
Commonwealth Bank	031220F	Credit card Chief Executive Officer to 031220	268.82
Commonwealth Bank	031220G	Credit card A/Manager Customer & Communications to 031220	3,494.48
Commonwealth Bank	031220H	Credit card Manager Governance to 031220	1,609.55
Commonwealth Bank	031220I	Credit card Director City Engagement 031220	3,030.52
BP Australia Pty Ltd	11365852	Fleet Fuel 011120 to 301120	14,455.01
iinet Technologies Pty Ltd	123657368	Monthly internet charges	589.93
Windcave Pty Ltd	1615149	Monthly service fees November 2020	55.00
Ampol Australia Petroleum Pty Ltd	0301904488	Fleet fuel 011120 to 301120	5,839.43
Fines Enforcement Registry	26849769	Lodgement fee for unpaid infringements	154.00
Fines Enforcement Registry	26862631	Lodgement fee for unpaid infringements	77.00
Fines Enforcement Registry	26915878	Lodgement fee for unpaid infringements	385.00
Wright Express Australia Pty Ltd	61	Fleet fuel 311020 to 281120	1,169.64
iinet Technologies Pty Ltd	704330789	Monthly internet charges	79.99
Library Idea, LLC	79459	12 selected Vox books titles	801.94
Toyota Fleet Management	842533	Fleet management December 2020	1,194.07
TPG Internet Pty Ltd	I250444095	Kwinana South Station internet connection	59.99
TPG Internet Pty Ltd	I250820136	Mandogalup Station internet connection	59.99
Total Automatic Deductions			-43,783.11
Cheques			
City Of Kwinana - Pay Cash	011220Darius	Petty cash recoup to 011220 Community Centres	86.50
City Of Kwinana - Pay Cash	021220Depot	Petty cash recoup to 021220 Depot	50.45
	041220Library	Petty cash recoup to 041220 Library	161.25
City Of Kwinana - Pay Cash	111220 - Admin	Petty cash recoup to 111220 Admin	221.50
City Of Kwinana - Pay Cash	171220 - Library	Petty cash recoup to 171220 Library	147.40
Total Cheques			-667.10
EFT			
EFT TRANSFER: - 02/12/2020			58,452.12
Bright Futures Family Day Care - Pa	231120 to 291120	FDC Payroll 231120 to 291120	41,655.06
Bright Futures In Home Care - Payro	231120 to 291120	IHC Payroll 231120 to 291120	16,797.06
EFT TRANSFER: - 03/12/2020			215,898.80
Australian Services Union	PY01-12-Aust Ser	Payroll Deduction	275.98
	PY01-12-Aust Ser	Payroll Deduction	71.70
Australian Taxation Office	PY01-12-Australi	PAYG tax withheld	199,079.00
Maxxia Pty Ltd	PY01-12-Maxxia P	Payroll Deduction	1,110.48
	PY01-12-Maxxia P	Payroll Deduction	1,269.04
Health Insurance Fund of WA (HIF)	PY01-12-Health I	Payroll Deduction	1,004.55
City of Kwinana - Xmas fund	PY01-12-TOK Chri	Payroll Deduction	7,680.00
Child Support Agency	PY01-12-Child Su	Payroll Deduction	1,099.19
Easifleet	140500	Novated lease charges 011220	3,919.09
LGRCEU	PY01-12-LGREC UI	Payroll Deduction	379.51
	PY01-12-LGREC UI	Payroll Deduction	10.26
EFT TRANSFER: - 03/12/2020			988,345.53

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Kleenit Pty Ltd	141311	Removal of tyre marks left on Sapphire Chase	660.00
Nilfisk Pty Ltd	PRI0003472	Rental of battery floor scrubber Recquatic Nov 20	660.00
FE Technologies Pty Ltd	1008899	RFID tags for Library	495.00
Brian Trevor Rowe	1586227	Refund bond on The Patio	100.00
Lucinda Kate Sharman	1720605	Refund bond on The Patio	100.00
DRG Digital	INV-4182	Standard renewal maintenance annual subscription	3,135.00
Rockingham Toyota	RI21200980	2020 Toyota Rav 4 2WD	35,806.29
Retech Rubber	00003153	Repair softfall at playground in Honeywood	313.50
	00003177	Repair softfall at Heyford Park	357.50
	00003178	Repair softfall Orelia Oval	275.00
Sonic Health Plus	2209029	Pre-employment medical assessment 261120	325.60
	2206827	Pre-employment medical assessment 241120	424.60
Turf Care WA Pty Ltd	INV-1600	Supply and apply treatment at various sites	3,489.75
SoundPack Solutions Pty Ltd	INV-14086	2 x boxes of 100 CD covers	159.50
Hydroquip Pumps	INV-41986	Flow & pressure test bore at The Providence	231.00
JBS & G Australia Pty Ltd	84108	Bushfire plan reviews	803.00
Dowsing Group Pty Ltd	14724	Construction concrete footpath Burlington Street	29,167.19
John Logan	EF082021	Community event funding program 2020/2021	4,611.00
Holcim (Australia) Pty Ltd	9407258789	N25 14mm GP concrete for Fulham Close	416.24
DNR Contracting Pty Ltd	1242	Ocean Street upgrading	81,035.66
Red Dot	03000104	Items for Light up the Square event	78.00
Red Sand Supplies Pty Ltd	00013104	Concrete tipping for Ocean St upgrading	1,326.60
Julia Kay Wallis	2020-2021-011	Oral history interview with Gloria Rigden	354.90
WA Carmax Pty Ltd	RI11301185	2020 Isuzu auto crew cab ute	21,358.15
Red Oxygen Pty Ltd	CI00206490-50623	Licence and message charges 271020 to 261020	45.32
Repco (GPC Asia Pacific)	4330203392	Workshop consumables	388.93
Mackie Plumbing and Gas Pty Ltd	196032	Sloan Cottage investigate possible water leak	356.13
	196033	Recquatic service hydro showers	606.94
	196034	Medina Oval changerooms clear blocked drains	1,238.10
	196030	The Zone service oven	363.67
	196027	Margaret Feilman Centre investigate HWS	73.70
	195989	Recquatic service changeroom shower taps	239.53
	196126	Repairs to Recquatic aquatic toilets	841.40
	196037	Depot scheduled maintenance	73.70
	196127	Investigate blocked toilets in Admin Building	137.12
	195982	Repair sewer at Smirk Cottage Museum	319.76
	195983	Install new filter at Parmelia House	413.90
	195991	Inspect hot water taps at Parmelia House	73.70
	196035	Unblock Challenger Beach toilets	214.40
	196038	Maintenance on HWS at Thomas Oval Pavilion	459.28
	196039	Annual backflow testing at Admin Building	184.78
	196040	Maintenance to filters at Kwinana Senior Citizens	73.70
	196041	Replace water filters at The Zone	436.21
	196047	Install new taps at John Wellard Community Centre	4,818.00
	195995	Thomas Oval Pavilion burst pipe in toilet block	927.76
Australian HVAC Services Pty Ltd	58409	Adjust AC settings at The Zone	332.75
	58466	Little Rascals AC repairs	691.46
	58467	AC repairs Admin Building	537.90
	58408	AC repairs Thomas Kelly Pavilion	358.60
Marsh Pty Ltd	060-1302343	Fraud Awareness training	126.50

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Express Card Service	INV-034911	City of Kwinana library cards	1,287.00
Circuitwest	25November20	Cancelled booking in the David Nelson Design room	44.13
Brajovich Demolition & Salvage Pty	Refund	Duplicate payment	146.00
Lex Education Pty Ltd T/As Little	1774340	Refund bond on Frank Konecny Room	200.00
Ngalla Yorga Waangkan Aboriginal	1774340	Refund bond on The Patio	100.00
Renae Vanderschaaf	1766016	Refund bond on The Patio	100.00
Maria Evina	1757374	Refund bond on Ken Jackman Hall	1,000.00
Bridget Burcu Savage	1716654	Refund bond on The Patio	100.00
Katie Jean Da Mota	1763005	Refund bond on The Patio	100.00
Rebecca Thickbroom	1774416	Refund bond on The Patio	100.00
Satellite Security Services	IV009901	Repairs to toilets at Adventure Playground	192.50
	IV009913	Replace door strike at Admin Building	360.80
	IV009914	Repair alarm sensor at Wheatfield Cottage	206.80
	INV009917	Replace battery in alarm Wellard Pavilion	155.00
	IV009819	Replace alarm battery at The Zone	227.50
	IV009804	Access cards for City Operations Team	5,280.00
Australia Day Council Of WA	INV-0652	Certificate of Achievement	2.00
Telstra	119719800Nov20	Mandogalup Station to 160221	179.98
	1548725500Nov20	Feilman Building to 131220	19.25
	0335568200Nov20	Banksia Park Clubhouse to 141120	48.05
Toll Transport Pty Ltd	1099734	Transport services food water sampling analysis	66.03
	0408-T221490	Courier charges 181120	13.05
Total Eden Pty Ltd	411111654	Retic items	142.80
	411108354	Retic items	104.70
T-Quip	95663#5	Items for various mowers	4,383.98
Western Australian Local Government	I3085237	Urban Forest Conference 271120	120.00
	I3085002	Breakfast with Director General 291020	50.00
	I3085001	Breakfast with Director General 291020	50.00
Water Corporation of Western Austra	9017125687Nov20	3U Malden Park	7.74
	9018600726Nov20	19U Wellard Community Centre	1,605.71
	9020528305Nov20	1U Reserve Cavendish Blvd	2.58
	9021239484Nov20	0U Ryhill Cres drink fountain	46.60
	9021511329Nov20	1U Boyne Park drink fountain	2.58
	9021870858Nov20	1U McWhirter Oval drink fountain	2.58
	9021923200Nov20	3U Aurora Park drink fountain	7.74
	9014096921Nov20	19U Wellard Pavilion	519.03
Westbooks	318108	Adult Library books	11.83
	318109	Junior Library books	11.88
	318112	Junior Library books	12.57
	318111	Adult Library books	55.47
	318106	Junior Library books	11.09
	318113	Adult and junior damaged books	36.98
	318103	Adult Library books	54.73
	318102	Junior Library books	39.93
	318107	Adult and junior damaged books	11.09
	318105	Adult Library books	11.09
	318116	Adult Library books	37.83
	318115	Adult Library books	55.47
	318110	Junior Library books	252.06
	318117	Adult Library books	103.58
Western Australian Treasury Corpora	Loan#103B-071220	Loan#103B due 071220 capital and interest	12,712.78
Absolute Painting Services	INV-1682	Repaint walls Admin Building	418.00

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
	INV-1696	Callistemon U36 repaint internal walls	1,045.00
Dell Australia Pty Ltd	2409947571	128GB M2 SSD replacement for Dell Optiplex 7050	136.62
Beaver Tree Services Aust Pty Ltd	75483	Tree pruning at various sites as directed	21,226.59
	75444	Vegetation clearance Woodland Place	2,653.32
	75445	Tree pruning Bright Road	1,942.93
	75446	Tree removal Wellard Oval	1,927.24
	75447	Tree removal and clearance Wellard Village	2,830.21
	75443	Tree removal Aldham Court	859.18
Synergy	221037310Nov20	837U Thomas Oval Pavilion	345.42
	693987550Nov20	409U Challenger Beach toilets	270.98
Prestige Catering & Event Hire	INV-2100	Catering Council meeting 251120	339.50
ZircoData Pty Ltd	ZDW0150084	Offsite storage pick up and retrieval to 251120	1,035.26
Ambrose Rent A Car	00468702	30 days hire of Toyota Hilux ute	1,200.00
ABCO Products	631650	Consumables for the Recquatic	213.51
Bunnings Building Supplies	2163/01595675	Hardware for Banksia Village Office	228.01
	2163/01064426	Gazebo x 3 for City Operation Team	269.00
	2163/01060034	Slide bolt for City Operations Team	18.82
Ixom Operations Pty Ltd	6320258	Chlorine gas supply for Recquatic Nov 20	122.76
	6317908	Chlorine gas supply for Recquatic Dec 20	1,035.89
Sigma Chemicals	143966/01	Chemical order for Recquatic	593.45
Cabcharge Australia Ltd	00989066P2012	Cab charges 21120 to 291120	231.00
Neverfail Springwater	121138	Facility Maintenance water	23.40
Downer EDI Works Pty Ltd	6009947	Road stabilisation services Mason Rd	102,358.84
	6009785	Foamed bitumen stabilising Patterson to Office Rd	196,576.06
	6009809	Supply & lay asphalt for Mandurah Rd	50,672.77
	6009819	Supply & lay asphalt for Ocean St	75,543.82
	6009816	Road stabilisation services Mandurah Rd upgrading	81,178.49
	6009817	Road stabilisation services Mandurah Rd upgrading	37,229.01
Acurix Networks Pty Ltd	00002859	NBN Service for William Bertram December 2020	100.10
Bolinda Publishing Pty Ltd	212950	Audio adult books for Library	93.46
Outsource Business Support Solution	00001601	Temp staff 231120 and 261120	2,468.40
Daniels Printing Craftsmen	69675	Take 5 booklets spiral bound	418.00
Bertram Primary School	001	Donation for Yr 6 Graduation Award	50.00
Civica Pty Ltd	M/LA017354	Licence support and maintenance to 300920	330.00
	M/LG017300	Licence support and maintenance to 310121	9,005.49
Ventura Home Group Pty Ltd T/As Aus	Refund	Duplicate payment	312.00
BullAnt Security Pty	10204300	Toilet keys for Auto One x 3	86.73
	10204862	Supply and cut keys x 3 for The Zone	243.34
HECS Fire	72518	Replace extinguishers at Recquatic Centre	432.52
Coastline Mowers	26007	Replacement machine battery City Operations Team	232.10
KLMedia Pty Ltd	1147063	DVD for Library requests	317.79
	1147064	DVD for Library requests	10.43
	1147065	DVD for Library requests	29.26
	1147062	DVD for Library requests	92.47
	1147061	DVD for Library requests	119.85
	1147060	Adult games for Library	80.95
Eclipse Soils Pty Ltd	KWIN01R044150	General waste tipping Ocean Street	1,540.00
KAJ Installations & Services	00006947	Callistemon U25 remote transmitter for garage	68.00
MRP Osborne Park-General Pest/Termi	96074	Pest control Darius Wells	197.00

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
	96044	Pest control John Wellard Community Centre	667.00
	96045	Termite inspection Darius Wells	217.00
	96046	Pest control The Zone	432.00
	96047	Termite inspection Challenger Beach Toilets	108.50
	96048	Pest control Mandogalup FS	517.00
	96049	Termite inspection Victory for Life	187.00
	96050	Termite inspection Rhodes Park	108.50
	96073	Pest control Leda Hall	283.25
	96075	Pest control The Zone	217.00
	95865	Pest control Casuarina FS	195.00
	95866	Pest control Business Incubator	187.00
	95867	Pest control Wellard Oval	94.71
	95868	Pest control Fiona Harris Pavilion	230.00
	95869	Pest control William Bertram Community Centre	444.00
	95387	Pest control Admin Building	337.00
	95388	Pest control Sloan Cottage	215.00
	95457	Pest control Sloan Cottage	257.50
	95444	Pest control Depot Building	410.94
	95442	Pest control Margaret Feilman Centre	246.17
	95445	Pest control Medina Hall	144.97
	95448	Pest control Senior Citizens Centre	155.94
	95453	Pest control Depot Building	187.00
	95452	Pest control Wheatfield Cottage	257.50
	95451	Pest control Sloan Cottage	493.37
	95450	Pest control Thomas Kelly Pavilion	217.00
	95449	Pest control Smirk Cottage	366.71
	95447	Pest control Sloan 1950's House	83.53
	95446	Pest control Rotary Club	105.06
	95443	Pest control Calista Tennis Club	111.24
	95441	Pest control Recquatic Centre	247.00
Infiniti Group	507652	Consumables for the Recquatic	339.02
Winc Australia Pty Ltd	9034468879	2 x boxes thermal rolls for Customer Service	62.50
	9034426083	Stationery for Admin Building	3.43
Advanced Traffic Management (WA) Pt	00141417	Traffic management Beauchamp Loop	1,031.80
	00141419	Traffic management Ratcliffe Rd	1,459.98
	00141415	Traffic management Leath Road	1,624.15
	00141416	Traffic management for traffic counters 191120	796.40
	00141172	Traffic management Mandurah Rd	5,709.83
	00140944	Traffic management Mandurah Rd	7,531.43
	00140958	Traffic management Ocean St	17,408.33
	00141174	Traffic management Gilmore/Mandurah Rd	654.50
	00140537	Traffic management Ocean St	544.50
	00141408	Traffic management Light Up the Square event	1,344.75
	00141407	Traffic management Cockburn Road	866.25
Local Government Planners Associati	5992	Breakfast event Chairman's Policy Extravaganza	85.00
LD Total	108125	Supply and install 20m3 Pine Bark mulch in Wellard	2,695.00
	109362	Landscape maintenance various locations Oct 20	9,370.17
JB Hi-Fi Rockingham	103129803-100	Items for Recquatic 12 days of Christmas giveaways	367.00
Elliotts Irrigation Pty Ltd	B20253	Iron filter servicing for Nov 20	2,200.00
Complete Office Supplies Pty Ltd	09700413	Stationery for Darius Wells Centre	394.68
	09671241	Stationery items for William Bertram	145.15
Big W	176065	Recquatic Centre promotional items	61.50
Lasi Controls	2735	Replacement air temperature sensor to pool	325.60
Direct Trades Supply Pty Ltd	429691	Supply and delivery of fencing materials	3,001.32

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Let It Shine Oven Cleaning	00001627	Banksia U27 oven cleaning	265.00
Institute of Indigenous Wellbeing &	1772234	Refund bond on Rhodes Park oval	100.00
Master Lock Service	00007291	Replace lock on Admin Office door	240.00
	00007298	Install lock on Creche Office at Recquatic	430.00
	00007418	Banksia V67 repair to broken window locks	385.00
	00007419	Wellard Community Centre rekey storeroom	270.00
Flexi Staff Pty Ltd	I0003634	Temp staff week ending 221120	782.98
Homestead Ridge Progress Associatio	001-261120	Resident association COVID relief contribution	1,000.00
West Coast Profilers	23862	Profiling/Planning road surfaces Mandurah Road	2,816.35
	23863	Profiling/Planning road surfaces Ocean Street	2,772.00
Forpark Australia Pty Ltd	46754	Replacement parts for Thomas Oval Playground	221.76
ALSCO Pty Ltd	CPER2087090	Linen hire for OCM Council dinners	63.81
Plants & Garden Rentals	00015935	Plant hire Darius Wells Resource Centre Sept 20	159.50
	00015799	Plant hire Darius Wells Resource Centre Nov 20	159.50
	00015686	Plant hire Darius Wells Resource Centre Oct 20	159.50
Imagesource Digital Solutions	454688	Flyers for In-Home Care	127.60
	454649	Tension fabric media wall display straight system	1,233.10
	452845	Variation for Kwinana Loop Trail signage	1,320.00
Woolworths Group Limited	3870533	Items for The Zone	31.90
	4115880	Items for William Bertram	68.15
	3870534	Items for the Recquatic	175.36
	77837648	Items for City Operations	120.60
	77652406	Items for Administration Building	213.12
	77854176	Items for Administration Building	112.60
	3870532	Community Awards Gift Vouchers	500.00
	3870531	Staff leaving morning tea	118.61
Elexacom	112456	Emergency evacuation testing Casuarina FS	374.00
	112457	Emergency evacuation testing Parmelia House	154.00
	112458	Emergency evacuation testing Medina Oval	352.00
	112460	Repairs to lights at Thomas Kelly Pavilion	1,565.44
	112489	Relocate power point at Darius Wells	1,702.09
	112491	Repair fluro lights at Kwinana Golf Club	44.00
	112492	Repair HWS to Margaret Feilman Centre	294.69
	112494	Repair hand dryer at Recquatic Centre	44.00
	112496	Repair hydro pool lights at Recquatic Centre	1,234.55
	112497	Replace RCD at Koorliny Arts Centre	288.54
	112087	Repair showers at Thomas Kelly Pavilion	484.00
	112438	Adjust time for lights at Adventure Park	538.52
	112440	Repair blown lights at The Zone	104.50
	112446	Replace light cover at Medina Oval	413.69
	112448	Repair lights to Fiona Harris Pavilion	126.28
	112451	RCD testing Rotary	44.00
	112452	RCD testing Medina Hall	132.00
	112453	RCD testing Challenger Beach toilets	102.47
	112454	RCD testing Casuarina Hall	132.00
	112455	Emergency evacuation testing Bertram Oval	46.20
	112516	Repair loose cable in Incubator and IT Office	66.00
	112518	RCD testing Kwinana Depot	132.00
	112519	RCD testing Darius Well Resource Centre	396.00
	112520	Inspect GPO on Wellard Pavilion kitchen	154.00
	112521	Reset sensor lights at Smirk Cottage	323.63
	112502	Repair water leak at The Zone	385.48
	112517	Replace faulty RCD at Challenger Beach toilets	187.66
	112522	Inspect and repair lighting Pace Road shops	269.92

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
	112524	Inspect power not working at Darius Wells	115.50
	112500	Install ceiling power points at Darius Wells	5,065.13
	112443	Repair water damaged lights in Civic Admin	327.64
	112447	Replace toilet covers in Wells Park Toilets	245.27
Home Group WA Pty Ltd	Refund	Duplicate payment	276.00
Gail Catherine Godfrey	7.6	Rates Refund	200.00
Sprayking WA Pty Ltd	00001934	Weed control Daintree POS November 20	451.96
Labourforce Impex Personnel Pty Ltd	169033	Temporary staff to 231120	533.51
Advance Scanning Services	20165459	Service location Leath Road	8,470.00
	20165422	HP gas supervision Mandurah Road	4,161.19
AAA Windscreens & Tinting	INV-49366	Install and tint glass panel to vehicle 1GVK917	329.00
Sports Power Kwinana	231120	Gift vouchers for Recquatic Centre	150.00
All Lines & Signs	I0091120	Line marking car park at Incubator Stidworthy Crt	825.00
Morris Jacobs	10-10/12/2019	Facilitate Tuesday Art 101219	265.00
Pickles Auctions	DI000207511	Towing pickup Orelia to Bibra Lake	350.00
Morgan James Scarfe	INV-279	OMG Fringe Fest Curation stage 2 fees	20,350.00
Blackwood & Sons Ltd	KW9779YG	Wash gentle soap free EGO QV 1kg	27.52
	PE5760YH	Natural latex gloves	60.90
	KW5759YH	Batteries and disposable latex gloves	89.95
	PE3888YF	Prosafe spectacles and Eyres spectacles	173.62
	KW3887YF	Various safety items	757.78
Frontline Fire and Rescue Equipment	69607	Firefighting equipment	1,019.84
Emma Marie Lavery	25November20	Reimbursement LIWA aquatic membership for role	132.00
The Smart Security Company P/L	69411	Banksia V61 investigate duress alarm	132.00
Emerald Gardens and Landscaping	211020	Weed and grass spraying Kleenheat site	660.00
	051020	Weed and grass spraying BP site	297.00
Kwinana South Bush Fire Brigade	05November20	Mitigation burn Casuarina Prison 2020	9,375.80
Bushfire Prone Planning	BPP-20048	Bushfire plan review Bonney Rd Anketell	858.00
Kwinana Volunteer Fire & Rescue Ser	05November20	Mitigation burn Casuarina Prison 2020	1,792.73
Alice Cordy-Hedge	017	Light Up The Square photography	350.00
Bertram Punjabi Club Inc	1774340	Refund bond on Tuart Room	1,000.00
Baldivis Transport Pty Ltd	2291	Bulk water supply for Casuarina Hall 041120	175.00
Lo-Go Appointments	00422730	Temp staff week ending 211120	1,674.46
	00422762	Temp staff week ending 281120	2,212.67
Local Government Professionals	19,221	Developing Community Workshop	480.00
Charles Service Company	00033316	Weekend cleaning Thomas Kelly Pavilion 141120	157.17
	00033315	Weekend cleaning Thomas Kelly Pavilion 251020	293.37
	00033314	Cleaning ottoman couches for Recquatic foyer	198.00
Major Motors	980602	Thermostat coolant service kit	145.21
Mandogalup Volunteer Fire Brigade	05November20	Mitigation burn Casuarina Prison 2020	2,459.20
Haylee Lauren Christford-Smith	13November20	Home occupation application refund	220.00
Reece's Event Hire	104057	Equipment hire for Light Up The Square event	2,641.63
EFT TRANSFER: - 04/12/2020			153,352.31
Mary Annakin	30November20	Tenure sum repayment for Villa 11 Banksia Park	153,352.31
EFT TRANSFER: - 09/12/2020			59,273.65
Bright Futures Family Day Care - Pa	301120 to 061220	FDC Payroll 301120 to 061220	43,343.11
Bright Futures In Home Care - Payro	301120 to 061220	IHC Payroll 301120 to 061220	15,930.54

Payment Listing



Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
EFT TRANSFER: - 10/12/2020			1,363,902.58

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
The People Catalyst Pty Ltd	INV-1268	Mediation	1,265.00
Shred-X Pty Ltd	01532249	Exchange and destroy secure document bins	70.84
Danber Technical Services	00329	Refund of 2.5% cash retention on contract complete	5,505.63
Alex Krsnik	SQ20052	Roundabout maintenance Nov 20	3,522.20
	SQ20051	Streetscape garden maintenance Nov 20	16,866.47
	SQ20050	Streetscape garden maintenance Nov 20	3,312.10
	SQ20031	Slash and weed control Bertram Road	2,288.00
	SQ20043	Slash and weed control Wellard Road	1,738.00
	SQ20044	Fire mitigation various sites Nov 20	1,892.00
	SQ20048	Streetscape garden maintenance Nov 20	836.00
	SQ20049	City Centre litter collection Nov 20	3,987.50
	SQ20042	Bright Futures FDC slashing and spray Nov 20	330.00
	SQ20041	Slashing for Joiner Place intersection	110.00
	SQ20045	Mulch for Heywood Park Wellard Village	220.00
Ian Lawrence Jefferys	00	Seniors security subsidy scheme 2020/2021	250.00
Janice Rotarangi	1780538	Refund bond on The Patio	100.00
Little Bandits Childcare Centre	1783028	Refund bond on Calista Oval	100.00
Kelly-Ann Brady	Refund	Application cancelled	146.00
Charles Noel Kirwan	08December20	Seniors security subsidy scheme 2020/2021	250.00
Port Printing Works	INV060745	Staff Business cards	39.60
	INV-060762	Bright Futures FDC brochures	833.95
Chorus Australia	1780538	Refund bond on Medina Hall	1,000.00
Amanda Jane Williams	1756668	Refund bond on The Patio	100.00
Travis Hayto Photography	00001970	Promotional video for Recquatic	756.25
	00001978	Photography of NAIDOC opening ceremony 2020	618.75
EcoBox Solution	EB-INV-00065	Foldable bags 20ltr	167.20
Mark Glen Barlow	08December20	Seniors security subsidy scheme 2020/2021	250.00
Holcim (Australia) Pty Ltd	9407264599	N25 14mm GP concrete for Honeywood Dog Park	536.36
Flex Fitness Equipment	111039	Dumbbell sets for Recquatic gym	4,190.00
Ive Distribution Pty Ltd	1000727265	Christmas lolly run for Kwinana Residents	883.12
Burson Automotive Pty Ltd	109512902	Service filter kit	46.11
Mackie Plumbing and Gas Pty Ltd	I96128	Callistemon U10 replace garden tap	99.68
	I96129	Banksia V16 replace basin taps	116.53
	I96130	Banksia V55 repair kitchen taps	132.82
	I96124	Banksia V1 install oven	331.45
	I96044	Remove basins Bright Futures	1,529.00
	I96146	Callistemon U6 install oven	367.73
	I96144	Inspect showers at Recquatic Centre	540.15
	I96145	Callistemon U2 install oven to gas connections	383.64
As Clean As A Whistle	00000460	Banksia V2 vacate clean	330.00
	00000461	Banksia V1 vacate clean	330.00
	00000466	Banksia Clubhouse and Office cleaning Nov 20	819.50
Community Resources Limited T/As So	INV50971	Mattress collection and recycling	2,488.20
Cherry Daniel	1780538	Refund bond on Ken Jackman Hall	2,000.00
Mailing Solutions Pty Ltd	507466	Printing and issuing of Instalment Reminder notice	1,145.78
Australian HVAC Services Pty Ltd	58625	Reprogram AC temperature in The Zone offices	597.28
	58542	Monthly AC maintenance for various sites	4,318.60
Royal Life Saving Society	126309	Swimming certificates Recquatic	1,236.00
Churchill Capital Consulting Pty Lt	00003234	Consultancy services November 20	22,021.73

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Samuel Benjamin Chan	CoK2020/1	Video for Young People Love My Kwinana	90.00
Circuitwest	1746470	Refund bond on David Nelson Art Room	300.00
ETS Vegetation Management	150222	Fire management works to various locations	10,231.10
David Wildgoose	031220	Refund for duplicate registration	195.00
Hilda Ollimo	1780295	Refund bond on the Wisteria Room	1,000.00
Eton Farm Education	1772331	Refund bond on The Patio	100.00
Ashleigh Jones	1703204	Refund bond on The Patio	100.00
Lucy Victoria Forman-Arnel	1763491	Refund bond on The Patio	100.00
Hannah Martin	1698155	Refund bond on The Patio	100.00
Shauna Marie McEldowney	1697717	Refund bond on The Patio	100.00
Magalie Rousselin	1738204	Refund bond on Medina Hall	875.70
	1744328	Refund bond on Medina Hall	124.30
	1744027	Refund bond on Medina Hall	1,000.00
Shyrel Sinlao Balacuit	1744328	Refund bond on Ken Jackman Hall	1,000.00
Centy Jose Kalapura	1765631	Refund bond on Thomas Kelly Pavilion	1,000.00
Nellie Jean Padovan	08December20	Seniors security subsidy scheme 2020/2021	250.00
Satellite Security Services	IV010010	Programming access to City Operations gates	8,079.17
	IV010016	Replace security panel at Bertram Community Centre	1,502.60
	IV009955	Investigate alarm activations at Wellard Pavilion	235.00
Daimler Trucks Perth	6207619D	Seat belts for Depot vehicle	1,433.48
St John Ambulance Australia (WA) In	FAINV00631613	First aid training 271120	160.00
Star Trophies	00017019	Engraving of trophies and medals	190.30
Sunny Sign Company Pty Ltd	447142	Street signs double sided	148.50
	446668	Direction hazard marker sign with posts	135.72
Total Eden Pty Ltd	411102618	Reticulation stock	4,436.26
	411103373	Reticulation stock	3.41
T-Quip	97269#6	Items for various mowers	5,984.00
	97268#6	Various items for City Operations Team	5,984.00
Waste Stream Management Pty Ltd	00427624	Tipping fees to 261120	297.00
Westbooks	318318	Adult Library books	40.69
	318326	Junior Library books	12.57
	318325	Adult Library books	18.49
	318321	Adult Library books	48.94
	318319	Adult and junior damaged books	39.74
	318315	Adult Library books	67.86
	318317	Junior Library books	11.83
	318322	Junior Library books	26.43
	318316	Junior Library books	90.95
	318320	Junior Library books	7.39
	318323	Adult and junior damaged books	14.79
	318324	Adult Library books	40.68
	318314	Adult Library books	56.21
Kyocera Document Solutions Australi	90113061	Copy costs Nov City Leadership Team	88.97
	90113062	Copy costs Nov Library staff	83.23
	90113063	Copy costs Nov IT	212.69
	90113064	Copy costs Nov Community Centre Team	55.44
	90113065	Copy costs Nov The Zone Multimedia Room	192.15
	90113066	Copy costs Nov Admin Planning	343.61
	90113067	Copy costs Nov The Zone	90.86
	90113068	Copy costs Nov Family Day Care	43.22
	90113069	Copy costs Nov Admin Governance	215.46

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Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
	90113070	Copy costs Nov Admin Finance	113.82
	90113071	Copy costs Nov Depot Admin	46.90
	90113072	Copy costs Nov Library Public	68.31
	90113073	Copy costs Nov Recquatic	293.02
	90113074	Copy costs Nov Depot Demountable	108.97
	90113075	Copy costs Nov Records	390.18
	90113076	Copy costs Nov Admin CSO	120.69
	90113077	Copy costs Nov John Wellard public	40.62
	90113078	Copy costs Nov William Bertram public	59.21
	90113079	Copy costs Nov Banksia Park	99.77
	90113080	Copy costs Nov The Zone Downstairs Reception	14.81
	90113081	Copy costs Nov 20 Darius Downstairs Reception	20.74
	90113082	Copy costs Nov John Wellard Staff	18.98
	90113083	Copy costs Nov Darius Wells Centre	76.95
Officeworks BusinessDirect	614307094	Supply of National Construction Code books	200.20
Cornerstone Legal	17747	Legal fees matter No 005285	1,217.80
	17718	Legal fees matter No 005330	800.30
Palm Lakes Gardens & Landscape Serv	321547	Banksia V11 repair paving to front door	330.00
Suez	40355965	Greenwaste bin and tipping fees to 241120	1,458.20
Synergy	792417950Dec20	Street lighting	118,826.15
	856518550Dec20	Decorative lighting	2,741.26
GlobalX Information Services Pty Lt	PSI0185679	Legal name search for Nov 20	71.28
ABCO Products	626411	Cleaning products for various facilities	1,806.98
Bunnings Building Supplies	2163/01048689	Wall mounted hose reel for Depot	118.94
	2163/01126700	Vacuum window cleaner for Recquatic	191.12
	2163/01696905	Signs to toilets at Chisham Public toilets	105.03
	2163/01696406	Various hardware for Depot and Darius Wells	142.91
	2163/01068492	Capping for Bulrush Park	48.80
	2163/01698192	Fencing supplies for City Operations Team	599.21
	2163/01598876	16 x rapid set concrete	118.24
	2163/01598871	44 x rapid set concrete	325.16
	2163/01596092	Building materials for John Wellard Pavilion	125.41
	2163/01040187	Boardwalk oiling at Tottenham Park	1,485.53
Technology One Limited	195566	OneCouncil implementation fees	17,888.75
Konnect	17694065	Bolts for City Operations Team	5.67
Ausco Modular Pty Ltd	7254441	Demountable hire Dec 20	1,471.80
Natural Area Holdings P/L t/as Natu	00013885	Peel sub and drain landscaping progress claim 5	261,272.76
Wilson Security Pty Ltd	W00269866	Callistemon Court security patrols to 301120	889.19
Our Community	00067731	Upgrading Smarty Grants for secure backups	291.67
Downer EDI Works Pty Ltd	569786	Construction of Gilmore Ave Pedestrian Crossing	266,678.54
	6009897	Asphalt 7mm Gran AC50B	264.22
	6009900	Asphalt 10mm Gran AC50B	366.23
	6009899	Asphalt 10mm Gran AC50B	195.33
	6009898	Asphalt 7 and 10mm Gran AC50B	233.45
Outsource Business Support Solution	00001605	Temp staff 301120 and 031220	2,314.12
Marketforce Pty Ltd	36158	Advertising on SEEK 181120	247.50
	36157	Advertising on SEEK 111120	247.50
	36156	Advertising on SEEK 061120	742.50
	36155	Advertising on SEEK 041120	247.50
	36153	Advertising on SEEK 271020	247.50
	35630	Recquatic Come to Life marketing	2,623.50
	36151	Recquatic Come to Life marketing	2,200.00

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Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
	35640	Recquatic Come to Life marketing	880.00
	36160	Recquatic Come to Life marketing	1,760.00
	35374	Recquatic Come to Life marketing	430.06
	36150	Advertising 041120 and 181120	2,101.00
	36161	Advertising 111120	444.49
	36152	Real estate subscription Nov 20	1,012.00
	36154	Advertising 041120	352.75
	36159	Advertising 271120	994.69
Bertram Primary School	1705806	Refund bond on The Patio	100.00
	1774340	Refund bond on Boronia Room	100.00
City of Rockingham	114379	Tip fees to 301120	17,400.78
Western Maze Pty Ltd	00001127	Green waste collection area 1	12,728.14
	00001128	Green waste collection area 2	11,868.03
HECS Fire	72758	Inspection of fire extinguishers in Admin Building	1,055.78
	72759	Dept of Housing fire extinguisher servicing	189.20
Eclipse Soils Pty Ltd	KWIN01044165	General tipping grass	924.00
	KWIN01R044165	General tipping grass	2,788.50
Officeworks Superstores Pty Ltd	620317226	Donation ballot box for Safe WA	243.00
MRP Osborne Park-General Pest/Termi	95470	Pest control Medina Snr Citizens	197.00
	95469	Pest control Medina Hall	145.00
	95467	Pest control Admin Building	387.79
	95466	Pest control Thomas Oval	235.66
	95465	Pest control Recquatic	362.25
	95473	Pest control Thomas Kelly Pavilion	257.08
	95472	Pest control Kwinana Out of School Care	223.54
	95471	Pest control Smirk Cottage	257.50
Brikmakers	IB970259	Road pavers for Orelia Ave and Sulphur Rd	304.05
Winc Australia Pty Ltd	9034521240	Stationery for Library	292.29
	9034363136	Stationery for Procurement and IT	481.35
Advanced Traffic Management (WA) Pt	00141409	Traffic management Bilya Gardens	2,033.90
	00141636	Traffic management Bilya Gardens	5,661.11
	00141635	Traffic management various sites	4,181.65
	00141406	Traffic management Mason Road	1,419.00
LD Total	109890	Landscape maintenance various locations Nov 20	6,378.28
	109888	Landscape maintenance various locations Nov 20	9,370.17
	109886	Landscape maintenance various locations Nov 20	824.44
	109896	Landscape maintenance various locations Nov 20	1,986.75
	109892	Landscape maintenance various locations Nov 20	1,171.42
	109894	Landscape maintenance various locations Nov 20	32,759.51
	109884	Landscape maintenance various locations Nov 20	2,755.48
	109883	Landscape maintenance various locations Nov 20	11,447.15
	109881	Landscape maintenance various locations Nov 20	15,981.61
	109879	Landscape maintenance various locations Nov 20	8,872.47
	109877	Landscape maintenance various locations Nov 20	5,078.39
	108779	Landscape maintenance various locations Nov 20	2,695.00
	108728	Supply water cart to Kenby Chase	1,185.80
	108729	15m3 Pine Bark mulch in Honeywood	2,524.50
	108702	Landscape maintenance various locations Nov 20	2,088.91
	108703	Landscape maintenance various locations Nov 20	588.19
	108723	Landscape maintenance various locations Nov 20	790.09
	108746	Landscape maintenance various locations Nov 20	107.46
	108713	Landscape maintenance various locations Nov 20	1,650.56
	108745	Landscape maintenance various locations Nov 20	1,494.43
	108701	Landscape maintenance various locations Nov 20	11,550.59

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Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
	109889	Landscape maintenance various locations Nov 20	1,886.81
	109887	Landscape maintenance various locations Nov 20	2,813.79
	109885	Landscape maintenance various locations Nov 20	234.65
	109895	Landscape maintenance various locations Nov 20	352.17
	109891	Landscape maintenance various locations Nov 20	417.40
	109893	Landscape maintenance various locations Nov 20	9,307.76
	109882	Landscape maintenance various locations Nov 20	3,601.76
	109880	Landscape maintenance various locations Nov 20	4,745.31
	109878	Landscape maintenance various locations Nov 20	2,503.95
	109876	Landscape maintenance various locations Nov 20	1,131.09
Ann Margaret Nicholas	03December20	Team Milestone reimbursement	539.00
Medina Residents Group	001	Event funding for Medina Meets Under the Trees	2,600.00
Trophy Express	13186	Trophies for soccer comp at Recquatic	454.95
Complete Office Supplies Pty Ltd	09715922	Stationery items for The Zone	265.63
	09712986	Stationery for Library	206.39
Department of Transport	4146189	Vehicle owner checks	32.60
Landgate	67160947	Aerial imagery service fee Oct 20	567.60
	358051-10001098	GRV chargeable schedule No G2020/14	520.38
	360935-10001098	GRV chargeable schedule No G2020/23	646.45
Big W	176072	Items for team building activity	123.80
	176064	Display for Lyrik Scholarship	40.00
	176020	Nintendo Switch controllers for John Wellard Centre	356.00
Quell Clean	00053165	Banksia V27 vacate clean	420.00
Master Lock Service	00007396	Replace passage set on office doors at Admin Building	150.00
	00007421	Supply padlocks for Thomas Oval	1,071.90
Crusaders Softball Club Inc	001	Kwinana Community Funding program	5,000.00
Fire & Emergency Services, Dept of	01December20	ESL collections for November 2020 Option A	155,651.76
Accord Security Pty Ltd	00025292	Cash handling services for Nov 20	682.00
	00025295	Alarm attendance for various facilities Nov 20	726.00
	00025316	Security services Darius Wells 241120 and 271120	383.35
Flexi Staff Pty Ltd	10003856	Temp staff week ending 271120	1,945.93
Zenien Pty Ltd T/as ATFT Astuta Tru	18059	CCTV maintenance for Admin Building	437.47
Cat Haven	00011136	Animal service fee for November 20	132.00
Alexi Peacock	031220	Assorted items for functions	304.01
Woolworths Group Limited	3870509	November event at Recquatic	153.74
	4071560	Items for The Zone	12.06
	4071555	Items for The Zone	19.90
	4071552	Items for The Zone	82.88
	3870540	Items for The Zone	27.85
	4071564	Items for Darius Wells Resource Centre	140.10
	3870530	Items for Mooditj Kulungars and Bright Futures	73.70
	3870537	Items for Mooditj Kulungars and Bright Futures	70.49
	4071563	Items for Bright Futures	113.42
	3870523	Items for Mooditj Kulungars	162.44
	78225096	Items for City Operations Team	103.50
	4071565	Items for The Zone	38.75
	4071568	Items for YAC	30.15
Drainflow Services Pty Ltd	00006423	Gully Education works Leda Boulevard	2,640.00
	00006493	Gully Education works Leda Boulevard	3,696.00
Elxacom	112545	PAT testing at Kwinana Depot	629.20
	112546	RCD testing Kwinana Auto One	77.00
	112547	Emergency evacuation testing Kwinana Auto One	231.00

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Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
	112548	PAT testing at Mandogalup FS	589.38
	112531	RCD testing Medina Hall	214.50
	112530	RCD testing Recquatic Centre	231.00
	112526	Install power point to Wellard Pavilion	1,004.42
	112534	Install cabling for automatic gate at Depot	6,489.80
	112532	RCD testing Civic Admin	192.50
	112533	Relocate data points in Civic Admin	485.28
Zip Heaters	3528373	Repairs to water fountain at Recquatic	108.90
Total Green Recycling	INV8911	E waste recycling	275.00
Isentia Pty Limited	MN0810161	Media monitoring December 20	935.00
StrataGreen	129589	Various items for Depot	2,987.82
Gregs Glass	10318-19	Replace Darius Wells Library window	2,160.00
Australia Post	1010053930	Postage for period ending 311020	4,347.76
Sports Power Kwinana	011220	Basketball tops for The Zone	1,100.00
Blackwood & Sons Ltd	KW4392YF	4m long ratchet tie down straps	40.52
	KW3223YD	Horizontal flat folds	526.55
	PE2960YH	Tissues for City Operations	65.86
Jason Signmakers	214497	Caution steep driveway sign	196.86
Kwinana Veterinary Hospital Pty Ltd	113626	Animal services	65.00
	112677	Animal services	121.00
	112413	Animal services	65.00
	112219	Animal services	25.00
	112299	Animal services	70.00
	112806	Animal services	51.75
	114290	Animal services	20.85
Strata Specialists	INV008903	Levy increase 011020 to 311220	181.00
	INV008902	Strata levies 011020 to 311220 U23 Meares Ave	217.00
K Mart	262593	Assorted promotional items for Recquatic Centre	259.00
Paul Kevin Alfred Garlett	1774616	Refund part bond Thomas Kelly Pavilion	1,549.80
The Smart Security Company P/L	69447	Banksia V17 repair MediMinder system	132.00
MRA Consulting Group Pty Ltd	00255192	Consultancy services Kwinana Waste Strategy	19,166.40
Leda Education Support Centre	001	Donation for Yr6 Graduation Award	50.00
Chris Kershaw Photography	L2774	Photography for Elected Member portraits	660.00
	L2771	Photography for Stay Loyal Shop Local campaign	1,540.00
Poolwerx Spearwood	INVSPE2220	Splash pad water quality test Adventure Park	1,839.50
	INVSPE1336	Splash pad water quality test Adventure Park	1,761.85
Envirosweep	81793	Road sweeping various locations for Nov 20	1,449.25
	81794	Car sweeping various locations for Nov 20	2,502.50
	81871	Road sweeping various locations for Nov 20	4,097.50
	81872	Footpath sweeping various locations for Nov 20	3,652.00
	81988	Road sweeping various locations for Nov 20	639.38
	82127	Road sweeping various locations for Nov 20	298.38
	82126	Road sweeping various locations for Nov 20	682.00
	82121	Road sweeping various locations for Nov 20	484.00
Honeywood Residents Group Inc.	1143	Donation to Honeywood Christmas movie night	3,300.00
Kwinana South Bush Fire Brigade	03December2020	Hazard reduction burns at various properties	475.00
Laughing Horse Productions	001	Kwinana Community Funding Program 2020/2021	5,000.00
Ohura Consulting	INV-0107	Industrial relations services	5,333.90
Landscape and Maintenance Solutions	INV-1910	Mowing maintenance Rockingham/Patterson Rd Nov	1,980.53
	INV-1916	Broadacre mowing of sportsgrounds Nov 20	15,507.88

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Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
	INV-1917	Passive and streetscape mowing various Nov 20	11,162.13
Vocus Communications	P650084	Monthly internet services Dec 20	1,694.00
Air Liquide Australia	ZA9521	Hire of medical oxygen Recquatic	50.56
Lo-Go Appointments	00418741	Temp staff week ending 011218	1,379.40
	00422760	Temp staff week ending 281120	1,255.85
	00422787	Placement fee	1,488.20
TenderLink	AU-375646	Tenderlink services November 20	201.30
Charles Service Company	00033317	Cleaning services at various locations	7,340.50
Major Motors	982169	Fender for Isuzu truck at Depot	145.39
Mandogalup Volunteer Fire Brigade	03December20	Hazard reduction burns at various properties	605.00
Accidental Health & Safety Perth	3870	Bi-annual medical kit check and update at Zone	249.94
Taylor to Suit	00001000	Christmas styling 2020	1,300.00
Reece's Event Hire	104626	Equipment hire for Light Up The Square event	1,091.64
Sifting Sands	INV-1886	Sand cleaning service various parks	10,473.04
EFT TRANSFER: - 10/12/2020		Payment reversal creditor #10108	-100.00
EFT TRANSFER: - 14/12/2020			250,382.17

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Payee	Invoice	Description	Amount
SuperChoice	November2020*-01	Superannuation-November2020*-01	173,684.08
	November2020*-03	Superannuation-November2020*-03	3,778.95
	November2020*-06	Superannuation-November2020*-06	1,110.56
	November2020*-07	Superannuation-November2020*-07	3,255.12
	November2020*-13	Superannuation-November2020*-13	1,110.11
	November2020*-14	Superannuation-November2020*-14	10,433.08
	November2020*-16	Superannuation-November2020*-16	558.30
	November2020*-17	Superannuation-November2020*-17	19,113.43
	November2020*-18	Superannuation-November2020*-18	1,832.10
	November2020*-21	Superannuation-November2020*-21	1,972.32
	November2020*-22	Superannuation-November2020*-22	568.89
	November2020*-24	Superannuation-November2020*-24	682.90
	November2020*-28	Superannuation-November2020*-28	238.49
	November2020*-29	Superannuation-November2020*-29	502.28
	November2020*-30	Superannuation-November2020*-30	1,124.06
	November2020*-32	Superannuation-November2020*-32	1,422.44
	November2020*-48	Superannuation-November2020*-48	445.78
	November2020*-49	Superannuation-November2020*-49	1,068.14
	November2020*-50	Superannuation-November2020*-50	1,617.87
	November2020*-54	Superannuation-November2020*-54	1,812.60
	November2020*-55	Superannuation-November2020*-55	4,250.96
	November2020*-56	Superannuation-November2020*-56	1,083.76
	November2020*-58	Superannuation-November2020*-58	966.58
	November2020*-59	Superannuation-November2020*-59	1,031.46
	November2020*-60	Superannuation-November2020*-60	997.38
	November2020*-61	Superannuation-November2020*-61	504.28
	November2020*-63	Superannuation-November2020*-63	276.03
	November2020*-64	Superannuation-November2020*-64	802.40
	November2020*-66	Superannuation-November2020*-66	461.27
	November2020*-70	Superannuation-November2020*-70	640.50
	November2020*-72	Superannuation-November2020*-72	974.74
	November2020*-73	Superannuation-November2020*-73	736.61
	November2020*-75	Superannuation-November2020*-75	295.24
	November2020*-79	Superannuation-November2020*-79	1,153.67
	November2020*-81	Superannuation-November2020*-81	785.06
	November2020*-83	Superannuation-November2020*-83	1,054.02
	November2020*-84	Superannuation-November2020*-84	103.66
	November2020*-85	Superannuation-November2020*-85	795.36
	November2020*-89	Superannuation-November2020*-89	1,334.80
	November2020*-90	Superannuation-November2020*-90	669.40
	November2020*-91	Superannuation-November2020*-91	872.34
	November2020*-92	Superannuation-November2020*-92	1,659.74
	November2020*-94	Superannuation-November2020*-94	2,195.64
	November2020*-95	Superannuation-November2020*-95	296.98
	November2020B-01	Superannuation-November2020B-01	32.65
	November2020B-49	Superannuation-November2020B-49	76.14
EFT TRANSFER: - 16/12/2020			62,382.72
Bright Futures Family Day Care - Pa	071220 to 131220	FDC Payroll 071220 to 131220	44,601.73
Bright Futures In Home Care - Payro	071220 to 131220	IHC Payroll 071220 to 131220	17,780.99
EFT TRANSFER: - 16/12/2020			215,300.38

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Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Australian Services Union	PY01-13-Aust Ser	Payroll Deduction	275.98
	PY01-13-Aust Ser	Payroll Deduction	71.70
Australian Taxation Office	PY99-10-Australi	PAYG tax withheld	618.00
	PY01-13-Australi	PAYG tax withheld	201,245.00
Maxxia Pty Ltd	100329020201130	Employee net ITC for 011120 to 301120	350.16
	PY01-13-Maxxia P	Payroll Deduction	1,202.70
	PY01-13-Maxxia P	Payroll Deduction	1,513.33
Health Insurance Fund of WA (HIF)	PY01-13-Health I	Payroll Deduction	1,004.55
City of Kwinana - Xmas fund	PY01-13-TOK Chri	Payroll Deduction	7,530.00
Child Support Agency	PY01-13-Child Su	Payroll Deduction	1,099.19
LGRCEU	PY01-13-LGREC UI	Payroll Deduction	379.51
	PY01-13-LGREC Ui	Payroll Deduction	10.26
EFT TRANSFER: - 17/12/2020			887,139.45

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Katie Maher	1774416	Refund bond on The Patio	100.00
Oakford Agricultural & Garden Suppl	85718	Delivery of Pine Bark mulch to Kwinana Village	988.00
Abuzar Gharibyar	8DEC20	Photography Lyrik Educational Scholarships awards	302.50
Canon Production Printing Australia	1512098	Colorwave 3500 scanner charges Nov 20	288.75
The People Catalyst Pty Ltd	INV-1271	Team facilitation	4,730.00
Fiona Jayne Grieves	07December20	Reimbursement for Community Centre and Library	1,040.00
Summers Consulting	INV-871	Mosquito monitoring 121120	1,126.40
	INV-872	Mosquito monitoring 251120	1,500.40
Wheelie Clean	7578	Rubbish bin clean for Admin Building	267.52
	7577	Rubbish bin clean for Darius Wells	369.38
Paint Industries	62513	Painting supplies for Medina Oval	640.35
Carey Baptist College	1766016	Refund bond The Patio	100.00
Workpower Incorporated	PS15256	Plants delivered to City Operations Team	2,758.80
Ivy Penny	11December20	Dome voucher for Small Business morning tea	200.00
Technifire 2000	24218	Parts for vehicle KWN701	97.37
Port Printing Works	INV060746	Building assessment books	345.40
Chorus Australia Ltd	C1078480	Mowing services at Bright Futures Nov 20	190.58
Mary Fe Gako Brookes	1766072	Refund bond Hovea Room	1,000.00
Kleenheat	3913194	Gas charges various locations November 2020	6,144.80
Sonic Health Plus	2214562	Pre-employment medical assessment 031220	60.50
	2215430	Pre-employment medical assessment 031220	99.00
Gavin Wade Scott	0036	Remove damaged side step on vehicle	70.00
RAC Motoring Pty Ltd t/a RAC Busine	330965	RAC roadside assistance 2020/2021	9,200.00
Holcim (Australia) Pty Ltd	9407288433	N25 14mm GP concrete for Cliveden Way	296.12
	9407237281	N25 14mm GP concrete to City Operations Team	576.40
DNR Contracting Pty Ltd	1243	Bilya Gardens footpath	16,911.22
Centrepont Church	1726222	Refund bond Ken Jackman Hall	300.00
	INV-0476	Community Event Funding D20/67794	5,500.00
Red Sand Supplies Pty Ltd	00013160	Concrete tipping Bilya Gardens	781.55
Ecoscape (Australia) Pty Ltd	I000977	Consultation for landscape design of Wellard Road	6,021.40
Jo Art House	08December20	Painting of shops at Pace Rd Medina	1,000.00
Sean Morris Roofing & Maintenance	INV-0509	Roof works at Smirks Cottage	3,575.00
Ridleys Towing & Transport	49	Bus cleaning	227.50
All Flags Signs & Banners	66528	Installation of new lamp post wraps	2,776.40
Sarah Anne Louise Longland	1744559	Rates refund 9 Grover Way Medina	143.41
Burson Automotive Pty Ltd	109664649	12v Battery for City Operations Team	252.99
	109772749	Air filter for City Operations Team	41.00
	109772665	Filter service kit for KWN2072	112.81
	109772622	Filter service kit for KWN2094	70.48
	109771189	Filter service kit for KWN2107	123.74
	109772587	Filter service kit for KWN650	97.92
	109771697	Filter service kit for KWN2077	130.04
	109771038	Filter service kit for KWN2091	83.53
	109771224	Filter service kit for KWN2003	83.53
	109771733	Filter service kit for KWN1943	87.70
	109770933	Filter service kit for 1GPL248	69.53
	109771770	Filter service kit for KWN2128	123.74
	109772576	Filter service kit for 1HBL602	91.58

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
	109772461	Filter service kit for 1GPA120	99.56
	109771293	Filter service kit for 1GVR917	59.25
	109772545	Filter service kit for KWN2109	123.74
	109772483	Filter service kit for KWN2029	123.74
	109772393	Filter service kit for KWN2132	123.74
	109772421	Filter service kit for KWN2106	123.74
	109772359	Filter service kit for KWN005	219.76
	109770869	Filter service kit for 1GQE726	66.69
	109770963	Filter service kit for KWN2058	247.86
	109771347	Filter service kit for KWN1942	135.90
	109772334	Filter service kit for 1GYB586	123.74
	109772305	Filter service kit for KWN2129	123.74
	109771795	Filter service kit for 1GQE692	70.45
	109771624	Filter service kit for 1EYT548	83.29
	109772069	Filter service kit for KWN2054	123.74
	109771649	Filter service kit for 1HBL602	94.71
	109772275	Filter service kit for 1DUX631	155.99
	109772221	Filter service kit for KWN2007	155.99
	109771158	Filter service kit for 1GWY489	201.21
	109770828	Filter service kit for 1ERM600	81.43
	109698742	Paper towels for City Operations Team	307.95
Mackie Plumbing and Gas Pty Ltd	196194	Banksia V10 repair hot water to system	92.13
	196218	Callistemon U44 unblock kitchen sink	155.67
	196213	Banksia V15 replace hose tap	172.28
	196191	Banksia V52 service leaking toilet	155.14
	196178	Banksia V62 install new oven	530.00
	196177	Banksia V11 install new oven	294.60
	196180	Banksia V29 repairs to leaking HWS	534.50
	196217	Callistemon U44 replace pipe to HWS	593.88
	196176	Relocate garden tap at Business Incubator	165.72
	196182	Repairs to leaking pipe at Thomas Oval Pavilion	725.27
	196189	Replace Zip pump kit at John Wellard Centre	700.46
	196190	Replace hoses on billie unit at Depot	149.22
	196195	Clear blockage at Thomas Oval Pavilion toilets	143.55
	196211	Repairs to The Zone basin sink	387.36
	196212	Repair leak at Wells Park toilets	402.73
	196214	Repair cracks at toilets in Recquatic	990.57
	196215	Inspect fire tank at Magenup Equestrian Centre	73.70
	196216	Repairs to toilets at Recquatic	77.13
Subway Wellard	15December20	Amendment for GST	100.00
Australian HVAC Services Pty Ltd	58723	Inspect AC in Recquatic Team Leaders room	288.75
	58730	Relocate AC at Business Incubator	2,082.30
Your Mob Learning	251	Indigenous Cultural Awareness courses	999.00
Stephanie McNicol	24November20	Refund on membership as moving from area	492.00
The Beauty Workshop	08December20	Signage for The Beauty Workshop	550.00
4Lifeskills Inc	1763491	Refund bond Ken Jackman Hall	1,000.00
Isla Elvira Budd	1773979	Refund bond Ken Jackman Hall	2,000.00
Amina Rauf	1693919	Refund bond The Patio	100.00
Sharon Beattie	1698894	Refund bond The Patio	100.00
Maria Matthews	1753621	Refund bond The Patio	100.00
Infinity Dance Academy	1699018	Refund bond The Patio	100.00
Rob Ranalli	1737709	Refund bond The Patio	100.00
Stephanie Gambetta	1753368	Refund bond The Patio	100.00

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Dread Pirate Rollers	001	Kwinana Community Funding D20/67787	4,063.00
Sunny Sign Company Pty Ltd	447497	City of Kwinana Logo stickers	247.50
Telstra	1355246271Nov20	Mobile device whole organisation Nov 20	9,572.88
	3266288467Nov20	Kwinana South Station to 271220	0.01
	9385375010Dec20	Internet and data to 241220	2,491.62
Toll Transport Pty Ltd	1101730	Transport services food water sampling analysis	33.30
	0409-T221490	Transport services food water sampling analysis	41.93
Total Eden Pty Ltd	411153365	Reticulation stock	1,017.01
	411153391	Reticulation stock	41.53
Trisley's Hydraulic Services Pty Lt	100203335	Solenoid for spa at Recquatic	1,072.50
Water Corporation of Western Austra	9022594998Dec20	19U Drink fountain Honeywood Oval	49.04
Western Australian Treasury Corpora	Loan#95-181220	Loan#95 due 181220 capital and interest	43,235.25
	Loan#96-181220	Loan#96 due 181220 capital and interest	18,014.69
City of Armadale	41975	Tipping fees 151220	168.00
Maia Financial Pty Ltd	C31498	Quarterly leasing for period 010121 to 310321	92,822.53
Subway Kwinana	07Dec20	EMBS Dinner 071220	65.70
Big Brews Liquor	ZB1347584	Refreshments for event to be held in April 2021	1,787.41
Palm Lakes Gardens & Landscape Serv	35794	Repair paving Sulphur and Orelia roundabout	1,100.00
Beaver Tree Services Aust Pty Ltd	75698	Tree pruning Daybreak Loop	445.87
	75628	General vegetation clearance Cockman Way	482.93
	75697	General vegetation clearance Westbrook Street	1,167.46
	75696	General vegetation clearance various sites	28,302.12
Suez	165371	Mixed waste Nov 20	157,661.35
	40347527	Mixed waste Nov 20	174,907.35
	40382541	General waste dry Nov 20	1,679.45
Synergy	141057240Dec20	13620U The Zone	3,611.31
	144372270Dec20	2772U Thomas Oval retic	433.46
	149872970Dec20	3618U Incubator	901.27
	258360080Dec20	4723U Kwinana Adventure Park	980.94
	958335710Dec20	5206U Orelia Oval	1,167.13
	521814530Dec20	5677U Wellard Pavilion	1,014.70
	114826720Dec20	104U Industrial s/scapes Naval Base	136.85
	422268910Dec20	5239U Depot	1,328.91
	938812910Dec20	6989U Wandri Reserve	1,646.07
	657514270Dec20	0U Wandri Oval	110.68
	314938770Dec20	0U Woko Park	110.68
	295922660Dec20	702U Willandra Park	312.20
	135567600Dec20	33945U Darius Wells Library/Resource Centre	8,107.68
	177581220Dec20	74785U Recquatic	17,029.45
	118367820Dec20	7165U New Thomas Oval Pavilion	1,586.46
	294428370Dec20	416U Mornington Park	228.25
	290833680Dec20	25U Honeywood Park	116.01
	198511040Dec20	1412U Bruny Meander	514.17
	566370150Dec20	326U Chipperton Park	144.46
	107029100Dec20	3012U Wellard Community Centre	703.76
	179469390Dec20	2277U Bertram Community Centre	567.47
	129764890Dec20	5239U Lambeth Park	1,101.24
	830669340Dec20	21U Wandri fire pump	113.03
	294827290Dec20	11U Art sculpture Darling Park	111.99
	264244690Dec20	1392U Gecko Park bore	508.43
	259587970Dec20	1977U Honeywood Ave retic	676.36
	201813230Dec20	2343U Mandogalup Station and reserve bore	777.74
	214467920Dec20	59U Honeywood Park/Bruny Meander	125.77

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Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Bob Jane Corporation Pty Ltd	0096577719	Tyres and alignment for 1GWL818	1,372.99
Prestige Catering & Event Hire	INV-2132	Catering 041220	9,900.70
Perth Region NRM Inc	52013	Planting BP site	1,650.00
Bunnings Building Supplies	2163/01210711	Items for Environmental Waste	86.64
	2163/01699441	Supplies for Lolly Run event	47.54
	2163/01698518	Reflective grip and pipe for Facilities Dept	54.52
	2163/01699007	Painting equipment for Wellard Park	124.46
	2163/01120348	Items for Bertram activity reopening	116.55
Yakka Pty Ltd	12690433	Staff uniforms	234.70
	12676130	Staff uniforms	84.15
	12676131	Staff uniforms	66.30
	12676132	Staff uniforms	84.15
Ixom Operations Pty Ltd	6325075	Chlorine gas supply for Recquatic Dec 20	1,035.89
Konnect	1750824406	Consumable items for Depot workshop	544.29
Neverfail Springwater	966877	Bottled water for Admin Building	93.60
Downer EDI Works Pty Ltd	6009989	Mason Road rehabilitation	46,127.84
Connect CCS	00104297	After hours monitoring overcalls Nov 20	1,560.13
Bolinda Publishing Pty Ltd	213638	Audio adult books for Library	107.48
	215424	Audio adult books for Library	178.11
Outsource Business Support Solution	00001608	Temp staff week ending 131220	3,239.77
Clever Designs	23940	Uniforms for Lifeguards at Recquatic	70.00
KLMedia Pty Ltd	1147333	Music CD's for Library	81.15
	1147334	DVD for Library requests	50.42
ADH Fencing	00005490	Fence adjustments at City Operations Depot	4,290.00
Winc Australia Pty Ltd	9034640128	Stationery for Admin Building	745.37
	9034507700	Stationery for Procurement IT	228.58
	9034371206	Stationery for HR	6.88
	9034521299	Stationery for Procurement ICT	159.23
	9034613106	Stationery for Admin Building	283.53
Advanced Traffic Management (WA) Pt	00141410	Traffic management Ocean St	14,452.90
	00141640	Traffic management Beacham Cres	1,784.75
	00141916	Traffic management Medina Ave	1,347.08
	00141634	Traffic management Leath Rd	819.72
	00141418	Traffic management Beacham Cres	993.30
	00141639	Traffic management various locations	765.60
	00141412	Traffic management Mason Rd	257.40
	00141637	Traffic management Mason Rd	5,393.86
	00141411	Traffic management Ocean Street	1,757.80
AC Cooling Services	7360	U2 Callistemon repairs to air con unit	121.00
ED Property Services	00001661	Callistemon U42 repairs to bathroom sliding door	33.00
	00001660	Banksia V6 repairs to retaining wall	66.00
	00001658	Banksia V42 repairs to cracked walls	1,793.00
Data #3 Limited	01970635	Signature manager exchange edition 2.5	670.41
T J Depiazzi & Sons	111910	Supply and deliver pinebark mulch to Depot	2,132.46
Trophy Express	13291	Trophys for netball at Recquatic	603.10
Spotlight Pty Ltd	006501211957	Equipment for Community Engagement	288.99
Landgate	361153-10001098	GRV chargeable schedule No G2020/24	215.54
Quell Clean	00053177	Callistemon U36 and U45 vacate clean	330.00
Business Foundations	00407394	How to start a food business course	90.00
Centrecare	24080	EAP annual registration and management fee	1,026.66

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Woodlands Distributors & Agencies	KWA1-020	Dog waste bags	1,226.50
Master Lock Service	00007435	Replace door barrel at Business Incubator	290.00
	00007453	Banksia V11 replace security door lock	185.00
Programmed Property Services Pty Lt	SINV592534	Kwinana Village gardening and lawn mowing Nov 20	10,257.86
Talis Consultants Pty Ltd	21769	Peace Park landfill gas monitoring to 301120	195.25
Flexi Staff Pty Ltd	I0004049	Temp staff week ending 061220	1,174.47
ALSCO Pty Ltd	CPER2092486	Christmas Breakfast linen hire	141.98
Marleen Helena Timmers	15December20	Refund for dog sterilisation	50.00
Plants & Garden Rentals	00016073	Plant hire Darius Wells Resource Centre Dec 20	159.50
Imagesource Digital Solutions	455039	COVID signs with QR codes	1,059.30
	454984	Posters for Lolly Run	797.50
	454980	Stickers for Lolly Run	220.00
	454983	Roster signs for Lolly Run	1,650.00
	454982	ACM sign for Lolly Run	165.00
	454981	Flyers for Lolly Run	385.00
	45490	In Home Care flyers	127.60
	454821	COVID Awareness assorted frames	898.70
Woolworths Group Limited	4115878	Items for Cafe Splash	237.52
	78215648	Items for LEMC meetings	100.80
	76495835	Items for Cafe Splash	792.25
	4071578	Cleaning items for Community Resource Centres	159.40
	4071559	Items for Boola Maara Advisory Group	45.20
	4071573	Voucher for NAIDOC 2020 video production	105.95
	77431958	Admin Building and Quarterly Celebrations	104.10
	4071576	Items for The Zone	30.80
	3870549	Items for Library	50.60
Drainflow Services Pty Ltd	00006529	Gully Education works Homestead Ridge	9,504.00
Supa Soils Pty Ltd	SS-77327	Sand for Sloans playground	104.40
Elexacom	112605	Reset lights in carpark at Fiona Harris Pavilion	132.00
	112606	Investigate lights at Darius Wells Library	22.00
	112608	Callistemon U36 replace light fittings and fan	478.50
Total Green Recycling	INV8942	E waste recycling	332.31
Peel Riding for the Disabled Associ	KCF092021	Kwinana Community Funding Program	5,500.00
Green Skills Inc / Ecojobs	P2266	Handweeding services for herbaceous weeds	5,153.50
Eduardo Javier Cuevas	09December20	Painting at Pace Rd shops Medina	1,100.00
Harmony Software	3-732	Harmony Web Educator subscription Nov 20	1,062.60
	3-746	In Home Care Educator subscription Nov 20	339.90
Alinta Gas	972215970Nov20	392U Banksia Park Clubhouse	85.20
Quantum Building Services	00003619	Repair walls at Kwinana Rotary Club	2,137.14
Food Safety Information Council	INV-0139	Fridge thermometers x 70	257.50
All Lines & Signs	I0141220	Line marking Honeywood Ave	495.00
Pickles Auctions	D1000208898	Vehicle impound fee	924.00
Blackwood & Sons Ltd	PE5209YF	Broom for Council yard	84.35
	PE7973XG	Antibacterial wipes for City Assist Team	33.84
	KW0237YL	Items for City Operations Team	89.10
	PE0238YL	Items for City Operations Team	15.29
	PE3239YL	Surge protected powerboard	88.22
	PE3261YK	Riggers gloves for City Operations Team	119.33
	KW3260YK	Nitrile gloves for City Operations Team	14.85

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Flex Industries Pty Ltd	1011484	Service inspection on KWN2035	165.00
Jason Signmakers	214605	Building Our Future signs	895.31
Frontline Fire and Rescue Equipment	69499	PAC extended lock strap	72.05
GreenLite Electrical Contractors Pt	00013238	Investigate bore tripping out Banksia Village	103.95
Kerb Direct Kerbing Pty Ltd	44349	Install mountable kerb various sites	8,785.15
	44342	Install mountable kerb various sites	13,352.90
The Green Barista Coffee	26November20	Local Commercial Support Grant Funding	1,100.00
The Smart Security Company P/L	69493	Banksia V53 supply and program remote	212.00
Harcourts Regal Gateway	8.0	Rates Refund	578.33
Preview Industries Pty Ltd	A00059044	Stationery for Library	222.33
Kwinana Little Athletics Centre	01December20	Kwinana Community Funding Rd 1	3,775.00
Honeywood Residents Group Inc.	1783446	Refund bond Honeywood Oval	200.00
Carlin Team	8.0	Rates Refund	600.22
Kwinana Signs & Engraving	00014265	No Stopping signs	88.00
Kwinana South Bush Fire Brigade	09December20	DFES ESL recoup to 311020	1,258.72
	30November20	Mitigation burn Sutherland Reserve	2,296.15
Purearth	INV-1017	Road sweeping and tip fees	4,826.97
Kwinana Volunteer Fire & Rescue Ser	30November20	Mitigation burn Sutherland Reserve	681.82
McLeods	116677	Legal fees matter 45239	330.64
	116539	Legal fees matter 41689	692.43
Kearns Garden Supplies	53November20	Various hardware for APU	44.14
	52November20	Various hardware for BP	24.03
	54November20	Homan watering gun	13.45
	76November20	Various items for City Operations Team	160.88
Medina Newsagency	25November20	Painting of Pace Rd shops Medina	1,100.00
Lo-Go Appointments	00422761	Temp staff week ending 281120	2,666.04
	00422792	Temp staff week ending 051220	1,255.85
	00422793	Temp staff week ending 051220	2,075.11
	00422794	Temp staff week ending 051220	1,767.52
	00422790	Temp staff week ending 051220	1,999.53
Kwinana Smash Repairs	16,524	Insurance excess for KWN2107	500.00
	16,525	Insurance excess for KWN1941	500.00
Major Motors	983876	Radiator cap for vehicle 1ERM600	62.21
	981510	1 set of rear mud flaps & oil additive for plant	187.70
Mandogalup Volunteer Fire Brigade	30November20	Mitigation burn Sutherland Reserve	1,973.75
	08December20	Hazard reduction burns to various properties	880.00
The Worm Shed	00005936	Worm webinar and worm cafe for 281120	2,405.00
EFT TRANSFER: - 23/12/2020			2,010,646.82

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Hare & Forbes Machinery House	2235856	Dust collector and cartridge	1,834.80
Nilfisk Pty Ltd	PSVI020194	Maintenance on Nilfisk Scrubber at Recquatic	225.34
Summers Consulting	INV-883	Mosquito monitoring 091220	1,500.40
Bay Concrete Grinding	00037872	Concrete grinding two locations around Gilmore Ave	880.00
Cindy Morrison	1728685	Bond refund The Patio	100.00
Tasman Kenneth Cooper	8.2	Rates Refund	1,000.00
Kenneth John Margetts	1705134	Bond refund The Patio	100.00
Rockingham John Calvin School	1738534	Refund bond The Patio	100.00
Technifire 2000	24103	Insurance excess for repairs to 1CRB723	500.00
	24224	Welding repairs on rear pump motor 1GJJ940	350.00
PTE Group	INV-10145	Hydraulic motor replaced on mower trailer	522.50
Sonic Health Plus	2218501	Pre-employment medical assessment 091220	198.00
	2223766	Pre-employment medical assessment 161220	198.00
	2222373	Pre-employment medical assessment 151220	325.60
Turf Care WA Pty Ltd	INV-1756	Supply and apply wetting agent various locations	4,924.07
	INV-1719	Supply and apply fertiliser to various locations	2,834.45
Medina IGA	12December20	Grant for shop frontage painting	1,100.00
Dowsing Group Pty Ltd	14932	Construction of footpath Ocean St	33,545.05
	14922	Construction of footpath Bilya Gardens	47,740.81
Holcim (Australia) Pty Ltd	9407301717	14mm concrete for Adventure Playground	256.08
DNR Contracting Pty Ltd	1244	Ocean Street upgrading	5,148.00
Austraffic WA	1286	Supply pedestrian and cycle count for Gilmore Ave	5,280.00
Ma Josie Dela Cruz Maneja	1772007	Bond refund Ken Jackman Hall	1,000.00
Rochelle Mary Anne Kronenberg	1783181	Bond refund Ken Jackman Hall	1,000.00
Ecoscape (Australia) Pty Ltd	I001043	Landscape design for Wellard Rd	6,012.60
Flex Fitness Equipment	123878	Equipment for Recquatic gym	669.55
Jain Joseph	1738204	Bond refund Medina Hall	1,900.00
Alexandria McLeod	1765443	Bond refund Thomas Kelly	300.00
Rynat Industries	51247	Cleaning equipment holders for Medina Hall	1,426.22
Burson Automotive Pty Ltd	109895359	Hand towel dispenser for Depot	294.80
Mackie Plumbing and Gas Pty Ltd	I96237	Install urinal at City Operations Team	2,607.00
	I96241	Install partition in City Operations Team toilets	1,232.00
Australian HVAC Services Pty Ltd	58880	Repair gas leaks on AC at Recquatic	2,936.68
	58288	Repair leak at John Wellard Centre	616.00
	58886	Repair AC water leak at Creche in Recquatic	358.60
Robertson Hayles Lawyers Pty Ltd	013191	Legal fees matter 013191	8,684.50
Churchill Capital Consulting Pty Lt	00003248	Consulting services for December 20	4,278.13
	00003249	Consulting services for December 20	4,738.43
One Degree Advisory Pty Ltd	2021-244	Consultancy fees Koorliny Centre	7,607.82
Tree Care WA	TCWA INV-5685	Tree assessment on Genston Park	1,980.00
Hocking Heritage + Architecture	INV-4088	Concept Development review	5,799.20
Harrison Edmonds	19December20	DJ event coordination services and equipment	1,300.00
Nikita Procter	19December20	DJ workshops for The Zone	250.00
Breakin Traditions	1	Break Dancing workshop for The Zone	250.00
Noah Macpherson	19December20	Music productions for The Zone	250.00
Ballout	19December20	Basketball coaching at The Zone	300.00

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Darren Hutchens Artist	1023PO#127523	Promotional material for Fringe Festival	2,255.00
Steve Hensby	16December20	Entertainment for Light Up The Square event	1,000.00
Amina Rauf	1695086	Bond refund The Patio	100.00
Victor John Little	17December20	Christmas Saver principal payment	300.00
Leonie Harrison Byrne	04	Event assistant for the Lolly Run	1,200.00
Bucking Bull Rockingham	0000000140	The Zone catering	415.00
Xray and Processor Services	Refund	Duplicate payment	105.00
SSB Pty Ltd T/As Momu WA	refund	VP20/138 cancellation	516.00
Kwinana Senior Citizens	51	Photography for montage	250.00
Zanas Lottery Centre	15December20	Grant funding to replace parts to AC system	1,050.50
Lauren Vallillo	1704659	Bond refund The Patio	100.00
Louise Banner	1726219	Bond refund The Patio	100.00
Amanda Henderson	1774087	Bond refund The Patio	100.00
Sharynn Elizebeth Jobber	1783002	Bond refund The Patio	100.00
Joanna Magno	1783176	Bond refund Ken Jackman Hall	1,676.75
Samantha Streich	1789057	Bond refund The Patio	100.00
Free Believers In Christ Fellowship	1789879	Bond refund Hovea Room	300.00
Satellite Security Services	IV010078	Install new sensors on alarm at Fiona Harris Pavilion	470.01
	IV010076	Attend false alarms at City Operations	110.00
	IV010068	Intercom system for City Operations Team	973.50
	IV010069	Install emergency gate to City Operations Team	609.00
	IV010077	Replace strobe and detector to Wellard Pavilion	436.70
	IV010079	Install toggle switch to office at City Operations	395.57
	IV010080	Replace external box at Fiona Harris Pavilion	492.80
St John Ambulance Australia (WA) In	FAINV00659825	First aid training 141220	160.00
	FAINV00659823	First aid training 141220	160.00
Total Eden Pty Ltd	411177650	Reticulation stock	17.90
T-Quip	96831#5	Various items for City Operations Team	236.40
Trisley's Hydraulic Services Pty Lt	100203348	Bi monthly service to pools at Recquatic	12,905.39
	100203341	Investigate fault on pool generators at Recquatic	440.00
	100203347	Install UV pool sensor at Recquatic	2,066.90
	100203353	Investigate solenoid fault on pool at Recquatic	698.50
WA Hino Sales & Service	268745	Complete seat belt	557.59
Waste Stream Management Pty Ltd	00427760	Tipping fees to 091220	165.00
Water Corporation of Western Austra	900358310Dec20	12U Medina Oval	829.55
	9000345691Dec20	12U Waste Stream	30.97
	9000358337Dec20	4U Boy Scouts Hall	10.32
	9000358329Dec20	3U Girl Guides Hall	7.74
	9000358855Dec20	60U Kwinana Senior Citizens	530.44
	9000358839Dec20	11U Medina Hall	591.97
	9000343469Dec20	0U Old St John Ambulance	94.00
	9000348470Dec20	289U Depot	1,215.49
	9000356366Dec20	28U Bright Futures	260.26
	9000357641Dec20	13U Orelia Oval	973.12
	9000364614Dec20	1U Sandringham Park	2.58
	9000343688Dec20	3U Little Rascals	289.73
	9000354133Dec20	430U New Thomas Oval Pavilion/Tucker St Reserve	2,613.78
Rubek Automatic Doors	00026611	Install automatic swing doors at Darius Wells	17,490.00
Western Australian Treasury Corpora	Loan#106-241220	Loan#106 due 241220 capital and interest	71,491.02
	Loan#99-291220	Loan#99 due 291219 capital and interest	67,994.91

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
	Loan97-291220	Loan#97 due 291219 capital and interest	150,453.08
	Loan#98-291220	Loan#98 due 291219 capital and interest	91,793.12
	Loan#100-291220	Loan#100 due 291219 capital and interest	96,073.27
	Loan#102-291220	Loan#102 due 291219 capital and interest	465,790.55
	Loan105-291220	Loan#105 due 291219 capital and interest	38,104.67
	Loan#104-291220	Loan#104 due 291219 capital and interest	205,369.61
Dennis Cleve Wood	ICTALLOW20/21	ICT allowance	291.67
	MEETINGFEES20/21	Meeting fees	2,639.83
Sherilyn Wood	ICTALLOW20/21	ICT allowance	291.67
	MEETINGFEES20/21	Meeting fees	2,639.83
Sandra Elizabeth Lee	ICTALLOW20/21	ICT allowance	291.67
	MEETINGFEES20/21	Meeting fees	2,639.83
Construction Training Fund	21December20	CTF levy for November 2020	6,260.71
Absolute Painting Services	INV-1718	Repaint Swim Club room at Recquatic	902.00
	INV-1713	Touch up paint repairs to Thomas Kelly Pavilion	110.00
	INV-1716	Painting of walls to John Wellard Centre	5,522.00
Orelia Chinese	14December20	Grant for replacing AC unit	1,100.00
Dell Australia Pty Ltd	2410009360	Replacement screen and battery for notebook	611.04
Synergy	704953470Dec20	319U Barney Court	198.57
	705629830Dec20	402U Bournan Heights Reserve	222.40
	332324250Dec20	167U Hewison Park BBQ	153.09
	544003140Dec20	979U Wellard Road verge	317.54
	201352990Dec20	571U Newstead Park	270.17
	832505320Dec20	1753U Ascot Park	608.38
	316580380Dec20	41U Medina Oval lighting	116.92
	821437900Dec20	2U POS lighting near Wellard Village	107.57
	809178030Dec20	209U Warner Road sump	166.99
	144348440Dec20	184 Bore Sutherland Pde	159.82
	488212530Dec20	837U Chisham Oval	301.33
	151027420Dec20	158U Brandon Mews Reserve	152.35
	166216150Dec20	600U Sloan Reserve bore pump 3	279.24
	786264020Dec20	1266U Sutherland Pde/Chisham Ave bore	350.79
	479742820Dec20	92U Parmelia verge bore	133.41
	618835230Dec20	0U Sloan Caretakers Cottage old bore	107.00
	882174540Dec20	2U POS lighting The Strand	107.57
	228715140Dec20	2483U Wellard Village/Pimlico Gardens	175.60
	846031050Dec20	220U Street lights The Strand	170.15
	546496270Dec20	1261U Skottowe Park	467.14
	958312220Dec20	1185U Djilba view	362.66
	127609840Dec20	371U Feilman Building top floor	164.63
	198694990Dec20	35595U Admin/Arts/Parmelia	8,887.87
	963532150Dec20	2130U Town Centre Park	720.28
Bob Jane Corporation Pty Ltd	0096592399	Tyre fitted to KWN1942	278.00
	0096380542	One front wheel alignment 1GIL601	51.00
	0096577720	Wheel alignment and four tyres 1GPL202	813.00
Bristol Cleaning Services	1220-C	Banksia Clubhouse window clean Nov and Dec 20	260.00
Bunnings Building Supplies	2163/01079180	Insect trap fly	85.40
	2163/01502769	Hoses for City Operations Team	26.98
	2163/00147776	Steel scourers for City Operations Team	61.60
	2163/01503011	Garden sleepers for Kwinana Adventure Park	74.25
	2163/01162749	Supplies for Bright Futures	108.49
	2163/01601400	White plastic pail with lid	122.20
	2163/1158687	Rainbird digital tap timer and plier set	101.16
	2163/01428085	Various herbs plant for Operations Depot	95.28

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Konnect	1751567960	Containers for workshop	393.72
Sigma Chemicals	144680/01	Chemical order for Recquatic	898.92
	144681/01	Pool chemicals for Recquatic	379.50
Downer EDI Works Pty Ltd	6010002	Asphalt 10mm Gran AC50B	63.10
	60100047	Supply deliver and apply asphalt Wandri Drive	14,972.94
	6010048	Supply deliver and apply asphalt Stephenli Close	5,945.21
	6010078	Supply deliver and apply asphalt Leath/Beard	132,101.06
Peter Edward Feasey	DEPMAYFEE20/21	Deputy Mayoral allowance	1,869.83
	ICTALLOW20/21	ICT allowance	291.67
	MEETINGFEES20/21	Meeting fees	2,639.83
Carol Elizabeth Adams	ICTALLOW20/21	ICT allowance	291.67
	MAYALLOW20/21	Mayoral allowance	7,479.42
	MEETING20/21	Meeting fees	3,959.67
Challenge Chemicals Australia	106593	Cleaning chemicals for Recquatic	191.73
Celebration Nominees Pty Ltd T/A	Refund	VP20/250 Lot 2342 Sida St Wandri	312.00
Outsource Business Support Solution	00001619	Temp staff week ending 171220	4,319.70
Poly Pipe Traders	00109430	Marking flags for City Operations Team	97.56
Signaltech	3816	Replace V29 tv reception outlet at wall	198.00
	3815	Banksia Park V52 investigate weak TV signal	165.00
SSB Pty Ltd T/As Content Living - T	Refund	VP2020/169 Lot 834 Horrocks St Mandogalup	108.00
Civica Pty Ltd	M/LG017616	License support and maintenance to 280220	9,005.49
West Coast Shade	00010770	Install shade sails at various sites	7,260.00
BullAnt Security Pty	10205833	Supply and cut keys for The Zone	32.28
	10203759	Supply and cut keys for Medina Hall	32.28
HECS Fire	70282	Inspection of fire extinguishers Fiona Harris	206.80
Coastline Mowers	26326	Mower repairs for City Operations Team	117.70
	26131	Repairs to machine battery	124.40
Foreshore Rehabilitation & Fencing	INV-4821	Repairs to vandalised gates at Pedder Way	181.09
KAJ Installations & Services	00007002	Callistemon U25 remote transmitter for garage	68.00
MRP Osborne Park-General Pest/Termi	95474	Pest control Wheatfield Cottage	215.00
	95922	Termite inspection Wheatfield Cottage	108.50
	95918	Termite treatment Casuarina Fire Station	195.00
	95921	Termite treatment Orelia Oval	235.66
	95923	Termite treatment William Bertram Centre	217.00
Wai Kei Vicky Chui	18December20	Items purchased from food business	75.00
Winc Australia Pty Ltd	9034702116	Stationery for Admin Building	24.57
Advanced Traffic Management (WA) Pt	00141917	Traffic management Leath Rd	328.72
	00141638	Traffic management Ocean St	2,946.24
	00141912	Traffic management Bilya Gardens	8,593.86
	00141908	Traffic management Mason Rd	3,497.30
	00141915	Traffic management Beacham Cres	527.02
ED Property Services	00001666	Banksia V10 repair leaks to tiles on roof	330.00
	00001667	Banksia V10 repairs to cracks in walls	990.00
	00001665	Banksia V17 front door repairs	55.00
	00001664	Banksia V25 repairs to rear fence	341.00
Custom Built Saunas	1840	Service steam generator and replace valve	572.00
JB Hi-Fi Rockingham	203140342-100	Wall mount and TV for The Zone	1,060.00
Porter Consulting Engineers	00020764	Drainage relocation Bertram Rd	8,250.00
Big W	176067	Items for Library	28.00
	176074	Items for Swim School at Recquatic	147.45

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
	176088	Earbud earphones for Library staff	60.00
LGISWA	100-141406	Workers Comp 2018/2019 Performance Based Adjustment	80,909.40
Quell Clean	00053260	Banksia V62 vacate clean	180.00
Wendy Gaye Cooper	ICTALLOW20/21	ICT allowance	291.67
	MEETINGFEES20/21	Meeting fees	2,639.83
Let It Shine Oven Cleaning	00001630	Banksia V3 cleaning of oven	265.00
Name Badge World	BW15523	Employee name badges	121.51
Programmed Property Services Pty Lt	SINV594624	BP and APU gardening and lawn mowing Dec 20	10,257.86
Rockypest Pest Management	INV-00032305	Banksia V44 and V45 wasp treatment	150.00
West Coast Profilers	24035	Profiling/Planning road surfaces Mason Rd	2,853.00
Zenien Pty Ltd T/as ATFT Astuta Tru	I8168	CCTV offline cameras and maintenance	1,452.00
ALSCO Pty Ltd	CPER2093839	Linen hire for OCM Council dinners	59.63
	CPER2090019	Linen hire for OCM Council dinners	63.81
	CPER2092814	Linen hire for OCM Council dinners	65.25
	CPER2092939	Linen hire for OCM Council dinners	25.06
Imagesource Digital Solutions	455133	Vinyl banners for the Lolly Run	825.00
	455019	Palmerston Farm exhibition sign	104.50
	454979	Lolly Run delivery	71.50
Alexi Peacock	21December20	Items for the Lolly Run	322.58
Woolworths Group Limited	4071583	Items for The Zone	9.56
	3870526	Items for Environment and Health	3.43
	78764294	Items for Admin Building	111.37
	78580145	Items for various areas	128.89
	4071593	Items for The Zone	12.50
	4071594	Items for The Zone	26.86
	4071590	Staff farewell items	73.89
	78711075	Items for City Operations Team	106.21
	4071588	Items for the Zone	48.55
	79012373	Items for City Operations Team	105.00
	79153652	Items for Admin Building	116.65
	4071596	Items for The Zone	80.70
Elexacom	112638	Replace light fittings at Civic Admin	688.14
	112732	Replace lights at Wells Park toilets	2,129.08
	112731	Replace exterior lights at Wells Park toilets	1,200.00
	112713	Install new bollards at Sandringham Park	4,726.70
	112694	Repairs to kitchen lights at Darius Wells	1,805.21
	112689	Thermal imaging of all switchboards	3,025.00
	112690	Thermal imaging at Civic Administration	858.00
	112659	Relocate TV and TV point at Margaret Feilman Centre	470.91
	112661	Tag and test Christmas trees at Darius Wells Centre	425.70
	112642	Repair carpark lights at Wells Park	2,672.21
	112651	RCD testing Parmelia House	88.00
	112652	Install power points to Old Thomas Oval Pavilion	1,445.51
	112639	Replace RCD and floodlights at Recquatic	972.90
	112656	Banksia Clubhouse repair to flickering lights	195.47
Green Skills Inc / Ecojobs	P2293	Hire of personnel for Horticultural team 081220	1,480.15
StrataGreen	129661	Weeding supplies and equipment	105.85
Gregs Glass	10214-19	Callistemon U70 install shower screen	860.00
Angela Maria Jakob	15December20	Reimbursement for Seed Taking Licence	30.00
Pauline Francis Maree Hardidge	1620987	Bond refund The Patio	100.00
Advance Scanning Services	20165498	HP gas supervision Leath Rd	10,164.00

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
	20165480	HP gas supervision Mason Rd	3,135.00
Quantum Building Services	00003645	Install vision panel at City Operations Team	1,229.25
Comcater Pty Ltd	SINV1181961	Replace thermostat on oven at Cafe Splash	538.45
Tanya Halliday	11December20	Working With Children licence renewal	87.00
Flying Canape	11548	Catering for Lyrik Awards	900.80
Blackwood & Sons Ltd	KW5711YM	Items for City Operations Team	43.95
	KW0252XE	Disposable face masks for Facility Dept	499.95
Flex Industries Pty Ltd	1011723	Electrical diagnostic repairs	395.45
	1011824	Investigate engine light fault KWN2007	3,066.42
Jason Signmakers	214214	Speed Radar Sign post and sleeve	8,228.44
Kerb Direct Kerbing Pty Ltd	44346	Install mountable kerb various sites	2,048.20
	44350	Install mountable kerb various sites	3,562.90
Mervyn Thomas Kearney	ICTALLOW20/21	ICT allowance	291.67
	MEETINGFEES20/21	Meeting fees	2,639.83
The Smart Security Company P/L	69564	Banksia V11 replace backup battery in medi minder	165.00
Anytime Fitness Kwinana	14December20	Grant for signage of front building	1,100.00
Mark One Visual Promotions Pty Ltd	00200058	Installation for Christmas Tree in Library Square	16,863.00
	00200148	Additional supplies for Christmas Trees	1,100.00
Chris Kershaw Photography	L2738	Photography for Local Organisation Christmas function	440.00
Owners of Braemer Mews	1780859	Bond refund Alf Lydon Room	200.00
Department of Mines, Industry	17December20	Building Services Levy Nov 20	36,474.15
Lo-Go Appointments	00422830	Temp staff week ending 121220	3,332.55
	00422831	Temp staff week ending 121220	1,255.85
	00422729	Temp staff week ending 211120	2,191.52
	00422763	Temp staff week ending 281120	2,815.12
	00422791	Temp staff week ending 051220	2,708.22
	00422832	Temp staff week ending 121220	2,708.22
	00422829	Temp staff week ending 121220	1,498.01
	00422828	Temp staff week ending 121220	2,212.67
Charles Service Company	00033312	Cleaning services at various locations	44,653.84
	00033221	Cleaning services at various locations	41,757.40
	0003318	Cleaning consumables for Nov 20	4,593.02
	00033229	Cleaning consumables for Oct 20	1,871.90
Main Roads Western Australia	8010148	Relocation of speed zone	2,881.95
Major Motors	986939	Repair to cooling system plus parts on 1ERM600	3,966.53
	983966	Side door step for Isuzu truck	158.73
Little Rascals Childcare Centre	1773979	Bond refund Rhodes Park Oval	100.00
Matthew James Rowse	ICTALLOW20/21	ICT allowance	291.67
	MEETINGFEES20/21	Meeting fees	2,639.83
KM Coffee 2 You	0014December	Additional hot refreshments for staff	456.00
	0014Dec20	Coffee for educators at children's party	639.00
Aaron Thomas	6333	Performance fee for Light Up the Square event	150.00
Sonja Mouton	1783028	Bond refund The Patio	100.00
Amazing Clean Rockingham	00010821	Banksia V3 cleaning of kitchen blinds	120.00
EFT TRANSFER: - 24/12/2020			64,541.16
Bright Futures Family Day Care - Pa	141220 to 201220	FDC Payroll 141220 to 201220	46,822.87
Bright Futures In Home Care - Payro	141220 to 201220	IHC Payroll 141220 to 201220	17,718.29
Total EFT			-6,329,517.69

Payment Listing

Payments made between 01/12/2020 and 31/12/2020

Payee	Invoice	Description	Amount
Payroll			
Payroll - Interim			2,193.55
Payroll - Interim			3,896.78
Payroll			645,932.11
Payroll - Interim			1,902.00
Payroll - Interim			1,098.68
Payroll - Interim			1,795.22
Payroll			632,021.42
Total Payroll			-1,288,839.76
Grand Total			-7,662,807.66

Credit Card Transactions

1/12/2020 to 31/12/2020

Transaction No	Tran Type	Tran Reference	Invoice Date	Actual	Transaction Description
Credit card Functions Officer to 031220				\$2,115.66	
5004992	Invoice	031220A	03/12/2020	\$3.45	Items for Local Organisation event
5004992	Invoice	031220A	03/12/2020	\$12.35	Hand soap for NGO event
5004992	Invoice	031220A	03/12/2020	\$19.09	Items for Local Organisation Event
5004992	Invoice	031220A	03/12/2020	\$34.36	Lighting for Local Organisation event
5004992	Invoice	031220A	03/12/2020	\$55.82	Items for Local Organisation event
5004992	Invoice	031220A	03/12/2020	\$139.98	Plants and pots for civic events
5004992	Invoice	031220A	03/12/2020	\$144.55	Dinner for Elected Member Briefing Session
5004992	Invoice	031220A	03/12/2020	\$200.91	Centrepieces for NGO event
5004992	Invoice	031220A	03/12/2020	\$273.41	Plants and pots for Citizenship events
5004992	Invoice	031220A	03/12/2020	\$359.32	Quarterly Celebration catering
5004992	Invoice	031220A	03/12/2020	\$680.09	Plants and pots for civic events
5004992	GST	031220A	03/12/2020	\$192.33	GST
Credit card Executive Assistant to 031220				\$86.90	
5004997	Invoice	031220B	03/12/2020	\$79.00	Flowers for staff member
5004997	GST	031220B	03/12/2020	\$7.90	GST
Credit card Coordinator Environmental Health to 031220				\$240.00	
5004999	Invoice	031220C	03/12/2020	\$59.09	Fox Management workshop
5004999	Invoice	031220C	03/12/2020	\$159.09	State Administrative Tribunal workshop
5004999	GST	031220C	03/12/2020	\$21.82	GST
Credit card Director City Development to 031220				\$226.90	
5005002	Invoice	031220D	03/12/2020	\$105.95	Staff recognition team award
5005002	Invoice	031220D	03/12/2020	\$109.95	Get well gift for staff member
5005002	GST	031220D	03/12/2020	\$11.00	GST
Credit card Director City Infrastructure to 031220				\$7,591.29	
5005007	Invoice	031220E	03/12/2020	\$3.64	Parking for meeting
5005007	Invoice	031220E	03/12/2020	\$12.85	Parking for meeting
5005007	Invoice	031220E	03/12/2020	\$18.40	Parking for meeting
5005007	Invoice	031220E	03/12/2020	\$152.00	Employment advertising

Credit Card Transactions

1/12/2020 to 31/12/2020

Transaction No	Tran Type	Tran Reference	Invoice Date	Actual	Transaction Description
5005007	Invoice	031220E	03/12/2020	\$634.14	LinkedIn advertising
5005007	Invoice	031220E	03/12/2020	\$6,080.16	Toxic substances storage unit
5005007	GST	031220E	03/12/2020	\$690.10	GST
Credit card Chief Executive Officer to 031220				\$268.82	
5005010	Invoice	031220F	03/12/2020	\$2.73	Parking for meeting
5005010	Invoice	031220F	03/12/2020	\$2.73	Parking for meeting
5005010	Invoice	031220F	03/12/2020	\$3.95	Parking for meeting
5005010	Invoice	031220F	03/12/2020	\$5.00	Parking for meeting
5005010	Invoice	031220F	03/12/2020	\$12.39	Parking for meeting
5005010	Invoice	031220F	03/12/2020	\$217.58	Milestone celebration City Leadership
5005010	GST	031220F	03/12/2020	\$24.44	GST
Credit card Manager Governance to 031220				\$1,609.55	
5005014	Invoice	031220H	03/12/2020	\$5.45	Parking for workshop
5005014	Invoice	031220H	03/12/2020	\$1,603.55	Quarterly Celebration gift certificate awards
5005014	GST	031220H	03/12/2020	\$0.55	GST
Credit card A/Manager Customer & Communications to 031220				\$3,494.48	
5005021	Invoice	031220G	03/12/2020	\$1.24	International transaction fee
5005021	Invoice	031220G	03/12/2020	\$5.72	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$18.54	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$21.52	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$21.96	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$29.99	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$31.14	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$33.33	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$39.29	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$42.81	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$46.73	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$49.61	Typeform subscription
5005021	Invoice	031220G	03/12/2020	\$50.00	Facebook advertising

Credit Card Transactions

1/12/2020 to 31/12/2020

Transaction No	Tran Type	Tran Reference	Invoice Date	Actual	Transaction Description
5005021	Invoice	031220G	03/12/2020	\$53.65	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$59.51	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$65.47	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$75.02	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$80.15	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$83.14	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$95.44	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$100.31	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$138.61	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$153.27	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$156.72	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$185.27	Transmit SMS software
5005021	Invoice	031220G	03/12/2020	\$185.27	Transmit SMS software
5005021	Invoice	031220G	03/12/2020	\$202.38	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$334.13	Mailchimp software
5005021	Invoice	031220G	03/12/2020	\$415.03	Facebook advertising
5005021	Invoice	031220G	03/12/2020	\$682.17	Facebook advertising
5005021	GST	031220G	03/12/2020	\$37.06	GST
Credit card Director City Engagement 031220				\$3,030.52	
5010779	Invoice	031220I	03/12/2020	\$59.12	Facebook advertising
5010779	Invoice	031220I	03/12/2020	\$72.68	Hamper for staff member
5010779	Invoice	031220I	03/12/2020	\$105.95	Gift card for good samaritan
5010779	Invoice	031220I	03/12/2020	\$2,532.27	5 x Urban Kloud memory foam/bean bags
5010779	GST	031220I	03/12/2020	\$260.50	GST
Grand Total:				\$18,664.12	

18.6 Pedestrian Access Way (PAW) closure request of the PAW between Leasham Court and Gilmore Avenue, Medina - Request to the Minister for Planning, Lands and Heritage

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

The owner of 16 Leasham Court, Medina, Jacobus Rohlandt (**the Applicant**) contacted the City of Kwinana (**the City**) to request the closure of the Pedestrian Access way adjacent to his land. The access way is situated between Leasham Court and Gilmore Avenue (the **PAW**), as shown in the photos at **Attachment A**. The PAW is owned by the State of Western Australia.

City Officers have liaised extensively with the Applicant and the State of Western Australia and now recommend the road closure process. This process is outlined in the *Land Administration Act 1997* (WA) (**the LAA**). The first step in this process was to give public notice of the proposed road closure and give 35 days in which to receive submissions in support or objection to the proposed closure, this was resolved by Council on 26 August 2020. The local government may then, by Council resolution, request the Minister for Lands to close the road, having regard to any submissions.

The proposed road closure was advertised for 35 days and this report seeks Council to resolve to request the Minister to close the road.

OFFICER RECOMMENDATION:

That Council:

1. Note the submissions in Attachment B and Attachment C.
2. In accordance with section 58(3) *Land Administration Act 1997*, formally request the Minister for Lands to close the Pedestrian Access Way between Leasham Court and Gilmore Avenue and dispose of the pedestrian access way to the adjoining owners through Landgate.

DISCUSSION:

Submissions from the Public

By way of council resolution number 239, dated 26 August 2020, authorisation was given to advertise the proposed closure of the PAW and request submissions, for or against the closure, from the public. The closure date for the receipt of submissions was 31 October 2020.

18.6 PEDESTRIAN ACCESS WAY (PAW) CLOSURE REQUEST OF THE PAW BETWEEN LEASHAM COURT AND GILMORE AVENUE, MEDINA - REQUEST TO THE MINISTER FOR PLANNING, LANDS AND HERITAGE

The City has received 25 responses to the notice, 22 are in favour of the closure and 3 are against. Reasons provided by the submissions, both for and against, are summarised below:

a) Submissions in favour of the closure (**Attachment B**)

Submissions for the closure centre on:

- The opposite PAW between Leasham Court and Heylmore Road has been closed for many years thereby reducing the need for this PAW;
- The submissions provide numerous examples of the anti-social activities and also statements on how these instances have affected the resident's standard of living. These examples included home invasions and burglaries where access to the properties was clearly from the PAW, motor vehicles being broken into and the culprits have been seen running through the PAW and vandalism of property;
- These activities have made the residents around the PAW fear for their safety.

b) Submissions against the closure (**Attachment C**)

Submissions against the closure centre on:

- Historical significance, as it forms part of the urban plan and vision of Margaret Feilman and thereby promoting social connectedness;
- Use of the PAW by residents to access shopping centres, Medina Oval and visit friends and family;
- Unaware of any anti-social behaviour or the belief that anti-social behaviour occurs is exaggerated.

Upon application, the Applicant and other residents of Leasham Court via their submissions have provided the City with instances of anti-social behaviour that can be linked directly to the PAW. These include the following:

- Numerous house invasions and attempted house invasions;
- Pool motors and other items stolen from gardens;
- Caravans and cars broken into;
- Malicious property damage and vandalism;
- Motorbikes at high speeds, using the laneway as a short cut;
- Broken glass and other rubbish being thrown into private property boarding the PAW; and
- People loitering in the PAW.

City Officers have conducted an analysis regarding the heritage design of the area. The Medina town site has been listed by the National Trust, this is due to the historical values of the area as a whole, the reason for the town site and the "New Town" planning design theory applied to the layout of Kwinana as a whole. The various PAW's all play a part to that.

¹ The Ordinary Council Meeting agenda incorrectly spelt Margaret Feilman's first name, this has been corrected within the minutes.

18.6 PEDESTRIAN ACCESS WAY (PAW) CLOSURE REQUEST OF THE PAW BETWEEN LEASHAM COURT AND GILMORE AVENUE, MEDINA - REQUEST TO THE MINISTER FOR PLANNING, LANDS AND HERITAGE

From the City Officers perspective, closing an individual PAW will not undermine the design theory. Particularly given the PAW only serves a small portion of 17 properties in Leasham Court. As such it is the City Officers opinion that the proposed closure does not undermine the historic value of the design of the area.

Given the submission put forward by the neighbours and the antisocial behaviour, City Officers recommend that the PAW be closed.

PAW Closure Procedure

The Department for Planning, Lands and Heritage will make the final recommendation on the closure and amalgamation of the PAW following advertising, consideration of public submissions and Council's request to the Minister to close the PAW.

The Department requires the adjacent land owners requesting the closure and amalgamation to provide confirmation that they will purchase the portion of PAW once closed so that it can be amalgamated with their land. The Department has offered the PAW land to the surrounding owners for a total of \$1000. The City sent letters to the owners of 146 and 148 Gilmore Avenue, Medina requesting them to express their interest in purchasing a portion of the PAW to amalgamate with their land. The Applicant confirmed that he would purchase the land adjacent to his property. The owner of 148 Gilmore Avenue did not confirm any interest to purchase, however the owner of 146 Gilmore Avenue (the **Prospective Purchaser**) did provide confirmation of their intention to purchase the land (at **Attachment D**).

The proposed PAW closure and amalgamation into the adjacent lots is illustrated in **Attachment E**.

Asset Relocation

A Dial before you Dig enquiry confirmed that the Water Corporation have assets located within the PAW. The Water Corporation have confirmed the cost of the relocation of these assets to be \$7,662.66. The Applicant and the Prospective Purchaser have agreed to pay the cost of the relocation.

LEGAL/POLICY IMPLICATIONS:

Section 9 of the Land Administration Regulations 1998 and section 58(2) of the Land Administration Act 1997 provides the requirements that the City need to meet in requesting to close a road permanently.

FINANCIAL/BUDGET IMPLICATIONS:

The Applicant has paid the application fee of \$1550 as required by the City's Schedule of Fees and Charges. The costs associated with the closure will be the responsibility of the purchasers of the PAW. The City is to pay for the advertising costs only.

18.6 PEDESTRIAN ACCESS WAY (PAW) CLOSURE REQUEST OF THE PAW BETWEEN LEASHAM COURT AND GILMORE AVENUE, MEDINA - REQUEST TO THE MINISTER FOR PLANNING, LANDS AND HERITAGE

ASSET MANAGEMENT IMPLICATIONS:

Asset management implications will be reduced as a result of this report due to there no longer being a requirement to manage or maintain the PAW which has been disposed of.

ENVIRONMENTAL IMPLICATIONS:

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

STRATEGIC/SOCIAL IMPLICATIONS:

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

Plan	Outcome	Objective
Strategic Community Plan	A safe and welcoming place	1.3 Facilitate improved community safety and reduced crime levels

COMMUNITY ENGAGEMENT:

There is a high level of real or perceived impact or risk to one or more suburbs or user groups. It may include a change to a local or niche amenity or service.

The following community engagement is proposed to take place:

- Display advertisement at site;
- Briefing Stakeholders;
- Media Release and website post; and
- Notice in local newspaper and call for submissions.

PUBLIC HEALTH IMPLICATIONS:

The recommendation/proposal has the potential to:

- Cause a significant improvement to;
 - Built Environment –Neighbourhood Amenity; and
- Help improve the following determinants of health and factors
 - Socio-economic Factors – Community Safety

RISK IMPLICATIONS:

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

Risk Event	That Council does not support the closure of the PAW between Leasham Court and Gilmore Avenue Kwinana and Applicant and others continue to suffer from anti-social behaviour
Risk Theme	Inadequate safety and security practices

18.6 PEDESTRIAN ACCESS WAY (PAW) CLOSURE REQUEST OF THE PAW BETWEEN LEASHAM COURT AND GILMORE AVENUE, MEDINA - REQUEST TO THE MINISTER FOR PLANNING, LANDS AND HERITAGE

Risk Effect/Impact	People/Health
Risk Assessment Context	Strategic
Consequence	Moderate
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	Avoid - remove cause of risk
Response to risk treatment required/in place	Continue monitoring and managing land
Rating (after treatment)	Low

COUNCIL DECISION

341

MOVED CR P FEASEY

SECONDED CR M KEARNEY

That Council:

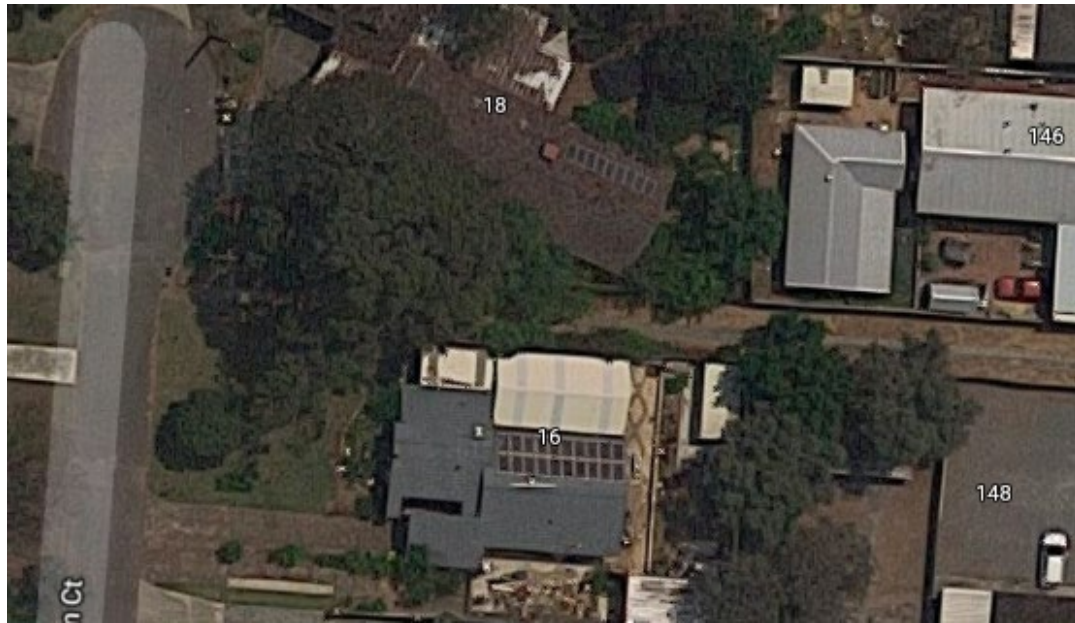
- 1. Note the submissions in Attachment B and Attachment C.**
- 2. In accordance with section 58(3) *Land Administration Act 1997*, formally request the Minister for Lands to close the Pedestrian Access Way between Leasham Court and Gilmore Avenue and dispose of the pedestrian access way to the adjoining owners through Landgate.**

**CARRIED
8/0**











Comment Submission Form

Subject: Interest in purchasing a portion of Pedestrian Access Way – Unallocated Crown Land (Lot M1066), between Leasham Court and Gilmore Avenue, Medina.

Lot/Address: Lot 975, 146 Gilmore Avenue, Medina WA 6167

(Please select as required)

I/We wish to advise that I/we am/are:

(Please tick as required)

- ☒ interested in purchasing a portion of Lot M1066.
- ☐ not interested in purchasing a portion of Lot M1066.

Comments

WE ARE INTERESTED IN PURCHASING
HALF OF LOT M1066.
THE LOT DIVIDED INTO HALF TO SHARE
WITH THE OWNER OF 16 LEASHAM CRT.

WILL NOT BE INTERESTED TO DIVIDE
GILMORE AVENUE END TO SHARE WITH
150 GILMORE

Name

FRANK DIGIORGIO

Signature

ATTACHMENT E



LEASHAM COURT

GILMORE AVENUE

LOT 975
146 GILMORE AVE

LOT 991
16 LEASHAM CT

EXISTING PEDESTRIAN ACCESS WAY
TO BE CLOSED AND AMALGAMATED
WITH ADJACENT LOTS AS HATCHED

40.23

42.65

5.03

5.03

18.7 New Mayoral Chain of Office Design

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

The Mayoral Chain of Office is 43 years old, having been commissioned for the City in 1977. In addition to requiring repairs and maintenance, the Chain needs updating in order to reflect the granting of City status in 2012.

In November 2018 the City sought expressions of interest to provide design options for a new Mayoral Chain. Three artists were selected to provide designs. Unfortunately none of which were deemed suitable for the City's design requirements.

As a consequence, the City obtained a potential design option from G.H. Lilley Regalia, a Melbourne based company who has significant experience in designing and manufacturing regalia and Mayoral Chains of Office. Council endorsement of the design choice is now sought.

OFFICER RECOMMENDATION:

That Council give consideration to endorsing the proposed Mayoral Chain of Office design as included at Attachment A.

DISCUSSION:

The wearing of a Mayoral Chain of Office dates back to 14th century England, and is a tradition that continues to be followed by most local governments across Australia.

Each local government is responsible for deciding the circumstances in which robes and Chain of Office are worn.

The current City of Kwinana Mayoral Chain of Office were commissioned in 1977, at which time the City was known as the Town of Kwinana. When Kwinana became a City in 2012, Council delayed the redesigning of the Chain to reflect the new City on the basis of the potential amalgamation as part of the Local Government Reform process by the former State Government. The Chain therefore continues to incorrectly reflect the City's previous status as a Town.

In addition to changing the status of the City, the Chain requires the following maintenance and repairs due to its age:

- 1) The ribbons to which the Chain is attached have faded in colour and require replacement;
- 2) The ribbons cannot be professionally dry-cleaned due to their age and term bars and fragile chain links being attached to the ribbons;
- 3) The links are fragile and frequently break, therefore require replacing; and
- 4) There is no remaining term bar on the Chain, therefore further term bars need to be added to the ribbon for the purpose of recording the names of future Mayors.

18.7 NEW MAYORAL CHAIN OF OFFICE DESIGN

Costings were sought for the project and presented to an Elected Member Briefing Session on 11 June 2018. It was agreed during the briefing session that a working group was to establish a new design for the Chain.

At its Ordinary Meeting of 27 June 2018, Council endorsed the adoption of the 2018/2019 annual budget, which included an amount of \$10,000.00 for the design and replacement of the Chain.

The working group of council was formed and the group held its inaugural meeting on 21 August 2018, at which time the design parameters were agreed upon, including the following themes to be incorporated in the new Mayoral Chain of Office:

- the environment;
- native flora and fauna;
- history;
- water (coastline);
- Aboriginal heritage; and
- industry.

In November 2018, the City placed an advertisement seeking expressions of interest from artists to provide designs. Submissions closed in February 2019, with expressions of interest being received from six artists. Three artists were selected to present proposed designs to the working group in June 2019. Following review of those designs, the working group determined that none of the designs presented artistically met the design requirement what the City wanted reflected in its future Mayoral Chain of Office.

The working group subsequently approached a G.H. Lilley, a jeweller experienced in the fabrication of local government regalia and Chains of Office and requested design options.

The working group were satisfied that the design presented encapsulated the desired designed options in the following manner:

- environment; the Banksia Menziesii (Firewood Banksia) branch in the central medallion
- native flora and fauna- Central medallion featuring the Forest Red Tail Black Cockatoo common to this area as well as the Kwinana flower emblem, Petrophile Linearis, "Pixi Mop"
- history – the year of "1954" in recognition of our Shire status and retention of the sailing ship which appears on our current Chain as well as the latin term "progredimur" (progress, march forward)
- water (coastline); water effect incorporated into the two blue shoulder bars with the words "Kwinana" as well as the sailing ship
- Aboriginal heritage – colours of red, yellow and black incorporated into the tail and under wing feathers of the Cockatoo
- Industry – represented by the various medals incorporated in the manufacturing of the new design

Council is requested to consider those design options, contained at Attachment A.

LEGAL/POLICY IMPLICATIONS:

There are no local or policy implications arising from this report.

18.7 NEW MAYORAL CHAIN OF OFFICE DESIGN**FINANCIAL/BUDGET IMPLICATIONS:**

The 2018/2019 annual budget allocated \$10,000 for the replacement of the Chain of Office. There are sufficient funds remaining of the initial fund allocation to cover the design and fabrication of the Mayoral Chain of Office by G.H. Lilley.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications arising from this report.

ENVIRONMENTAL IMPLICATIONS:

There are no environmental implications arising with this report.

STRATEGIC/SOCIAL IMPLICATIONS:

There are no strategic or social implications arising from this report.

COMMUNITY ENGAGEMENT:

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

PUBLIC HEALTH IMPLICATIONS:

There are no public health implications arising from this report.

RISK IMPLICATIONS:

Risk Event	The design and purchasing of a new Mayoral Chain
Risk Theme	Inadequate asset sustainability practices
Risk Effect/Impact	Financial
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Unlikely
Rating (before treatment)	Low
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	A working group was developed in order to ensure the new design is appropriate and aligned with the Councils vision. Report to Council has been prepared in relation to the Design of the Mayoral Chain, appropriate purchasing processes have been followed with regards to quotes for the replacement and design.
Rating (after treatment)	Low

18.7 NEW MAYORAL CHAIN OF OFFICE DESIGN

Risk Event	The design and purchasing of a new Mayoral Chain
Risk Theme	Inadequate asset sustainability practices
Risk Effect/Impact	Reputation
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	Prepare Contingent Plans - in event risk occurs
Response to risk treatment required/in place	Due to historical reasons with regards to the 2018/2019 budget review that included the Mayoral Chain budgeted amount, the City received some negative feedback from some of the Kwinana Chat pages on Social Media (Facebook). The City will monitor Social Media for any negative feedback and respond if necessary. Marketing and Communications team has processes in place for monitoring Social Media.
Rating (after treatment)	Moderate

COUNCIL DECISION**342****MOVED CR P FEASEY****SECONDED CR W COOPER**

That Council give consideration to endorsing the proposed Mayoral Chain of Office design as included at Attachment A.

**CARRIED
8/0**

ATTACHMENT A

A
X=CUT OUT
GOLD
100%
RAISED METAL
RECESSED METAL
A227

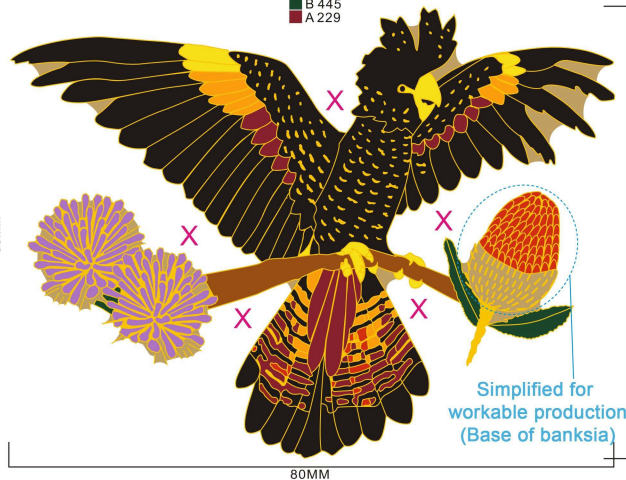


SJ-GEA-00098 ZYF 97(C14)20.6.15V02

Please carefully check the spelling/font of the text, graphics and corresponding Pantone color on artwork.
Molds will be made on final approval of the artwork. Any corrections after the molds are made will make it necessary for us to charge a new die fee.



B
X=CUT OUT
GOLD
100%
RAISED METAL
RECESSED METAL
C 16
A227
A225
A 419
B 234
B 115
B 445
A 229



50%
build chart



Refer to attached scan of enamel colours

GOLD

FRONT SIDE

- RAISED METAL
- RECESSED METAL
- +GRITTY#3
- B384

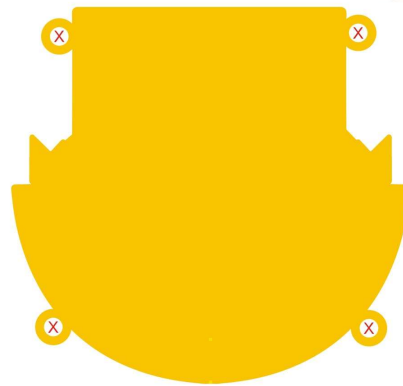
100%
X=CUT OUT

BACK SIDE

- RAISED METAL



A



FRONT SIDE

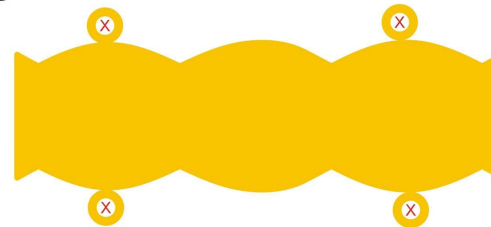
- RAISED METAL
- B384

100%
X=CUT OUT

B

BACK SIDE

- RAISED METAL



C

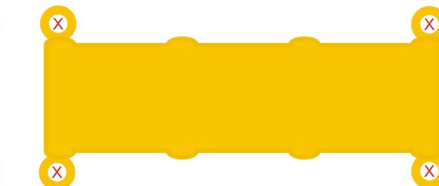
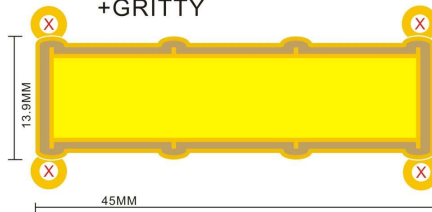
FRONT SIDE

- 1ST LEVEL(HIGHEST LEVEL)
- 2ND LEVEL
- RECESSED METAL
- +GRITTY

100%
X=CUT OUT

BACK SIDE

- RAISED METAL

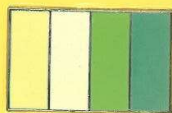


SJ-GEA-00099 OYAP-85 20.06.04V01

Please carefully check the spelling/font of the text, graphics and corresponding Pantone color on artwork.
Molds will be made on final approval of the artwork. Any corrections after the molds are made will make it
necessary for us to charge a new die fee.



A A A A
11 15 20 21



A A A A
24 24B 31 32



A A A A
33 34 36 37



A A A A
55 57 58 59



A A A A
60 61 65 74



A A A A
74B 76 220 220B



A A A A
225 226 227 229



A A A A
330 331 339 351



A A A A
412 415 416 417



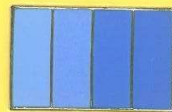
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472 473 558 570



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717 718 719 720



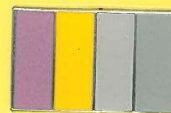
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B B B B
109 115 180 182



B B B B
187 220 224 227



B B B B
228 233 234 273



B B B B
278 369 381 384



B B B B
406 431 450 452



B B B B
453 455 470 491



B B C C
492 493 16 165



C C C C
167 169 209 211



C C C C
212 213 214 215



C C C C
217 232 233 236



C C C C
244 245 250 274



C C C C
317 319 321 326



C C C C
358 480 486 565



C C C C
642 644 650 776

18.8 Appointment of the Western Australian Electoral Commission to Conduct the City of Kwinana Local Government Elections

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

At the Ordinary Council Meeting held on 28 November 2018, Council resolved to appoint the Electoral Commissioner responsible for conducting all of the City of Kwinana (City) elections up until 31 December 2019. This resolution has now expired and consideration is required as to reappoint the Western Australian Electoral Commission (WAEC) to conduct future elections on behalf of the City.

In accordance with the *Local Government Act 1995*, the City can conduct an in-person or postal election. In accordance with the *Local Government Act 1995*, if the City continues to hold postal elections, WAEC must be engaged to conduct the election. With voting being non-mandatory, postal elections historically result in a higher participation rate by eligible electors compared to in-person elections. It is recommended that the City continues to hold postal elections and that WAEC be responsible for their conduct.

OFFICER RECOMMENDATION:

That Council:

1. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary City of Kwinana election.
2. Decide, in accordance with section 4.61(2) of the *Local Government Act 1995*, that the method of conducting the election will be as a postal election.

NOTE: AN ABSOLUTE MAJORITY OF COUNCIL IS REQUIRED

DISCUSSION:

In accordance with sections 4.61(2) and 4.61(4) of the *Local Government Act 1995*, the local government can decide to conduct its election as a postal election and if so, the Electoral Commissioner must be responsible for the conduct of the postal election.

The City wrote to WAEC on 6 January 2021 seeking their interest in conducting its future elections. The City requested that pending Council approval, WAEC conduct all elections until 31 December 2021.

The City has received written correspondence from WAEC in relation to their agreement for the Electoral Commissioner to be responsible for the conduct of all elections conducted up until 31 December 2021. The report provides Council with an opportunity to consider that response as detailed in Attachment A.

18.8 APPOINTMENT OF THE WESTERN AUSTRALIAN ELECTORAL COMMISSION TO CONDUCT THE CITY OF KWINANA LOCAL GOVERNMENT ELECTIONS

LEGAL/POLICY IMPLICATIONS:

Local Government Act 1995

4.7. Ordinary elections day usually third Saturday in October

- (1) *The effect of section 4.6 is that —*
 - (a) *polls for ordinary elections to elect an elector mayor or president will be held on the third Saturday in October every 4 years; and*
 - (b) *polls for ordinary elections to elect councillors will be held on the third Saturday in October every 2 years.*
- (2) *If in respect of a particular year in which ordinary elections are required to be held the Electoral Commissioner is of the opinion that it would not be in the public interest to hold polls for those ordinary elections on the third Saturday in October, the Electoral Commissioner may, by notice in the Gazette, fix a later Saturday in October, or the first, second or third Saturday in November, to be the day for holding any polls needed for those ordinary elections.*
- (3) *The election day can be deferred under subsection (2) —*
 - (a) *for all local governments; or*
 - (b) *for a local government or local governments specified in the notice; or*
 - (c) *for a class or classes of local governments specified in the notice.*
- (4) *In the notice under subsection (2), or by a later notice in the Gazette, the Electoral Commissioner may adjust any time, period or date fixed under this Act to take account of the election day being deferred under subsection (2).*

4.20. CEO to be returning officer unless other arrangements made

- (1) *Subject to this section the CEO is the returning officer of a local government for each election.*
- (2) *A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for —*
 - (a) *an election; or*
 - (b) *all elections held while the appointment of the person subsists.*

** Absolute majority required.*
- (3) *An appointment under subsection (2) —*
 - (a) *is to specify the term of the person's appointment; and*
 - (b) *has no effect if it is made after the 80th day before an election day.*

18.8 APPOINTMENT OF THE WESTERN AUSTRALIAN ELECTORAL COMMISSION TO CONDUCT THE CITY OF KWINANA LOCAL GOVERNMENT ELECTIONS

- (4) *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

** Absolute majority required.*

- (4) *A declaration under subsection (4) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.*
- (5) *A declaration made under subsection (4) on or before the 80th day before election day cannot be rescinded after that 80th day.*

4.61. Choice of methods of conducting election

- (1) *The election can be conducted as a —
postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or
voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.*

- (2) *The local government may decide* to conduct the election as a postal election.*

** Absolute majority required.*

- (3) *A decision under subsection (2) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.*
- (4) *A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.*
- (5) *A decision made under subsection (2) on or before the 80th day before election day cannot be rescinded after that 80th day.*
- (7) *For the purposes of this Act, the poll for an election is to be regarded as having been held on election day even though the election is conducted as a postal election.*
- (8) *Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election.*

18.8 APPOINTMENT OF THE WESTERN AUSTRALIAN ELECTORAL COMMISSION TO CONDUCT THE CITY OF KWINANA LOCAL GOVERNMENT ELECTIONS**FINANCIAL/BUDGET IMPLICATIONS:**

The appointment of the WAEC to conduct local government elections on behalf of the City will result in the City being liable to pay the WAEC's costs of conducting the elections on a full cost recovery basis.

The City has received correspondence (refer to Attachment B) from WAEC providing a budget estimate for the 2021 Local Government Election, with the cost to the City being potentially \$116,000.00 including GST. This amount will be included within the 2021/2022 Budget considerations.

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

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

STRATEGIC/SOCIAL IMPLICATIONS:

There are no strategic/social implications as a result of this proposal.

COMMUNITY ENGAGEMENT:

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

PUBLIC HEALTH IMPLICATIONS:

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

RISK IMPLICATIONS:

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

Risk Event	The City does not declare the Electoral Commissioner to be responsible for the conduct of elections within a particular period of time after the 80 th day before election day.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements

18.8 APPOINTMENT OF THE WESTERN AUSTRALIAN ELECTORAL COMMISSION TO CONDUCT THE CITY OF KWINANA LOCAL GOVERNMENT ELECTIONS

Risk Effect/Impact	Compliance
Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Rare
Rating (before treatment)	Low
Risk Treatment in place	Avoid - remove cause of risk
Response to risk treatment required/in place	Commence the process in January 2021 and prepare Council Report, to ensure the declaration is not made after the 80 th day before election day.
Rating (after treatment)	Low

COUNCIL DECISION

343

MOVED CR P FEASEY

SECONDED CR W COOPER

That Council:

- 1. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary City of Kwinana election.**
- 2. Decide, in accordance with section 4.61(2) of the *Local Government Act 1995*, that the method of conducting the election will be as a postal election.**

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

8/0



WESTERN AUSTRALIAN
Electoral Commission

LGE 677

Mr Wayne Jack
Chief Executive Officer
City of Kwinana
PO Box 21
KWINANA WA 6966

Attention: Ms Alicia McKenzie

Dear Mr Jack

Local Government Elections

I refer to your letter of 6 January 2021 requesting the Commissions interest in conducting all of the City of Kwinana elections and polls through to 31 December 2021.

In accordance with section 4.20(4) of the *Local Government Act 1995*, you may take this letter as my agreement to be responsible for the conduct of all elections and any other polls for the City of Kwinana until the end of 2021.

For the City of Kwinana to have all elections and any other polls until the end of 2021 conducted by the postal method, Council will need to pass the following two motions by absolute majority:

1. declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of all elections and polls until the end of 2021
2. decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the elections or polls will be postal.

Should you require further information, please contact Phil Richards, Manager, Election Events on 9214 0443.

Yours sincerely

A handwritten signature in blue ink, reading 'R Kennedy'.

Robert Kennedy
ELECTORAL COMMISSIONER

8 January 2021

164913



WESTERN AUSTRALIAN
Electoral Commission

LGE 028

Mr Wayne Jack
Chief Executive Officer
City of Kwinana
PO Box 21
KWINANA WA 6966

Dear Mr Jack

Local Government Ordinary Election: 2021

The next local government ordinary elections are being held on 16 October 2021. While this is still some distance in the future, I have enclosed an estimate for your next ordinary election to assist in your 2021/2022 budget preparations.

The estimated cost for the 2021 election if conducted as a postal ballot is \$116,000 inc GST, which has been based on the following assumptions:

- 25,300 electors
- response rate of approximately 33%
- 4 vacancies
- count to be conducted at the offices of the City of Kwinana
- appointment of a local Returning Officer
- regular Australia Post delivery service to apply for the lodgement of the election packages.

An additional amount of \$5,060 will be incurred if your Council decides to opt for the Australia Post Priority Service for the lodgement of election packages.

Costs not incorporated in this estimate include:

- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- one local government staff member to work in the polling place on election day
- any additional postage rate increase by Australia Post
- any unanticipated costs arising from public health requirements for the COVID-19 pandemic.

The Commission is required by the *Local Government Act* to conduct local government elections on a full cost recovery basis and you should note that this is an estimate only and may vary depending on a range of factors including the cost of materials or number of replies received. The basis for charges is all materials at cost and a margin on staff time only. Should a significant change in this figure become evident prior to or during the election you will be advised as early as possible.

The current procedure required by the Act is that my written agreement has to be obtained before the vote by Council is taken. To facilitate the process, you can take this letter as my agreement to be responsible for the conduct of the ordinary elections in 2021 for the City of Kwinana in accordance with section 4.20(4) of the *Local Government Act 1995*, together with any other elections or polls that may also be required. My agreement is subject to the proviso that the City of Kwinana also wishes to have the election undertaken by the Western Australian Electoral Commission as a postal election.

In order to achieve this, your council would need to pass the following two motions by absolute majority:

- Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections together with any other elections or polls which may be required
- Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

I look forward to conducting this election for the City of Kwinana in anticipation of an affirmative vote by Council. If you have any further queries please contact Phil Richards Manager, Election Events on 9214 0400.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'R Kennedy', with a stylized, cursive script.

Robert Kennedy
ELECTORAL COMMISSIONER

16 December 2020

18.9 Policy Review – City of Kwinana Common Seal

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

A review of the City of Kwinana Common Seal (Policy) has been undertaken and is recommended for Council endorsement.

Previously the Policy included reference to the Progredimur Seal, this reference has been removed due to not being used for the execution of documents.

The last review of the policy was completed in 2016 and was adopted by Council at the Ordinary Council Meeting held on 14 December 2016.

OFFICER RECOMMENDATION:

That Council:

- Note the policy name change from City of Kwinana Common Seal and Progredimur Seal Policy to the City of Kwinana Common Seal Policy
- Adopt the amended City of Kwinana Common Seal Policy as at Attachment A.

DISCUSSION:

In accordance with section 9.49A, Execution of documents of the *Local Government Act 1995* (Act), the City has a Common Seal Policy to align with the Act and to provide clarity as to its proper and authorised use.

The amendments made were to update the Policy included:

- The Policy being transferred to the new City of Kwinana Policy template;
- Removal of the reference to the Progredimur Seal;
- Ensuring the policy reflects the current types of documents that may have the Common Seal affixed to them;
- Providing clarity in regards to the authorised persons; and
- Referencing the City of Kwinana *Standing Orders Local Law 2019*.

LEGAL/POLICY IMPLICATIONS:

Local Government Act 1995

9.49A Execution of documents

- (1) *A document is duly executed by a local government if —*
- (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
 - (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*

18.9 POLICY REVIEW – CITY OF KWINANA COMMON SEAL AND PROGREDIMUR SEAL

- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
 - (a) *the mayor or president; and*
 - (b) *the CEO, each of whom is to sign the document to attest that the common seal was so affixed.*
- (4) *A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*
- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

City of Kwinana Standing Orders 2019**Part 19 – Common Seal****19.1 The Council's common seal**

- (1) *The CEO is to have charge of the common seal of the Council, and is responsible for the safe custody and proper use of it.*
- (2) *The common seal of the Council may only be used on the authority of the Council given either:*
 - (a) *when Council have delegated the power to the CEO; or*
 - (b) *specifically;**and every document to which the seal is affixed must be signed by the Mayor and the CEO.*
- (3) *The common seal of the Council is to be affixed to any local law which is made by the Council.*
- (4) *The CEO is to record in a register each date on which the common seal of the Council was affixed to a document, the nature of the document, and the parties to any agreement to which the common seal was affixed.*
- (5) *Any person who uses the common seal of the Council or a replica thereof without authority commits an offence.*

FINANCIAL/BUDGET IMPLICATIONS:

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

ASSET MANAGEMENT IMPLICATIONS:

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

18.9 POLICY REVIEW – CITY OF KWINANA COMMON SEAL AND PROGREDIMUR SEAL**ENVIRONMENTAL IMPLICATIONS:**

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

STRATEGIC/SOCIAL IMPLICATIONS:

There are no strategic/social implications as a result of this proposal.

COMMUNITY ENGAGEMENT:

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

PUBLIC HEALTH IMPLICATIONS:

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

RISK IMPLICATIONS:

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

Risk Event	Council does not have an adequate Policy to allow for the correct execution of documents.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Effect/Impact	Compliance
Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Possible
Rating (before treatment)	High
Risk Treatment in place	Avoid - remove cause of risk
Response to risk treatment required/in place	Have an adequate Council Policy in place and ensure that it is reviewed regularly.
Rating (after treatment)	Low

18.9 POLICY REVIEW – CITY OF KWINANA COMMON SEAL AND PROGREDIMUR SEAL

COUNCIL DECISION

344

MOVED CR S WOOD

SECONDED CR M ROWSE

That Council:

- **Note the policy name change from City of Kwinana Common Seal and Progredimur Seal Policy to the City of Kwinana Common Seal Policy**
- **Adopt the amended City of Kwinana Common Seal Policy as at Attachment A.**

**CARRIED
8/0**



Council Policy

City of Kwinana Common Seal



Council Policy	
Legal Authority	<i>Local Government Act 1995, <u>Section 9.49A – Execution of documents</u></i>
Department	Office of the CEO

1. Title

City of Kwinana Common Seal ~~and Progredimur Seal~~

2. Purpose

To outline the use of the official City of Kwinana Common Seal ~~and Progredimur Seal~~.

3. Scope

The City of Kwinana's official Common Seal ~~and Progredimur Seal~~ (as depicted below) are retained for the City's exclusive use for purposes authorised by Council.

4. Definitions

Definitions are taken as those detailed in the *Local Government Act 1995* and associated legislation.

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5. Policy statement

5.1 Execution of documents

The Mayor and Chief Executive Officer (or person acting in that position) are authorised to affix the common seal as depicted below, to documents related to the business of the City initiated by either a resolution of Council or by the exercise of a delegated authority. This seal is for use on documents relating directly to the business of the City.

In the event the Mayor is on a Leave of Absence the Deputy Mayor is authorised to affix the common seal.

Any City Officer authorised by the Chief Executive Officer is permitted to affix the Common Seal to documents in the event of document preparation for the Mayor and Chief Executive Officers signing. In accordance with Section 9.49A(3) of the *Local Government Act 1995*, this can only be done so in the presence of the Mayor and Chief Executive Officer.

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5.2 Exception to use

The Common Seal of the Local Government is not to be affixed to any document except as authorised ~~and in accordance with the by the Local Government.~~ *Local Government Act 1995*, Section 9.49A(2).

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The Common Seal shall be affixed to certain documents in accordance with the *City of Kwinana Standing Orders Local Law 2019*, Part 19.

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5.3 Registration of use

A register ~~shall be maintained identifying all is to be kept of all~~ documents ~~executed with the that the "Common Seal" is affixed, to and [the register will include the Resolution Number of Council or Delegated Authority reference.~~

This register is to be circulated to the Elected Members on a weekly basis.

5.4 Common Seal

The Common Seal is used for official documentation such as Local Laws adopted by Council, planning and lease documentation, lease documents, funding agreements (where applicable), contracts and legal documents etc.

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COMMON SEAL



5.5 Progredimur Seal

~~The Progredimur Seal may be used by the Mayor and Chief Executive Officer without resolution of Council, on documents that are not related to the business of the City but are to authenticate documents requested by persons, such as new residents, pensioners and others that require personal status or other matters confirmed by the City.~~

~~It may also be used for pension statements and identity certifications (generally documents that are not of Australian origin).~~

PROGREDIMUR SEAL



6. References

Date of adoption and resolution No.	20/10/1976 #5(i)
Review dates and resolution No.	27/09/2006 #519 28/04/2010 #105 11/07/2012 #163 10/12/2014 #348 14/12/2016 #414
Next review due date	2021
Related documents	Acts/Regulations <i>Local Government Act 1995</i> Section 9.49A – Execution of documents Plans/Strategies/Policies/Processes <u>City of Kwinana Standing Orders Local Law 2019 Part 19</u> <u>Promapp – Use of Common Seal</u> <u>Promapp – Common Seal Register</u> <u>Promapp – Run Common Seal and delegated Authority Report</u> <u>Promapp – Apply Progredimur Stamp</u>

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Note: Changes to references may be made without the need to take the Policy to Council for review.

18.10 Proposed Cat Local Law 2021

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

Section 79 of the *Cat Act 2011* ('the Act') provides local governments with the power to make local laws for it to perform any of its functions under the Act.

There is an increasing public awareness of the negative effect cats have on the natural environment.

The *City of Kwinana Cat Local Law 2021* ('Cat Local Law') at Attachment A is proposed for the district, placing greater responsibility on owners to control the movement of their cats.

The proposed Cat Local Law is required to be advertised for public submissions before it can be considered by Council for adoption.

OFFICER RECOMMENDATION:

That Council approve state-wide and local public notices of its proposal to make the *City of Kwinana Cat Local Law 2021*, as detailed in Attachment A.

DISCUSSION:

Research demonstrates 27% of households have pet cats (3.8 million nationally), of which 71% are allowed outside to roam and hunt.

On average, each roaming pet cat kills 186 animals a year, including 110 native animals (40 reptiles, 38 birds and 32 mammals). Devices such as bells on collars may reduce the rate of successful kills but does not prevent hunting altogether.

A 2017 study by the South Australian Cat Tracker Project GPS tracked over 400 cats and found that of 177 owners who stated that their cat was kept indoors at nights, 39% were found to have roamed over 1 hectare at night.

Presently the City is limited to the provisions of the Act in its power to enforce matters relating to cat ownership.

A 2019 survey of community views conducted by the Department of Local Government, Sport and Cultural Industries ('DLGSC') found the following:

- 56% of survey respondents agreed that cats are a nuisance in their neighbourhood.
- 73% supported the confinement of cats to the owner's property.
- The maximum number of cats permitted at a single residence which received the most support was two (40%), followed by three cats (19%) and four (14%) among respondents.

18.10 PROPOSED CAT LOCAL LAW 2021

Section 79(3) of the Act provides local governments with the power to make local laws as to one or more of the following:

- a. the registration of cats;
- b. removing and impounding cats;
- c. keeping, transferring and disposing of cats kept at cat management facilities;
- d. the humane destruction of cats;
- e. cats creating a nuisance;
- f. specifying places where cats are prohibited absolutely;
- g. requiring that in specified areas a portion of the premises on which a cat is kept must be enclosed in a manner capable of confining cats;
- h. limiting the number of cats that may be kept at premises, or premises of a particular type;
- i. the establishment, maintenance, licensing, regulation, construction, use, record keeping and inspection of cat management facilities;
- j. the regulation of approved cat breeders, including record keeping and inspection; and
- k. fees and charges payable in respect of any matter under this Act.

A briefing was provided where it was outlined that there is a need for a Cat Local Law in the district. The objective of such law would be to provide for greater regulation and control of cats. The proposed City of Kwinana Cat Local Law has been prepared on the basis of the DLGSC Cat Local Law Guidelines as well as a review of other local government cat local laws. There are a number of Local Government that have a Cat Local Law.

The proposed local law has been narrowed in scope to address the following matters:

1. limiting the number of cats that can be kept by requiring a permit for more than 2 cats;
2. creating an offence to abandon a cat;
3. creating an offence to not comply with a notice to prevent a cat causing a nuisance
4. ensuring cats are confined;
5. requests for the local government to destroy a cat; and
6. permitting the City to issue notices and/or infringements for failure to comply.

The inclusion of a curfew and cat prohibited areas was not considered appropriate on the basis of the resourcing requirements for enforcement.

Any persons in the district currently owning more than 2 cats at a premises must apply to the City for a permit. This will ensure the City is aware of such premises, and may include conditions that they not replace any cats until such time as they are below the 2 cat limit.

LEGAL/POLICY IMPLICATIONS:

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

- The purpose and effect of the proposed local law needs to be included in the agenda and minutes of this meeting;
- Statewide and local public notice that the City intends to make a local law and its purpose and effect. Also, that copies are available for public comment over a six week period and the closing date for public submissions;

18.10 PROPOSED CAT LOCAL LAW 2021

- Provide a copy to the Minister for Local Government;
- Consider any submissions made before making the local law;
- Publish the local law in the *Government Gazette*;
- Give local public notice of when the local law comes into operation and that copies are available; and
- Provide an explanatory memorandum of the process used to the Minister for Local Government.

FINANCIAL/BUDGET IMPLICATIONS:

Cost of advertising of the proposed local law in state-wide and local papers is estimated to be \$900.

The cost of publication of the local law in the *Government Gazette* at a cost of \$272.55 per page, is estimated at \$9,500 once adopted by Council.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications associated with this report.

ENVIRONMENTAL IMPLICATIONS:

The enacting of a Cat Local Law is intended to present significant environmental benefit to the district, specifically focussing on reducing the impact on native wildlife.

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following objectives and strategies detailed in the Strategic Community Plan and/or Corporate Business Plan 2017 – 2022.

Plan	Outcome	Objective
Corporate Business Plan 2017 - 2022	Civic leadership.	5.8 Apply best practice principles and processes to maximise efficiencies and quality.

COMMUNITY ENGAGEMENT:

Community engagement is proposed to take place in the form required by section 3.12(3) of the *Local Government Act 1995* – Procedure for making local laws and includes the requirement to give statewide public notice that the local government proposes to make a local law the purpose and effect of which is summarised in the notice.

PUBLIC HEALTH IMPLICATIONS:

The recommendations of this report have the potential to:

- help improve;
 - Built Environment – Environmental Quality and Disease Prevention.

18.10 PROPOSED CAT LOCAL LAW 2021

RISK IMPLICATIONS:

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

Risk Event	Local laws not reviewed as required by the <i>Local Government Act 1995</i>
Risk Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Effect/Impact	Compliance
Risk Assessment Context	Strategic
Consequence	Minor
Likelihood	Unlikely
Rating (before treatment)	Moderate
Risk Treatment in place	Avoid - remove cause of risk
Response to risk treatment required/in place	Ensure the review of local laws complies with legislated requirements
Rating (after treatment)	Low

COUNCIL DECISION

345

MOVED CR M ROWSE**SECONDED CR S LEE**

That Council approve state-wide and local public notices of its proposal to make the *City of Kwinana Cat Local Law 2021*, as detailed in Attachment A.

NOTE - That prior to the destruction of a cat, the City of Kwinana have in the first instance, explored and considered all rehoming possibilities deemed appropriate.

CARRIED
8/0

NOTE – That Council recommended that the Officer Recommendation be amended to include a note.

City of Kwinana

Proposed Cat Local Law 2021



PROPOSED CAT LOCAL LAW 2021

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**Cat Act 2011
Local Government Act 1995**

City of Kwinana

PROPOSED CAT LOCAL LAW 2021

Under the powers conferred by the *Cat Act 2011*, the *Local Government Act 1995* and all other powers enabling it, the Council of the City of Kwinana resolved on [date] to adopt the following local law.

PART 1 — PRELIMINARY

1.1 Citation

This Local Law may be cited as the *City of Kwinana Cat Local Law 2021*.

1.2 Definitions

(1) In this local law unless the context requires otherwise —

abandon means to cease to look after;

Act means the *Cat Act 2011*;

applicant means the occupier of the premises who makes an application for a permit under this local law;

authorised person has the same meaning as in the Act;

cat has the same meaning as in the Act;

cat management facility has the same meaning as in the Act;

Cat Haven means the Cat Welfare Society Inc., trading as “Cat Haven”;

cattery means a facility where cats are kept, bred, boarded, housed or trained temporarily, whether for profit or otherwise, and where the occupier of the premises is not the ordinary person liable for the control of the cats;

CEO means the Chief Executive Officer of the local government;

Council means the Council of the local government;

district means the district of the local government;

local government means the City of Kwinana;

owner in relation to a cat has the same meaning as in the Act;

permit means a permit issued by the local government under this local law;

permit holder means a person who holds a valid permit issued by the local government under this local law;

person liable for the control of means each of the following in relation to a cat —

- (a) the registered owner of the cat; or
- (b) the owner of the cat; or

- (c) the occupier of any premises where the cat is ordinarily kept or ordinarily permitted to live; or
- (d) a person who has the cat in their possession or under their control, but does not include a registered veterinary surgeon, or a person acting on their behalf, in the course of their professional practice;

premises has the same meaning as in the Act;

prescribed means prescribed under regulations made under the Act;

RSPCA means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

Schedule means a schedule to this local law;

veterinary clinic has the meaning given to it in the *Veterinary Surgeons Act 1960*; and

veterinary hospital has the meaning given to it in the *Veterinary Surgeons Act 1960*.

1.3 Commencement

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

1.4 Application

This local law applies throughout the district.

PART 2 — KEEPING OF CATS

2.1 Limit on number of cats

- (1) Subject to subclause (2), a person shall not:
 - (a) keep more than two (2) cats at a premises at one time; or
 - (b) operate a cattery or cat management facility without a valid permit issued by the local government.
- (2) Subclause (1) does not apply to the following:
 - (a) a cattery or cat management facility operated by either:
 - (i) the local government; or
 - (ii) a person or body prescribed by the *Cat Regulations 2012*;
 - (b) a refuge of the RSPCA or Cat Haven; or
 - (c) a veterinary clinic or veterinary hospital.
- (3) For the purpose of calculating the number of cats at a premises pursuant to subclause (1), cats under 6 months of age are not to be included.

2.2 Application for permit

- (1) Applications to the local government for a permit to be issued pursuant to clause 2.1(1) are to be —

- (a) made in writing in a form approved by the local government;
 - (b) made by the occupier of the premises for which the permit is sought;
 - (c) where the applicant is not the owner of the premises, an application must include the written consent of all property owners; and
 - (c) be accompanied by such fee as may be determined by the local government.
- (2) In determining an application for a permit pursuant to subclause (1) the local government may consider such matters as it deems appropriate and may request the applicant —
- (a) consult with nearby landowners and/or occupiers;
 - (b) advise nearby landowners and/or occupiers that they may make submissions to the local government on the application for a permit within 14 days of receiving that advice, before determining the application for the permit; or
 - (c) provide such further or other information as deemed necessary in order for it to make a determination.

2.3 Decision on application

- (1) Upon receiving an application for a permit pursuant to clause 2.2(1), the local government may —
- (a) approve the application for a permit subject to the conditions specified at clause 2.4(1); or
 - (c) refuse the application for a permit.
- (2) If the local government approves an application under subclause (1), it shall issue a permit to the applicant in the form determined by the CEO.
- (3) If the local government refuses to approve an application under subclause (1), it shall advise the applicant accordingly in writing as to the reasons why it was not granted.

2.4 Conditions

- (1) Every permit issued by the local government pursuant to clause 2.2(1) are subject to the following conditions —
- (a) each cat kept on the premises to which the permit relates shall comply with the requirements of the Act;
 - (b) each cat shall be contained on the premises unless under the effective control of a person;
 - (c) the permit holder will provide adequate space for the exercise of the cats;
 - (d) the premises shall be maintained in good order and in a clean and sanitary condition;
 - (e) persons undertaking the breeding of cats are to keep records of purchases/transfer of kittens for two years (including details of the buyer's name, address and the microchip number);
 - (f) premises may be inspected by the local government; and

- (g) such further conditions as the local government considers appropriate, including but not limited to the maximum number of cats permitted to be kept at the premises.
- (2) The holder of a permit issued by the local government pursuant to clause 2.2(1) shall comply with all conditions specified by the local government in relation to such permit.
- (3) The local government may revoke a permit in the event the permit holder fails to comply with a condition stipulated in a permit issued.

2.5 Duration of a permit

Unless otherwise specified in a condition on a permit, a permit commences on the date of issue and expires —

- (a) upon revoking by the local government; or
- (b) upon the permit holder ceasing to reside at the premises to which the permit relates.

2.6 Permit not transferable

A permit is not transferrable either in relation to the permit holder or the premises.

2.7 Permit to be kept at premises and available for view

- (1) A permit issued by the local government shall be kept at the premises to which it applies and shall be provided to an authorised person on demand.

PART 3 — ABANDONMENT OF CATS

3.1 Abandonment of cats

- (1) An owner of a cat, or any other person liable for the control of a cat, shall not abandon such cat.
- (2) For the purposes of subsection (1), delivering a cat into the custody of an authorised person shall not be regarded as having abandoned a cat.

PART 4 — NUISANCE CATS

4.1 Cat creating a nuisance

- (1) The person liable for the control of a cat shall prevent the cat from creating a nuisance to another person or exposing another person to health and/or safety risks.
- (2) For the purpose of subclause (1), the term nuisance includes —
 - (a) an activity or condition which causes an unreasonable interference with the use and enjoyment of a person in their ownership or occupation of land; or
 - (b) interference which causes material damage to land or other property on the land affected by the interference.
- (3) Where, in the opinion of an authorised person, a cat is creating a nuisance, the local government may give written notice to a person liable for the control of such cat

requiring that person to abate the nuisance within the timeframe specified in such notice.

- (4) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the local government on the notice or until the local government withdraws the notice.
- (5) A person given a notice to abate the nuisance shall comply with the notice within the period specified in the notice.
- (6) An authorised officer may seize any cat pursuant to section 27 of the Act for non-compliance by a person liable for the control of a cat with the requirements of a notice issued pursuant to subclause (3).

PART 5 — CONTROL OF CATS ON PRIVATE PROPERTIES

5.1 Cats to be confined

- (1) An occupier of a premises on which a cat is kept must —
 - (a) cause the premises on which the cat is kept to be fenced in a manner capable of confining the cat;
 - (b) ensure the fence or enclosure used to confine the cat and every gate or door in the fence or enclosure is of a type, height and construction which having regard to the breed, age, size and physical condition of the cat is capable of preventing the cat at all times from passing over, under or through it;
 - (c) ensure that every gate or door in the fence or enclosure is kept closed at all times when the cat is on the premises (unless the gate is temporarily opened in a manner that ensures that the cat remains confined) and is fitted with:
 - (i) an efficient self-closing mechanism;
 - (ii) an efficient self-latching mechanism attached to the inside of the gate or door; and
 - (iii) a mechanism which enables the gate or door to be permanently locked;
 - (d) maintain the fence or enclosure and all gates and doors in the fence or enclosure in good order and condition; and
 - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises for effectively confining the cat within the premises.
- (2) An occupier who fails to comply with subclause (1), commits an offence.
- (3) Where a cat is not contained on a property, the local government may give written notice to person liable for the control of a cat, requiring that person to contain the cat on the property and within the timeframe specified in the notice.
- (4) When a notice is issued to contain a cat on a property, the notice remain in force for the period specified on the notice or until the withdrawn by the local government.

- (5) A person issued a notice to contain a cat on a property must comply with such notice within the time period specified on the notice.

PART 6 — DESTRUCTION OF CATS

6.1 Destruction of cats

- (1) An owner of a cat may request the local government to destroy the cat pursuant to section 49(1)(b) of the Act.
- (2) Where an owner requests a cat be destroyed, the owner must —
- (a) complete and sign a form of authorisation showing:
 - (i) the name and residential address of the owner making the request;
 - (ii) a description of the cat including its breed, colour, sex and age;
 - (iii) the reason for destruction; and
 - (b) provide evidence to the satisfaction of the local government that the person making the request is the owner of the cat.
- (3) The local government may charge an owner a fee in respect of the destruction of a cat under subclause (2) and the local government from time to time shall determine the fee.

PART 7 — FEES, CHARGES AND COSTS

7.1 Fees, charges and costs

The following are to be imposed and determined by the local government under sections 6.16 — 6.19 of the *Local Government Act 1995* —

- (a) the charges to be levied under section 31(1)(a) of the Act relating to the removing and impounding of a cat;
- (b) the charges to be levied under section 31(1)(b) of the Act relating to keeping and caring for a cat;
- (c) the costs incurred by the operator of a cat management facility under section 31(1)(c) of the Act for the microchipping of a cat prior to release if so required under section 33 of the Act;
- (d) the cost incurred by the operator of a cat management facility under section 31(1)(d) of the Act for the sterilisation of a cat if so required under section 33 of the Act; and
- (e) the costs of the destruction and the disposal of a cat under section 34 of the Act.

PART 8 — ENFORCEMENT

8.1 Penalties

- (1) A person who fails to comply with or who contravenes any provision of this local law commits an offence and is liable to a maximum penalty of not less than \$200 and not

exceeding \$1,000 and, if the offence is a continuing offence, a maximum daily penalty of \$500.

8.2 Prescribed offences

- (1) An offence against any provision of this local law is a prescribed offence for the purposes of section 62(1) of the Act.
- (2) The amount appearing in the final column of Schedule 1, directly opposite a prescribed offence in that Schedule, is the modified penalty for that prescribed offence.
- (3) For the purposes of guidance only, before issuing an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that:
 - (a) the commission of the prescribed offence is a relatively minor matter; and
 - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

8.3 Form of notices

- (1) The form of an infringement notice is Form 6 in the *Cat Regulations 2012*, Schedule 1.
- (2) The form of withdrawal of the infringement notice is Form 7 in the *Cat Regulations 2012*, Schedule 1.

8.4 Serving of infringement notices

An infringement notice served under section 62 of the Act or this local law may be given to a person by way of the following:

- (a) personally;
- (b) by registered mail addressed to the person; or
- (c) by leaving it for the person at her or his last known postal address.

Schedule 1
Prescribed Offences

[clause 8.2(2)]

Item No	Offence	Nature of offence	Modified penalty \$
1	2.1(1)	Exceeding maximum number of cats at a premises	200
2	2.4(2)	Failure to comply with a permit condition	200
3	3.1(1)	Abandonment of a cat	200
4	4.1(1)	Cat causing a nuisance	200
5	4.1(5)	Failure to comply with a notice	200
6	5.1(2)	Failure to confine	200

Dated this _____ day of _____ 2021

The Common Seal of the)
City of Kwinana was hereunto)
affixed in the presence of :)

Carol Adams
Mayor

Wayne Jack
Chief Executive Officer

18.11 Annual Review of Delegated Authority and Council Appointment of Officers

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

The *Local Government Act 1995* ('the Act') requires Council to undertake a review of delegations to committees, Chief Executive Officer ('CEO') and employees at least once each financial year. All delegations have been reviewed based upon the WALGA template delegations as well as guidelines issued by the Department. These delegations are reflected in the '*Register of Delegated Authority 2020/21*', as detailed in **Attachment A**.

OFFICER RECOMMENDATION:

That Council:

1. Revoke the '*Register of Delegated Authority – Local Government to Chief Executive Officer, Officers and Committees 2019*' at Attachment B.
2. Revoke the '*Council Appointment of Officers – Local Government to Officers 2019*' at Attachment C.
3. Approve the '*Register of Delegated Authority 2020/21*' at Attachment A.

NOTE – AN ABSOLUTE MAJORITY OF COUNCIL IS REQUIRED

DISCUSSION:

Sections 5.42 and 5.44 of the Act prescribes that Council may delegate certain powers that they would ordinarily exercise to the CEO and other Officers. The CEO may then delegate such power to persons (or classes of persons) to exercise, either with or without conditions. The City has established a Delegated Authority Register for the purpose of complying with its record keeping obligation with respect to such delegations under the Act, as well as to improve the timeliness and efficiency of decision making for stakeholders.

Section 5.43 of the Act prescribes the limitations on the powers that a local government can delegate to the CEO. Additionally, there are powers and duties that the CEO could have been delegated authority to perform, however due to the sensitivity of the matters, such powers and duties have not been recommended for inclusion in the delegations and are detailed below:

18.11 ANNUAL REVIEW OF DELEGATED AUTHORITY AND COUNCIL APPOINTMENT OF OFFICERS

Section of Local Government Act 1995	Function of Local Government
s.3.53(3)	If an unvested facility lies within 2 or more districts, the local governments concerned can agree on its control and management
s.3.54(1)	A local government may do anything it could do under the Parks and Reserves Act 1895 if it were a Board appointed under the Act, to control and manage any land reserved under the control and management of the local government
s.5.27(2)	Discretion on calling (i.e. setting date) of the General Meeting of electors in accordance with section 5.27(2)
s.5.37(1)	A local government may designate employees to be senior employees
s.5.50(1)	A local government must prepare a policy in relation to employees whose employment with the local government is finishing setting out the circumstances in which additional payments to any amount which the employee is entitled to under a contract or award relates
s.6.26(3)	If Co-operative Bulk Handling Ltd and a local government cannot reach an agreement under section 6.26(2)(i), the local government may refer the matter to the Minister for determination
s.2.2 sch.2.2, cl.4(1)	A local government must consider any submission about ward changes made under clause 3
s.2.2 sch.2.2 6	A local government which is not divided into wards may carry out reviews as to whether the district should be divided into wards and if so boundaries and number of councillors for each ward

Regulation in Local Government (Administration) Regulations 1996	Function of Local Government
reg.19C(6)	A local government may modify its strategic community plan, including extending the period the plan is made in respect of
reg.29A(2)	Information that is confidential but that, under section 5.95(7), may be available for inspection if a local government so resolves

Section 26 of the *Health (Miscellaneous Provisions) Act 1911* prescribes that Council may delegate certain powers that they would ordinarily exercise to an Authorised Officer. However, there are powers and duties an Authorised Officers could have been delegated authority to perform, however due to the sensitivity of the matters, such powers and duties have not been recommended for inclusion in the delegations and are detailed below:

Section in Health (Miscellaneous Provisions) Act 1911	Function of the Local Government
Part 15 Section 353	A power to take possession of and lease land or premises on which expenses are due

Section 5.16 of the Act prescribes that Council may delegate to a Committee any of its powers and duties other than the power of delegation. Sections 5.16 and 7.1B allows the delegation to the Audit Committee of select powers and duties other than a power of delegation. A review of Committee delegations will be reported to Council at a future meeting.

18.11 ANNUAL REVIEW OF DELEGATED AUTHORITY AND COUNCIL APPOINTMENT OF OFFICERS**Changes to the Register of Delegated Authority 2020/21**

Since the *Register of Delegated Authority – Local Government to Chief Executive Officer, Officers and Committees 2019* and *Council Appointment of Officers – Local Government to Officers 2019* were adopted by Council on 25 September 2019, some amendments were adopted by Council to reflect changes in legislation and/or processes and procedures of City Officers. The delegations that Council adopted are incorporated in the Registers at Attachment B and C.

The City has conducted a major review of all delegations to ensure they align with the City's current requirements and to reflect organisational structure changes. Included in the review was the adoption of the WALGA template for delegations, incorporating Council delegations as well as all sub-delegations within the one document. This is intended to assist officers in a better understanding of their delegated powers, and in turn, their proper use and recording.

Note, Council resolution is only required for all delegations directly to the CEO or officers by Council. Sub-delegations are appointed by the CEO.

LEGAL/POLICY IMPLICATIONS:

The Act provides as follows:

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
- (a) *this Act other than those referred to in section 5.43; or*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

1.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*

18.11 ANNUAL REVIEW OF DELEGATED AUTHORITY AND COUNCIL APPOINTMENT OF OFFICERS**s5.46. Register of, and records relevant to, delegations to CEO and employees**

- (1) *The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

FINANCIAL/BUDGET IMPLICATIONS:

There are no direct financial implications related to this report.

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

There are no direct environmental implications related to this report.

STRATEGIC/SOCIAL IMPLICATIONS:

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

Plan	Outcome	Objective
Corporate Business Plan 2017 - 2022	Business Performance	5.8 Apply best practice principles and processes to maximise efficiencies and quality.

COMMUNITY ENGAGEMENT:

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

PUBLIC HEALTH IMPLICATIONS:

There are no public health implications as a result of this report.

18.11 ANNUAL REVIEW OF DELEGATED AUTHORITY AND COUNCIL APPOINTMENT OF OFFICERS

RISK IMPLICATIONS:

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

Risk Event	Officers not appointed or provided with delegated authority to undertake certain functions.
Risk Theme	Failure to fulfil statutory or compliance requirements.
Risk Effect/Impact	Compliance
Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Unlikely
Rating (before treatment)	Moderate
Risk Treatment in place	Avoid - remove cause of risk
Response to risk treatment required/in place	Ensure officers are appointed or delegated in accordance with the relevant legislation.
Rating (after treatment)	Low

COUNCIL DECISION

346

MOVED CR S LEE

SECONDED CR P FEASEY

That Council:

1. Revoke the '*Register of Delegated Authority – Local Government to Chief Executive Officer, Officers and Committees 2019*' at Attachment B.
2. Revoke the '*Council Appointment of Officers – Local Government to Officers 2019*' at Attachment C.
3. Approve the '*Register of Delegated Authority 2020/21*' at Attachment A.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

8/0

Register of Delegated Authority 2020/21



Introduction

Purpose of Delegating Authority

To delegate is to appoint another person to exercise a power or discharge a duty. A delegation does not strip the person making the delegation of the right to exercise the delegated power or discharge the delegated duty

Individuals are responsible to ensure that legislated requirements relating to the exercise of their delegated power/s are complied with. Any exercising of a power and discharging of a duty must be recorded in the Exercise of Delegated Powers Register via Attain. The Exercise of Delegated Powers Register record is to contain the following information:

- how the person exercised the power or discharged the duty;
- when the person exercised the power or discharged the duty; and
- the persons or classes of persons, other than Council or Committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty (*Local Government (Administration) Regulations* 1996 Regulation 19).

This Delegated Authority Register will be reviewed in accordance with the Act on an annual basis. The coordination of the review will be performed through the Governance and Legal team.

Legislation

The *Local Government Act 1995* (the Act) allows for a local government (Council) to delegate to the Chief Executive Officer (CEO) the exercise of any of its powers or the discharge of any of its duties under the Act except those listed in section 5.43. All delegations made by the Council must be by absolute majority decision (s5.42(1)).

The Act allows for the CEO to delegate any powers or a discharge of any of their duties to another employee other than the power of delegation (s5.44 (4)). This must be done in writing and, if desired, the delegation can be subject to conditions. There is no power for a person other than the CEO to delegate a power. When an employee is “acting” in a position they are deemed to be authorised under those delegations relevant to that position.

Associated Legislation

Delegations or authorisations may occur under legislation other than the Act, its regulations and the local government’s local laws including:

- *Planning and Development Act 2005* including regulations;
- *Dog Act 1976* and regulations;
- *Bush Fires Act 1954*, regulations and local law created under that Act;
- *Litter Act 1979* and regulations
- *Local Government (Miscellaneous Provisions) Act 1960 as amended*;
- *Caravan Parks and Camping Grounds Act 1995*;
- *Control of Vehicles (Off-Road Areas) Act 1978* and regulations;

NB – This is not an exhaustive list.

Matters which cannot be Delegated

The following cannot be delegated by Council to the CEO under the Act (section 5.43);

- any power or duty that requires a decision of an absolute majority or special (75%) majority of the local government;
- accepting a tender which exceeds an amount determined by the local government;
- appointing an auditor;
- acquiring or disposing of any property valued at an amount determined by the local government;
- any of the local government's powers under sections 5.98, 5.98A, 5.99A, 5.99 and 5.100 of the Act;
- borrowing money on behalf of the local government;
- hearing or determining an objection of any kind referred to in section 9.5;
- any power or duty that requires the approval of the Minister or Governor; or
- such other duties or powers that may be prescribed by the Act.

Powers under the Act that could have been delegated

The following functions have not been delegated on the basis that it is considered that they are most appropriately exercised by the Council:

Section of Local Government Act 1995	Function of the Local Government
3.53(3)	If an unvested facility lies within 2 or more districts, the local governments concerned can agree on its control and management
3.54(1)	A local government may do anything it could do under the Parks and Reserves Act 1895 if it were a Board appointed under the Act, to control and manage any land reserved under the control and management of the local government
5.27(2)	Discretion on calling (i.e. setting date) of the General Meeting of electors in accordance with section 5.27(2)
5.37(1)	A local government may designate employees to be senior employees
6.26(3)	If Co-operative Bulk Handling Ltd and a local government cannot reach an agreement under section 6.26(2)(i), the local government may refer the matter to the Minister for determination
Section 2.2 Schedule 2.2 4(1)	A local government must consider any submission about ward changes made under clause 3
Section 2.2 Schedule 2.2 6	A local government which is not divided into wards may carry out reviews as to whether the district should be divided into wards and if so boundaries and number of councillors for each ward

Regulations	Function of the Local Government
Local Government (Administration) Regulations 1996 19C(6)	A local government may modify its strategic community plan, including extending the period the plan is made in respect of
Local Government (Administration) Regulations 1996 29A(2)	Information that is confidential but that, under section 5.95(7), may be available for inspection if a local government so resolves

Delegations from other Agencies and Instruments of Delegation or other Acts

Where legislation provides for the direct delegation to a person or a class of persons by other agencies or decision makers, no delegation is required from the local government. The authorisation is dealt with in the relevant legislation. Where required, the Instrument of Delegation or Notice of the Appointment is advertised in the Government Gazette.

The details of these delegations are set out below and updated from time to time.

Department / Legislation	Notice Details & Conditions (If Any)
<p>Department of Environment</p> <p><i>Environmental Protection Act 1986</i></p> <p><i>Environmental Protection (Noise) Regulations 1997</i></p> <p><i>Pursuant to section 20 Environmental Protection Act 1986 to the holder of the offices listed.</i></p>	<p>Government Gazette WA dated 16 May 2014 Delegation Number: 119 EV405*</p> <p>Delegation to:</p> <ul style="list-style-type: none"> a) CEO under Local Government Act; and b) Employee of local government, appointed as Authorised Person under s87 of the Act <p>All powers and duties in relation to noise management plans under Regulation 13 of <i>Environmental Protection (Noise) Regulations 1997</i></p> <p><i>*other than power of delegation</i></p>
<p>Department of Environment</p> <p><i>Environmental Protection Act 1986</i></p> <p><i>Environmental Protection (Noise) Regulations 1997</i></p> <p><i>Pursuant to section 20 Environmental Protection Act 1986 to the holder of the offices listed.</i></p>	<p>Government Gazette WA dated 20 December 2013 Delegation Number: 112 EV402*</p> <p>Delegation to the CEO under <i>Local Government Act</i>:</p> <p>Powers and duties under the Environmental Protection (Noise) Regulations 1997, other than this power of delegation, in relation to—</p> <ul style="list-style-type: none"> (a) waste collection and other works—noise management plans relating to specified works under regulation 14A or 14B; (b) bellringing or amplified calls to worship—the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi); (c) community activities—noise control notices in respect of community noise under regulation 16; (d) motor sport venues—noise management plans in relation to motor sport venues under Part 2 Division 3; (e) shooting venues—noise management plans in relation to shooting venues under Part 2 Division 4; (f) calibration results—requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4; (g) sporting, cultural and entertainment events—approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation— <p>(i) Subregulation 18(13)(b) is not delegated.</p>

Department / Legislation	Notice Details & Conditions (If Any)
<p><i>Planning and Development Act 2005</i></p> <p><i>In accordance with section 16 of the Planning and Development Act 2005, by Resolution of the WA Planning Commission (WAPC), any function may be delegated to a local government, or an employee of the local government</i></p>	<p>Government Gazette WA dated 4 February 2011 Delegation Number: 2011/01 - PL408*</p> <p><i>Powers of Local Governments (Hope Valley-Wattleup Redevelopment Act 2000 and Master Plan)</i></p> <p>Powers and functions in accordance with the Instrument of Delegation – Schedule 1</p> <ul style="list-style-type: none"> ▪ Council of Town of Kwinana ▪ Chief Executive Officer ▪ Director of Operational and Technical Services ▪ Manager of Planning and Development
<p>Western Australian Planning Commission</p> <p><i>Planning and Development Act 2005</i></p> <p>Pursuant to section 16 of the Act (delegation) WAPC resolved on 26 May 2009 –</p>	<p>Government Gazette WA dated 9 June 2009 Delegation Number: DEL 2009/03 - PI409*</p> <p><i>Strata Titles Act 1985</i></p> <p>a) To delegate to local governments, and to members and officers of those local governments, its powers and functions under section 25 of the Strata Titles Act 1985 as set out in clause 1 of Schedule, within their respective districts, subject to the conditions set out in clause 2 of Schedule 1.</p>
<p>Western Australian Planning Commission</p> <p><i>Planning and Development Act 2005</i></p> <p>Pursuant to section 16 of the Act (delegation) WAPC Resolved on 15 December 2015 –</p>	<p>Government Gazette WA dated 18 December 2015 Delegation Number: DEL 2015/02 - PL403</p> <p>a) Delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B;</p> <p>b) Revoke its delegation of powers and functions to local governments as detailed in the notice entitled “DEL 2011/02 Powers of local governments (MRS)” published in the Government Gazette on 10 June 2014, to give effect to this delegation.</p>

Department / Legislation	Notice Details & Conditions (If Any)
<p>Western Australian Planning Commission</p> <p><i>Planning and Development Act 2005</i></p> <p>Pursuant to section 16 of the Act (delegation) WAPC Resolved on 24 May 2017 -</p>	<p>Government Gazette WA dated 30 May 2017 Delegation Number: DEL 2017/02</p> <p>a) To delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B.</p> <p>To be read in conjunction Delegation 3.6.</p>
<p>Biosecurity and Agriculture Management Act 2007</p> <p>Pursuant to section 162(2) and (4) – Appointment of Inspectors</p>	<p>To be appointed an Inspector for the purpose of the Biosecurity and Agriculture Management (Stable Fly) Management Plan 2013 in the local government district of Kwinana</p> <p>s162(2)The Director General may, by instrument in writing, appoint a person as an inspector.</p> <p>s162(4)The appointment of an inspector may specify that the appointment is subject to conditions or restrictions relating to –</p> <p>a) the functions that may be performed by the inspector: or</p> <p>b) when, where and in what circumstances the inspector may perform the functions of an inspector.</p>
<p>Freedom of Information Act 1992</p> <p>Pursuant to section 100 - Who in agency makes its decisions</p>	<p>Glossary</p> <p>1. Terms used principal officer of an agency means —</p> <p>(c) in relation to a local government — the chief executive officer of the local government;</p> <p>s100(1)Decisions made under this Act by an agency are to be made by —</p> <p>c) the principal officer of the agency; or</p> <p>d) an officer of the agency directed by the principal officer, for that purpose, either generally or in a particular case.</p>
<p>Litter Act 1979</p> <p>Pursuant to section 26 – Authorised officers, appointment and jurisdiction of etc.</p>	<p>s26(1) For the purposes of this Act an authorised person is –</p> <p>(c)(ii) an employee of the local government</p> <p>s26(3) A person holding office as an authorised officer by virtue of subsection (1)(c) —</p>

	<ul style="list-style-type: none"> a) has within the district in respect of which he holds office the duties of and powers of an authorised officer under this Act, and may exercise those powers within that district; b) may exercise the powers conferred on him by this Act in relation to any person whom he has reason to believe is concerned in a contravention of this Act notwithstanding that such person is not then within the district in respect of which he holds office if that person was pursued from that district or is known to have been in that district at the time of the contravention.
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1.1.1 Appointment of Authorised Persons – Local Government Act 1995

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.10 Appointment of authorised persons s.3.24 Authorising persons under this Subdivision
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to appoint persons or classes of persons as authorised to fulfilling prescribed functions within the <i>Local Government Act 1995</i> and its subsidiary legislation, including the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and City of Kwinana Local Laws made under the <i>Local Government Act 1995</i> [s.3.24 and s.9.10]. 2. Authority to appoint authorised officers for the purposes of issuing <i>Building Act 2011</i> Infringement Notices in accordance with Regulation 70(2) of the <i>Building Regulations 2012</i> and section 6(b) of the <i>Criminal Procedures Act 2004</i>. (Building Reg.70(2) prescribes s.9.10(1) of the <i>Local Government Act 1995</i> as the enabling power.) 3. Authority to appoint authorised person for the purposes of section 15 the <i>Graffiti Vandalism Act 2016</i> (s.15 of the <i>Graffiti Vandalism Act 2016</i> prescribes Part 9 of the <i>Local Government Act 1995</i> as the enabling power.)
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. A Certificate of Authorisation is to be issued to each authorised person stating the authority that has been granted; 2. The circumstances in which the authority can be exercised or discharged; and 3. The Certificate of Authorisation is to be produced by the authorised person as required.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; 2. A copy of the Certificate of Authorisation for each authorised person to be retained by the City; and

	3. Each Certificate of Authorisation is to be reviewed and updated annually.
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1.1.2 Execution of Documents

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(4) Execution of documents
Delegate:	Chief Executive Officer Director City Business Director City Development and Sustainability Director City Infrastructure Director City Engagement
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to sign (execute) documents on behalf of the City of Kwinana, either generally or subject to conditions or restrictions.
Council Conditions on this Delegation:	Execution of document to be supported by prior approval of Council via – <ul style="list-style-type: none"> • Council Policy • City Business Plan • Annual Budget • Other Council decision Director Authorised to execute documents following an approved procurement process where: <ol style="list-style-type: none"> a) The value is less than \$250,000; and/or b) The City's commitment is no greater than a 3 year period.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	<u>City of Kwinana Policies</u> City of Kwinana Common Seal
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.1.3 Approval of cash advance for reimbursement of expenses

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.5.101 Payments for employee committee members; s.5.102 Expense may be funded before actually incurred; <i>Local Government (Administration) Regulations 1996:</i> r.32 Expenses that can be approved for reimbursement
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Approve payment to a person as a cash advance for an expense that the person is entitled to be reimbursed for.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. The expenses incurred are in respect to an expense for which the person is entitled to be reimbursed, subject to Part 5, Division 8 of the <i>Local Government Act 1995</i>; and 2. The payment request is submitted and authorised in accordance with the City's policies and work procedures.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

*Note: Any changes to the above delegation requires a resolution of absolute majority of Council

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business Director City Engagement Director City Infrastructure Director City Development and Sustainability Manager Finance
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CEO Conditions on this Sub-Delegation:

Conditions on the original delegation also apply to the sub-delegations.

Statutory Power sub-delegated to:

Director City Business

1. For cash advance or reimbursement of expenses for elected members, committee members other than elected members and employees who are committee members

All Directors**Manager Finance**

For cash advance or reimbursement of expenses for others:

Conditions and Exceptions:

Local Government Act 1995:

1. The expenses incurred are in respect of an expense for which the person is entitled to be reimbursed, subject to Part 5, Division 8 of the *Local Government Act 1995*;
2. The payment request is submitted and authorised in accordance with the City's policies and work procedures;
3. Wherever possible circumstances in which reimbursement of expenses are required should be limited to occasions where there was no opportunity to utilise standard payment processes;
4. No cash advance or reimbursement greater than \$3,000 is to be approved, such requests must be referred to the CEO; and
5. Compliance with purchasing policy requirements, including observation of financial interest restrictions.

The exercise of the delegated power does not include the power of delegation.

Compliance Links:

Elected Members Allowances, Expenses and Gifts Policy

Record Keeping:

Any exercise of this delegation is to be recorded in the Delegated Authority Register.

1.1.4 Legal action, notice, proceedings, prosecutions and withdrawals

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p>As determined by the Act under which the function is to be performed.</p>
Express Power or Duty Delegated:	<p>The exercise of any powers, the enforcement of any statutory provisions or the protection of any legal interests under;</p> <ol style="list-style-type: none"> 1. The <i>Local Government Act 1995</i> and Regulations; 2. City of Kwinana Local Laws; or 3. Any other written law.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The taking of any action, serving of notice or otherwise, commencement of legal proceedings or prosecution on behalf of the City of Kwinana.
Council Conditions on this Delegation:	<p>As determined by the Act under which the function is to be performed.</p> <p>A memorandum to Elected Members in the event of intention to enter into prosecution if the amount is over \$50,000.</p>
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	<p>Director City Business Director City Engagement Director City Infrastructure Director City Development and Sustainability Manager Governance and Legal Manager Building Services Manager Engineering Services Manager Environment and Health Services Manager Essential Services Manager Planning and Development Senior Environmental Planner</p>
CEO Conditions on this Sub-Delegation:	<p>In relation to:</p> <ol style="list-style-type: none"> 1. The <i>Local Government Act 1995</i> and Regulations; 2. City of Kwinana Local Laws; or

<p><i>Conditions on the original delegation also apply to the sub-delegations.</i></p>	<p>3. The commencement of legal proceedings or initiation of a prosecution will not be undertaken without the express approval of the CEO, or where deemed necessary by the CEO, the approval of Council.</p> <p>In relation to any other written law:</p> <ul style="list-style-type: none"> a) Directors are authorised to withdraw notices only, they do not have the authority to issue notices. b) Managers are authorised to issue notices only, they do not have the authority to withdraw notices. c) These powers are only to be exercised for legislation which the delegate has been authorised. d) This delegation does not include withdrawals of infringements under the <i>Bush Fires Act 1954</i>. <p>The exercise of the delegated power does not include the power of delegation.</p> <p>Refer to Governance Work Instruction WI54 – Procedure for commencement of legal proceedings. – D16/4719*.</p>

Compliance Links:	<p>Legal Representation for Elected Members and Officer - Costs Indemnification and Liability</p> <p>Refer to Governance Work Instruction WI54 – Procedure for commencement of legal proceedings. – D16/4719*.</p>
Record Keeping:	<p>Any exercise of this delegation is to be recorded in the Delegated Authority Register.</p>

1.1.5 Administration of Banksia Park Retirement Estate and Callistemon Court Aged Persons Villas leases

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(4) Execution of documents.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to sign documents in relation to the administration of leases for: a) Banksia Park Retirement Estate; and b) Callistemon Court Aged Persons Villas which includes new leases and Deeds of Surrender.
Council Conditions on this Delegation:	To be in accordance with: 1. Department of Housing eligibility requirements; and 2. City's Aged Persons Rental Accommodation Policy.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	Department of Housing eligibility requirements <u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • City of Kwinana Common Seal • Aged Person Rental Units Accommodation
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.1.6 Appointment of proxies

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Strata Titles Act 1985:</i> s.124 Voting by proxy</p>
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.5.41(i) Functions of CEO.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>Authorised to appoint City of Kwinana employees as Proxies when required to attend:</p> <ul style="list-style-type: none"> • strata meetings; or • meetings of creditors <p>and vote on behalf of the City of Kwinana.</p>
Council Conditions on this Delegation:	<p>Proxies must vote in a manner that is consistent with any existing Council decision and must not vote in favour of motions that are outside the budget allocation.</p> <p>If the matter exceeds the budget allocated, then this must be referred to Council for a decision.</p> <p>In relation to strata meetings, must also comply with section 124 of the <i>Strata Titles Act 1985</i>.</p>
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	<p>Strata Titles Act 1985, section 124</p> <p><u>City of Kwinana Policies</u></p>
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.1.7 Sponsorship and grant applications, agreements and acquittals

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(4) Execution of documents.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to sign sponsorship or grant applications, agreements and acquittals on behalf of the City of Kwinana.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. The CEO is authorised to apply for and execute sponsorship and grant agreements where the City's contribution component falls within budget, or is consistent with a Council resolution to consider a budget allocation in a future budget, or relates to a future project that forms part of a forward works program; or 2. If such a sponsorship or grant is opportunistic in nature, not in current plans but has a clear benefit to the community. 3. Any additional contribution funds required in excess of the City's budget amount will require a budget variation to be approved by Council before the CEO can exercise this delegation.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links	<u>City of Kwinana Policy</u> <ul style="list-style-type: none"> • Community Funding
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.1.8 Authorisation of community funding

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s.6.7 Municipal Fund <i>Local Government (financial management) Regulations 1996:</i> 12. Payments from municipal fund or trust fund, restrictions on making
Delegate:	Chief Executive Officer Selection Panel Allocations Panel
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To approve an application for funding under the Community Funding Policy.
Council Conditions on this Delegation:	Must be in accordance with the Community Funding Policy and within budget allocation.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Engagement Director City Development and Sustainably Manager Community Engagement
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	To approve an application for funding under the Community Funding Policy. The exercise of the delegated power does not include the power of delegation.

Compliance Links:	<u>City of Kwinana Policy</u> <ul style="list-style-type: none"> Community Funding
Record Keeping:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

1.1.9 Administration of agreements – Hiring Promotional Street Banners'

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(4) Execution of documents.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to: 1. enter into and administer agreements for the hiring of street banners within Gilmore Avenue for advertising purposes; and 2. determine whether the requests is from a not-for-profit or community group or where the use is primarily a social or community benefit.
Council Conditions on this Delegation:	The CEO is authorised to enter into and administer hire agreements for advertising on promotional street banners on Gilmore Avenue in accordance with conditions of the Council Policy 'Promotional Street Banners on Gilmore Avenue'.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

*Note: Any changes to the above delegation requires a resolution of absolute majority of Council

Sub-Delegate/s: <i>Appointed by CEO</i>	
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • City of Kwinana Common Seal • Promotional Street Banners on Gilmore Avenue • Advertising and Directional Signage in Thoroughfares and on Local Government Property
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.1.10 Administration of agreements – Illuminated Street Name Signs

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(4) Execution of documents.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to enter into and administer agreements for illuminated street name signs on behalf of the City of Kwinana.
Council Conditions on this Delegation:	In accordance with the Advertising and Directional Signage in Thoroughfares and on Local Government Property Policy.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> Advertising and Directional Signage in Thoroughfares and on Local Government Property City of Kwinana Common Seal
Record Keeping:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register; and Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.1.11 Assessing a Restricted Access Vehicle Application

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.53(2) Control of certain unvested facilities
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to request that Main Roads WA consider imposing conditions for a RAV route when assessing an application to add or amend a road on the Restricted Access Vehicle network.
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Infrastructure Manager Engineering Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> 1. Where a recommendation is made to decline or otherwise limit access, reasons for such recommendation are to be provided. 2. This sub-delegation only extends to the renewal of existing authorisations and does not allow for any changes to conditions. 3. All applications for new approvals or changes/variations to existing approvals must be referred to the Chief Executive Officer. 4. A register is to be maintained of complaints against operations associated with Restricted Access Vehicle access to roads controlled by the City of Kwinana under the RAV Network and considered when deciding on whether to renew an existing application or allow a new approval in a particular location. 5. All applications for renewal where there has been a complaint in the last 12 months (in relation to either operator or location) must be referred to the Chief Executive Officer. <p>The exercise of this delegated power does not include the power of delegation.</p>

Compliance Links:	<p>Main Roads WA – Framework for Local Government Approval on the RAV Network - Condition CA07</p> <p><u>City of Kwinana Policies</u></p>
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; 2. Approval to be provided to the applicant in the form required by Main Roads; and 3. A register is to be maintained of complaints against operations associated with Restricted Access Vehicle

1.1.12 Administration of Leases

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(4) Execution of documents.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to provide consent and execute documents in relation to any assignment or sublease where there is a request by a lessee operating under a lease agreement that Council has approved.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. The sublease must be consistent with the use of the premise permitted by the lease as well as other conditions relating to assignment and sub-letting approved between the City of Kwinana and the lessee. 2. Obtain consent from other parties required under the terms of the lease or at law. 3. Terms of the sub lease must be consistent with the lease approved by Council.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	<u>City of Kwinana Policies</u>
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.1.13 Administration of a Corporate Discount Agreement

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(4) Execution of documents.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to enter into, make variations and execute documents in relation to the administration of a Corporate Discount Agreement on behalf of the City of Kwinana.
Council Conditions on this Delegation:	Any agreement must; 1. Result in no cost to the City of Kwinana; 2. to align with the Health Lifestyles Council Policy where relevant; and 3. requires adequate reasons for the decision to be recorded.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<u>City of Kwinana Policies</u>
Record Keeping:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register; and Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.1.14 Make variation and execute legal agreements in accordance with Local Planning Policy (LPP) No 2 – Streetscapes

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(4) Execution of documents
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to make variations and execute legal agreements in accordance with Local Planning Policy (LPP) No 2 - Streetscapes.
Council Conditions on this Delegation	Any variations can be delegated to the Chief Executive Officer if the variation is consistent with the overall intent of LPP No 2 and achieves good amenity in the area.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	<u>City of Kwinana Policies</u>
Record Keeping:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register; and Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.1.15 Authorised to sign Memorandums of Understanding

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(4) Execution of documents.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to sign Memorandums of Understanding.
Council Conditions on this Delegation:	Authorised to sign Memorandums of Understanding (MOU) if they satisfy the following conditions – <ol style="list-style-type: none"> 1. Formalises an existing working relationship between the City and a government agency/ies, department/s or other government/s; 2. There is no additional financial contribution in excess of existing budgets required to give effect to the City's obligations under the MOU; and 3. The usage of City assets or human resources in order to give effect to the City's obligations under the MOU will not unreasonably interfere with the expected provision of services to the community.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

Compliance Links:	<u>City of Kwinana Policies</u>
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.1.16 Authorised to enter into an agreement on behalf of the City of Kwinana, with any successful applicants of a Local Commercial Support Grant

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(4) Execution of documents.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to enter into an agreement on behalf of the City of Kwinana, with any successful applicants of a Local Commercial Support Grant.
Council Conditions on this Delegation:	In accordance with the requirements of the Local Commercial Support Grant Policy.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business Economic Development and Advocacy Manager
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	In accordance with the requirements of the Local Commercial Support Grant Policy.

Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> Local Commercial Support Grants
Record Keeping:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register; and Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.1.17 Appointment of Acting Chief Executive Officer

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.5.36 Local government employees (1) A local government is to employ — (a) a person to be the CEO of the local government.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to appoint an Acting Chief Executive Officer for a period not exceeding eight weeks.
Council Conditions on this Delegation:	<p><i>Local Government Act 1995:</i> 5.36. Local government employees</p> <ol style="list-style-type: none"> 1. A local government is to employ — <ol style="list-style-type: none"> a) a person to be the CEO of the local government. 2. A person is not to be employed in the position of CEO unless the council — <ol style="list-style-type: none"> b) believes that the person is suitably qualified for the position. <p>To satisfy the requirement of sub-clause 5.36(2)(a), Council considers those persons employed in the following positions suitable –</p> <ul style="list-style-type: none"> - Director City Business - Director City Engagement - Director City Infrastructure - Director City Development and Sustainability <p>The Chief Executive Officer may appoint one or more of the those Officers listed above to the role of Acting Chief Executive Officer either singularly or consecutively for a period not exceeding eight weeks at his or her discretion, to ensure and provide for best business continuity during the required period(s).</p>
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	<u>City of Kwinana Procedure</u> <ul style="list-style-type: none"> • Code of Conduct
Record Keeping:	Any exercise of this delegation is to be recorded in the Delegated Authority Register;

2.2.1 Objections to the rates record

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.76 Grounds of objection
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to make decisions regarding objections to the rates record including extending the time for a person to make an objection and following consideration, make a decision whether to allow or disallow the objection, either wholly or in part.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. Objection to be received within the required timeframe identifying all relevant information as required by s.6.76(2), unless an application for extension has been granted (4); 2. Objection is to be considered promptly; 3. Written notice of the decision, including a statement of the reasons for the decision to be promptly served on the person who has made the objection; 4. Objections that are allowed must not exceed \$50,000 in lost revenue per property per financial year. Amounts greater than this must be referred to Council for determination; and 5. Amendments to the rate record must be within budget. 6. Amendments to the rate record must not exceed \$50,000 in lost or increased revenue per property. Amounts greater than this must be referred to Council for determination.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> 1. Promptly consider any objection; 2. Objections that are allowed must not exceed \$5,000 in lost revenue per assessment per financial year; 3. After making a decision on the objection, promptly serve upon the person by whom the objection was made, written notice of the decision on the objection and a statement of the reasons for that decision – 6.76 (5) and (6); and 4. The written notice of decision and statement of reasons must be reviewed by the City's Lawyer prior to issue.

	The exercise of the delegated power does not include the power of delegation.
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Compliance Links:	<u>City of Kwinana Policies</u>
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; 2. The full details of the decision made under this delegation are to be recorded in the rate record; and 3. Notice to be provided to the person of the decision made.

2.2.2 Recovery of rates and services charges from lessee

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations on delegation to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.56(1) Rates or service charges recoverable in court s.6.60 Local government may require lessee to pay rent
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorises the recovery of rent to offset an unpaid rate or service charge from the lessee of land, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)]. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. Recovery action is in accordance with section 6.60 of the Local Government Act 1995; 2. Recovery action is in accordance with the City's policies and work procedures.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> 1. Recovery action is in accordance with Section 6.60 of the <i>Local Government Act 1995</i>; 2. Recovery action is in accordance with the City's policies and work procedures; and 3. Recovery action must not commence without the matter being reviewed by the Director City Business <p>The exercise of the delegated power does not include the power of delegation.</p>

Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • Debtors Management
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and

	2. The full details of the decision and actions taken under this delegation to be recorded on the rate record.
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2.2.3 Recovery and actions against land where rates or service charges are unpaid

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on Delegation to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> Rates and service charges s.6.56 Rates or service charges recoverable in court s.6.64 Actions to be taken
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to recover outstanding rates or services charges, as well as the cost of proceedings for recovery in Court or any action against the land that is required.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. The recovery action is taken in accordance with sections 6.64(3), 6.69(2), 6.71(1) (subject to conditions set out in the disposal of property delegations limits), and 6.74 of the <i>Local Government Act 1995</i>; 2. The recovery action is taken in accordance with the regulation 77(3) of the <i>Local Government (Financial Management) Regulations 1996</i>; and 3. Recovery and actions is in accordance with the City's policies and work procedures.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

*Note: Any changes to the above delegation requires a resolution of absolute majority of Council

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business Manager Finance
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> 1. The recovery action is taken in accordance with sections 6.64(3), 6.69(2), 6.71(1) (subject to conditions set out in the disposal of property delegations limits), and 6.74 of the <i>Local Government Act 1995</i>; 2. The recovery action is taken in accordance with Regulation 77(3) of the <i>Local Government (Financial Management) Regulations 1996</i>; and 3. Recovery and actions are in accordance with the City's policies and work procedures.

	The exercise of the delegated power does not include the power of delegation.
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Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • Debtors Management
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. The full details of the decision made under this delegation are to be recorded in the rate record.

2.2.4 Payments from municipal and trust funds

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on Delegation to the CEO
Express Power or Duty Delegated:	<i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund <i>Local Government Act 1995:</i> s.6.7(2) Municipal Fund s.6.9(4) Trust Fund
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to make payment from the municipal or trust funds [r.12(1)(a)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5; and 2. May transfer money held in trust for 10 years to its municipal fund. Authorised to approve to repay it to a person who establishes a right to the repayment, together with any interest earned on the investment - 6.9(4) Trust Fund. 3. In relation to financial assistance for legal expenses by Elected Members and Officers in an emergency: <ol style="list-style-type: none"> a) The delegation is only applicable where a delay in the approval of an application would be detrimental to the legal rights of the applicant; b) The amount approved is to a maximum of \$10,000 in respect of each application; c) All approved applications are to be presented to the next Ordinary Council Meeting; and d) The delegation is exercised in conjunction with the Legal Representation for Elected Members and Officers – Costs Indemnification and Liability Policy.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

*Note: Any changes to the above delegation requires a resolution of absolute majority of Council

Sub-Delegate/s: <i>Appointed by CEO</i>	Accountant Coordinator Finance Director City Business Director City Engagement Director City Infrastructure Director City Development and Sustainability Manager Finance
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>This delegation does not include the transfer of money held in trust fund for 10 years to the municipal fund, which must be approved by the Chief Executive Officer.</p> <ol style="list-style-type: none"> 1. For payments that do not exceed budget. 2. For payments that have been authorised in accordance with City's policies and procedures regarding purchasing and procurement. <p>The exercise of the delegated power does not include the power of delegation.</p> <p>Sub Delegation does not include section 3, In relation to financial assistance for legal expenses by Elected Members and Officers in an emergency.</p>

Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • Use of Corporate Credit Cards • Reward for Information • Elected Members Allowances, Expenses and Gifts • Charitable Rate Exemptions • Legal Representation for Elected Members and Officers - Cost Indemnification and Liability
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. A list of accounts paid by the CEO from the municipal fund and trust fund under this delegation is to be presented to Council each month.

2.2.5 Power to invest

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.14(1) Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. Must establish, document and adhere to internal control procedures and the relevant Council policies to ensure control over investments; and 2. Must have regard to the matters referred to at section 20 of the <i>Trustees Act 1962</i>. <p>All investment activity must comply with the Financial Management Regulation 19C and Council Policies.</p> <ol style="list-style-type: none"> a) A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports. b) Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. c) Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business Director City Engagement Director City Infrastructure
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	Director City Development and Sustainability Manager Finance
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>This delegation is to be exercised:</p> <ol style="list-style-type: none"> 1. In accordance with Regulation 19 of the <i>Local Government (Financial Management) Regulations 1996</i>; and 2. In accordance with section 20 of the <i>Trustees Act 1962</i>. 3. So that any decision to invest must be co-authorised by two delegated officers. <p>The exercise of the delegated power does not include the power of delegation.</p>

Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • Investment Policy and Strategy
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; 2. An investment report must be presented to each monthly Council meeting including the details of investments in accordance with the investment control procedures that have been established.

2.2.6 Expressions of interest and tenders for supply of goods and services

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996</i> r.11 When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14(2a) & (5) Requirements for publicly inviting tenders r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21 Procedure for limiting who can tender r.23 Rejecting and accepting expressions of interest to be an acceptable tenderer
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to establish criteria, invite, consider, seek clarification on and determine expressions of interest and tenders for the supply of goods and services; and Authority to negotiate and execute related contracts including minor variations and extensions.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> Where there is a budget provision up to a value of \$1,000,000; or Where a multiple year contract (including extension thereof) up to a total value of \$1,875,000; In accordance with the requirements of the: <ul style="list-style-type: none"> - <i>Local Government Act 1995</i>; - <i>Local Government (Financial Management) Regulations 1996</i>; and - Council's policies and work procedures. Where the budget has not been adopted, the Chief Executive Officer can perform all functions outlined in this delegation with the exception of determining a tender, so long as in the specifications of the invitation to tender, it includes a provision that states that this tender will only be awarded subject to the budget being adopted by Council.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i>

	s.5.44 CEO may delegate some powers and duties to other employees
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**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Centre Operations Supervisor Senior Contracts Officer Contracts Officer Customer Experience Analyst and Team Leader Director City Business Director City Engagement Director City Infrastructure Director City Development and Sustainability E-Resources Officer Development Fitness Programs and Member Engagement Team Leader Kwinana Recquatic Manager Library Operations Coordinator Manager Asset Management Services Manager Bright Futures Children's Services Manager Building Services Manager City Operations Manager Community Engagement Manager Community Services Manager Customer and Communications Manager Engineering Services Manager Environment and Health Services Manager Essential Services Manager Finance Manager Human Resources Manager Information Technology Manager Planning and Development Manager Retirement Village Manager Youth Development Recquatic Business Development Specialist Senior Environmental Planner
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> 1. Only the CEO has Authority to negotiate and execute related contracts including minor variations and extensions. 2. In accordance with the requirements of the <ul style="list-style-type: none"> • <i>Local Government Act 1995;</i> • <i>Local Government (Financial Management) Regulations 1996;</i> and • Council's policies and work procedures. 3. Any panel established to consider a tender must comprise of at least one Director or Manager. <p>The exercise of the delegated power does not include the power of delegation.</p>

Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • Tender Management
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	<ul style="list-style-type: none"> • Procurement
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Details recorded in the Tender Register.

2.2.7 Disposing of property

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58 Disposing of property s.3.47 Disposal of confiscated or uncollected goods
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> Authority to dispose of property to: <ol style="list-style-type: none"> the highest bidder at public auction [s.3.58(2)(a)]. to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)] Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> The disposal is included in the City's Annual Budget or by Council Resolution; The disposal must be in accordance with section 3.58 of the <i>Local Government Act 1995</i>; The disposal must be in accordance with regulation 30 of the <i>Local Government (Functions and General) Regulations 1996</i>; In the case of disposal of land, the intended sale price being greater than or equal to the valuation; For the purposes of the administration of leases, exercise any option(s) available under the lease for established leases; and Where the market value of the property is determined as being less than \$10,000 (F&G r.30(3) excluded disposal) may be undertaken: <ul style="list-style-type: none"> Without reference to Council for resolution; and In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value then, as a minimum, the disposal must ensure environmentally responsible disposal.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business Director City Engagement Director City Infrastructure Director City Development and Sustainability Manager City Operations Economic Development and Advocacy Manager Technical Officer Fleet Operations
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> 1. The disposal is included in the City's Annual Budget or by Council Resolution. 2. The disposal must be in accordance with section 3.58 of the <i>Local Government Act 1995</i>. 3. The disposal must be in accordance with regulation 30 of the <i>Local Government (Functions and General) Regulations 1996</i>. 4. Does not include the disposal of land, delegated to the Chief Executive Officer only; 5. For the purposes of the administration of leases, exercise any option(s) available under the lease for established leases. 6. Plant and equipment, not identified in the City's Annual Budget, with a written down value of less than \$2,000 that has been lost, or is no longer used or serves no other purpose, may be removed from the asset register and disposed of. 7. Related Party Disclosures <p>Any disposal of property must also comply with the reporting requirements of Council's Policy – Related Party Disclosures. (D17/44327)</p> <p>The exercise of the delegated power does not include the power of delegation.</p>

Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • Depreciation and Capitalisation of Assets • Tender Management • Related Party Disclosures
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; 2. Update the Tender Register accordingly; and 3. Any disposal requiring a declaration under the Related Party Disclosure Policy must be done so via the Related Party Disclosure Form. (D17/44460).

2.2.8 Write off, grant a concession or authorise a waiver for monies owing

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.12(1)(b) waive or grant concessions in relation to any amount of money; or s.6.12(1)(c) write off any amount of money, which is owed to the Local Government s.6.12(3) the grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To write off, grant a concession or authorise a waiver in relation to any amount of money that it is owed to the local government
Council Conditions on this Delegation:	This delegation is subject to section 6.12(2) of the <i>Local Government Act 1995</i> , which specifies that a local government cannot grant a waiver or concession for a rate or service charge . The CEO's delegated authority is subject to the following limitations: 1. A write off of the debt incurred as a result of an administrative error on behalf of the City not exceeding \$10,000; 2. Any grant of concession or waiver not exceeding \$1,500 per occurrence; and 3. Any write off of a debt, not being due to an administrative error, for debts not exceeding \$1,500.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business Director City Engagement Director City Infrastructure Director City Development and Sustainability Manager Environment and Health Services
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CEO Conditions on this Sub-Delegation:

Conditions on the original delegation also apply to the sub-delegations.

This delegation is subject to section 6.12(2) of the *Local Government Act 1995*, which specifies that **a local government cannot grant a waiver or concession for a rate or service charge.**

All Directors:

Delegated authority is subject to City policies, procedures, budget and the following limitations:

1. A write off of the debt incurred as a result of an administrative error on behalf of the City not exceeding \$2,000;
2. Any grant of concession or waiver not exceeding \$1,200 per occurrence; and
3. Any write off of a debt, not being due to an administrative error, for debts not exceeding \$500.

Manager Environment and Health Services:

Delegated authority is subject to the following limitations:

1. Annual Fees – Registered Food Businesses
 - 1.2 Medium and Low Risk Food Business –
Premises/Vehicle conducted by community, charitable and educational organisations may have their annual fee waived in the interest of community development except where they are the holder of any class of liquor licence to generate an income stream:
 - 1.3 Grant of a waiver is not to exceed the applicable annual registration fee as set in the City's Schedule of Fees and Charges.
2. Special Discretionary Food Business Fee
 - 2.1 For a food business within any of the three risk categories detailed in the City's annual Schedule of Fees and Charges. A reduction in the registration fee based on a low volume business, extenuating social needs and valid community development circumstances may be granted.
 - 2.2 A reduction is not to exceed the applicable annual registration fee as set in the City's Schedule of Fees and Charges.

The exercise of the delegated power does not include the power of delegation.

Compliance Links:**City of Kwinana Policies**

- Debtors Management

Record Keeping:

1. Any exercise of this delegation is to be recorded in the Delegated Authority Register;
2. The full details of the waiver, concession or write off to be recorded on the appropriate financial record; and

	<p>3. Annual Fees – Registered Food Businesses</p> <p>The fee value shall be reported and debited as a donation of Services to the community and credited to the Health –Food Act fees from Community Services Donation Account.</p>
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2.2.9 Signing of a Memorandum of Consent Order on behalf of the local government

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> Rates and service charges s.6.56 Rates or service charges recoverable in court s.6.64 Actions to be taken
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to sign a Memorandum of Consent Order on behalf of the local government in relation to court proceedings for recovery of rates in arrears.
Council Conditions on this Delegation:	A Memorandum of Consent Order on behalf of the local government may be signed to dismiss a claim - 1. If there was an administration error and claim was invalid, or 2. Payment of all outstanding amounts were paid in full and the fee, as set out in the City's Fees and Charges, has been paid for a Notice of Discontinuance.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	A Memorandum of Consent Order on behalf of the local government may be signed to dismiss a claim - 1. If there was an administration error and claim was invalid, or 2. Payment of all outstanding amounts were paid in full and the fee, as set out in the City's Fees and Charges, has been paid for a Notice of Discontinuance. The exercise of the delegated power does not include the power of delegation.

Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • Rates Collection • Debtors Collection
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Record Keeping:

1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and
2. The full details of the decision made under this delegation are to be recorded in the rate record.

2.2.10 Make alternative arrangements for payment of rates and services charges

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To make alternative arrangement for payment of rates and services charges.
Council Conditions on this Delegation:	<p>This delegation is subject to section 6.47 of the <i>Local Government Act 1995</i>.</p> <p>The CEO's delegated authority is subject to the following limitations:</p> <ol style="list-style-type: none"> 1. Make arrangements with ratepayers wishing to make application for alternative instalment arrangements and extensions which will be completed within the current financial year; 2. Allow extended instalment arrangements, which will be finalised outside the current financial year; 3. Subject to Rates and Charges (Rebates and Deferments) Act 1992; 4. Must comply with relevant Council policies.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business Finance Officer - Rates Manager Finance Rates Coordinator
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>This delegation is subject to section 6.47 of the <i>Local Government Act 1995</i>.</p> <p>The CEO's delegated authority is subject to the following limitations:</p>

	<ol style="list-style-type: none"> 1. Make arrangements with ratepayers wishing to make application for alternative instalment arrangements and extensions which will be completed within the current financial year; 2. Subject to <i>Rates and Charges (Rebates and Deferments) Act 1992</i>; 3. Must comply with relevant Council policies. <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • Rates Collection Policy • Debtors Collection Policy
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. The full details of the payment arrangement to be recorded on the appropriate financial record.

3.3.1 Building Act 2011 – Powers and duties

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127 A special permit authority or a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.
Express Power or Duty Delegated:	All powers and duties exercised by the Local Government as a permit authority under the Building Act 2011.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to exercise and discharge all or any of the powers and duties of the local government as a permit authority under the Building Act 2011.
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>Building Act 2011, s.127(6A)</i> The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Building Surveyor Building Surveyor (Level 1) Building Surveyor (Level 2) Building Technician Manager Building Services Swimming Pool Inspector
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>The power delegated is according to the position/qualification held:</p> <p>Manager Building Services</p> <ul style="list-style-type: none"> • Description of Authority: <ul style="list-style-type: none"> a) Building and Demolition Permit Applications, Certificates of Design Compliance, Certificates of Building Compliance, Building Approval Certificates, Certificates of Construction Compliance, Applications to Amend Permits or Builder Details and Extensions of Time; b) Occupancy Permits, Building Orders and Notices and perform functions of permit authority; and c) Approve (or refuse) permit applications or certificates, orders and notices. <p>Conditions: Unrestricted assessment and certification.</p>

	<p>Building Surveyor – Level 1</p> <ul style="list-style-type: none"> • Description of Authority: <ul style="list-style-type: none"> a) Building and Demolition Permit Applications/Certificates of Design Compliance, Certificates of Building Compliance, Building Approval Certificates, Certificates of Construction Compliance, Applications to Amend Permits or Builders Details and Extensions of time; b) Occupancy Permits, Notices and perform functions of permit authority; and c) Approve permit applications or certificates. <p><u>Conditions:</u> Unrestricted assessment and certification.</p> <p>Building Surveyor – Level 2</p> <ul style="list-style-type: none"> • Description of Authority: <ul style="list-style-type: none"> a) Building and Demolition Permit Applications/Certificates of Design Compliance, Certificates of Building Compliance, Building Approval Certificates, Certificates of Construction Compliance, Applications to Amend Permits of Builder Details and Extensions of time; b) Occupancy Permits, and Notices and perform functions of permit authority; and c) Approve permit applications or certificates. <p><u>Conditions:</u> Restricted to assessing and certifying any type of Class 1 or 10 and Class 2 – 9 that are no higher than three storeys and doesn't exceed 2,000m² in total floor area.</p> <p>Building Technician</p> <ul style="list-style-type: none"> • Description of Authority: <ul style="list-style-type: none"> a) Approve permit applications. <p><u>Conditions:</u> Restricted to assessing and approving applications for class 1 or 10 and class 2 – 9 no higher than 2 storeys and doesn't exceed 500m² in total floor area that have been certified by a suitably qualified Building Surveyor.</p> <p>Manager Building Services Building Surveyor – Level 1 Building Surveyor – Level 2 Building Surveyors Building Technician Swimming Pool Inspector Compliance Officer Senior Compliance Officer</p> <ul style="list-style-type: none"> • Description of Authority: <ul style="list-style-type: none"> a) Undertake inspections of private swimming pools, spas and enclosures and assessing and certifying compliance with AS 1926.1; and b) Issue certificates of compliance with AS 1926.1. c) Issue inspection certificates
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	<p><u>Conditions:</u> For the purposes of monitoring whether the provisions of regulation 50 and 52 of the Building Regulations 2012 are being complied with.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	<p><u>City of Kwinana Policies</u></p> <ul style="list-style-type: none"> • Legal Representation for Elected Members and Officers - Costs Indemnification and Liability
Record Keeping:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

3.3.2 Subdivision and development control

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> Schedule 2 – Part 10 - Clause 82(1) Delegations by local government
Express Power or Duty Delegated:	Town of Kwinana Town Planning Scheme No. 2 Town of Kwinana Town Planning Scheme No. 3 <i>Planning and Development Act 2005</i> Part 7 Planning Control Areas Part 8 Improvement Plans and Schemes Part 13 Enforcement and Legal Proceedings
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to: <ol style="list-style-type: none"> 1. Determine applications for Planning Approval in regards to development including change of use and variations to development standards; 2. Make objections or recommendations in respect of Subdivision Applications to the West Australian Planning Commission, including recommendations for the imposition of subdivision conditions; 3. Make recommendations for approval or refusal of development within Planning Control Areas; 4. Determine applications for variations to previously approved Planning Applications; and 5. Give a written direction in accordance with section 214 of the Planning and Development act 2005 to the owner or any other person undertaking a development.
Council Conditions on this Delegation:	Conditions: <ol style="list-style-type: none"> 1. The authority is only to be exercised for those uses or other applications specified in: Table 1 - Use Classes; and Table 1A Use Classes for Other Applications. 2. May determine variations to Planning Applications including Planning Applications previously approved by resolution of Council, that are of a minor nature and if amended, would not substantially change the development approved and for which no objection has been received during advertising (if applicable). 3. Prosecutions The authority to proceed with any prosecution under the Planning and Development Act 2005 must be approved by the Chief Executive Officer prior to commencement.

	<p>Exceptions:</p> <p>Excluding variations to Planning Applications as stated in Condition (2) above, this delegation does not include the following:</p> <ul style="list-style-type: none"> • The acceptance of mediated outcomes or determinations of s.31 reconsiderations for appeals lodged with the State Administrative Tribunal • Local Development Plans (except for a 12 month period from 11 November 2020 to 11 November 2021 where the delegation for determination will rest with the CEO). Elected Members are to be consulted regarding significant Local Development Plans. • Local Planning Policies including amendments • Major development within the Town Centre
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

<p>Sub-Delegate/s:</p> <p><i>Appointed by CEO</i></p>	<p>Coordinator Statutory Planning Director City Development and Sustainability Manager Planning and Development Senior Statutory Planning Officer</p>
<p>CEO Conditions on this Sub-Delegation:</p> <p><i>Conditions on the original delegation also apply to the sub-delegations.</i></p>	<ol style="list-style-type: none"> 1. The authority is only to be exercised for those uses or other applications specified in: Table 1 - Use Classes; and Table 1A Use Classes for Other Applications. 2. May determine variations to Planning Applications including Planning Applications previously approved by resolution of Council, that are of a minor nature and if amended, would not substantially change the development approved and for which no objection has been received during advertising (if applicable). Any variation to a planning approval for which a prior resolution by Council applies, must be preceded by a memo to Council prior to any determination being made. 3. Prosecutions The authority to proceed with any prosecution under the Planning and Development Act 2005 must be approved by the Chief Executive Officer prior to commencement. 4. In relation to the exercise of delegation under the Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2: Part 4 – Clause 18;

	<p>Part 5 – Clause 34; and Part 6 – Clause 50.</p> <p>Council must be notified of the advertising of the application in the form of a memorandum prior to the commencement of advertising.</p> <p>Exceptions: Excluding variations to Planning Applications as stated in Condition (2) above, this delegation does not include the following:</p> <ul style="list-style-type: none"> • The acceptance of mediated outcomes or determinations of s.31 reconsiderations for appeals lodged with the State Administrative Tribunal • Local Development Plans (except for a 12 month period from 11 November 2020 to 11 November 2021 where the delegation for determination will rest with the Director of Development and Sustainability). Elected Members are to be consulted regarding significant Local Development Plans. • Local Planning Policies including amendments • Major development within the Town Centre <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	<p><u>City of Kwinana Policies</u></p> <ul style="list-style-type: none"> • Advertising 'SA' and City Planning Scheme Amendment • Ancillary Accommodation • Compliance with Conditions of Planning Approval • Design Guidelines for Medium Density Development • Development within Cockburn Sound Catchment • Development within Special Rural Zones • Development within the Industrial Zones • Development within the Special Residential Zones • Latitude 32 Redevelopment Area Development Control • Referral for Proposals to Adjoining Local Authorities • Referral of Various Development Application to WA Planning Commission and Dept of Environment, Water and Catchment Protection • Residential Development • Standard Conditions for Subdivisions • Standard Conditions for Planning Approval • Strata Titles • Telecommunications Installation • Special Residential and Special Rural Zone • Street Naming
Record Keeping:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register. 2. In relation to Condition (2) above, any variation to a planning approval for which a prior resolution by Council applies, must

	<p>be preceded by a memo to Council prior to any determination being made.</p> <p>3. Local Development Plans (except for a 12 month period from 11 November 2020 to 11 November 2021 where the delegation for determination will rest with the Director of Development and Sustainability). Elected Members are to be consulted regarding significant Local Development Plans.</p>
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Table 1. – Use classes

Use Class	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	Comments
Aged/Dependent Persons Dwelling	D	D					D					D	
Ancillary Accommodation	D						D		D	D		D	Provided Compliance With LPP 3.3.30
Amenity Building	D	D	D	D	D	D	D	D				D	
Amusement Centre		D	D	D			D					D	
Aqua Culture							D						
Boat Sales			D	D	D	D							
Boatrel					D	D							
Bus Station					D								
Car Park	D	D	D		D	D	D	D				D	
Caravan park						D	D	D					
Caretakers House/Flat	D	D	D	D	D	D	D	D					Where Incidental to Existing Use
Chicken farm							D						
Child Care Centre	D	D										D	
Civic Building		D	D	D		D						D	
Club		D	D									D	
Commercial Hall		D	D	D								D	
Consultation Rooms		D	D			D						D	
Dog Kennels						D	D						
Drive-in Takeaway Food Shop		D				D						D	
Drive-In Theatre						D						D	
Dry Cleaning Premises		D	D	D		D							
Eating House	D	D	D		D	D						D	Where no objection received during advertising

Use Class	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	Comments
Educational Establishment	D	D			D	D	D					D	
Equestrian uses							D			D			Provided No Clearing of vegetation is required Outside Building Envelopes and consistent with scheme TPS 2
Extractive Industry					D	D	D	D					
Factory Units				D	D	D							
Family Day Care centre	D	D	D		D	D	D	D				D	
Fish Shop		D	D									D	
Forestry (selective)							D	D					
Fuel Depot			D		D	D		D					
Funeral parlour		D	D	D	D	D	D					D	
General Industry					D			D					
Grouped Dwelling	D	D											
Hazardous Industry					D								Where no objection received during advertising
Health Centre		D	D		D	D							
Health Studio	D	D	D		D	D						D	
Holiday Accommodation				D		D	D	D					
Home Occupation	D	D					D		D	D		D	
Hospital	D	D	D	D		D	D	D				D	Where no objection received during advertising

Use Class	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	Comments
Hotel		D		D								D	Where no objection received during advertising
Intensive Agriculture							D						
Laundry (Industrial)			D	D	D	D							
Laundrette		D	D	D		D						D	
Licensed Restaurant	D	D	D			D						D	Where no objection received during advertising
Light Industry					D	D		D					
Liquor Sore		D	D	D								D	
Local Shop	D	D	D	D	D	D	D					D	Where no objection received during advertising
Lodging House	D	D				D						D	
Marina					D	D							
Medical Clinic	D	D	D	D		D	D					D	Where no objection received during advertising
Motel	D	D	D	D									Where no objection received during advertising
Motor Racing Track			D		D		D						
Motor Repair Station		D	D		D	D						D	
Multiple Dwelling	D	D										D	
Museum	D	D	D									D	

Use Class	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	Comments
Non-residential Health Centre	D	D	D	D	D	D						D	Where no objection received during advertising
Noxious Industry					D								Where no objection received during advertising
Office		D	D	D	D	D						D	
Open Air Display		D	D	D	D	D						D	
Open Air Storage Yard				D	D	D							
Petrol Filling Station		D	D	D	D	D		D				D	
Piggery					D		D						Where no objection received during advertising
Private Hotel		D	D	D								D	
Private Recreation		D	D	D		D	D					D	
Private Utility	D	D	D	D	D	D	D	D				D	
Professional Office		D	D	D								D	
Public Amusement	D	D	D	D			D	D				D	Where no objection received during advertising
Public Assembly – Place of	D	D	D	D	D	D	D					D	Where no objection received during advertising
Public Recreation	D	D	D	D	D	D	D	D				D	
Public Utility	D	D	D	D	D	D	D	D	D	D	D	D	

Use Class	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	Comments
Public Worship	D	D	D	D	D	D	D	D				D	Where no objection received during advertising
Recreation facilities	D	D	D	D	D	D	D	D				D	
Residential Building	D						D		D	D		D	
Restricted Premises		D	D	D		D						D	Where no objection received during advertising
Retail Plant Nurseries		D	D	D		D	D						Where no objection received during advertising
Rural Industry					D	D	D	D					
Rural Produce Stall							D						
Service Industry		D	D	D	D	D						D	Where no objection received during advertising
Service Station		D	D	D	D	D						D	
Shop		D		D								D	
Showroom,		D	D	D	D	D						D	
Single House	D	D	D		D	D	D		D	D	D	D	
Stables							D	D		D			
Tailing Ponds								D					
Tavern		D	D	D								D	
Telecommunication Infrastructure	D	D	D	D	D	D	D	D				D	Where no objection received during advertising
Trade Display		D	D	D	D	D						D	

Use Class	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	Comments
Transport Depot				D	D	D		D					
Vehicles Sales		D	D	D		D						D	
Vehicle Wreckers					D	D							
Veterinary Clinic	D	D	D	D	D	D	D					D	Where no objection received during advertising
Veterinary Hospital			D	D	D	D	D					D	
Warehouse		D	D	D	D	D						D	

Table 1A - Use classes for other applications

Use Class	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	Comments
Other Applications													
Amalgamation	D	D	D	D	D	D	D	D	D	D	D	D	
Antennae (attached to building <5m height)	D	D	D	D	D	D	D	D	D	D	D	D	
Building Envelope Variations									D	D			In accordance with TPS No. 2
Satellite Dishes	D	D	D		D	D	D	D	D	D	D	D	In accordance with TPS No.2
Second Storey Addition	D						D		D	D			
Setback Variation		D	D		D	D						D	
Signs	D	D	D	D	D	D	D	D	D	D		D	Provided compliance with Local Law
Subdivision (Freehold/Strata)	D	D	D	D	D	D	D	D	D	D		D	
Vegetation removal (Diseased or Dangerous)							D		D	D			
Verandahs (within road reserves)		D										D	

3.3.3 Entering into legal agreements in accordance with Local Planning Policy (LLP) No 4 – Administration of development contribution plans

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(4) Execution of documents
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to enter into legal agreements on behalf of the City of Kwinana, in accordance with Local Planning Policy (LLP) No 4 - Administration of development contribution plans.
Council Conditions on this Delegation:	In accordance with Local Planning Policy (LLP) No 4 - Administration of development contribution plans.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Development and Sustainability
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> City of Kwinana Common Seal
Record Keeping:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register; and Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

3.3.4 Planning, building and other development related applications where the City is the applicant

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(4) Execution of documents
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to sign planning, building and other development related applications where the City is the applicant on its own City land.
Council Conditions on this Delegation:	Must be in accordance with works identified in the budget.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> City of Kwinana Common Seal
Record Keeping:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register; and Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

3.3.5 Determine applications pursuant to the requirements of Local Government Policy (LLP) No 5 – Development Contribution towards Public Art

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development (Local Planning Scheme) Regulations 2015 :</i> r.82. Delegations by local government (5) The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's duties under this Scheme other than this power of delegation.
Express Power or Duty Delegated:	<i>Planning and Development (Local Planning Scheme) Regulations 2015 :</i> r.3. Local planning policies (5) In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to determine applications pursuant to the requirements of Local Planning Policy (LLP) No 5 – Development Contribution towards Public Art.
Council Conditions on this Delegation:	In accordance with Local Planning Policy (LLP) No 5 - Development Contribution Towards Public Art including consideration of the recommendation of the Review Panel.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	
Record Keeping:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

3.3.6 Determine development application on or abutting land reserved in the MRS for regional road

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development Act 2005:</i> s.16 Delegation by Commission WAPC resolved on 24 May 2017 (Instrument of Delegation 2017/02)
Express Power or Duty Delegated:	<i>Planning and Development Act 2005:</i> s.16 Delegation by Commission WAPC resolved on 24 May 2017 (Instrument of Delegation 2017/02)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Determine applications for developments on or abutting land that are reserved in the Metropolitan Region Scheme for the purpose of a regional road.
Council Conditions on this Delegation:	This delegation is subject to the amendments contained in Government Gazette on 18 December 2018 No. PL402
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	
Record Keeping:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

4.4.1 Public Health Act 2016 and the Health (Miscellaneous Provisions) Act 1911 – Power or duty of the local government (enforcement agency) under any provision of these Acts

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21(1)(c) Enforcement agency may delegate <i>Health (Miscellaneous Provisions) Act 1911:</i> s.26 Powers of Local Government
Express Power or Duty Delegated:	All powers exercisable by the Local Government under the <i>Public Health Act 2016</i> , the <i>Health (Miscellaneous Provisions) Act 1911</i> and Regulations made there under; and the City's Health Local Laws.
Delegate:	Coordinator Environment and Waste Coordinator Environmental Health
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To authorise the Coordinator Environmental Health and Coordinator Environment and Waste to exercise and discharge all or any of the powers and functions of the local government (enforcement agency).
Council Conditions on this Delegation:	<ol style="list-style-type: none"> <i>Public Health Act 2016:</i> s.20. Conditions on performance of functions by enforcement agencies <ol style="list-style-type: none"> The Chief Health Officer, after consultation with another enforcement agency, may, in writing, impose conditions or restrictions on the performance of functions under this Act by the enforcement agency. The performance by an enforcement agency of functions under this Act is subject to any conditions or restrictions imposed under subsection (1). Not to expend funds for the carrying out of works in default of a notice served under this Act without separate budget approval by Council.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	
Record Keeping:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

4.4.2 Food Act 2008 – Appointment of Officers

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118(2)(b) Local Government (Enforcement Agency)
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.122(1)(a)& (b) Appointment of Authorised Officers s.126 (13) Infringements - Appointment of Designated Officers Function
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To appoint such persons to be Authorised Officers for the purposes of this Act. To appoint officers to be Designated Officers for the purposes of this Act for either issuing infringements or extending, withdrawing or accepting payment for infringements.
Council Conditions on this Delegation:	A certificate of authority must be issued to Authorised Officers in accordance with section 123 of the <i>Food Act 2008</i> . In accordance with section 126 of the <i>Food Act 2008</i> Infringement Notices. The Local Government can designate authorised officers to be designated officers for the purposes of section 126 of the <i>Food Act 2008</i> subsection (2), (3), (6) or (7) or for the purposes of 2 or more of those subsections, but a person who is a designated officer for the purposes of giving infringement notices under subsection (2) is not eligible to be a designated officer for the purposes of any of the other subsections.
Express Power to Sub-Delegate:	<i>Food Act 2008:</i> s.118(2)(b) Functions of enforcement agencies and delegation

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
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Record Keeping:

1. Each enforcement agency must prepare and maintain a list of authorised officers appointed by the agency in accordance with s.122(3) of the *Food Act 2008*.
2. Any exercise of this delegation is to be recorded in the Delegated Authority Register.

4.4.3 Food Act 2008 – Functions of enforcement agency

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118(2)(b) Local Government (Enforcement Agency)
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection s.110 Registration of food businesses s.112 Variation of conditions or cancellation of registration of food businesses s.125 Institution of proceedings
Delegate:	Chief Executive Officer Coordinator Environment and Waste Coordinator Environmental Health
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Serve a Prohibition Order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i>. 2. Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices in accordance with s.66 of the <i>Food Act 2008</i>. 3. Give written notice to the proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection in accordance with s.67 of the <i>Food Act 2008</i>. 4. Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with s.110 and s.112 of the <i>Food Act 2008</i>. 5. Institute proceedings for an offence under the <i>Food Act 2008</i> in accordance with s.125 of the <i>Food Act 2008</i>.
Council Conditions on this Delegation:	<i>Delegation to:</i> Chief Executive Officer <ul style="list-style-type: none"> • Institute proceedings for an offence under the <i>Food Act 2008</i> in accordance with s.125 of the <i>Food Act 2008</i>. Coordinator Environmental Health Coordinator Environment and Waste <ul style="list-style-type: none"> • Serve a Prohibition Order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i>. • Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices in accordance with s.66 of the <i>Food Act 2008</i>.

	<ul style="list-style-type: none"> • Give written notice to the proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a Certificate of Clearance after an inspection in accordance with s.67 of the <i>Food Act 2008</i>. • Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with s.110 and s.112 of the <i>Food Act 2008</i>. <p>Coordinator Environmental Health</p> <ul style="list-style-type: none"> • Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices in accordance with s.66 of the <i>Food Act 2008</i>. • Give written notice to the proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection in accordance with s.67 of the <i>Food Act 2008</i>. • Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with s.110 and s.112 of the <i>Food Act 2008</i>. <p><u>Conditions and Exceptions:</u></p> <ol style="list-style-type: none"> 1. In accordance with the requirements of the sections under which the function is to be performed. 2. Any proceedings of an offence must be reported in accordance with s.121(2) of the <i>Food Act 2008</i>.
Express Power to Sub-Delegate:	<p><i>Food Act 2008:</i></p> <p>s.118(4) Sub-delegation only permissible if expressly provided in Regulations.</p>

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
Record Keeping:	<p><i>Food Act 2008:</i></p> <ol style="list-style-type: none"> 1. s.121 Reports by and about enforcement agencies <ol style="list-style-type: none"> I. An enforcement agency (other than the CEO) must report to the CEO, at the intervals that the CEO requires, on the performance of functions under this Act by persons employed or engaged by the agency. II. In addition to any report required under subsection (1), an enforcement agency must forward to the CEO details of any proceedings for an offence under this Act taken

	<p>by an officer of the agency within one month after the proceedings have been finally dealt with.</p> <p>2. Any exercise of this delegation is to be recorded in the Delegated Authority Register.</p>
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4.4.4 Road Closures

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> Certain Provisions about thoroughfares s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfares for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authorised to close, revoke or vary the closure, of a thoroughfare to vehicles, wholly or partially, to vehicles for a period not exceeding 4 weeks; 2. For periods exceeding 4 weeks, after considering any submissions that are received, having given local public notice of the proposed closure of the thoroughfare; and 3. Authorised to give notice of the fixing, altering, alignment or draining of a public thoroughfare or other public place.
Council Conditions on this Delegation:	<p>3.50A exception to local public notice.</p> <p>3.50(4) before it makes an order, wholly or partially closing a thoroughfare, exceeding 4 weeks give local public notice: including location, where, when and why and inviting submissions; and give written notice to each person who is prescribed for the purposes or owns land that is prescribed for the purposes of this section; and allow a reasonable time for submissions to be made; and consider any submissions made.</p> <p>3.51(3) affected owners to be notified of certain proposals.</p>
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business Director City Infrastructure Manager Engineering Services
CEO Conditions on this Sub-Delegation:	<p>This delegation is subject to:</p> <ol style="list-style-type: none"> 1. <i>Local Government Act 1995</i>

<p><i>Conditions on the original delegation also apply to the sub-delegations.</i></p>	<p>3.50A exception to local public notice</p> <p>3.50(4) before making an order wholly or partially to closing a thoroughfare for a period exceeding 4 weeks;</p> <ol style="list-style-type: none"> give local public notice, including location, where, when and why; invite submissions; give written notice to each person who is prescribed for the purposes or owns land that is prescribed for the purposes of this section; allow a reasonable time for submissions to be made; and consider any submissions made. <p>3.51(3) affected owners to be notified of certain proposals.</p> <p>2. Council being notified by presentation at a councillor forum prior to commencing process for road closures greater than 4 weeks.</p> <p>Director City Business and Director City Infrastructure:</p> <ol style="list-style-type: none"> 1. Authorised to close, revoke or vary the closure, of a thoroughfare to vehicles, wholly or partially, to vehicles for a period not exceeding 4 weeks. 2. Authorised to close, revoke or vary the closure, of a thoroughfare to vehicles, wholly or partially, to vehicles for periods exceeding 4 weeks, after considering any submissions that are received, having given local public notice of the proposed closure of the thoroughfare. 3. Authorised to give notice of the fixing, altering, alignment or draining of a public thoroughfare or other public place. <p>Manager Engineering Services:</p> <ol style="list-style-type: none"> 1. Authorised to close, revoke or vary the closure, of a thoroughfare to vehicles, wholly or partially, to vehicles for a period not exceeding 4 weeks. 2. Authorised to give notice of the fixing, altering, alignment or draining of a public thoroughfare or other public place. <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	
Record Keeping:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

4.4.5 Notices requiring certain things to be done by property owner/occupier

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.25 Notices requiring things to be done by owner or occupier of land s.3.26 Additional powers when giving notices
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to: 1. Serve notices requiring certain things to be done, including but not restricted to the removal of overgrown vegetation, rubbish or disused material from land considered untidy 2. Recover the cost of anything the City has done to achieve the purpose for which notice is given as a debt due from the person who failed to comply with the notice
Council Conditions on this Delegation:	Schedule 3.1 of the <i>Local Government Act 1995</i> .
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Building Surveyor – Level 1 Building Surveyor – Level 2 Building Surveyor Building Technician City Assist Officer Compliance Officer Coordinator City Assist Coordinator Environment and Waste Coordinator Environmental Health Director City Infrastructure Director City Development and Sustainability Environmental Health Officer Manager Building Services Manager Engineering Services Manager Environment and Health Services Manager Essential Services Senior Compliance Officer Senior Environmental Planner
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CEO Conditions on this Sub-Delegation:

Conditions on the original delegation also apply to the sub-delegations.

*Statutory Power sub-delegated to:
Local Government Act 1995:*

1. s.3.25 Notices requiring things to be done by owner or occupier of land;
Serve notices requiring certain things to be done, including but not restricted to the removal of overgrown vegetation, rubbish or disused material from land considered untidy that is prescribed in Schedule 3.1 Division 1, of the Local Government Act 1995:

Building Surveyor – Level 1

Building Surveyor – Level 2

Building Surveyor

Building Technician

City Assist Officer

Coordinator City Assist

Coordinator Environment and Waste

Coordinator Environmental Health

Director City Development and Sustainability

Director City Infrastructure

Environmental Health Officer

Manager Building Services

Manager Engineering Services

Manager Essential Services

Senior Compliance Officer

Compliance Officer

Senior Environmental Planner

Manager Environment and Health Services

2. s.3.26 Additional powers when giving notices.
Recover the cost of anything the City has done to achieve the purpose for which notice is given as a debt due from the person who failed to comply with the notice applicable to s.3.25(1):

Director City Development and Sustainability

Director City Infrastructure

Manager Building Services

Manager Environment and Health Services

Manager Essential Services

Manager Engineering Services

Senior Environmental Planner

3. That due process be followed for the issuing of a notice under s.3.25 of the *Local Government Act 1995*.

Conditions and Exceptions:

1. Local Government Act 1995
Schedule 3.1, Division 1 Things a notice may require to be done.

	<p>Schedule 3.1, Division 2 Provisions contraventions of which may lead to a notice requiring things to be done.</p> <p>2. Council and City policies and procedures in relation to debt recovery.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	
Record Keeping:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

4.4.6 Particular things local government can do on land that is not local government property

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.27 Particular things local governments can do on land that is not local government property
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to do any of the things prescribed in Schedule 3.2 of the <i>Local Government Act 1995</i> on land which is not local government property.
Council Conditions on this Delegation:	Schedule 3.2 of the <i>Local Government Act 1995</i> .
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Infrastructure Director City Development and Sustainability Manager City Operations Manager Engineering Services Manager Essential Services Senior Environmental Planner
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<i>Local Government Act 1995:</i> Schedule 3.2 Particular things local governments can do on land even though it is not local government property.

Compliance Links:	
Record Keeping:	The exercise of this delegated power does not include the power of delegation.

4.4.7 Food Act 2008 – Functions of enforcement agency

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118(2)(b) Local Government (Enforcement Agency)
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection s.110 Registration of food businesses s.112 Variation of conditions or cancellation of registration of food businesses s.125 Institution of proceedings
Delegate:	Chief Executive Officer Coordinator Environment and Waste Coordinator Environmental Health
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Serve a Prohibition Order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i>. 2. Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices in accordance with s.66 of the <i>Food Act 2008</i>. 3. Give written notice to the proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection in accordance with s.67 of the <i>Food Act 2008</i>. 4. Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with s.110 and s.112 of the <i>Food Act 2008</i>. 5. Institute proceedings for an offence under the <i>Food Act 2008</i> in accordance with s.125 of the <i>Food Act 2008</i>.
Council Conditions on this Delegation:	<i>Delegation to:</i> Chief Executive Officer <ul style="list-style-type: none"> • Institute proceedings for an offence under the <i>Food Act 2008</i> in accordance with s.125 of the <i>Food Act 2008</i>. Coordinator Environmental Health Coordinator Environment and Waste <ul style="list-style-type: none"> • Serve a Prohibition Order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i>. • Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices in accordance with s.66 of the <i>Food Act 2008</i>.

	<ul style="list-style-type: none"> • Give written notice to the proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a Certificate of Clearance after an inspection in accordance with s.67 of the <i>Food Act 2008</i>. • Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with s.110 and s.112 of the <i>Food Act 2008</i>. <p>Coordinator Environmental Health</p> <ul style="list-style-type: none"> • Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices in accordance with s.66 of the <i>Food Act 2008</i>. • Give written notice to the proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection in accordance with s.67 of the <i>Food Act 2008</i>. • Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with s.110 and s.112 of the <i>Food Act 2008</i>. <p><u>Conditions and Exceptions:</u></p> <ol style="list-style-type: none"> 1. In accordance with the requirements of the sections under which the function is to be performed. 2. Any proceedings of an offence must be reported in accordance with s.121(2) of the <i>Food Act 2008</i>.
Express Power to Sub-Delegate:	<p><i>Food Act 2008:</i></p> <p>s.118(4) Sub-delegation only permissible if expressly provided in Regulations.</p>

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	
Record Keeping:	<ol style="list-style-type: none"> 1. <i>Food Act 2008:</i> <ul style="list-style-type: none"> s.121 Reports by and about enforcement agencies <ul style="list-style-type: none"> a) An enforcement agency (other than the CEO) must report to the CEO, at the intervals that the CEO requires, on the performance of functions under this Act by persons employed or engaged by the agency. b) In addition to any report required under subsection (1), an enforcement agency must forward to the CEO details of any proceedings for an offence under this Act taken

	<p>by an officer of the agency within one month after the proceedings have been finally dealt with.</p> <p>2. Any exercise of this delegation is to be recorded in the Delegated Authority Register.</p>
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5.5.1 Road Closures

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> Certain Provisions about thoroughfares s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfares for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authorised to close, revoke or vary the closure, of a thoroughfare to vehicles, wholly or partially, to vehicles for a period not exceeding 4 weeks; 2. For periods exceeding 4 weeks, after considering any submissions that are received, having given local public notice of the proposed closure of the thoroughfare; and 3. Authorised to give notice of the fixing, altering, alignment or draining of a public thoroughfare or other public place.
Council Conditions on this Delegation:	<p>3.50A exception to local public notice.</p> <p>3.50(4) before it makes an order, wholly or partially closing a thoroughfare, exceeding 4 weeks give local public notice: including location, where, when and why and inviting submissions; and give written notice to each person who is prescribed for the purposes or owns land that is prescribed for the purposes of this section; and allow a reasonable time for submissions to be made; and consider any submissions made.</p> <p>3.51(3) affected owners to be notified of certain proposals.</p>
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

*Note: Any changes to the above delegation requires a resolution of absolute majority of Council

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business Director City Infrastructure Manager Engineering Services
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CEO Conditions on this Sub-Delegation:

Conditions on the original delegation also apply to the sub-delegations.

This delegation is subject to:

1. *Local Government Act 1995:*

3.50A exception to local public notice

3.50(4) before making an order wholly or partially to closing a thoroughfare for a period exceeding 4 weeks;

- a) give local public notice, including location, where, when and why;
- b) invite submissions;
- c) give written notice to each person who is prescribed for the purposes or owns land that is prescribed for the purposes of this section;
- d) allow a reasonable time for submissions to be made; and
- e) consider any submissions made.

3.51(3) affected owners to be notified of certain proposals.

2. Council being notified by presentation at a councillor forum prior to commencing process for road closures greater than 4 weeks.

The exercise of the delegated power does not include the power of delegation.

Compliance Links:

Record Keeping:

5.5.2 Notices requiring certain things to be done by property owner/occupier

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.25 Notices requiring things to be done by owner or occupier of land s.3.26 Additional powers when giving notices
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to: 1. Serve notices requiring certain things to be done, including but not restricted to the removal of overgrown vegetation, rubbish or disused material from land considered untidy 2. Recover the cost of anything the City has done to achieve the purpose for which notice is given as a debt due from the person who failed to comply with the notice
Council Conditions on this Delegation:	Schedule 3.1 of the <i>Local Government Act 1995</i> .
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Building Surveyor – Level 1 Building Surveyor – Level 2 Building Surveyors Building Technician City Assist Officer Compliance Officer Coordinator City Assist Coordinator Environment and Waste Coordinator Environmental Health Director City Infrastructure Director City Development and Sustainability Environmental Health Officer Manager Building Services Manager Engineering Services Manager Environmental Health Manager Essential Services Senior Compliance Officer Senior Environmental Planner Manager Environment and Health Services
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CEO Conditions on this Sub-Delegation:

Conditions on the original delegation also apply to the sub-delegations.

Statutory Power sub-delegated to:

Local Government Act 1995

1. s.3.25 Notices requiring things to be done by owner or occupier of land;
Serve notices requiring certain things to be done, including but not restricted to the removal of overgrown vegetation, rubbish or disused material from land considered untidy that is prescribed in Schedule 3.1 Division 1, of the *Local Government Act 1995*:

Building Surveyor – Level 1

Building Surveyor – Level 2

Building Surveyor

Building Technician

City Assist Officer

Coordinator City Assist

Coordinator Environment and Waste

Coordinator Environmental Health

Director City Development and Sustainability

Director City Infrastructure

Environmental Health Officer

Manager Building Services

Manager Engineering Services

Manager Essential Services

Senior Compliance Officer

Compliance Officer

Senior Environmental Planner

Manager Environment and Health Services

2. s3.26 Additional powers when giving notices.
Recover the cost of anything the City has done to achieve the purpose for which notice is given as a debt due from the person who failed to comply with the notice applicable to s.3.25(1):

Director City Development and Sustainability

Director City Infrastructure

Manager Building Services

Manager Essential Services

Manager Engineering Services

Senior Environmental Planner

Manager Environment and Health Services

3. That due process be followed for the issuing of a notice under s.3.25 of the Local Government Act 1995.

Conditions and Exceptions:

1. *Local Government Act 1995:*

	<p>Schedule 3.1, Division 1 Things a notice may require to be done.</p> <p>Schedule 3.1, Division 2 Provisions contraventions of which may lead to a notice requiring things to be done.</p> <p>2. Council and City policies and procedures in relation to debt recovery.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	City of Kwinana Policies Street Trees and Verge Treatments
Record Keeping:	

5.5.3 Particular things local government can do on land that is not local government property

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.27 Particular things local governments can do on land that is not local government property
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to do any of the things prescribed in Schedule 3.2 of the <i>Local Government Act 1995</i> on land which is not local government property.
Council Conditions on this Delegation:	Schedule 3.2 of the <i>Local Government Act 1995</i> .
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Infrastructure Director City Development and Sustainability Manager City Operations Manager Engineering Services Manager Environmental Health Manager Essential Services Senior Environmental Planner
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<i>Local Government Act 1995:</i> Schedule 3.2 Particular things local governments can do on land even though it is not local government property. The exercise of this delegated power does not include the power of delegation.

Compliance Links:	
Record Keeping:	

5.5.4 Crossing from public thoroughfare to private land or private thoroughfare

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Upon application, approve the construction of a crossing giving access from a public thoroughfare to the land, or a private thoroughfare serving the land.
Council Conditions on this Delegation:	Conditions: Approvals are subject to: <i>Local Government (Uniform Local Provisions) Regulations 1996</i> r.12(2) Crossing from public thoroughfare to private land or private thoroughfare r.14(2)(a) Role of Commissioner of Main Roads in some cases
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Infrastructure Manager Engineering Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Approvals are subject to: <i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(2) crossing from public thoroughfare to private land or private thoroughfare. r.14(2)(a) Role of Commissioner of Main Roads in some cases. The exercise of this delegated power does not include the power of delegation.

Compliance Links:	
Record Keeping:	

5.5.5 Requirement to construct and repair crossing

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.13(1) and (2) Requirement to construct or repair crossover
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Give a person who is the owner or occupier of private land a notice in writing requiring the person to construct or repair a crossing from a public thoroughfare. 2. Construct or repair the crossing and recover 50% of the cost if the person fails to comply with the notice.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. <i>Local Government (Uniform Local Provisions) Regulations 1996</i> r.14(2)(b) Role of Commissioner of Main Roads 2. That due process be followed for the issuing of a notice under section 3.25 of the Local Government Act 1995 for a notice served under Regulation 14(3)
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

*Note: Any changes to the above delegation requires a resolution of absolute majority of Council

Sub-Delegate/s: <i>Appointed by CEO</i>	City Assist Officer Compliance Officer Coordinator City Assist Director City Infrastructure Manager Engineering Services Senior Compliance Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> 1. <i>Local Government (Uniform Local Provisions) Regulations 1996;</i> r.14(2)(b) Role of Commissioner of Main Roads 2. Due process be followed for the issuing of a notice under section 3.25 of the <i>Local Government Act 1995</i>.

	The exercise of this delegated power does not include the power of delegation.
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Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • Crossovers
Record Keeping:	

5.5.6 Private works, on, over or under public places

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.17(4) & (5) Private works on, over, or under public places r.17(5) Imposition of conditions
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Grant permission or conditional permission to a person to construct anything on, over or under a public thoroughfare or other public place that is local government property.
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

*Note: Any changes to the above delegation requires a resolution of absolute majority of Council

Sub-Delegate/s: <i>Appointed by CEO</i>	Coordinator Statutory Planning Director City Infrastructure Director City Development and Sustainability Manager City Operations Manager Engineering Services Manager Planning and Development
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> 1. <i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.17(5) Imposition of conditions. 2. At a minimum, an exchange of letters, approved by the City's Lawyer that suitably protects the City's assets and indemnifies the City against any liability. <p>The exercise of this delegated power does not include the power of delegation.</p>

Compliance Links:	Street Trees and Verge Treatments
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Record Keeping:	
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5.5.7 Local Government Act 1995 – Power of entry

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995,</i> s.3.28 When the subdivision applies s.3.32 Notice of entry s.3.34 Entry in an Emergency s.3.36 Opening Fences
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Give a notice of entry 2. Execute an entry in an emergency 3. Give notice and execute the opening of a fence 4. The power of entry conferred, may be used for performing any function that a local government has under this Act if entry is required for the performance of the function or in any other case in which entry is authorised by this Act other than by a local law. <p>(See conditions in regard to s.3.33 – Entry under warrant)</p>
Council Conditions on this Delegation:	3.31(1)(a) consent obtained from the owner or occupier; 3.31(1)(b) notice has been given under 3.32 3.34(2) Entry in emergency 3.36 (3) Opening fences
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Director City Business Director City Engagement Director City Infrastructure Director City Development and Sustainability Manager Environment and Health Services Manager Essential Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<i>Local Government Act 1995:</i> 3.31(1)(a) Consent obtained from the owner or occupier. 3.31(1)(b) Notice has been given under 3.32. 3.34(2) Entry in emergency. 3.36(3) Opening fences. s.3.33 Entry under warrant

	<p>Any proposed entry under warrant is to be referred to the Chief Executive Officer for approval prior to the seeking of the warrant from a justice.</p> <p>The exercise of this delegated power does not include the power of delegation.</p>
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Compliance Links:	
Record Keeping:	

5.5.8 Road Traffic Administration Act 2008 – Damage to road infrastructure

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Road Traffic Administration Act 2008:</i> s.124(2) A compensation order may be made on the application of the prosecutor, the road authority or the CEO. s.126(2) Service of certificates - If a road authority proposes to use a certificate, the road authority must serve a copy of the certificate on the accused at least 28 days before the day on which the matter is set down for hearing. s.132(2) Where it appears to the road authority that has functions in relation to the repair of road infrastructure that, having regard to the average expense of repairing road infrastructure in the vicinity, extraordinary expenses have been incurred by the road authority in repairing the road infrastructure because of damage caused by heavy traffic, the road authority may recover the amount of the expenses as may be proved to the satisfaction of the court to have been incurred by the road authority because of damage caused by heavy traffic.
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Recover by proceedings in a court of competent jurisdiction damage caused to road infrastructure due to an MLDR offence (Mass, Dimensions, or Loading Requirements). 2. Service any certificate(s) as detailed in section 125 in regard to the local government's authority to maintain the road and the estimating of road values and repairs. 3. Recover expenses of damage caused by heavy traffic.
Council Conditions on this Delegation:	<p>Compensation orders made under section 124 may only be made for an MDLR offence as defined in section 28 of the Act.</p> <p>All proceedings for the recovery of expenses or compensation for damage to be made in accordance with Part 7 of the Act.</p>
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	
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**CEO Conditions on
this Sub-Delegation:**

*Conditions on the original
delegation also apply to the
sub-delegations.*

Compliance Links:

Record Keeping:

5.5.9 Dampier to Bunbury Pipeline Act 1997 – Deed of indemnity

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.49A(4) Execution of documents
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to execute any deed of indemnity between the City of Kwinana and the DBNGP Land Access Minister in respect to works undertaken in the Dampier to Bunbury Natural Gas Pipeline (DBNGP) corridor.
Council Conditions on this Delegation:	A deed of indemnity to be executed in accordance with section 41 of the <i>Dampier to Bunbury Pipeline Act 1997</i> .
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	
Record Keeping:	

6.6.1 Bush Fires Act 1954 – Functions of a local government

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48(1) Delegation by Local Government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.48(1) Delegation by Local Government
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Perform any of the functions of a local government for the purposes of the Bush Fires Act 1954.
Council Conditions on this Delegation:	<p><i>Bush Fires Act 1954:</i> s.48(4) Nothing in s.48 is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.</p> <p>This delegation excludes powers and duties that:</p> <ul style="list-style-type: none"> a) are prescribed in the Act with the requirement for a resolution by the local government; b) are prescribed in the Act for performance by appointed Officers; c) are subject to separate delegated authority within this register; or d) s.33(5a) – making of local laws.
Express Power to Sub-Delegate:	<i>Bush Fires Act 1954:</i> s.48 (3) No power provided to sub-delegate.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	
Record Keeping:	

6.6.2 Bush Fires Act 1954 – Restricted and prohibited burning times

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> s.17(10) Delegation by Local Government

<i>Power that enables a delegation to be made</i>	
Express Power or Duty Delegated:	<p><i>Bush Fires Act 1954:</i></p> <p>s.17(7)(a) shortening, extending, suspending or reimposing a period of prohibited burning times</p> <p>s.17(7)(b) impose a further period of prohibited burning times</p> <p>s.17(8) give notice of any variation</p> <p>s.18(5)(a)(i) shortening, extending, suspending or reimposing a period of restricted burning times;</p> <p>s.18(5)(a)(ii) imposing a further period of restricted burning times;</p> <p>s.18(5)(b) vary the prescribed conditions by modifying or suspending all or any of those conditions</p>
Delegate:	Chief Bush Fire Control Officer Mayor
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	After consultation with an authorised CALM Act Officer if forest land is situated in the district, vary the prohibited and restricted burning times in respect of that year in the district or a part of the district.
Council Conditions on this Delegation:	<p>Mayor and Chief Bush Fire Control Officer to act jointly</p> <p>Vary prohibited and restricted burning times in accordance with section 17(7)(b), section 17(8) and section 18(5B), 18(5C) of the Bush Fires Act 1954</p>
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	
Record Keeping:	

6.6.3 Local Government (Miscellaneous Provisions) Act 1960 – Appointment of Pound Keepers and Ranger

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers to the CEO
Express Power or Duty Delegated:	<i>Local Government (Miscellaneous Provisions) Act 1960:</i> s.449 Appointment of Pound keepers and Rangers
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To appoint fit and proper persons to be pound keepers and rangers of the City of Kwinana.
Council Conditions on this Delegation:	Local Public notice of the appointment / removal of fit and proper persons to be pound keepers and rangers of the City of Kwinana.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	
Record Keeping:	

6.6.4 Dog Act 1976 – Appointment of authorised persons and registration officers

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA(1) Delegation to CEO
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.29(1) Appointment of authorised persons s.11(1) Appointment of registration officers
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To appoint authorised persons and registration officers.
Council Conditions on this Delegation:	Dog Act 1976 s.11(3) A person who is authorised by a local government to exercise any power under this Act shall be furnished with a certificate in the prescribed form evidencing his appointment and shall provide that certificate on being required so to do by a person in respect of any power he exercises, has exercised or is about to exercise. s.29(1) A local government shall, in writing, appoint persons to exercise on behalf of the local government the powers conferred on an authorised person by this Act.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	
Record Keeping:	

6.6.5 Cat Act 2011 – Administration and enforcement

Delegator: <i>Power/Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44(1) Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.48(1) Authorised Persons
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to: <ol style="list-style-type: none"> 1. Exercise any of the City's powers or the discharge of any of its duties under the <i>Cat Act 2011</i>. 2. Appoint such persons to be Authorised Persons for performing particular functions under this Act.
Council Conditions on this Delegation:	<i>Cat Act 2011:</i> s.48(2) A person who is not an employee of a local government cannot be appointed to be an authorised person for the purposes of s.62 (Infringement notices)
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government Note: s.45(6) A power or duty under section 63, 64 or 65 cannot be delegated to an authorised person.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	City Assist Officer Coordinator City Assist Compliance Officer Customer Service Coordinator Director City Development and Sustainability Essential Services Administration Officer Manager Essential Services Senior City Assist Officer Senior Compliance Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<i>Delegated to:</i> Manager Essential Services The exercise of any powers or the discharge of any duties for which the local government has responsibility, except for the issue of an infringement notice issued under s.62. Manager Essential Services Coordinator City Assist

	<p>The exercise of any powers or the discharge of any duties for which the operator of a cat management facility has responsibility.</p> <p>Coordinator City Assist Customer Service Coordinator s.13(1) Notice to be given of certain decisions made under sections 9 and 10.</p> <p>Coordinator City Assist City Assist Officer Compliance Officer Senior Compliance Officer s.26(1) Cat control notice may be given to cat owner s.32 Notice to be given to cat's owner, if identified. s.34 Dealing with unidentified and unclaimed cats</p> <p>Coordinator City Assist Customer Service Coordinator City Assist Officer Compliance Officer Senior Compliance Officer Essential Services Administration Officer s.10 Cancellation of registration. s.11(2) Registration numbers, certificates and tags. s.12(4) Correct errors in the register.</p> <p><u>Conditions and Exceptions:</u> <i>Cat Act 2011</i> <i>Cat Regulations 2012</i></p> <ol style="list-style-type: none"> 1. An Officer who makes a decision to refuse an application under s.9(1) must be satisfied that one or more of the conditions in s.9(2) apply. 2. A notice issued under s.13(1) is to comply with s.13(2). 3. A cat control notice issued under s.26(1) is to comply with the requirements of s.26(2) and r.20. 4. All applications, certificates, warrants, notices, infringement notices, withdrawals and objections must be in the prescribed form. <p>Any proposed entry under warrant under s.56 and s.57 must be referred to the Chief Executive Officer for approval prior to the seeking of the warrant from a justice.</p> <p>The exercise of this delegated power does not include the power of delegation.</p>
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Compliance Links:

Record Keeping:

1. s.47(3) requires that a person to whom a power or duty is delegated is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty;
2. Information to be recorded in the local government's cat register is to be in accordance with r.16;
3. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and
4. Any actions taken or notices issued are to be recorded on the appropriate file or record of the City.

6.6.6 Litter Act 1979 – Appointment of persons authorised to withdraw infringement notices

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Litter Act 1979:</i> s.30(4a) Appointed Person
Express Power or Duty Delegated:	<i>Litter Act 1979:</i> s.30(4) Withdrawal of infringement notice
Delegate:	Chief Executive Officer Director City Development and Sustainability Manager Essential Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To approve the withdrawal of infringement notices issued under the <i>Litter Act 1979</i> .
Council Conditions on this Delegation:	<i>Litter Act 1979:</i> s.30(4a) Withdrawal notice sent under s.30(4) shall be signed by a person appointed in writing to withdraw infringement notices.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	
Record Keeping:	

6.6.7 Disposal of sick or injured animals

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.47A Dispose of sick or injured animals
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to humanely destroy an impounded animal where it is determined to be too ill or injured to be treated.
Council Conditions on this Delegation:	<i>Local Government Act 1995 s.3.47</i>
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	City Assist Officer Compliance Officer Coordinator City Assist Manager Essential Services Senior Compliance Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil The exercise of the delegated power does not include the power of delegation.

Compliance Links:	
Record Keeping:	

6.6.8 Firearms Act 1973

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers to the CEO
Express Power or Duty Delegated:	<p><i>Firearms Act 1973:</i> s.9A(4) Duration and renewal of licence s.16(2)(a) Authorisation of employees s.30A Sale and disposal of firearms s.30B Loss, theft, destruction, or disposal out of State to be reported s.31(2) Records</p> <p><i>Firearms Regulations 1974:</i> r.11A Storage security requirements</p>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>Authorised to:</p> <ol style="list-style-type: none"> 1. Exercise any of the City's powers or the discharge of any of its duties under the <i>Firearms Act 1973</i>. 2. Appoint such persons to be authorised to possess, carry or use a firearm in accordance with the licence and for performing particular functions under this Act.
Council Conditions on this Delegation:	<p>Firearms Act 1973 This delegation is subject to:</p> <ol style="list-style-type: none"> 1. Annual renewal of the corporate firearm licence as permitted by section 16(1)(c). 2. Authorisation of employees to possess, carry or use a firearm in accordance with the licence. Authorisation only to be given to persons employed by the City and approved by the Chief Executive Officer. 3. Sale or disposal of firearms to comply with section 30A and section 3.58 of the <i>Local Government Act 1995</i>. 4. Any loss, theft, destruction, or disposal out of State, to be reported to the Commissioner. 5. Compile, maintain and furnish records in such manner as is prescribed. <p>Firearms Regulations 1974</p> <ol style="list-style-type: none"> 6. Ensure that firearms and ammunition are stored in accordance with regulation 11A.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	
Record Keeping:	

6.6.9 Graffiti Vandalism Act 2016 – Administration and Enforcement

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> Part 3 Powers of local government
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to exercise any of the City's powers or the discharge of any of its duties under the <i>Graffiti Vandalism Act 2016</i> .
Council Conditions on this Delegation:	Must be in accordance with the Graffiti and Vandalism Policy
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	City Assist Officer Compliance Officer Coordinator City Assist Coordinator Environment and Waste Coordinator Environmental Health Director City Infrastructure Director City Development and Sustainability Environmental Health Officer Manager City Operations Manager Engineering Services Manager Environment and Health Services Manager Essential Services Senior Compliance Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<i>Delegated to:</i> Manager Engineering Services Manager Essential Services Manager Environment and Health Services Manager City Operation

	<p> Coordinator Environment and Waste Coordinator Environmental Health Coordinator City Assist City Assist Officer Environmental Health Officer Senior Compliance Officer Compliance Officer </p> <ul style="list-style-type: none"> • s.18 Notice requiring removal of graffiti <p> Director City Development and Sustainability Director City Infrastructure Manager Engineering Services Manager Essential Services Manager Environment and Health Services Manager City Operation </p> <ul style="list-style-type: none"> • s.19 Additional powers when notice is given • s.25 Local government graffiti powers on land not local government property • s.28 Notice of entry <p> Director City Development and Sustainability Director City Infrastructure </p> <ul style="list-style-type: none"> • s.24 Suspension of effect of notice <p> <u>Conditions and Exceptions:</u> Reference should be made to Councils Policy – Graffiti Management prior to any action being taken in regard to the removal of graffiti on land that is not local government property. </p> <p> <i>Graffiti Vandalism Act 2016</i> s.21 Advice of objection and review rights Whenever a notice is given under section 18, the person giving it is to ensure that, as soon as practicable after the notice is given, the affected person is given written reasons for being given the notice and is informed of the person's rights under this Division to object against, and apply for a review of, the decision to give the notice. </p> <p> s.20 Affected person If the person to whom a local government gives a notice under section 18 is not the owner of the property to which the notice relates, the owner is also an affected person, and a reference in this Division to the affected person includes both the owner and the person to whom the notice was given. </p> <p> s.24 Suspension of effect of notice Any objection to a notice must be dealt with by the local government as if it were an objection to a decision of the local </p>
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	<p>government under the Local Government Act 1995 Part 9 and section 9.6 of that Act applies when dealing with that objection.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	<u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • Council Policy - Graffiti and Vandalism
Record Keeping:	

6.6.10 Dog Act 1976 – Power or duty of the local government under any provision of the Act

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA(1) Delegation to CEO
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.10AA(1) Delegation to CEO
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Any power or duty of the local government under any provision of this Act.
Council Conditions on this Delegation:	<i>Dog Act 1976:</i> s.10AA(4) A local government's Chief Executive Officer who is exercising or performing a power or duty that has been delegated as authorised under this section, is to be taken to do so in accordance with the terms of the delegation unless the contrary is shown. s.10AA(5) Nothing in this section limits the ability of a local government's Chief Executive Officer to perform a function through an officer or agent.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10(AA)(3) The delegation may expressly authorise the delegate to further delegate the power or duty

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Sub-Delegate/s: <i>Appointed by CEO</i>	Coordinator City Assist Director City Business Director City Development and Sustainability Manager Essential Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<i>Delegation to:</i> Director City Business Director City Development and Sustainability Manager Essential Services r.35(4) Withdrawal of infringement notice Manager Essential Services s.16(3) Registration process - refuse an application

	<p>s.33H Local government may revoke declaration or proposal to destroy.</p> <p>Manager Essential Services</p> <p>Coordinator City Assist</p> <p>s.17A(2) If no application for registration made – Give a written notice.</p> <p>s.17(6) Refusal or cancellation of registration – seize, detain, destroy or dispose of dog.</p> <p>s.33E(1) Individual dog may be declared to be a dangerous dog.</p> <p><u>Conditions and Exceptions:</u></p> <ol style="list-style-type: none"> 1. Pursuant to s.16(3), a notification to the owner in accordance with s.16(4) must be provided if a registration is refused, not renewed or cancelled. 2. A notice to the owner in accordance with s.17A(2) must inform the owner of the right under s.17(1) to apply for a review of the decision as required by s.17A(3). 3. If a dog is declared a dangerous dog under s.33E(1), a notice to the owner of the dog must be provided under s.33F declaring the dog to be a dangerous dog. 4. A notification to the owner in accordance with s.33H(3) must be provided to the owner of the dog for a revocation made under s.33H(1). 5. A withdrawal of an infringement under r.35(4) is to be in in the prescribed Form – Form 9 of the Regulations. <p>Any proposed entry under warrant under s.12A(2) must be referred to the Chief Executive Officer for approval prior to the seeking of the warrant from a justice.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	
Record Keeping:	Any exercise of this delegation is to be recorded in the Register of Delegation of Authority.

6.6.11 Closure of beaches and reserves in the interest of public safety

Delegator: <i>Power / Duty assigned in legislation to:</i>	Council
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.18 Performing executive functions
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Approve the temporary closure of beaches and reserves in the district, wholly or partially, in the interest of maintaining public safety.
Council Conditions on this Delegation:	Must be for the purposes of enforcing a Western Australian Declaration of State of Emergency, Public Health Emergency, or for the purpose of maintaining safety of the public.
Express Power to Sub-Delegate:	This Authority is not to be sub-delegated.

**Note: Any changes to the above delegation requires a resolution of absolute majority of Council*

Compliance Links:	
Record Keeping:	

Delegation from CEO to Employees

7.7.1 Responsible for employment, management, supervision and direction of other employees

Delegator: <i>Power/Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.5.41(g) Functions of CEO.
Delegate:	Director City Business Director City Engagement Director City Infrastructure Director City Development and Sustainability Manager Human Resources
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Responsible for the employment, management supervision, direction and dismissal of other employees.
Conditions on this Delegation:	<p>Subject to section 5.37(2) in relation to senior employees.</p> <ol style="list-style-type: none"> The exercise of this delegation is in accordance with: <ol style="list-style-type: none"> the approved budget and adopted business case for the position; internal HR Policies, relevant employment instruments and associated legislation; and in accordance with Corporate Business Plans, Team Plans and Position Descriptions and in compliance with provisions of the: <ol style="list-style-type: none"> <i>Local Government Act 1995</i> – s.5.36(3) in relation to qualifications, arrangements relating to employment; <i>Local Government Act 1995</i> – s.5.40 in relation to selection, and promotion in accordance with principles of merit and equity; and free from favouritism and nepotism; and in accordance with; <i>Equal Opportunity Act 1984</i>; and <i>Occupational Safety and Health Act 1984</i>; The exercise of the delegated power does NOT include the appointment of any manager or director position or the extension of any manager or director position. All manager and director contracts or letters of offer must only be approved or extended by the CEO.

	The exercise of the delegated power does not include the power of delegation.
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Compliance Links:	
Record Keeping:	

7.7.2 Electoral role claim process

Delegator: <i>Power/Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government Act 1995 – Part 4, Division 8</i> s.4.32 Eligibility to enrol under s.4.30. s.4.35 Decision that eligibility to enrol under s.4.30 has ended.
Delegate:	Director City Business Manager Governance and Legal
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To determine whether a person is eligible, or no longer eligible to be enrolled to vote at elections for a district or ward and to accept or reject enrolment applications.
Conditions on this Delegation:	<p><i>Local Government Act 1995:</i></p> <ol style="list-style-type: none"> Enrolments and eligibility to be determined in accordance with: s.4.30 Eligibility of non-resident owners and occupiers to be enrolled. s.4.32 Eligibility to enrol; how to claim. The delegate is to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form. s.4.34 Accuracy of enrolment details to be maintained. <p>The exercise of the delegated power does not include the power of delegation.</p>

Compliance Links:	
Record Keeping:	<ol style="list-style-type: none"> Any exercise of this delegation to be recorded in the Delegated Authority Register; and The delegate is to record the decision in a register kept for that purpose in accordance with regulations and is to give written notice of the decision to the claimant without delay, s.4.32(6).

7.7.3 Commencement of legal proceedings or prosecutions – Local Government Act 1995

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.24 Prosecutions, commencing 1) A prosecution for an offence against this Act may be commenced by — (c) a person who is authorised to do so by a local government or a regional local government. 2) A prosecution for an offence against a local law may be commenced by — (b) a person who is authorised to do so by the local government or regional local government that made the local law.
Delegate:	Director City Business Director City Engagement Director City Infrastructure Director City Development and Sustainability Manager Building Services Manager Engineering Services Manager Environmental Health Manager Essential Services Manager Governance and Legal Manager Planning and Development Senior Environmental Planner
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The commencement of legal proceedings or prosecution on behalf of the City of Kwinana under the <i>Local Government Act 1995</i> and Regulations and the City of Kwinana Local Laws.
Conditions on this Delegation:	The commencement of legal proceedings or initiation of a prosecution will not be undertaken without the express approval of the CEO, or where deemed necessary by the CEO, the approval of Council. Refer to Governance Work Instruction WI54 – Procedure for commencement of legal proceedings. – D16/4719*. The exercise of the delegated power does not include the power of delegation.

Compliance Links:

Record Keeping:	Legal Representation for Elected Members and Officers - Cost Indemnification and Liability
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7.7.4 Extension of time or withdrawal of infringement notice – *Local Government Act 1995*

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.19 Extension of time s.9.20 Withdrawal of notice
Delegate:	Director City Business Director City Engagement Director City Infrastructure Director City Development and Sustainability Manager Essential Services
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	In relation to a prescribed offence of a Regulation or local law made under the <i>Local Government Act 1995</i> : 1. Extend the period of 28 days within which a modified penalty may be paid. 2. Within one year of a notice being issued, withdraw an infringement notice.
Conditions on this Delegation:	Manager Essential Services May only provide an extension of time or withdraw a notice under this delegation provided the Director City Development and Sustainability is notified in writing. <i>Local Government Act 1995</i> Extension of time The period for which a modified penalty may be paid, may be extended the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed. Withdrawal of infringement notice 1. Within one year after the notice was given the delegate may, whether or not the modified penalty has been paid, withdraw an infringement notice by sending to the alleged offender a notice in the prescribed form stating that the infringement notice has been withdrawn. 2. Where an infringement notice is withdrawn after the modified penalty has been paid, the amount is to be refunded. The exercise of the delegated power does not include the power of delegation.

Compliance Links:	
Record Keeping:	Any exercise of this delegation to be recorded in the Delegated Authority Register

7.7.5 Freedom of Information

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Freedom of Information Act 1992:</i> s.100(1)(b) Who in agency makes its decisions.
Delegate:	Manager Governance and Legal
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to make decisions pertinent to the requirements of the Freedom of Information Act 1992.
Conditions on this Delegation:	Officer directed by the Principal Officer to make decisions to give effect to the provisions of the Freedom of Information Act 1992. The exercise of the delegated power does not include the power of delegation.

Compliance Links:	<u>City of Kwinana Policies</u> Access to Information and Staff by Elected Members
Record Keeping:	Any exercise of this delegation to be recorded in the Delegated Authority Register.

7.7.6 Activities on Thoroughfares and Public Places and Trading Local Law 2011

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i> s.3.18(1) Administer Local Laws</p> <p>The exercise of the following provisions of the Activities in Thoroughfares and Public Places and Trading Local Law 2011:</p> <p>c2.1e Permit a person to damage, remove or interfere with any signpost, direction plate, guidepost, notice, shelter, shed, fence or any structure erected on a thoroughfare by the local government.</p> <p>c2.2(2) Exempting persons from a compliance of activities that require a permit under sub- clause 2.2(1).</p> <p>c2.4(3) Approval of application for a permit for the purposes of a temporary crossing.</p> <p>c2.5(2) Give a written notice requiring removal of a crossing which does not give access to a lot and reinstating part of thoroughfare affected by removal.</p> <p>c2.10(1) Give a written notice to an owner or occupier to make good a verge abutting a lot.</p> <p>c2.14(1) Assign a number to a lot.</p> <p>c2.15(1) Give a notice to the owner of land that adjoins a public place or thoroughfare to enclose the land to prevent sand or other matter from the land entering the public place or thoroughfare.</p> <p>c2.15(2) Determine whether a fence needs to be built, repaired or maintained.</p> <p>c2.16(1) Erect a sign on a public place specifying any conditions of use which apply to that place.</p> <p>c3.2(3)(d) Determine whether a sign is likely to obstruct a line of sight.</p> <p>c3.3 Determine an application for a permit for an advertising sign.</p> <p>c3.4 Approval or refusal of an application for a permit of a portable sign.</p> <p>c3.5 Approval or refusal of an application for a permit of an election sign on a thoroughfare.</p> <p>c4.7(1) Advise verbally or in writing a retailer whose name appears on a shopping trolley, of the location of the trolley and to remove the trolley within 24 hours, unless the retailer requests the local government collect and deliver the trolley to</p>

	<p>the retailer and that the retailer pay for the collection and delivery.</p> <p>c5.4(1) Signpost roads with standard MRWA 'flora road' sign.</p> <p>c5.5(2)(c) Provide exemption for a person driving or riding a vehicle on a flora road other than the carriageway.</p> <p>c5.9(1) Approval of application for a permit to plant or sow seeds on a thoroughfare.</p> <p>c5.10(1) Approval of application to clear a thoroughfare and maintain in a cleared state within one metre of a person's land.</p> <p>c5.12(1) Approve an application to burn part of a thoroughfare.</p> <p>c5.17(2) Approval of application for permit to construct firebreak on thoroughfare.</p> <p>c5.19 Approval of application for permit to collect seed from native flora on a thoroughfare for a revegetation projects.</p> <p>c6.2 Refuse or approve an application for a stallholder's permit.</p> <p>c6.3 Refuse or approve an application for a trader's permit.</p> <p>c6.7(3) Exempt a person from the requirement to pay fee or obtain a stallholders or traders permit.</p> <p>c6.10 Refuse or approve an application for a street entertainer's permit.</p> <p>c6.11 Variation of permitted area and permitted time for street performers.</p> <p>c6.16(1) Refuse or approve an application to establish or conduct an outdoor eating facility on a public place.</p> <p>c6.18(2) Give notice to permit holder of an outdoor eating facility to carry out work.</p> <p>c6.21(2) May carry out things requested of a person and recover from that person, as a debt, the costs incurred in doing so.</p> <p>c7.1(2)(a) Determine the form of an application for a permit.</p>
Delegate:	<p>Building Surveyor – Level 1</p> <p>Building Surveyor – Level 2</p> <p>Building Surveyor</p> <p>Building Technician</p> <p>Chief Bush Fire Control Officer</p> <p>City Assist Officer</p> <p>Compliance Officer</p> <p>Coordinator City Assist</p> <p>Coordinator Environment and Waste</p> <p>Coordinator Environmental Health</p> <p>Director City Infrastructure</p> <p>Director City Development and Sustainability</p> <p>Engineering Technical Officer - Development</p> <p>Environmental Health Officer</p> <p>Manager Building Services</p> <p>Manager City Operations</p> <p>Manager Engineering Services</p> <p>Manager Environmental Health</p> <p>Manager Essential Services</p> <p>Senior Compliance Officer</p> <p>Senior Environmental Planner</p>

<p>Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<p>To perform the functions of the local government for the <i>Activities in Thoroughfares and Public Places and Trading Local Law 2011</i>.</p>
<p>Conditions on this Delegation:</p>	<p>Activities in Thoroughfares and Public Places and Trading Local Law 2011.</p> <p>Note: The clauses listed below may not be listed in strictly numerical order.</p> <p>1. The following clauses are only to be performed by the officers as listed:</p> <p>a) c2.1(e) Permit a person to damage, remove or interfere with any signpost, direction plate, guidepost, notice, shelter, shed, fence or any structure erected on a thoroughfare by the local government. c2.2(2) Exempting persons from a compliance of activities that require a permit under sub- clause 2.2(1). c2.16(1) Erect a sign on a public place specifying any conditions of use which apply to that place. Director City Development and Sustainability Director City Infrastructure Manager Engineering Services Manager City Operations</p> <p>b) c2.4(3) Approval of application for a permit for the purposes of a temporary crossing. c2.14(1) Assign a number to a lot. Director City Development and Sustainability Director City Infrastructure Engineering Technical Officer – Development Manager Engineering Services</p> <p>c) c. c2.5(2) Give a written notice requiring removal of a crossing which does not give access to a lot and reinstating part of thoroughfare affected by removal. c2.10(1) Give a written notice to an owner or occupier to make good a verge abutting a lot. c2.15(1) Give a notice to the owner of land that adjoins a public place or thoroughfare to enclose the land to prevent sand or other matter from the land entering the public place or thoroughfare. c2.15(2) Determine whether a fence needs to be built, repaired or maintained. c3.2(3)(d) Determine whether a sign is likely to obstruct a line of sight. Building Surveyor – Level 1 Building Surveyor – Level 2</p>

	<p> Building Surveyor Building Technician City Assist Officer Coordinator City Assist Coordinator Environment and Waste Coordinator Environmental Health Environmental Health Officer Manager Building Services Manager Engineering Services Manager Essential Services Senior Compliance Officer Compliance Officer Senior Environmental Planner </p> <p>d) c3.3 Determine an application for a permit for an advertising sign.</p> <p>c3.4 Approval or refusal of an application for a permit of a portable sign.</p> <p>c3.5 Approval or refusal of an application for a permit of an election sign on a thoroughfare.</p> <p> Building Surveyor – Level 1 Building Surveyor – Level 2 Building Surveyor Building Technician Manager Building Services Manager Engineering Services Manager Essential Services Senior Compliance Officer Compliance Officer </p> <p>e) e. c4.7(1) Advise verbally or in writing a retailer whose name appears on a shopping trolley, of the location of the trolley and to remove the trolley within 24 hours, unless the retailer requests the local government collect and deliver the trolley to the retailer and that the retailer pay for the collection and delivery.</p> <p> Building Surveyor – Level 1 Building Surveyor – Level 2 Building Surveyor Building Technician City Assist Officer Coordinator City Assist Coordinator Environment and Waste Coordinator Environmental Health Environmental Health Officer Manager Building Services Manager Engineering Services </p>
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	<p>Manager Environment and Health Services Manager Essential Services Senior Compliance Officer Compliance Officer</p> <p>f) c5.4(1) Signpost roads with standard MRWA 'flora road' sign. c5.5(2)(c) Provide exemption for a person driving or riding a vehicle on a flora road other than the carriageway. c5.9(1) Approval of application for permit to plant or sow seeds on a thoroughfare. c5.10(1) Approval of application to clear a thoroughfare and maintain in a cleared state within one metre of a person's land.</p> <p>Director City Development and Sustainability Senior Environmental Planner</p> <p>g) c5.12(1) Approve an application for a permit to burn part of a thoroughfare. c5.17(2) Approval of application for permit to construct firebreak on thoroughfare.</p> <p>Note: An approval to burn part of a thoroughfare under clause 5.12(1) may only be given if it complies with clause 5.14(1).</p> <p>Chief Bush Fire Control Officer</p> <p>h) c5.19 Approval of application for permit to collect seed from native flora on a thoroughfare for a revegetation projects.</p> <p>Director City Development and Sustainability Senior Environmental Planner</p> <p>i) c6.2 Refuse or approve an application for a stallholder's permit. c6.3 Refuse or approve an application for a trader's permit. c6.16(1) Refuse or approve an application to establish or conduct an outdoor eating facility on a public place. c6.18(2) Give notice to permit holder of an outdoor eating facility to carry out work.</p> <p>Coordinator Environment and Waste Coordinator Environmental Health Manager Environment and Health Services</p> <p>j) c6.7(3) Exempt a person from the requirement to pay fee or obtain a stallholders or traders permit.</p>
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	<p>c6.10 Refuse or approve an application for a street entertainer's permit.</p> <p>c6.11 Variation of permitted area and permitted time for street performers.</p> <p>c6.21(2) May carry out things requested of a person and recover from that person, as a debt, the costs incurred in doing so.</p> <p>c7.1(2)(a) Determine the form of an application for a permit.</p> <p>c7.1(3) Require an applicant to provide additional information.</p> <p>c7.1(4) Require an applicant to give local public notice.</p> <p>c7.2(1) Approve an application for a permit unconditionally or subject to conditions or refuse a permit.</p> <p>c7.2(2) Issue a permit to an applicant and determine the form of the permit.</p> <p>c7.2(3) Give written notice of refusal of a permit to the applicant.</p> <p>c7.3(1) Place conditions on a permit.</p> <p>c7.5(2) Vary the conditions on a permit.</p> <p>c7.7 Refuse or approve an application for the renewal of a permit.</p> <p>c7.8 Refuse or approve an application for the transfer of a permit.</p> <p>c7.10(1) Cancel a permit if a permit holder has not complied with the conditions, the permit or any written law with relate to the activity regulated by the permit.</p> <p>Director City Development and Sustainability Manager Environment and Health Services</p> <p>k) c9.1(1) Give a written notice to the owner or the occupier of the land abutting on the lawn or the garden, requiring the owner or the occupier or both to move or alter the direction of the sprinkler or other watering equipment.</p> <p>c9.2(1) Give a notice to the owner or the occupier of the land abutting on the garden to remove, cut, move or otherwise deal with that plant so as to remove the hazard.</p> <p>c9.3(1) Give notice to a person who caused damage to a thoroughfare, ordering the person to repair or replace that portion of the thoroughfare to the satisfaction of the local government.</p> <p>c9.4(1) Give notice in writing to an owner or occupier of a property which abuts a portion of the thoroughfare where a thing has been placed, or such other person who may be responsible for the thing being so placed, requiring the relevant person to remove the thing.</p> <p>Building Surveyor – Level 1 Building Surveyor – Level 2</p>
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	<p> Building Surveyor Building Technician City Assist Officer Coordinator City Assist Coordinator Environment and Waste Coordinator Environmental Health Environmental Health Officer Manager Building Services Manager Engineering Services Manager Environment and Health Services Manager Essential Services Senior Compliance Officer Compliance Officer Senior Environmental Planner </p> <p>l) c10.2 Undertake requirements of a notice and recover as a due debt, the costs incurred in doing so.</p> <p> Director City Development and Sustainability Director City Infrastructure Manager Building Services Manager Engineering Services Manager Environment and Health Services Manager Essential Services Senior Environmental Planner </p> <p>2. c10.4 Prescribed offences</p> <p>The giving of infringement notices for the purposes of this local law may be performed by persons appointed by s.9.10(1) of the Local Government Act 1995 as authorised persons and permitted by s.9.16(1) of the Local Government Act 1995 and does not form part of this delegation.</p> <p><u>Exception:</u></p> <p>The officer who has issued the infringement notice cannot withdraw the infringement under Delegation CEO1.6.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	<p><u>City of Kwinana Local Law</u></p> <ul style="list-style-type: none"> Activities in Thoroughfares and Public Places and Trading Local Law 2011 <p><u>City of Kwinana Policies</u></p> <ul style="list-style-type: none"> Street Trees and Verge Treatments Legal Representation for Elected Members and Officers - Cost Indemnification and Liability
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Record Keeping:

Any exercise of this delegation is to be recorded in the Delegated Authority Register.

7.7.7 Bee Keeping Local Law 2002

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.18(1) Administer Local Laws. The exercise of the following provisions of the Bee Keeping Local Law 2002: c5 Determine form required and such details as maybe required when assessing application for permit. c6(1) Refuse or approve an application for a permit. c7 Impose conditions for the approval of a permit. c7(1)(b)(i) Determine the distance from any thoroughfare, public place or boundary of land. c7(1)(e) Specify how many bee hives are allowed to be kept on land in excess of 20,000m2 in area. c8(1) Vary conditions of a permit once it has been issued. c8(2) Cancel a permit if requested to do so by the permit holder. c12(1) Determine whether a person has contravened a provision of this local law and give a permit holder a written notice requiring that the bees and/or beehives be removed from the land and specify a time by which it must be done. c12(3) Dispose of bees or beehives or both in such a manner as see fits and recover from the permit holder or an owner or an occupier, as the case may be, the costs of doing so as a due debt.
Delegate:	Compliance Officer Coordinator City Assist Coordinator Environment and Waste Coordinator Environmental Health Director City Development and Sustainability Environmental Health Officer Manager Environment and Health Services Senior Compliance Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To perform the functions of the local government for the Bee Keeping Local Law 2002.
Conditions on this Delegation:	Bee Keeping Local Law 2002:

Note: The clauses listed below may not be listed in strictly numerical order.

1. The following clauses are only to be performed by the officers as listed:

- a) c5 Determine form required and such details as may be required when assessing application for permit.
c6(1) Refuse or approve an application for a permit.
c7 Impose conditions for the approval of a permit.
c7(1)(b)(i) Determine the distance from any thoroughfare, public place or boundary of land.
c7(1)(e) Specify how many bee hives are allowed to be kept on land in excess of 20,000m² in area.
c8(1) Vary conditions of a permit once it has been issued. c8(2) Cancel a permit if requested to do so by the permit holder.
c12(3) Dispose of bees or beehives or both in such a manner as see fits and recover from the permit holder or an owner or an occupier, as the case may be, the costs of doing so as a due debt.

Coordinator Environment and Waste

Coordinator Environmental Health

Director City Development and Sustainability

Manager Environment and Health Services

- b) c12(1) Determine whether a person has contravened a provision of this local law and give a permit holder a written notice requiring that the bees and/or beehives be removed from the land and specify a time by which it must be done.

Coordinator Environment and Waste

Coordinator Environmental Health

Director City Development and Sustainability

Environmental Health Officer

Manager Environment and Health Services

Senior Compliance Officer

Compliance Officer

2. c13(3) Infringement Notices

The giving of infringement notices for the purposes of this local law may be performed by persons appointed by s.9.10(1) of the Local Government Act 1995 as authorised persons and permitted by s.9.16(1) of the Local Government Act 1995 and does not form part of this delegation.

Exception:

The officer who has issued the infringement notice cannot withdraw the infringement under Delegation CEO1.6.

	The exercise of the delegated power does not include the power of delegation.
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Compliance Links:	<u>City of Kwinana Local Law</u> <ul style="list-style-type: none"> • Bee Keeping Local Law 2002 <u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • Legal Representation for Elected Members and Officers - Cost Indemnification and Liability
Record Keeping:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

7.7.8 Bush Fire Brigades Local Law

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<p>Bush Fire Local Law 2011:</p> <p>c2.2(2) When considering the appointment of persons to the positions listed in clause 2.2(1)(c), regard must be given to the qualifications and experience which may be required to fill each role.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i> s.3.18(1) Administer Local Laws.</p> <p>The exercise of the following provisions of the Bush Fire Local Law 2011:</p> <p>c2.2(1)(c) Appointment of Brigade Officers. c2.2(5) Appointment of Brigade Officer to fill vacancy. c3.2 Officers to be supplied with Act, Regulations, Bushfire Operating Procedures, this local law and other written law and any amendments, that may be relevant to the performance of the Brigade Office's function. c3.3 Appointment of Training Coordinator. c3.12 Determine the number of nominees of a bush fire brigade for the Bush Fire Advisory Committee.</p> <p>First Schedule 2.4 Determine form of membership application. 7.6(3) Resolve disagreements between bush fire brigade members.</p>
Delegate:	Chief Bush Fire Control Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>To perform the functions of the local government for the Bush Fire Local Law.</p>
CEO Conditions on this Delegation:	<p>Bush Fire Local Law 2011:</p> <p>c2.2(2) When considering the appointment of persons to the positions listed in clause 2.2(1)(c), regard must be given to the qualifications and experience which may be required to fill each role.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>

Compliance Links:	<u>City of Kwinana Local Law</u> <ul style="list-style-type: none"> Bush Fire Local Law 2011:
Record Keeping:	Any exercise of this delegation to be recorded in the Delegated Authority Register.

7.7.9 Dogs Local Law 2010

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.</p>
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i> s.3.18(1) Administer Local Laws.</p> <p>The exercise of the following provisions of the Dogs Local Law 2010:</p> <p>c4.2(c) Determine that the applicant or another person who will have charge of the dogs, will reside on the premises or sufficiently close to the premises.</p> <p>c4.3(3)(b) Refuse to determine an application if, in the opinion of the delegate, that the notice of a proposed use of a premises is of a size or in a location that would fail to notify persons of the proposed use of the premises.</p> <p>c4.6 Have regard to matters in determining an application.</p> <p>c4.8(1) Approve an application for a licence subject to conditions contained in Schedule 2 and to other conditions considered appropriate.</p> <p>c4.8(2) Vary any of the conditions contained in Schedule 2.</p> <p>c4.11 Determine the form of a licence.</p> <p>c4.13(1) Vary the conditions of a licence.</p> <p>c4.13(2) Cancel a licence;</p> <p>(a) on the request of the licensee;</p> <p>(b) following a breach of the Dog Act 1976, its Regulations or this local law; or</p> <p>(c) if the licensee is not a fit and proper person.</p> <p>c4.14(1)(a) Determine the form of an application for the transfer of a licence.</p> <p>c4.14(3) Approve, whether or not subject to such conditions as he/she considers appropriate, or refuse to approve an application to transfer a licence.</p> <p>c4.15 Give written notice.</p> <p>c5.2(2)(a) Permit dogs to be exercised in an area being used for sporting or other activities, during the time of use.</p>

	<p>c6.1(3)(a) Approve the manner in which excrement may be removed.</p> <p>c6.1(3)(b) Provide receptacles on a park, reserve or land, specifically provided for holding dog excrement.</p> <p>c7.7 Ascertain the address at which a notice is to be served.</p>
Delegate:	Manager Essential Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To perform the functions of the local government for the Dogs Local Law 2010.
CEO Conditions on this Delegation:	<p><i>Dog Act 1976:</i></p> <p>The local government cannot approve an application for a licence where, in accordance with clause 4.7;</p> <p>a) an approved kennel establishment cannot be permitted by the local government on the premises under a town planning scheme; or</p> <p>in respect to clause 4.2(c), an applicant for a licence or another person who will have charge of the dogs will not reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and to ensure their health and welfare, or</p> <p>b) where the provisions of the Town Planning Scheme prevent such an application being approved.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>

Compliance Links:	<p><u>City of Kwinana Local Laws</u></p> <ul style="list-style-type: none"> • Dogs Local Law 2010 <p><u>City of Kwinana Policies</u></p> <ul style="list-style-type: none"> • Application to keep Additional Dogs on Premises • Legal Representation for Elected Members and Officers - Cost Indemnification and Liability
Record Keeping:	Any exercise of this delegation to be recorded in the Delegated Authority Register.

7.7.10 Extractive Industries Local Law

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.18(1) Administer Local Laws. The exercise of the following provisions of the Extractive Industries Local Law: c2.2(2) Applicant to advertise proposal determined by the local government. c2.3(1) Determination of the form of application. c2.3(1)(d) Approve a of datum point. c2.3(1)(l) Requirement for additional information. c2.3(3) Exemption from providing certain data. c3.1(1) Refuse an application that does not comply with clause 2.3. c3.1(2) Refusal of an application, or approve an application over whole or part of the land and on such terms and conditions as it see fits. c3.1(3)(a) Determination the licence period. c3.1(5) Imposing of conditions in respect to matters. c4.1(2) Determination of application to transfer a licence. c4.2 Cancellation of a licence and advising the licensee in writing. c4.3(2) Waiving requirements for renewal of licence specified in clause 4.3(1)(d) or (e). c4.3(3) Waiving requirements to submit details of any of the things referred to in clause 2.3 and 3.1. c4.3(4) Determination of an application for renewal of a licence. c5.1 Determination of the security amount and type of security (bond, bank guarantee or other) for restoration and reinstatement of local government assets. c5.2(1)(c) Carry out or cause to be carried out, the required restoration and reinstatement work. c5.2(2) Apply the proceeds of security towards costs of restoration and reinstatement work. c6.1(1) Provide written approval for excavation as in section 6.1. c6.1(2) Determine standard of fencing of an excavation. c6.2(3) Determine drainage of an excavation to prevent accumulation of water.

	<p>c6.3(1) Approve the removal of trees or shrubs within 40 metres of the boundary of a thoroughfare.</p> <p>c6.4(1) & (2) Approve blasting in the course of excavation.</p>
Delegate:	Director City Infrastructure Manager Engineering Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To perform the functions of the local government for the Extractive Industries Local Law.
CEO Conditions on this Delegation:	<p>Extractive Industries Local Law:</p> <ol style="list-style-type: none"> c2.2(2) Applicant to advertise proposal. <p>Any advertising of a proposal by the local government must be approved by the Chief Executive Officer as required by c2.2(2)(b).</p> <ol style="list-style-type: none"> c3.1(1) & (2) Refusal or approval of an application. <p>Any determination for a refusal or approval of an application must include a review by the City's lawyer as part of the decision process.</p> <ol style="list-style-type: none"> c9.1 Prescribed offences. <p>The giving of infringement notices for the purposes of this local law may be performed by persons appointed by s.9.10(1) of the Local Government Act 1995 as authorised persons and permitted by s.9.16(1) of the Local Government Act 1995 and does not form part of this delegation.</p> <p>Exception: The officer who has issued the infringement notice cannot withdraw the infringement under Delegation CEO 1.6.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>

Compliance Links:	<p><u>City of Kwinana Local Law</u></p> <ul style="list-style-type: none"> Extractive Industries Local Law <p><u>City of Kwinana Policies</u></p> <ul style="list-style-type: none"> Legal Representation for Elected Members and Officers - Cost Indemnification and Liability
Record Keeping:	Any exercise of this delegation to be recorded in the Delegated Authority Register.

7.7.11 Fencing Local Law 2016

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i> s.3.18(1) Administer Local Laws.</p> <p>The exercise of the following provisions of the Fencing Local Law:</p> <p>c2.1(4) Grant a consent to any variation to the specifications in Schedules 2, 3 and 4.</p> <p>c2.1(7) Approve a dividing fence or boundary fence exceeding 1800 millimetres in height.</p> <p>c2.2(1) Approve a fence in a front setback of a residential lot greater than 1200 millimetres in height with conditions set out in subclauses 2.2(2) and (3).</p> <p>c2.4 Approve a person to deposit or permit the deposit of, any materials whatsoever used in the construction or maintenance of any fence, on any thoroughfare, public place or local government property.</p> <p>c2.5 Approve a person to erect a fence on a rural lot, or a special rural lot within 7.5 metres of a thoroughfare, of a height exceeding 1500 millimetres.</p> <p>c2.6 Approve a person to erect a fence other than within the front setback area, on a residential lot, of a height exceeding 1800 millimetres.</p> <p>c2.9 Approve a person to erect or maintain a fence across a right-of-way, public access way or thoroughfare.</p> <p>c3.2(2) Give written approval for a person to erect or affix to any fence of a residential or commercial lot, any barbed wire or other material with spiked or jagged projections.</p> <p>c3.3(1) Approve the construction or use of an electric fence, or the construction of a fence constructed wholly or partly of razor wire, on a lot.</p> <p>c4.1(2) Determine the application form under this local law.</p> <p>c4.1(3) Require an applicant to provide additional information.</p> <p>c4.1(4) Refuse to consider an application for approval which is not in accordance with subclause 4.1(2) and (3).</p> <p>c4.2 Approve or refuse an application or approve subject to conditions.</p> <p>c4.5 Cancellation of an approval.</p> <p>c6.1(1) Give notice in writing to an owner or occupier of a breach of this local law.</p>

	<p>c6.1(3) Enter a lot to which a notice relates and remedy the breach and may recover the expenses of so doing from the owner or the lot in a court of competent jurisdiction.</p> <p>7.3 Approval of form of notice.</p>
Delegate:	<p>Building Surveyor - Level 1 Building Surveyor – Level 2 Building Surveyor Building Technician City Assist Officer Compliance Officer Coordinator City Assist Coordinator Environment and Waste Coordinator Environmental Health Director City Development and Sustainability Environmental Health Officer Manager Building Services Manager Engineering Services Manager Environment and Health Services Senior Compliance Officer Swimming Pool Inspector</p>
<p>Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<p>To perform the functions of the local government for the Fencing Local Law 2016.</p>
CEO Conditions on this Delegation:	<p>Note: The clauses listed below may not be listed in strictly numerical order.</p> <p>1. The following clauses are only to be performed by the officers as listed:</p> <p>a) c4.1(2) Determine the application form under this local law. c4.5 Cancellation of an approval. c6.1(3) Enter a lot to which a notice relates and remedy the breach and may recover the expenses of so doing from the owner or the lot in a court of competent jurisdiction. 7.3 Approval of form of notice. Director City Development and Sustainability Manager Building Services</p> <p>b) c2.1(4) Grant a consent to any variation to the specifications in Schedules 2, 3 and 4. c2.1(7) Approve a dividing fence or boundary fence exceeding 1800 millimetres in height. c2.2(1) Approve a fence in a front setback of a residential lot greater than 1200 millimetres in height with conditions set out in subclauses 2.2(2) and (3). c2.4 Approve a person to deposit or permit the deposit of, any materials whatsoever used in the construction or maintenance of any fence, on any thoroughfare, public place or local government property.</p>

	<p>c2.5 Approve a person to erect a fence on a rural lot, or a special rural lot within 7.5 metres of a thoroughfare, of a height exceeding 1500 millimetres.</p> <p>c2.6 Approve a person to erect a fence other than that within the front setback area, on a residential lot, of a height exceeding 1800 millimetres.</p> <p>c2.9 Approve a person to erect or maintain a fence across a right-of-way, public access way or thoroughfare.</p> <p>c3.2(2) Give written approval for a person to erect or affix to any fence of a residential or commercial lot, any barbed wire or other material with spiked or jagged projections.</p> <p>c3.3(1) Approve the construction or use of an electric fence, or the construction of a fence constructed wholly or partly of razor wire, on a lot.</p> <p>c4.1(3) Require an applicant to provide additional information.</p> <p>c4.1(4) Refuse to consider an application for approval which is not in accordance with subclause 4.1(2) and (3).</p> <p>c4.2 Approve or refuse an application or approve subject to conditions.</p> <p>Building Surveyor - Level 1 Building Surveyor – Level 2 Building Surveyor Director City Development and Sustainability Manager Building Services</p> <p>c) c6.1(1) Give notice in writing to an owner or occupier of a breach of this local law.</p> <p>Building Surveyor - Level 1 Building Surveyor – Level 2 Building Surveyor Building Technician City Assist Officer Coordinator City Assist Coordinator Environment and Waste Coordinator Environmental Health Director City Development and Sustainability Environmental Health Officer Manager Building Services Manager Engineering Services Manager Environment and Health Services Senior Compliance Officer Compliance Officer Swimming Pool Inspector</p> <p>2. c7.2(1) Prescribed offences</p>
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	<p>The giving of infringement notices for the purposes of this local law may be performed by persons appointed by s.9.10(1) of the <i>Local Government Act 1995</i> as authorised persons and permitted by s.9.16(1) of the <i>Local Government Act 1995</i> and does not form part of this delegation.</p> <p>Exception: The officer who has issued the infringement notice cannot withdraw the infringement under Delegation CEO1.6.</p> <p>Reporting Requirements: Any exercise of this delegation is to be recorded in the Delegated Authority Register.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	<p><u>City of Kwinana Local Law</u></p> <ul style="list-style-type: none"> Fencing Local Law 2016 <p><u>City of Kwinana Policies</u></p> <ul style="list-style-type: none"> Legal Representation for Elected Members and Officers - Cost Indemnification and Liability
Record Keeping:	Any exercise of this delegation to be recorded in the Delegated Authority Register.

7.7.12 Local Government Property Local Law

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.18(1) Administer Local Laws. The exercise of the following provisions of the Local Government Property Local Law: c1.5(2)(a) Hire local government property to any person. c1.5(2)(b) Enter into an agreement with any person regarding the use of any local government property. c2.2(1) Give local public notice of intention to make a determination. c2.3 Erect a sign on a local government property giving notice of the effect of a determination which applies to that property. c3.2(2) & (3) Determine the form of an application and information required by the form. c3.2(4) Require an applicant to give local public notice of the application of a permit. c3.2(5) Refuse an application that is not in accordance with c3.2. c3.3 Approve an application for a permit either unconditionally or subject to conditions or refuse an application. c3.4 Approve an application with conditions on a permit. c3.5(2) Impose an application with subject to conditions by reference to a policy. c3.6(2) Vary conditions of a permit. c3.7 Enter into an agreement with the permit holder in respect of the ownership of the materials in the building. c3.10 Refuse or approve the transfer of a permit and impose conditions. c3.12(1) Cancel a permit. c3.13(2) Exempt a person from compliance with the requirements of clause 3.13(1). c3.13(3) Exemption a local government property or a class of local government property from the application of sub-clause 3.13(1)(a). 4.7(1) Erect a sign on a local government property specifying any conditions of use which apply to that property.

	<p>c6.2(2) No authorised entry to a function - exemption a person from being charged a fee for admission to a government property for the purposes of subclause 6.2(1).</p> <p>c6.3 In special circumstances, authorise the repayment of all or part of a payment of fees paid for entry into or participation in an activity in a local government property.</p> <p>c7.2(1) & (2) Determine the manner in which an application for consent must be given and if a fee is to be paid.</p> <p>c7.2(3) Refuse to consider an application if the application for consent is not made in the manner required by the local government or the required fee is not paid.</p> <p>c7.2(4) Require an application for consent and either approve or refuse the application in writing.</p> <p>c7.3 Consent to a person landing, using or going on any part of a jetty that is under construction, under repair or closed.</p> <p>c7.5(b) Consent to the embarking or disembarking of passengers for a consecutive period exceeding 2 hours.</p> <p>c7.7 Consent to a person launching a boat from, or over a jetty (other than a boat ramp). c7.8 Consent to a boat coming alongside or be moored or made fast to a jetty for the purposes of loading or discharging cargo or other goods between the hours of 6.00pm and 6.00am on the next day, or for longer than 2 consecutive hours.</p> <p>c7.12 Consent to a person placing or depositing bulk cargo from a vehicle or boat or container, onto a jetty.</p> <p>c9.3 Dispose of lost property.</p> <p>c10.1 Issue of a notice.</p> <p>c10.3 Local government may undertake requirements of notice.</p>
Delegate:	<p>Administration and Bookings Officer</p> <p>Aquatic Programs Team Leader</p> <p>Centre Operations Supervisor</p> <p>Centre Service Officer</p> <p>City Assist Officer</p> <p>Collection Development Librarian</p> <p>Community Facilities Bookings Officer</p> <p>Community Programming Team Leader</p> <p>Community Programs Officer</p> <p>Coordinator City Assist</p> <p>Creche Supervisor</p> <p>Customer Experience Analyst and Team Leader</p> <p>Customer Experience Team Leader</p> <p>Customer Service Officer</p> <p>Director City Engagement</p> <p>Director City Development and Sustainability</p> <p>Duty Officer</p> <p>E-Resources Officer Development</p> <p>Fitness Programs and Member Engagement Team Leader</p> <p>Kwinana Recquatic Manager</p> <p>Library and Community Resources Centres Manager</p> <p>Library Officer</p> <p>Library Operations Co-ordinator</p> <p>Library Operations Team Leader</p>

	Local History Officer Manager Building Services Manager Community Engagement Manager Community Services Manager Engineering Services Manager Environmental Health Manager Essential Services Manager Youth Development Programs Team Leader Recquatic Business Development Specialist Vacation Care Team Leader
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To perform the functions of the local government for the Local Government Property Local Law.
CEO Conditions on this Delegation:	<p>Local Government Property Local Law:</p> <p>Note: The clauses listed below may not be listed in strictly numerical order.</p> <p>1. The following clauses are only to be performed by the officers as listed:</p> <p>a) c1.5(2)(a) Hire local government property to any person (not specified in the Schedule of Fees and Charges).</p> <p>Director City Engagement Manager Community Services Manager Community Engagement Library and Community Resources Centres Manager Manager Youth Development Kwinana Recquatic Manager Business Development Specialist Customer Experience Team Leader Customer Service Officer Programs Team Leader Aquatic Programs Team Leader Fitness Programs and Member Engagement Team Leader Centre Operations Supervisor Duty Officer Customer Experience Analyst and Team Leader Community Facilities Bookings Officer Centre Service Officer Community Programming Team Leader Library Operations Co-ordinator Community Programs Officer Library Operations Team Leader</p>

	<p>Library Officer Collection Development Librarian Administration and Bookings Officer</p> <p>b) c1.5(2)(b) Enter into an agreement with any person regarding the use of any local government property. c3.7 Enter into an agreement with the permit holder in respect of the ownership of the materials in the building. c3.13(3) Exempt a local government property or a class of local government property from the application of subclause 3.13(1)(a). c7.2(2) Require an application for consent made under subclause 7.2(1) to be accompanied by a fee.</p> <p>Director City Engagement Director City Development and Sustainability Manager Building Services Manager Community Services Manager Community Engagement Library and Community Resources Centres Manager Manager Engineering Services Manager Environment and Health Services Manager Essential Services Manager Youth Development Kwinana Recquatic Manager Coordinator City Assist City Assist Officer Community Facilities Bookings Officers</p> <p>c) c6.2(2) No authorised entry to a function - exemption a person from being charged a fee for admission to a government property for the purposes of subclause 6.2(1). c6.3 In special circumstances, authorise the repayment of all or part of a payment of fees paid for entry into or participation in an activity in a local government property. Note: For clause 6.3, the delegate is to apply discretion and determine the circumstances, on a case by case basis, in which a refund for 'special circumstances' may be made.</p> <p>Director City Engagement</p> <p>d) c3.2(2) & (3) Determine the form of an application and information required by the form.</p> <p>Director City Engagement Library and Community Resources Centres Manager Kwinana Recquatic Manager Business Development Specialist</p>
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	<p> Customer Experience Team Leader Programs Team Leader Vacation Care Team Leader Aquatic Programs Team Leader Fitness Programs and Member Engagement Team Leader Centre Operations Supervisor Duty Officer Customer Experience Analyst and Team Leader Community Facilities Bookings Officer Centre Service Officer Creche Supervisor E-Resources Officer Development Community Programming Team Leader Library Operations Co-ordinator Community Programs Officer Library Operations Team Leader Local History Officer Administration and Bookings Officer </p> <p>e) c2.3 Determine the form of an application and information formation required by the form.</p> <p> Director City Engagement Director City Development and Sustainability Manager Building Services Manager Community Services Manager Community Engagement Manager Engineering Services Manager Environment and Health Services Manager Essential Services Manager Youth Development Kwinana Recquatic Manager Business Development Specialist Library and Community Resources Centres Manager </p> <p>f) c3.2(5) Refuse an application that is not in accordance with c3.2. c3.3 Approve an application for a permit either unconditionally or subject to conditions or refuse an application. c3.4 Approve an application with conditions on a permit. c3.6(2) Vary conditions of a permit. c3.10 Refuse or approve the transfer of a permit and impose conditions. c3.12(1) Cancel a permit. Note: In respect to clause 3.10, a transfer may be affected by an endorsement on the permit signed by the</p>
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	<p>Chief Executive Officer as required by sub-clause 3.10(3).</p> <p>Director City Engagement Director City Development and Sustainability Manager Building Services Manager Community Services Manager Community Engagement Manager Engineering Services Manager Environment and Health Services Manager Essential Services Manager Youth Development Kwinana Recquatic Manager Centre Operations Supervisor Library and Community Resources Centres Manager</p> <p>g) c7.2(3) Refuse to consider an application if the application for consent is not made in the manner required by the local government or the required fee is not paid.</p> <p>Director City Engagement Director City Development and Sustainability Manager Building Services Manager Community Services Manager Community Engagement Manager Engineering Services Manager Environment and Health Services Manager Essential Services Manager Youth Development Kwinana Recquatic Manager Library and Community Resources Centres Manager Customer Experience Analyst and Team Leader Community Facilities Bookings Officer Administration and Bookings Officer</p> <p>h) c3.5(2) Impose an application with subject to conditions by reference to a policy. c4.7(1) Erect a sign on a local government property specifying and conditions of use which apply to that property. c7.2(4) Require an application for consent and either approve or refuse the application in writing. c10.3 Local government may undertake requirements of notice. Note: In respect to clause 3.10, a transfer may be affected by an endorsement on the permit signed by the Chief Executive Officer as required by sub-clause 3.10(3).</p>
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	<p> Director City Engagement Director City Development and Sustainability Manager Building Services Manager Community Services Manager Community Engagement Manager Engineering Services Manager Environment and Health Services Manager Essential Services Manager Youth Development Kwinana Recquatic Manager Library and Community Resources Centres Manager </p>
	<p>i) c2.2(1) Give local public notice of intention to make a determination.</p> <p> Director City Engagement Director City Development and Sustainability Manager Building Services Manager Community Services Manager Community Engagement Manager Engineering Services Manager Environment and Health Services Manager Essential Services Manager Youth Development Kwinana Recquatic Manager Customer Experience Team Leader </p>
	<p>j) c3.2(4) Require an applicant to give local public notice of the application of a permit. c3.13(2) Exempt a person from compliance with the requirements of clause 3.13(1). c7.2(1) Determine the manner in which an application for consent must be given. c10.1 Issue of a notice.</p> <p> Director City Engagement Director City Development and Sustainability Manager Building Services Manager Community Services Manager Community Engagement Manager Engineering Services Manager Environment and Health Services Manager Essential Services Manager Youth Development Kwinana Recquatic Manager </p>
	<p>k) c7.3 Consent to a person landing, using or going on any part of a jetty that is under construction, under repair or closed.</p>

	<p>c7.5(b) Consent to the embarking or disembarking of passengers for a consecutive period exceeding 2 hours.</p> <p>c7.7 Consent to a person launching a boat from, or over a jetty (other than a boat ramp). c7.8 Consent to a boat coming alongside or be moored or made fast to a jetty for the purposes of loading or discharging cargo or other goods between the hours of 6.00pm and 6.00am on the next day, or for longer than 2 consecutive hours.</p> <p>c7.12 Consent to a person placing or depositing bulk cargo from a vehicle or boat or container, onto a jetty.</p> <p>City Assist Officer Coordinator City Assist Manager Essential Services</p> <p>l) c9.3 Dispose of lost property. Note: Disposal of lost property must be undertaken in accordance with sections 3.39 and 3.42 of the Local Government Act 1995.</p> <p>Manager Essential Services</p> <p>2. c10.5(3) Prescribed offences. The giving of infringement notices for the purposes of this local law may be performed by persons appointed by s.9.10(1) of the Local Government Act 1995 as authorised persons and permitted by s.9.16(1) of the Local Government Act 1995 and does not form part of this delegation.</p> <p>Exception: The officer who has issued the infringement notice cannot withdraw the infringement under Delegation CEO 1.6.</p>
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Compliance Links:	<u>City of Kwinana Local Law</u> <ul style="list-style-type: none"> Local Government Property Local Law <u>City of Kwinana Policies</u> <ul style="list-style-type: none"> Legal Representation for Elected Members and Officers - Costs Indemnification and Liability
Record Keeping:	Any exercise of this delegation to be recorded in the Delegated Authority Register.

7.7.13 Pest Plants Local Law

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.18(1) Administer Local Laws. The exercise of the following provisions of the Pest Plants Local Law: c5 Serve of a notice. c6(a) Destroy, eradicate or control pest plants. c6(b) Recover in court, the amount of the expenses of such destruction, eradication or control.
Delegate:	Director City Development and Sustainability Senior Environmental Planner
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To perform the functions of the local government for the Pest Plants Local Law.
CEO Conditions on this Delegation:	The commencement of legal proceedings or initiation of a prosecution will not be undertaken without the express approval of the CEO, or where deemed necessary by the CEO, the approval of Council. Refer to Delegation CEO1.4 and Governance Work Instruction WI54 – Procedure for commencement of legal proceedings. – D16/4719*. The exercise of the delegated power does not include the power of delegation.

Compliance Links:	<u>City of Kwinana Local Law</u> <ul style="list-style-type: none"> Pest Plants Local Law <u>City of Kwinana Policies</u> <ul style="list-style-type: none"> Legal Representation for Elected Members and Officers - Cost Indemnification and Liability
Record Keeping:	Any exercise of this delegation to be recorded in the Delegated Authority Register.

7.7.14 Urban Environment and Nuisance Local Law

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i> s.3.18(1) Administer Local Laws.</p> <p>The exercise of the following provisions of the Urban Environment and Nuisance Local Law:</p> <p>c2.6 Give a notice - reflection or illumination of lighting. c3.1 Notice to remove graffiti. c4.2(2) Serve a notice on an owner or occupier of land requiring compliance of prohibited activities – prevention of dust and liquid waste. c4.2(3) Serve a notice to cease a prohibited activity – prevention of dust and liquid waste. c4.2(4) Serve a notice imposing conditions on a prohibited activity – prevention of dust and liquid waste. 6.1(1) Determine that a lot has an untidy appearance because of refuse, rubbish or disused materials and does not conform with the general appearance of other land in that part of the district. 6.1(2) Give a writing notice to the owner or occupier of a property, requiring the removal of refuse, rubbish or disused materials. 7.1(1) Give a notice to the owner or the occupier of a lot to remove, cut, move or otherwise deal with a plant or tree so as to remove the danger or hazard. 7.1(2) Take any remedial action considered appropriate in order to make a plant or tree safe without having given the owner or occupier notice as required by Part 10 of this local law. 7.2(1) Give a notice to the owner or the occupier of the lot specifying measures to prevent or minimize any danger or hazard due to cyclonic activity. 7.2(2) Take any remedial action considered appropriate to prevent or minimize the danger or hazard due to cyclonic activity without having given the owner or occupier notice as required by Part 10 of this local law. c8.1 Approve, refuse, impose conditions and give written notices for private works on, over or under a public place. c10.2 Local government may undertake requirements of notice.</p>
Delegate:	Building Surveyor - Level 1

	Building Surveyor – Level 2 Building Surveyor Building Technician City Assist Officer Compliance Officer Coordinator City Assist Coordinator Environment and Waste Coordinator Environmental Health Director City Infrastructure Director City Development and Sustainability Environmental Health Officer Manager Building Services Manager City Operations Manager Engineering Services Manager Environment and Health Services Manager Essential Services Senior Compliance Officer Senior Environmental Planner Swimming Pool Inspector
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To take actions to ensure compliance with the provisions of the Urban Environment and Nuisance Local Law.
CEO Conditions on this Delegation:	<p>Note: The clauses listed below may not be listed in strictly numerical order.</p> <p>1. The following clauses are only to be performed by the officers as listed:</p> <p>a) c2.6 Give a notice - reflection or illumination of lighting. c4.2(2) Serve a notice on an owner or occupier of land requiring compliance of prohibited activities – prevention of dust and liquid waste. c4.2(3) Serve a notice to cease a prohibited activity – prevention of dust and liquid waste. c4.2(4) Serve a notice imposing conditions on a prohibited activity – prevention of dust and liquid waste.</p> <p>Coordinator City Assist Coordinator Environment and Waste Coordinator Environmental Health Environmental Health Officer Manager Environment and Health Services</p> <p>b) c3.1 Notice to remove graffiti. 6.1(1) Determine that a lot has an untidy appearance because of refuse, rubbish or disused materials and does not conform with the general appearance of other land in that part of the district. 6.1(2) Give a written notice to the owner or occupier of a property, requiring the removal of refuse, rubbish or disused materials.</p>

	<p>7.1(1) Give a notice to the owner or the occupier of a lot to remove, cut, move or otherwise deal with a plant or tree so as to remove the danger or hazard.</p> <p>Building Surveyor - Level 1 Building Surveyor – Level 2 Building Surveyor Building Technician City Assist Officer Coordinator City Assist Coordinator Environment and Waste Coordinator Environmental Health Director City Development and Sustainability Director City Infrastructure Environmental Health Officer Manager Building Services Manager Engineering Services Manager Environment and Health Services Manager Essential Services Manager City Operations Senior Compliance Officer Compliance Officer Senior Environmental Planner</p> <p>c) 7.1(2) Take any remedial action considered appropriate in order to make a plant or tree safe without having given the owner or occupier notice as required by Part 10 of this local law.</p> <p>7.2(1) Give a notice to the owner or the occupier of the lot specifying measures to prevent or minimize any danger or hazard due to cyclonic activity.</p> <p>7.2(2) Take any remedial action considered appropriate to prevent or minimize the danger or hazard due to cyclonic activity without having given the owner or occupier notice as required by Part 10 of this local law.</p> <p>c8.1 Approve, refuse, impose conditions and give written notices for private works on, over or under a public place.</p> <p>c10.2 Local government may undertake requirements of notice.</p> <p>Director City Development and Sustainability Director City Infrastructure Manager Building Services Manager Engineering Services Manager Environment and Health Services Manager Essential Services Manager City Operations</p> <p>2. c10.4 Prescribed offences.</p>
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	<p>The giving of infringement notices for the purposes of this local law may be performed by persons appointed by s.9.10(1) of the Local Government Act 1995 as authorised persons and permitted by s.9.16(1) of the Local Government Act 1995 and does not form part of this delegation.</p> <p>Exception:</p> <p>The officer who has issued the infringement notice cannot withdraw the infringement under Delegation CEO 1.6.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	<p><u>City of Kwinana Local Law</u></p> <ul style="list-style-type: none"> • Urban Environment and Nuisance Local Law <p><u>City of Kwinana Policies</u></p> <ul style="list-style-type: none"> • Legal Representation for Elected Members and Officers - Cost Indemnification and Liability
Record Keeping:	Any exercise of this delegation to be recorded in the Delegated Authority Register.

7.7.15 Parking and Parking Facilities Local Law 2018

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.18(1) Administer Local Laws. The exercise of the following provisions of the Parking and Parking Facilities Local Law 2018: c2.1 Erect a sign for the purpose of this local law on any land, building or other structure within the parking region. c2.3 Approve a sign or the removal or defacing of a sign. c3.3(1)(b) Permit a person to park a vehicle on any part of a parking station contrary to a sign referable to that part. c4.1(4) Permit a person to park a vehicle in a area designated by a sign stating 'Authorised Vehicles Only'. c4.10 Authorise a person to drive or park upon or over a portion of a reserve. c4.12(1) Permit a person to park a vehicle on a portion of a thoroughfare or parking facility for longer than the permitted time. c4.12(2) Prohibit any other vehicle from parking on a portion of a thoroughfare or parking facility to which a permission granted under clause 4.12(1) has been given. c4.13(5) By the way of signs, set aside parking stations for multiple occupants. c5.21 Issue, revoke or suspend a temporary parking permit. c6.1(2) Permit a person to affix an board or sign, placard, notice, cover or other thing to or paint, mark or write upon any ticket machine. c7.2 Issue a permit exempting a holder of a valid permit from the requirements of a prohibition. c7.3 Issue a residential parking permit. c7.4 Approve the issue of one additional residential parking permit or one additional visitor's parking permit on such terms or conditions as the local government sees fit. c7.6 Give to an eligible person a notice requiring that person to notify the local government of any reason why that permit should not be revoked. c7.8 Issue a permit to replace a residential parking permit or visitor's parking permit which is lost, destroyed or stolen.

	c8.10 At the expiration of hours of operation, lock parking stations.
Delegate:	Manager Essential Services
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To perform the functions of the local government for the Parking and Parking Facilities Local Law 2018.
Council Conditions on this Delegation:	<p>c9.1(3) Prescribed offences.</p> <p>The giving of infringement notices for the purposes of this local law may be performed by persons appointed by s.9.10(1) of the Local Government Act 1995 as authorised persons and permitted by s.9.16(1) of the Local Government Act 1995 and does not form part of this delegation.</p> <p>Exception: The officer who has issued the infringement notice cannot withdraw the infringement under Delegation CEO1.6.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>

Compliance Links:	<u>City of Kwinana Local Law</u> <ul style="list-style-type: none"> • Parking and Parking Facilities Local Law 2018 <u>City of Kwinana Policies</u> <ul style="list-style-type: none"> • Legal Representation for Elected Members and Officers - Costs Indemnification and Liability
Record Keeping:	Any exercise of this delegation to be recorded in the Delegated Authority Register.

7.7.16 Destruction of local government election parcels

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government (Election) Regulations 1997:</i> r82(4) Destruction of election papers
Delegate:	Director City Business Manager Governance and Legal
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Undertake the destruction of local government election papers is in accordance with the Local Government (Elections) Regulations 1997.
CEO Conditions on this Delegation:	<p>Destruction to be undertaken in accordance with the requirements of subregulation 82(4) and 82(5):</p> <p>r82(4) If, after the period mentioned in subregulation (3), the parcels are to be destroyed —</p> <ul style="list-style-type: none"> a) the destruction is to be carried out by or under the supervision of the Director in the presence of at least 2 employees; or b) the parcels are to be conveyed securely to a secure paper destruction company, or placed in a locked bin provided by such a company, by or under the supervision of the Director in the presence of at least 2 employees. <p>r82(5) In subregulation (4) —</p> <p>destroy, in relation to a parcel of ballot papers, means to deal with the parcel so that all of the information recorded or stored on the papers in the parcel are obliterated or rendered illegible or irrecoverable;</p> <p>secure paper destruction company means a person or body that under contract or agreement with the local government is to destroy papers for the local government.</p> <p>The exercise of the delegated power does not include the power of delegation.</p>

Compliance Links:

Record Keeping:

1. Any exercise of this delegation to be recorded in the Delegated Authority Register.
2. A Witness Statement in regard to the destruction of electoral materials is to be completed in accordance with the requirements of the Work Instruction – Destruction of Electoral Material (D10/5469[v3] or later version if applicable).

7.7.17 Declaring a vehicle as an abandoned vehicle wreck

Delegator: <i>Power/Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.40A(2) Give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice. s.3.40A(4) Declare that a vehicle is an abandoned vehicle wreck. s.3.46 Goods may be withheld until costs paid
Delegate:	City Assist Officer Coordinator City Assist Manager Essential Services
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Declare that a vehicle is an abandoned vehicle wreck.
CEO Conditions on this Delegation:	<i>Delegation to:</i> Manager Essential Services s.3.40A(2) Give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice. s.3.40A(4) Declare that a vehicle is an abandoned vehicle wreck. s.3.46 Goods may be withheld until costs paid. Coordinator City Assist All City Assist Officers s.3.40A(2) Give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice. <u>Conditions and Exceptions:</u> <i>Local Government Act 1995:</i>

	<ol style="list-style-type: none"> 1. Subject to the requirements of section 3.40(A)(1), (2) and (3) being undertaken as required; 2. s.3.45. Notice to include warning A notice is to include a short statement of the effect of the relevant provisions of sections 3.46, 3.47 and 3.48. 3. s.3.46. Goods may be withheld until costs paid <ol style="list-style-type: none"> 1) A local government may refuse to allow goods impounded under section 3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. 2) A local government may refuse to allow goods removed under section 3.40 or 3.40A to be collected until the costs of removing and keeping them have been paid to the local government; and 4. s.3.40A. Abandoned vehicle wreck may be taken <ol style="list-style-type: none"> 3) A notice is to include a short statement of the effect of subsection (4)(b) and the effect of the relevant provisions of sections 3.46 and 3.47. 4) If - <ol style="list-style-type: none"> a) after 7 days from the removal of a vehicle under subsection (1), the owner of the vehicle has not been identified; or b) after 7 days from being given notice under subsection (2), the owner of the vehicle has not collected the vehicle, the local government may declare that the vehicle is an abandoned vehicle wreck. 5. In this section - abandoned vehicle wreck means a vehicle - <ol style="list-style-type: none"> a) that is not operational; and b) the owner of which has not been identified by the local government after using all reasonable avenues to do so; and c) that has a value that is less than the prescribed value calculated in the prescribed manner. <p><i>Local Government (Functions and General) Regulations 1996:</i> r.29A. Abandoned vehicle wrecks, value etc. prescribed for (Act s. 3.40A(5)(c))</p> <p>For the purposes of the definition of abandoned vehicle wreck in section 3.40A(5)(c) of the Act -</p> <ol style="list-style-type: none"> a. the prescribed value is \$500; and b. the prescribed manner in which that value is to be calculated is that the value is to be based on the local private sale value of a vehicle of the same, or a similar, model, year and condition.
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	The exercise of the delegated power does not include the power of delegation.
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Compliance Links:	
Record Keeping:	Any exercise of this delegation is to be recorded in the Register of Delegation of Authority.

7.7.18 Impounding of non-perishable goods

Delegator: <i>Power/Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.42. Impounded non-perishable goods 1) When any non-perishable goods have been removed and impounded under section 3.39 the local government is required to either – a) Institute a prosecution against the alleged offender; or b) Give an alleged offender a notice that the goods may be collected from a place specified during such hours as are specified.
Delegate:	City Assist Officer Compliance Officer Coordinator City Assist Manager Essential Services Senior Compliance Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authorised to institute a prosecution, or give an alleged offender a notice that the goods may be collected from a place specified during such hours as are specified.
CEO Conditions on this Delegation:	Delegation to: Manager Essential Services s.3.42 Impounded non-perishable goods 1) When any non-perishable goods have been removed and impounded under section 3.39 the local government is required to either - a) institute a prosecution against the alleged offender; or b) give the alleged offender notice that the goods may be collected from a place specified during such hours as are specified. Coordinator City Assist City Assist Officer Senior Compliance Officer Compliance Officer 3.42 Impounded non-perishable goods 1) When any non-perishable goods have been removed and impounded under section 3.39 the local government is required to -

	<p>b) give the alleged offender notice that the goods may be collected from a place specified during such hours as are specified.</p> <p><u>Conditions and Exceptions:</u></p> <p>Any proposed entry under warrant under s.3.42(1)(a) must be referred to the Chief Executive Officer for approval prior to the seeking of the warrant from a justice.</p> <p>Authorised officers may (not part of this delegation):</p> <p>s.3.39. Power to remove and impound</p> <ol style="list-style-type: none"> 1) An employee authorised by a local government for the purpose may remove and impound any goods that are involved in a contravention that can lead to impounding. 2) A person may use reasonable force to exercise the power given by subsection (1). <p>The exercise of the delegated power does not include the power of delegation.</p>
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Compliance Links:	
Record Keeping:	Any exercise of this delegation is to be recorded in the Register of Delegation of Authority.

Version Control:

Date	Amendment	Adoption Reference	CEO Signature

Register of Delegated Authority

Local Government to Chief Executive Officer, Officers and Committees 2019



Introduction

Purpose of Delegating Authority

The aim of delegating is to appoint another person to exercise a power or discharge a duty to assist with improving the time taken to make decisions within the constraints allowed by the relevant legislation.

Where a person has been granted a delegation, any exercising of a power and discharging of a duty must be recorded in the Delegation Register. The Delegation Register record is to contain the following information:

- how the person exercised the power or discharged the duty;
- when the person exercised the power or discharged the duty; and
- the persons or classes of persons, other than Council or Committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty (*Local Government (Administration) Regulations* 1996 Regulation 19).

Teams responsible for a work process are to ensure that data is captured and records managed in accordance with all legislation, as well as preparing reports to Council where required under a specific delegation. This includes recording of delegated authority of the Chief Executive Officer where applicable, once approved through a signed authority by the Chief Executive Officer.

This Delegated Authority Register will be reviewed in accordance with the Act on an annual basis. The coordination of the review will be performed through the Governance area.

Legislation

The Local Government Act 1995 (the Act) allows for a local government (Council) to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act except those listed in section 5.43. All delegations made by the Council must be by absolute majority decision (s5.42(1)).

Associated Legislation

Delegations or authorisations may occur under legislation other than the Local Government Act, its regulations and the local government's local laws including:

- Planning and Development Act 2005 including regulations;
- Dog Act 1976 and regulations;
- Bush Fires Act 1954, regulations and local law created under that Act;
- Litter Act 1979 and regulations
- Local Government (Miscellaneous Provisions) 1960 as amended;
- Caravan Parks and Camping Grounds Act 1995;
- Control of Vehicles (Off-Road Areas) Act 1978 and regulations;

NB – This is not an exhaustive list.

Matters which cannot be Delegated

The following cannot be delegated by Council to the Chief Executive Officer under the *Local Government Act 1995* (section 5.43);

- any power or duty that requires a decision of an absolute majority or special (75%) majority of the local government;
- accepting a tender which exceeds an amount determined by the local government;
- appointing an auditor;
- acquiring or disposing of any property valued at an amount determined by the local government;
- any of the local government's powers under sections 5.98, 5.98A, 5.99A, 5.99 and 5.100 of the Act;
- borrowing money on behalf of the local government;
- hearing or determining an objection of any kind referred to in section 9.5;
- any power or duty that requires the approval of the Minister or Governor; or
- such other duties or powers that may be prescribed by the Act.

Delegation by the Chief Executive Officer

The Act allows for the Chief Executive Officer to delegate powers to another employee (s5.44 (4)). This must be done in writing and, if desired, the delegation can be subject to conditions. There is no power for a person other than the Chief Executive Officer to delegate a power. When an employee is "acting" in a position they are deemed to be authorised under those delegations relevant to that position.

Acting through another Person

Where a person has no discretion in carrying out a function, then that function may be undertaken through the "acting through" concept (s5.45(2)). Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for a person to have that authority.

The difference between a delegated authority to exercise a discretion on behalf of the City and acting through another person to undertake a function on behalf of the City where no discretion exists is reinforced by Section 56 of the *Interpretation Act 1984* which states –

56. "May" imports discretion, "shall" is imperative

- (1) *Where in a written law the word "**may**" is used in conferring a power, such word shall be interpreted to imply that the power so conferred may be exercised or not, at discretion.*
- (2) *Where in a written law the word "**shall**" is used in conferring a function, such word shall be interpreted to mean that the function so conferred must be performed.*

Powers under the Act that could have been delegated

The following sections of the Act allow for the function to be delegated to another person, however functions are not recommended to be delegated as due to their significance it is considered that they are most appropriately exercised by the Council:

Section in Local Government Act 1995	Function of the Local Government
3.53(3)	If an unvested facility lies within 2 or more districts, the local governments concerned can agree on its control and management
3.54(1)	A local government may do anything it could do under the Parks and Reserves Act 1895 if it were a Board appointed under the Act, to control and manage any land reserved under the control and management of the local government
5.27(2)	Discretion on calling (i.e. setting date) of the General Meeting of electors in accordance with section 5.27(2)
5.37(1)	A local government may designate employees to be senior employees
6.26(3)	If Co-operative Bulk Handling Ltd and a local government cannot reach an agreement under section 6.26(2)(i), the local government may refer the matter to the Minister for determination
Section 2.2 Schedule 2.2 4(1)	A local government must consider any submission about ward changes made under clause 3
Section 2.2 Schedule 2.2 6	A local government which is not divided into wards may carry out reviews as to whether the district should be divided into wards and if so boundaries and number of councillors for each ward

Section in Regulations	Function of the Local Government
Local Government (Administration) Regulations 1996 19C(6)	A local government may modify its strategic community plan, including extending the period the plan is made in respect of
Local Government (Administration) Regulations 1996 29A(2)	Information that is confidential but that, under section 5.95(7), may be available for inspection if a local government so resolves

Delegations from other Agencies and Instruments of Delegation or other Acts

Where legislation provides for the direct delegation to authorise a person or a member of a class of persons by other agencies or decision makers, no delegation is required from the local government for example: *the Environmental Protection Act allows for the CEO of the Department of Environment Regulation to grant delegated authority direct to a local government.*

The authorisation is dealt with in the relevant legislation and, where required, the Instrument of Delegation or Notice of the Appointment is advertised in the Government Gazette.

The details of these delegations are set out below and updated from time to time.

Department / Legislation	Notice Details & Conditions (If Any)
<p>Department of Environment</p> <p><i>Environmental Protection Act 1986</i></p> <p><i>Environmental Protection (Noise) Regulations 1997</i></p> <p><i>Pursuant to section 20 Environmental Protection Act 1986 to the holder of the offices listed.</i></p>	<p>Government Gazette WA dated 16 May 2014 Delegation Number: 119 EV405*</p> <p>Delegation to:</p> <ul style="list-style-type: none"> a) CEO under Local Government Act; and b) Employee of local government, appointed as Authorised Person under s87 of the Act <p>All powers and duties in relation to noise management plans under Regulation 13 of <i>Environmental Protection (Noise) Regulations 1997</i></p> <p><i>*other than power of delegation</i></p>
<p>Department of Environment</p> <p><i>Environmental Protection Act 1986</i></p> <p><i>Environmental Protection (Noise) Regulations 1997</i></p> <p><i>Pursuant to section 20 Environmental Protection Act 1986 to the holder of the offices listed.</i></p>	<p>Government Gazette WA dated 20 December 2013 Delegation Number: 112 EV402*</p> <p>Delegation to the CEO under <i>Local Government Act</i>:</p> <p>Powers and duties under the Environmental Protection (Noise) Regulations 1997, other than this power of delegation, in relation to—</p> <ul style="list-style-type: none"> (a) waste collection and other works—noise management plans relating to specified works under regulation 14A or 14B; (b) bellringing or amplified calls to worship—the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi); (c) community activities—noise control notices in respect of community noise under regulation 16; (d) motor sport venues—noise management plans in relation to motor sport venues under Part 2 Division 3; (e) shooting venues—noise management plans in relation to shooting venues under Part 2 Division 4; (f) calibration results—requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4; (g) sporting, cultural and entertainment events—approval of events or venues for sporting, cultural and

Department / Legislation	Notice Details & Conditions (If Any)
	entertainment purposes under Part 2 Division 7, subject to the following limitation— (i) Subregulation 18(13)(b) is not delegated.
<p>Planning and Development Act 2005</p> <p><i>In accordance with section 16 of the Planning and Development Act 2005, by Resolution of the WA Planning Commission (WAPC), any function may be delegated to a local government, or an employee of the local government</i></p>	<p>Government Gazette WA dated 4 February 2011 Delegation Number: 2011/01 - PL408*</p> <p><i>Powers of Local Governments (Hope Valley-Wattleup Redevelopment Act 2000 and Master Plan)</i></p> <p>Powers and functions in accordance with the Instrument of Delegation – Schedule 1</p> <ul style="list-style-type: none"> ▪ Council of Town of Kwinana ▪ Chief Executive Officer ▪ Director of Operational and Technical Services ▪ Manager of Planning and Development
<p>Western Australian Planning Commission</p> <p>Planning and Development Act 2005</p> <p>Pursuant to section 16 of the Act (delegation) WAPC resolved on 26 May 2009 –</p>	<p>Government Gazette WA dated 9 June 2009 Delegation Number: DEL 2009/03 - PI409*</p> <p>Strata Titles Act 1985</p> <p>a) To delegate to local governments, and to members and officers of those local governments, its powers and functions under section 25 of the Strata Titles Act 1985 as set out in clause 1 of Schedule, within their respective districts, subject to the conditions set out in clause 2 of Schedule 1.</p>
<p>Western Australian Planning Commission</p> <p>Planning and Development Act 2005</p> <p>Pursuant to section 16 of the Act (delegation) WAPC Resolved on 15 December 2015 –</p>	<p>Government Gazette WA dated 18 December 2015 Delegation Number: DEL 2015/02 - PL403</p> <p>a) Delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B;</p> <p>b) Revoke its delegation of powers and functions to local governments as detailed in the notice entitled “DEL 2011/02 Powers of local governments (MRS)” published in the Government Gazette on 10 June 2014, to give effect to this delegation.</p>

Department / Legislation	Notice Details & Conditions (If Any)
<p>Western Australian Planning Commission</p> <p>Planning and Development Act 2005</p> <p>Pursuant to section 16 of the Act (delegation) WAPC Resolved on 24 May 2017 -</p>	<p>Government Gazette WA dated 30 May 2017 Delegation Number: DEL 2017/02</p> <p>a) To delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B.</p> <p>To be read in conjunction Delegation 3.6.</p>
<p>Biosecurity and Agriculture Management Act 2007</p> <p>Pursuant to section 162(2) and (4) – Appointment of Inspectors</p>	<p>To be appointed an Inspector for the purpose of the Biosecurity and Agriculture Management (Stable Fly) Management Plan 2013 in the local government district of Kwinana</p> <p>s162(2) instrument an The Director General may, by in writing, appoint a person as inspector.</p> <p>s162(4) to may The appointment of an inspector may specify that the appointment is subject conditions or restrictions relating to –</p> <p>(a) the functions that may be performed by the inspector: or</p> <p>(b) when, where and in what circumstances the inspector perform the functions of an inspector.</p>
<p>Freedom of Information Act 1992</p> <p>Pursuant to section 100 - Who in agency makes its decisions</p>	<p>Glossary 1. Terms used principal officer of an agency means —</p> <p>(c) in relation to a local government — the chief executive officer of the local government;</p> <p>s100(1) agency; Decisions made under this Act by an agency are to be made by —</p> <p>(a) the principal officer of the or</p> <p>(b) an officer of the agency directed by the principal officer,</p> <p>for that purpose, either generally or in a particular case.</p>

Department / Legislation	Notice Details & Conditions (If Any)
<p>Litter Act 1979</p> <p>Pursuant to section 26 – Authorised officers, appointment and jurisdiction of etc.</p>	<p>s26(1) For the purposes of this Act an authorised person is –</p> <p>(c)(ii) an employee of the local government</p> <p>s26(3) A person holding office as an authorised officer by virtue of subsection (1)(c) —</p> <p>(a) has within the district in respect of which he holds office the duties of and powers of an authorised officer under this Act, and may exercise those powers within that district;</p> <p>(b) may exercise the powers conferred on him by this Act in relation to any person whom he has reason to believe is concerned in a contravention of this Act notwithstanding that such person is not then within the district in respect of which he holds office if that person was pursued from that district or is known to have been in that district at the time of the contravention.</p>

Council Appointment of Officers

The Local Government has been authorised to exercise powers and duties under the relevant Acts and Regulations.

This section is a summary of the appointments - Council Appointment of Officers – Local Government to Officers 2019. The details of these appointments are set out below and updated from time to time.

Appointment No Description	Notice Details & Conditions (If Any)
1.1 Public Health Act 2016 – designation of authorised officers	<p>Function: To designate classes of persons as authorised officers for the purposes of s312(1)(b) of the Public Health Act 2016 and authorise to issue infringement notices under regulation 15D of the (Asbestos) Regulations 1992.</p> <p>Health</p> <p>Authority: Public Health Act 2016 s24(1) Designation of authorised officers</p> <p>Health (Asbestos) Regulations 1992 15D(5) Infringement notices</p> <p>Appointment of: Environmental health officers as a class of persons</p>
1.2 Caravan Parks and Camping Grounds Act 1995 – Appointment of authorised persons	<p>Function: Appointment of such persons to be Authorised Persons for the purposes of this Act.</p> <p>Authority: Caravan Parks and Camping Grounds Act s17(1) Appointment of Authorised Persons</p> <p>Appointment of: For the purposes of Division 1 of Part 2 and sections 22, 23(3), 23(5) and 23(7) of the Caravan Parks and Camping Grounds Act 1995: Director City Regulation Manager Building Services Manager Environmental Health Manager Essential Services.</p> <p>For the purposes of section 23(2) of the Caravan Parks and Camping Grounds Act 1995: Coordinator Environmental Health and Waste Services Coordinator Environmental Health (Health and Food Safety)</p>

Appointment No Description	Notice Details & Conditions (If Any)
	All Environmental Health Officers All Building Surveyors Building Technician Coordinator City Assist Senior City Assist Officer All City Assist Officers
1.3 Control of Vehicles (Off-Road Areas) Act 1978-Appointment of authorised officers	Function: Appointment of such persons to be Authorised Persons for the purposes of this Act. Authority: Control of Vehicles (Off-Road Areas) Act 1978 s38(3)(a) employees of Local Government Chief Executive Officer Director City Legal Manager Essential Services Coordinator City Assist All City Assist Officers
1.4 Library Board of Western Australia Act 1951 – Appointment of Librarian and Delegates	Function: Appointment of such person to be the Librarian and delegates for the purposes of this Act. Authority: Library Board (Registered Public Libraries) Regulations 1985 Appointment of: 1. Appointment of Librarian Library Operations Co-ordinator 2. Appointment of delegates of Librarian Library Operations Team Leader

CITY OF KWINANA DELEGATED AUTHORITY REGISTER

Local Government to Chief Executive Officer, Officers and Committees 2019

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PART 1

GOVERNANCE AND ADMINISTRATION

1.1 Appointment of authorised persons – Local Government Act 1995	
Function to be performed:	The authority to appoint persons or classes of persons to be authorised for the purpose of performing particular functions pursuant to the <i>Local Government Act 1995</i> and to issue a certificate to persons so appointed that states that the person is authorised for that purpose.
Legislative power or duty delegated:	<p>Local Government Act 1995 - Part 9, Division 2 s9.10 Appointment of authorised persons</p> <p>Local Government Act 1995 - Part 3, Division 3 s3.24 Authorising persons under this Subdivision s3.39 Power to remove and impound s3.40A Abandoned vehicle wreck may be taken s3.42(1) Impounded non-perishable goods s3.48 Power to recover expenses incurred (s3.39) when offender convicted</p>
Legislative Power to Delegate:	<p>Local Government Act 1995 s5.42 Delegation of some powers to the CEO</p>
Date Delegation made or reviewed:	<p>February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566</p>
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. A Certificate of Authorisation is to be issued to each authorised person stating the authority that has been granted; 2. The circumstances in which the authority can be exercised or discharged; and 3. The Certificate of Authorisation is to be produced by the authorised person as required.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; 2. A copy of the Certificate of Authorisation for each authorised person to be retained by the City; and 3. Each Certificate of Authorisation is to be reviewed and updated annually.

1.2 Execution of documents	
Function to be performed:	Authorised to sign documents on behalf of the City of Kwinana.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Nil
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.3 Approval of the cash advance for reimbursement of expenses	
Function to be performed:	Approve payment to a person as a cash advance for an expense that the person is entitled to be reimbursed for.
Legislative power or duty delegated:	<p>Local Government Act 1995 - Part 5, Division 3 s5.98 Fees etc. for council members; s5.101 Payments for employee committee members; s5.102 Expense may be funded before actually incurred;</p> <p>Local Government (Administration) Regulations 1996 – Part 8 r32 Expenses that can be approved for reimbursement</p>
Legislative Power to Delegate:	<p>Local Government Act 1995 s5.42 Delegation of some powers to the CEO</p>
Date Delegation made or reviewed:	<p>November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566</p>
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. The expenses incurred are in respect to an expense for which the person is entitled to be reimbursed, subject to Part 5, Division 8 of the <i>Local Government Act 1995</i>; and 2. The payment request is submitted and authorised in accordance with the City's policies and work procedures.
Statutory Power to sub-delegate:	<p>Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees</p>
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

1.4 Authorisation of legal expenses in an emergency – elected members and officers	
Function to be performed:	To authorise an application for financial assistance for legal expenses by Elected Members and Officers in an emergency.
Legislative power or duty delegated:	Local Government Act 1995 – Part 6, Division 4 s6.7 Municipal Fund
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. The delegation is only applicable where a delay in the approval of an application would be detrimental to the legal rights of the applicant; 2. The amount approved is to a maximum of \$10,000 in respect of each application; 3. All approved applications are to be presented to the next Ordinary Council Meeting; and 4. The delegation is exercised in conjunction with Council's current policy regarding legal representation for Elected Members and Officers.
Statutory Power to sub-delegate:	This authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. The approved application to be reported at the next Ordinary Council Meeting.

1.5 Action, notices, proceedings, prosecutions and withdrawals – Local Government Act 1995	
Function to be performed:	The taking of any action, serving of notice or otherwise, commencement of legal proceedings or prosecution on behalf of the City of Kwinana.
Legislative power or duty delegated:	The exercise of any powers, the enforcement of any statutory provisions or the protection of any legal interests under the Local Government Act 1995 and Regulations and the City of Kwinana Local Laws.
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Nil
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

1.6 Scrutiny of the affairs of local government	
Function to be performed:	Authority to provide information to the Minister, give advice of what actions the local government has or will do to comply with an enquiry from the Minister, a person authorised by the Minister or to comply with an Inquiry Panel's report within the specified timeframes.
Legislative power or duty delegated:	Local Government Act 1995 – Part 8, Division 1 s8.2(2); s8.14(3) and s8.23(4) - Inquiries by the Minister or an authorised person
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Nil
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

1.7 Administration of leases– Banksia Park Retirement Estate	
Function to be performed:	Authorised to sign documents in relation to the administration of leases for Banksia Park Retirement Estate on behalf of the City of Kwinana.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	10 June 2015 Council Resolution #485 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	The CEO is authorised to sign lease documents for Banksia Park Retirement Estate which includes new leases and Deeds of Surrender.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register; and Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.8 Appointment of proxies – strata meetings	
Function to be performed:	Authorised to nominate City of Kwinana employees as Proxies when required to attend strata meetings and vote on behalf of the City of Kwinana.
Legislative power or duty delegated:	Local Government Act 1995 - Part 5, Division 4 s5.41(i) Functions of CEO
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	10 June 2015 Council Resolution #485 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. Appoint proxies to vote on behalf of the City of Kwinana when required to attend strata meetings. 2. Proxies must vote in a manner that is consistent with any existing Council decision and must not vote in favour of motions that are outside the budget allocation. 3. If the matter exceeds the budget allocated, then this must be referred to Council for a decision.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.9 Appointment of proxies – meeting of creditors	
Function to be performed:	Authorised to nominate City of Kwinana employees as Proxies when required to attend Meetings of Creditors and vote on behalf of the City of Kwinana.
Legislative power or duty delegated:	Local Government Act 1995 - Part 5, Division 4 s5.41(i) Functions of CEO
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	10 June 2015 Council Resolution #485 10 February 2016 D16/1283 14 June 2017 Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. Appoint proxies to vote on behalf of the City of Kwinana when required to attend Meetings of Creditors. 2. Proxies must vote in a manner that is consistent with any existing Council decision and must not vote in favour of motions that are outside the budget allocation. 3. If the matter exceeds the budget allocated, then this must be referred to Council for a decision.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.10 Sponsorship and grant applications, agreements and acquittals	
Function to be performed:	Authorised to sign sponsorship or grant applications, agreements and acquittals on behalf of the City of Kwinana.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	10 June 2015 Council Resolution #485 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. The CEO is authorised to apply for and execute sponsorship and grant agreements where the City's contribution component falls within budget, or is consistent with a Council resolution to consider a budget allocation in a future budget, or relates to a future project that forms part of a forward works program; or 2. If such a sponsorship or grant is opportunistic in nature, not in current plans but has a clear benefit to the community. 3. Any additional contribution funds required in excess of the City's budget amount will require a budget variation to be approved by Council before the CEO can exercise this delegation.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.11 Action, notices, proceedings, prosecutions and withdrawals – any other written law	
Function to be performed:	The taking of any action, serving or withdrawal of a notice or otherwise, commencement of legal proceedings or prosecution on behalf of the City of Kwinana.
Legislative power or duty delegated:	The exercise of any powers, the enforcement of any statutory provisions or the protection of any legal interests under any other written law (other than the Local Government Act 1995 and Regulations and the City of Kwinana Local Laws which is covered by a separate delegation) for which the local government has responsibility.
Legislative Power to Delegate:	As determined by the Act under which the function is to be performed.
Date Delegation made or reviewed:	10 June 2015 Council Resolution #485 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	As determined by the Act under which the function is to be performed. A memorandum to Elected Members in the event of intention to enter into prosecution if the amount is over \$50,000.
Statutory Power to sub-delegate:	As determined by the Act under which the function is to be performed.
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

1.12 Authorisation of community funding

Function to be performed:	To approve an application for funding under the Community Funding Policy.
Legislative power or duty delegated:	Local Government Act 1995 – Part 6, Division 4 s6.7 Municipal Fund
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	16 December 2015 Council resolution #084 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 17 June 2019 Council Resolution #422 11 March 2020 Council Resolution #110
Delegation to:	Chief Executive Officer Selection Panel Allocations Panel Manager of Environmental Health Coordinator Environmental Health (Health and Food Safety)
Conditions and Exceptions:	<p>Council have specified in the Community Funding Policy that a funding opportunity is to be determined by the Chief Executive Officer or delegated officer, and that exercise of delegation is to be:</p> <ol style="list-style-type: none"> 1. in accordance with the relevant funding opportunity as specified in Council's Community Funding Policy; and 2. within budget allocation. <p>Council have specified in the Community Funding Policy that a funding opportunity is to be determined by the Selection Panel or Allocations Panel, that exercise of delegation is to be:</p> <ol style="list-style-type: none"> 1. in accordance with the relevant funding opportunity as specified in Council's Community Funding Policy; and 2. within budget allocation. <p>Council have specified in the Community Funding Policy that a funding opportunity is to be determined by the Manager of Environmental Health, that exercise of delegation is to be:</p> <ol style="list-style-type: none"> 1. in accordance with the relevant funding opportunity as specified in Council's Community Funding Policy; and 2. within budget allocation.

Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees.
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

1.13 Administration of local laws	
Function to be performed:	<p>Authorised to:</p> <p>Administer the City of Kwinana's local laws and do things required by those local laws that are necessary or convenient to be done for, or in connection with, performing its functions under the Local Government Act 1995.</p>
Legislative power or duty delegated:	<p>Local Government Act 1995 s3.18 Performing executive functions</p>
Legislative Power to Delegate:	<p>Local Government Act 1995 s5.42 Delegation of some powers to the CEO</p>
Date Delegation made or reviewed:	<p>24 February 2016 Council Resolution #125 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566</p>
Delegation to:	<p>Chief Executive Officer</p>
Conditions and Exceptions:	<p>Nil</p>
Statutory Power to sub-delegate:	<p>Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees</p>
Reporting Requirements:	<p>Any exercise of this delegation is to be recorded in the Delegated Authority Register.</p>

1.14 Administration of hire agreements– Promotional Street Banners on Gilmore Avenue	
Function to be performed:	Authorised to enter into and administer hire agreements for advertising on promotional street banners in Gilmore Avenue on behalf of the City of Kwinana, including determining whether the requests is from a not-for-profit or community group or where the use is primarily a social or community benefit.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	11 May 2016 Council Resolution #197 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	The CEO is authorised to enter into and administer hire agreements for advertising on promotional street banners in Gilmore Avenue on behalf of the City of Kwinana in accordance with the Council Policy 'Promotional Street Banners on Gilmore Avenue'.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.15 Administration of agreements – Illuminated Street Name Signs	
Function to be performed:	Authorised to enter into and administer agreements for illuminated street name signs on behalf of the City of Kwinana.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	11 May 2016 Council Resolution #196 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	The CEO is authorised to enter into and administer agreements for illuminated street name signs on behalf of the City of Kwinana as permitted by Council's Policy – Advertising and Directional Signage in Thoroughfares and on Local Government Property.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.16 Approval or refusal of Restricted Access Vehicles on local government roads	
Function to be performed:	Authorised to approve, refuse and/or impose conditions onto an operator of a Restricted Access Vehicle access to roads controlled by the City of Kwinana under the RAV Network.
Legislative power or duty delegated:	Main Roads WA – Framework for Local Government Approval on the RAV Network - Condition CA07.
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	22 June 2016 Council Resolution #245 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	While a local government has discretion, it must ensure equity, i.e. if the road is already approved by Main Roads and included on the RAV Network, then justification to decline access or only provide access to certain operators must be provided.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees.
Reporting Requirements:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register; and Approval to be provided to the applicant in the form required by Main Roads.

1.17 Administration of Leases – providing consent and authority to execute documents in relation to any assignment or sublease where there is request by a lessee operating under a lease agreement that Council has approved	
Function to be performed:	Authorised to provide consent and execute documents in relation to any assignment or sublease where there is a request by a lessee operating under a lease agreement that Council has approved.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	10 August 2016 Council Resolution #290 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. The sublease must be consistent with the use of the premise permitted by the lease as well as other conditions relating to assignment and sub-letting approved between the City of Kwinana and the lessee. 2. Obtain consent from other parties required under the terms of the lease or at law. 3. Terms of the sub lease must be consistent with the lease approved by Council.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.18 Administration of Tenancy Agreements – Callistemon Court Aged Persons Villas	
Function to be performed:	Authorised to sign documents in relation to the administration of tenancy agreements for Callistemon Court Aged Persons Villas.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	For housing within the Callistemon Court Aged Persons Villas in accordance with the: <ul style="list-style-type: none"> 1. Department of Housing's eligibility requirements; and 2. City's Aged Persons Rental Accommodation Policy.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees.
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

1.19 Authorised to enter into, make variations and execute documents in relation to the administration of a Corporate Discount Agreement on behalf of the City of Kwinana	
Function to be performed:	Authorised to enter into, make variations and execute documents in relation to the administration of a Corporate Discount Agreement on behalf of the City of Kwinana.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	24 August 2016 Council Resolution #304 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. No cost to the City of Kwinana 2. Aligns with the Health Lifestyles Council Policy where relevant. 3. Requires adequate consideration to be provided by the employee
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.20 Make variations and execute legal agreements on behalf of the City of Kwinana in accordance with Local Planning Policy (LPP) No 2 - Streetscapes	
Function to be performed:	Authorised to make variations and execute legal agreements on behalf of the City of Kwinana in accordance with Local Planning Policy (LPP) No 2 - Streetscapes.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	26 April 2017 Council Resolution #480 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Any variations can be delegated to the Chief Executive Officer if the variation is consistent with the overall intent of LPP No 2 and achieves good amenity in the area.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register; and Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.21 Authorised to sign Memorandums of Understanding	
Function to be performed:	Authorised to sign Memorandums of Understanding.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<p>Authorised to sign Memorandums of Understanding (MOU) if they satisfy the following conditions –</p> <ul style="list-style-type: none"> • Formalises an existing working relationship between the City and a government agency/ies, department/s or other government/s; • There is no additional financial contribution in excess of existing budgets required to give effect to the City's obligations under the MOU; and • The usage of City assets or human resources in order to give effect to the City's obligations under the MOU will not unreasonably interfere with the expected provision of services to the community.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.22 Authorised to enter into an agreement on behalf of the City of Kwinana, with any successful applicants of a Local Commercial and Activity Centre Improvement Grant	
Function to be performed:	Authorised to enter into an agreement on behalf of the City of Kwinana, with any successful applicants of a Local Commercial and Activity Centre Improvement Grant.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	12 July 2017 Council Resolution #541 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	In accordance with the requirements of the Local Commercial and Activity Centre Improvement Grant Funding Policy.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register; and Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

1.23 Appointment of Acting Chief Executive Officer	
Function to be performed:	Authorised to appoint an Acting Chief Executive Officer for a period not exceeding eight weeks.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 5.36. Local government employees (1) A local government is to employ — (a) a person to be the CEO of the local government.
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	9 August 2017 Council Resolution #562 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<p>Local Government Act 1995 5.36. Local government employees (1) A local government is to employ — (a) a person to be the CEO of the local government.</p> <p>(2) A person is not to be employed in the position of CEO unless the council — (a) believes that the person is suitably qualified for the position.</p> <p>To satisfy the requirement of sub-clause 5.36(2)(a), Council considers those persons employed in the following positions suitable -</p> <ul style="list-style-type: none"> • Director City Business • Director City Engagement • Director City Infrastructure • Director City Regulation • Director City Legal <p>The Chief Executive Officer may appoint one or more of the those Officers listed above to the role of Acting Chief Executive Officer either singularly or consecutively for a period not exceeding eight weeks at his or her discretion, to ensure and provide for best business continuity during the required period(s).</p>
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

PART 2

CORPORATE AND FINANCE

2.1 Objections to the rates record	
Function to be performed:	Authority to make decisions regarding objections to the rates record including extending the time for a person to make an objection and following consideration, make a decision whether to allow or disallow the objection, either wholly or in part.
Legislative power or duty delegated:	Local Government Act 1995 – Part 6, Division 6 s6.76(4),(5) Grounds of objection
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 8 March 2015 D15/8358[v2] Council Resolution #429 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. Objection to be received within the required timeframe identifying all relevant information as required by s6.76(2), unless an application for extension has been granted (4); 2. Objection is to be considered promptly; 3. Written notice of the decision, including a statement of the reasons for the decision to be promptly served on the person who has made the objection; and 4. Objections that are allowed must not exceed \$50,000 in lost revenue per property per financial year. Amounts greater than this must be referred to Council for determination. 5. Amendments to the rate record must be within budget. 6. Amendments to the rate record must not exceed \$50,000 in lost or increased revenue per property. Amounts greater than this must be referred to Council for determination.

Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; 2. The full details of the decision made under this delegation are to be recorded in the rate record; and 3. Notice to be provided to the person of the decision made.

2.2 Recovery of rates and services charges from lessee	
Function to be performed:	Authorises the recovery of rent to offset an unpaid rate or service charge from the lessee of land.
Legislative power or duty delegated:	Local Government Act 1995 – Part 6, Division 6 Rates and service charges s6.56(1) Rates or service charges recoverable in court s6.60 Local government may require lessee to pay rent
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	1. Recovery action is in accordance with section 6.60 of the Local Government Act 1995; 2. Recovery action is in accordance with the City's policies and work procedures.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. The full details of the decision and actions taken under this delegation to be recorded on the rate record.

2.3 Recovery and actions against land where rates or service charges are unpaid	
Function to be performed:	Authorised to recover outstanding rates or services charges, as well as the cost of proceedings for recovery in Court or any action against the land that is required.
Legislative power or duty delegated:	Local Government Act 1995 – Part 6, Division 6 Rates and service charges s6.56 Rates or service charges recoverable in court s6.64 Actions to be taken
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. The recovery action is taken in accordance with sections 6.64(3), 6.69(2), 6.71(1) (subject to conditions set out in the disposal of property delegations limits), and 6.74 of the Local Government Act 1995; 2. The recovery action is taken in accordance with the regulation 77(3) of the Local Government (Financial Management) Regulations 1996; and 3. Recovery and actions is in accordance with the City's policies and work procedures.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. The full details of the decision made under this delegation are to be recorded in the rate record.

2.4 Payments from municipal and trust funds	
Function to be performed:	To make payments from the municipal fund or the trust fund.
Legislative power or duty delegated:	Local Government (Financial Management) Regulations 1996 r12(1)(a) Payments from municipal fund or trust fund Local Government Act 1995 - Part 6, Division 4 s6.9(4) Trust Fund
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. Ensure efficient systems and procedures record the accounts and records of transactions in accordance with Regulation 5 of the Local Government (Financial Management) Regulations 1996; and 2. May transfer money held in trust for 10 years to its municipal fund. Authorised to approve to repay it to a person who establishes a right to the repayment, together with any interest earned on the investment - 6.9(4) Trust Fund.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. A list of accounts paid by the CEO from the municipal fund and trust fund under this delegation is to be presented to Council each month.

2.5 Power to invest	
Function to be performed:	Authority to invest money in the municipal fund or the trust fund that is not for the time being, required.
Legislative power or duty delegated:	Local Government Act 1995 – Part 6, Division 4 s6.14(1) Power to invest
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. Must establish, document and adhere to internal control procedures and the relevant Council policies to ensure control over investments; 2. In accordance with Regulation 19 of the Local Government (Financial Management) Regulations 1996; and 3. In accordance with section 20 of the Trustees Act 1962.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; 2. An investment report must be presented to each monthly Council meeting including the details of investments in accordance with the investment control procedures that have been established.

2.6 Expressions of interest and tenders for supply of goods and services	
Function to be performed:	<ol style="list-style-type: none"> 1. Authority to establish criteria for, invite, consider, seek clarification on and determine expressions of interest and tenders for the supply of goods and services; and 2. Authority to negotiate and execute related contracts including minor variations and extensions.
Legislative power or duty delegated:	<p>Local Government Act 1995 Part 3, Division 3 s3.57 Tenders for providing goods or services</p> <p>Local Government (Functions and General) Regulations 1996 r11 When tenders have to be publicly invited r13 Requirements when local government invites tenders though not required to do so r14(2a) & (5) Requirements for publicly inviting tenders r18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders r20 Variation of requirements before entry into contract r21 Procedure for limiting who can tender r23 Rejecting and accepting expressions of interest to be an acceptable tenderer</p>
Legislative Power to Delegate:	<p>Local Government Act 1995 s5.42 Delegation of some powers to the CEO</p>
Date Delegation made or reviewed:	<p>November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 24 June 2015 Council Resolution #503 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566</p>
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. Where there is a budget provision up to a value of \$1,000,000; or 2. Where a multiple year contract (including extension thereof) up to a total value of \$1,875,000; and 3. In accordance with the requirements of the <ul style="list-style-type: none"> - Local Government Act 1995; - Local Government (Financial Management) Regulations 1996; and - Council's policies and work procedures.

	4. Where the budget has not been adopted, the Chief Executive Officer can perform all functions outlined in this delegation with the exception of determining a tender, so long as in the specifications of the invitation to tender, it includes a provision that states that this tender will only be awarded subject to the budget being adopted by Council.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Details recorded in the Tender Register.

2.7 Disposing of property	
Function to be performed:	Dispose of property by public auction, public tender or in accordance with other methods deemed acceptable under the <i>Local Government Act 1995</i> and <i>Local Government (Functions and General) Regulations 1996</i> .
Legislative power or duty delegated:	Local Government Act 1995 - Part 3, Division 3 s3.58 Disposing of property s3.47 Disposal of confiscated or uncollected goods
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 August 2015 Council Resolution #551 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. The disposal is included in the City's Annual Budget or by Council Resolution. 2. The disposal must be in accordance with section 3.58 of the Local Government Act 1995. 3. The disposal must be in accordance with regulation 30 of the Local Government (Functions and General) Regulations 1996. 4. In the case of disposal of land, the intended sale price being greater than or equal to the valuation; 5. For the purposes of the administration of leases, exercise any option(s) available under the lease for established leases. 6. Plant and equipment, not identified in the City's Annual Budget, with a written down value of less than \$10,000 that has been lost, or is no longer used or serves no other purpose, may be removed from the asset register and disposed of.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees

Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Details of any tender to be recorded and maintained in the Tender Register and available for public inspection.
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2.8 Write off, grant a concession or authorise a waiver for monies owing	
Function to be performed:	To write off, grant a concession or authorise a waiver in relation to any amount of money that it is owed to the local government
Legislative power or duty delegated:	Local Government Act 1995 – Part 6, Division 4 s6.12(1)(b) waive or grant concessions in relation to any amount of money; or s6.12 (1)(c) write off any amount of money, which is owed to the Local Government s6.12(3) the grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	This delegation is subject to section 6.12(2) of the Local Government Act 1995, which specifies that a local government cannot grant a waiver or concession for a rate or service charge. The CEO's delegated authority is subject to the following limitations: 1. A write off of the debt incurred as a result of an administrative error on behalf of the City not exceeding \$10,000; 2. Any grant of concession or waiver not exceeding \$1,500 per occurrence; and 3. Any write off of a debt, not being due to an administrative error, for debts not exceeding \$1,500.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees

Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. The full details of the waiver, concession or write off to be recorded on the appropriate financial record.

2.9 Signing of a Memorandum of Consent Order on behalf of the Local Government	
Function to be performed:	Authorised to sign a Memorandum of Consent Order on behalf of the local government in relation to court proceedings for recovery of rates in arrears.
Legislative power or duty delegated:	Local Government Act 1995 – Part 6, Division 6 Rates and service charges s6.56 Rates or service charges recoverable in court s6.64 Actions to be taken
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	13 December 2017 Council Resolution #054 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	A Memorandum of Consent Order on behalf of the local government may be signed to dismiss a claim - 1. If there was an administration error and claim was invalid, or 2. Payment of all outstanding amounts were paid in full and the fee, as set out in the City's Fees and Charges, has been paid for a Notice of Discontinuance.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. The full details of the decision made under this delegation are to be recorded in the rate record.

2.10 Make alternative arrangement for payment of rates and services charges	
Function to be performed:	To make alternative arrangement for payment of rates and services charges.
Legislative power or duty delegated:	Local Government Act 1995 – Part 6, Division 6 s6.49 Agreement as to payment of rates and service charges
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	13 December 2017 Council Resolution #054 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<p>This delegation is subject to section 6.47 of the Local Government Act 1995.</p> <p>The CEO's delegated authority is subject to the following limitations:</p> <ol style="list-style-type: none"> 1. Make arrangements with ratepayers wishing to make application for alternative instalment arrangements and extensions which will be completed within the current financial year; 2. Allow extended instalment arrangements, which will be finalised outside the current financial year; 3. Subject to Rates and Charges (Rebates and Deferments) Act 1992; 4. Must comply with relevant Council policies.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. The full details of the payment arrangement to be recorded on the appropriate financial record.

PART 3

BUILDING AND DEVELOPMENT

3.1 Building Act 2011 – powers and duties	
Function to be performed:	Authorised to exercise and discharge all or any of the powers and duties of the local government as a permit authority under the <i>Building Act 2011</i> .
Legislative power or duty delegated:	All powers and duties exercised by the Local Government as a permit authority under the <i>Building Act 2011</i> .
Legislative Power to Delegate:	Building Act 2011 s127 A special permit authority or a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.
Date Delegation made or reviewed:	November 14 2012 Council Resolution #234 December 12 2012 Council Resolution #258 February 2015 D15/8358 May 2015 Council Resolution #475 August 2015 Council Resolution #551 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Nil
Statutory Power to sub-delegate:	Building Act 2011, s127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

3.2 Subdivision and development control																			
Function to be performed:	<p>Authority to:</p> <ol style="list-style-type: none"> 1 Determine applications for Planning Approval in regards to development including change of use and variations to development standards; 2 Make objections or recommendations in respect of Subdivision Applications to the West Australian Planning Commission, including recommendations for the imposition of subdivision conditions; 3 Make recommendations for approval or refusal of development within Planning Control Areas; and 4 Determine applications for variations to previously approved Planning Applications 5 Give a written direction in accordance with section 214 of the Planning and Development act 2005 to the owner or any other person undertaking a development. 																		
Legislative power or duty delegated:	<p>Town of Kwinana Town Planning Scheme No. 2 Town of Kwinana Town Planning Scheme No. 3</p> <p>Planning & Development Act 2005</p> <table border="0"> <tr> <td>Part 7</td><td>Planning Control Areas</td></tr> <tr> <td>Part 8</td><td>Improvement Plans and Schemes</td></tr> <tr> <td>Part 13</td><td>Enforcement and Legal Proceedings</td></tr> </table>	Part 7	Planning Control Areas	Part 8	Improvement Plans and Schemes	Part 13	Enforcement and Legal Proceedings												
Part 7	Planning Control Areas																		
Part 8	Improvement Plans and Schemes																		
Part 13	Enforcement and Legal Proceedings																		
Legislative Power to Delegate:	<p>Planning and Development (Local Planning Schemes) Regulations 2015</p> <table border="0"> <tr> <td>Schedule 2 – Part 10 - Clause 82(1)</td><td>Delegations by local government</td></tr> </table>	Schedule 2 – Part 10 - Clause 82(1)	Delegations by local government																
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Date Delegation made or reviewed:	<table border="0"> <tr> <td>November 2011</td><td>D11/90333</td></tr> <tr> <td>December 2012</td><td>D12/77148</td></tr> <tr> <td>February 2015</td><td>D15/8358</td></tr> <tr> <td>August 2015</td><td>Council Resolution #551</td></tr> <tr> <td>10 February 2016</td><td>D16/1283</td></tr> <tr> <td>24 February 2016</td><td>Council Resolution #125</td></tr> <tr> <td>14 June 2017</td><td>Council Resolution #513</td></tr> <tr> <td>13 June 2018</td><td>Council Resolution #196</td></tr> <tr> <td>25 September 2019</td><td>Council Resolution #566</td></tr> </table>	November 2011	D11/90333	December 2012	D12/77148	February 2015	D15/8358	August 2015	Council Resolution #551	10 February 2016	D16/1283	24 February 2016	Council Resolution #125	14 June 2017	Council Resolution #513	13 June 2018	Council Resolution #196	25 September 2019	Council Resolution #566
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25 September 2019	Council Resolution #566																		
Delegation to:	Chief Executive Officer																		
Conditions and Exceptions:	Conditions:																		

	<ol style="list-style-type: none"> 1. The authority is only to be exercised for those uses or other applications specified in: Table 1 - Use Classes; and Table 1A Use Classes for Other Applications. (attached) 2. May determine variations to Planning Applications including Planning Applications previously approved by resolution of Council, that are of a minor nature and if amended, would not substantially change the development approved and for which no objection has been received during advertising (if applicable). 3. Prosecutions The authority to proceed with any prosecution under the Planning and Development Act 2005 must be approved by the Chief Executive Officer prior to commencement. <p>Exceptions: Excluding <u>variations</u> to Planning Applications as stated in Condition (2) above, this delegation does not include the following:</p> <ul style="list-style-type: none"> • The acceptance of mediated outcomes or determinations of s31 reconsiderations for appeals lodged with the State Administrative Tribunal • Local Development Plans • Local Planning Policies including amendments • Major development within the Town Centre
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register. 2. In relation to Condition (2) above, any variation to a planning approval for which a prior resolution by Council applies, must be preceded by a memo to Council prior to any determination being made.

Table 1. – Use classes

USE CLASS	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	COMMENTS
Aged/Dependent Persons Dwelling	D	D					D					D	
Ancillary Accommodation	D						D		D	D		D	Provided Compliance With LPP 3.3.30
Amenity Building	D	D	D	D	D	D	D	D				D	
Amusement Centre		D	D	D			D					D	
Aqua Culture							D						
Boat Sales			D	D	D	D							
Boatel					D	D							
Bus Station					D								
Car Park	D	D	D		D	D	D	D				D	
Caravan park						D	D	D					
Caretakers House/Flat	D	D	D	D	D	D	D	D					Where Incidental to Existing Use
Chicken farm							D						
Child Care Centre	D	D										D	
Civic Building		D	D	D		D						D	
Club		D	D									D	
Commercial Hall		D	D	D								D	
Consultation Rooms		D	D			D						D	
Dog Kennels						D	D						
Drive-in Takeaway Food Shop		D				D						D	
Drive-In Theatre						D						D	
Dry Cleaning Premises		D	D	D		D							
Eating House	D	D	D		D	D						D	Where no objection received during advertising

USE CLASS	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	COMMENTS
Educational Establishment	D	D			D	D	D					D	
Equestrian uses							D			D			Provided No Clearing of vegetation is required Outside Building Envelopes and consistent with scheme TPS 2
Extractive Industry					D	D	D	D					
Factory Units				D	D	D							
Family Day Care centre	D	D	D		D	D	D	D				D	
Fish Shop		D	D									D	
Forestry (selective)							D	D					
Fuel Depot			D		D	D		D					
Funeral parlour		D	D	D	D	D	D					D	
General Industry					D			D					
Grouped Dwelling	D	D											
Hazardous Industry					D								Where no objection received during advertising
Health Centre		D	D		D	D							
Health Studio	D	D	D		D	D						D	
Holiday Accommodation				D		D	D	D					
Home Occupation	D	D					D		D	D		D	
Hospital	D	D	D	D		D	D	D				D	Where no objection received

													during advertising
Hotel		D		D								D	Where no objection received during advertising
Intensive Agriculture							D						
Laundry (Industrial)			D	D	D	D							
Laundrette		D	D	D		D						D	
Licensed Restaurant	D	D	D			D						D	Where no objection received during advertising

USE CLASS	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	COMMENTS
Light Industry					D	D		D					
Liquor Sore		D	D	D								D	
Local Shop	D	D	D	D	D	D	D					D	Where no objection received during advertising
Lodging House	D	D				D						D	
Marina					D	D							
Medical Clinic	D	D	D	D		D	D					D	Where no objection received during advertising
Motel	D	D	D	D									Where no objection received during advertising
Motor Racing Track			D		D		D						
Motor Repair Station		D	D		D	D						D	
Multiple Dwelling	D	D										D	
Museum	D	D	D									D	
Non-residential Health Centre	D	D	D	D	D	D						D	Where no objection received during advertising

Noxious Industry					D								Where no objection received during advertising
Office		D	D	D	D	D						D	
Open Air Display		D	D	D	D	D						D	
Open Air Storage Yard				D	D	D							
Petrol Filling Station		D	D	D	D	D		D				D	
Piggery					D		D						Where no objection received during advertising
Private Hotel		D	D	D								D	
Private Recreation		D	D	D		D	D					D	
Private Utility	D	D	D	D	D	D	D	D				D	
Professional Office		D	D	D								D	
Public Amusement	D	D	D	D			D	D				D	Where no objection received during advertising

USE CLASS	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	COMMENTS
Public Assembly – Place of	D	D	D	D	D	D	D					D	Where no objection received during advertising
Public Recreation	D	D	D	D	D	D	D	D				D	
Public Utility	D	D	D	D	D	D	D	D	D	D	D	D	
Public Worship	D	D	D	D	D	D	D	D				D	Where no objection received during advertising
Recreation facilities	D	D	D	D	D	D	D	D				D	
Residential Building	D						D		D	D		D	
Restricted Premises		D	D	D		D						D	Where no objection received during advertising

Retail Plant Nurseries		D	D	D		D	D						Where no objection received during advertising
Rural Industry					D	D	D	D					
Rural Produce Stall							D						
Service Industry		D	D	D	D	D						D	Where no objection received during advertising
Service Station		D	D	D	D	D						D	
Shop		D		D								D	
Showroom,		D	D	D	D	D						D	
Single House	D	D	D		D	D	D		D	D	D	D	
Stables							D	D		D			
Tailing Ponds								D					
Tavern		D	D	D								D	
Telecommunication Infrastructure	D	D	D	D	D	D	D	D				D	Where no objection received during advertising
Trade Display		D	D	D	D	D						D	
Transport Depot				D	D	D		D					
Vehicles Sales		D	D	D		D						D	

USE CLASS	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	COMMENTS
Vehicle Wreckers					D	D							
Veterinary Clinic	D	D	D	D	D	D	D					D	Where no objection received during advertising
Veterinary Hospital			D	D	D	D	D					D	
Warehouse		D	D	D	D	D						D	

Table 1A
Use classes for other applications

USE CLASS	Residential	Commercial	Service Commercial	Mixed Business 1	General Industry	Light Industry	Rural A	Rural B	Special Residential	Special Rural	Special use	Town centre	COMMENTS
Other Applications													
Amalgamation	D	D	D	D	D	D	D	D	D	D	D	D	
Antennae (attached to building <5m height)	D	D	D	D	D	D	D	D	D	D	D	D	
Building Envelope Variations									D	D			In accordance with TPS No. 2
Satellite Dishes	D	D	D		D	D	D	D	D	D	D	D	In accordance with TPS No.2
Second Storey Addition	D						D		D	D			
Setback Variation		D	D		D	D						D	
Signs	D	D	D	D	D	D	D	D	D	D		D	Provided compliance with Local Law
Subdivision (Freehold/Strata)	D	D	D	D	D	D	D	D	D	D		D	
Vegetation removal (Diseased or Dangerous)							D		D	D			
Verandahs (within road reserves)		D										D	

3.3 Entering into legal agreements in accordance with Local Planning Policy (LLP) No 4 - Administration of development contribution plans	
Function to be performed:	Authorised to enter into legal agreements on behalf of the City of Kwinana, in accordance with Local Planning Policy (LLP) No 4 - Administration of development contribution plans.
Legislative power or duty delegated:	Local Government Act 1995 – Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	27 May 2015 Council Resolution #474 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	In accordance with Local Planning Policy (LLP) No 4 - Administration of development contribution plans.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register; and Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

3.4 Planning, building and other development related applications where the City is the applicant	
Function to be performed:	Authorised to sign planning, building and other development related applications where the City is the applicant.
Legislative power or duty delegated:	Local Government Act 1995 - Part 9, Division 3 s9.49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	10 June 2015 Council Resolution #485 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Must be in accordance with works identified in the budget.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Where the common seal is affixed the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

3.5 Determine applications pursuant to the requirements of Local Planning Policy (LLP) No 5 – Development Contribution towards Public Art	
Function to be performed:	Authorised to determine applications pursuant to the requirements of Local Planning Policy (LLP) No 5 – Development Contribution towards Public Art.
Legislative power or duty delegated:	<p>Planning and Development (Local Planning Scheme) Regulations 2015.</p> <p>Schedule 2 – Part 2 – Division 2 – Local planning policies</p> <p>3. Local planning policies</p> <p>(5) In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.</p>
Legislative Power to Delegate:	<p>Planning and Development (Local Planning Scheme) Regulations 2015.</p> <p>Schedule 2 – Part 10 – Division 2 – Delegations</p> <p>82. Delegations by local government</p> <p>(5) The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's duties under this Scheme other than this power of delegation.</p>
Date Delegation made or reviewed:	<p>14 February 2018 Council Resolution #080</p> <p>13 June 2018 Council Resolution #196</p> <p>25 September 2019 Council Resolution #566</p>
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	In accordance with Local Planning Policy (LLP) No 5 - Development Contribution Towards Public Art including consideration of the recommendation of the Review Panel.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

3.6 Determine development applications on or abutting land reserved in the in the MRS for regional road	
Function to be performed:	Determine applications for developments on or abutting land that are reserved in the Metropolitan Region Scheme for the purpose of a regional road.
Legislative power or duty delegated:	Planning and Development Act 2005, Part 2, Division 2 s16 Delegation by Commission WAPC resolved on 24 May 2017 (Instrument of Delegation 2017/02)
Legislative Power to Delegate:	Planning and Development Act 2005, Part 2, Division 2 s16 Delegation by Commission WAPC resolved on 24 May 2017 (Instrument of Delegation 2017/02)
Date Delegation made or reviewed:	8 May 2019 Council Resolution #444 25 September 2019 Council Resolution #566
Delegation to:	Planning Officers
Conditions and Exceptions:	This delegation is subject to the amendments contained in Government Gazette on 18 December 2018 No. PL402
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

PART 4
HEALTH

4.1 Public Health Act 2016 and the Health (Miscellaneous Provisions) Act 1911 – Power or duty of the local government (enforcement agency) under any provision of these Acts	
Function to be performed:	To authorise the Manager Environmental Health to exercise and discharge all or any of the powers and functions of the local government (enforcement agency).
Legislative power or duty delegated:	All powers exercisable by the Local Government under the Public Health Act 2016, the Health (Miscellaneous Provisions) Act 1911 and Regulations made there under; and the City's Health Local Laws.
Legislative Power to Delegate:	Public Health Act 2016 s21(1)(c) Enforcement agency may delegate Health (Miscellaneous Provisions) Act 1911 s26 Powers of Local Government
Date Delegation made or reviewed:	14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 11 March 2020 Council Resolution #110
Delegation to:	Manager Environmental Health Coordinator Environmental Health (Health and Food Safety)
Conditions and Exceptions:	<ol style="list-style-type: none"> Public Health Act 2016 s20. Conditions on performance of functions by enforcement agencies <ol style="list-style-type: none"> The Chief Health Officer, after consultation with another enforcement agency, may, in writing, impose conditions or restrictions on the performance of functions under this Act by the enforcement agency. The performance by an enforcement agency of functions under this Act is subject to any conditions or restrictions imposed under subsection (1). Not to expend funds for the carrying out of works in default of a notice served under this Act without separate budget approval by Council.

Statutory Power to sub-delegate:	This Authority is not to be sub-delegated
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

4.2

Not in use

4.3 Food Act 2008 – Appointment of authorised officers																			
Function to be performed:	To appoint such persons to be Authorised Officers for the purposes of this Act.																		
Legislative power or duty delegated:	Food Act 2008 s122(1)(a)& (b) Appointment of Authorised Officers																		
Legislative Power to Delegate:	Food Act 2008 s118(2)(b) Local Government (Enforcement Agency)																		
Date Delegation made or reviewed:	<table> <tr> <td>13 October 2010</td><td>Council Resolution #199</td></tr> <tr> <td>23 November 2011</td><td>Council Resolution #31</td></tr> <tr> <td>12 December 2012</td><td>Council Resolution #258</td></tr> <tr> <td>February 2015</td><td>D15/8358</td></tr> <tr> <td>August 2015</td><td>Council Resolution #535</td></tr> <tr> <td>10 February 2016</td><td>D16/1283</td></tr> <tr> <td>14 June 2017</td><td>Council Resolution #513</td></tr> <tr> <td>13 June 2018</td><td>Council Resolution #196</td></tr> <tr> <td>25 September 2019</td><td>Council Resolution #566</td></tr> </table>	13 October 2010	Council Resolution #199	23 November 2011	Council Resolution #31	12 December 2012	Council Resolution #258	February 2015	D15/8358	August 2015	Council Resolution #535	10 February 2016	D16/1283	14 June 2017	Council Resolution #513	13 June 2018	Council Resolution #196	25 September 2019	Council Resolution #566
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13 June 2018	Council Resolution #196																		
25 September 2019	Council Resolution #566																		
Delegation to:	Chief Executive Officer																		
Conditions and Exceptions:	A certificate of authority must be issued in accordance with section 123 of the Food Act 2008.																		
Statutory Power to sub-delegate:	Food Act 2008 s118(2)(b) Functions of enforcement agencies and delegation																		
Reporting Requirements:	<ol style="list-style-type: none"> 1. Each enforcement agency must prepare and maintain a list of authorised officers appointed by the agency in accordance with s122(3) of the Food Act 2008. 2. Any exercise of this delegation is to be recorded in the Delegated Authority Register. 																		

4.4 Food Act 2008 – Appointment of designated officers	
Function to be performed:	To appoint officers to be Designated Officers for the purposes of this Act for either issuing infringements or extending, withdrawing or accepting payment for infringements.
Legislative power or duty delegated:	Food Act 2008 s126 (13) Infringements - Appointment of Designated Officers
Legislative Power to Delegate:	Food Act 2008 s118(2)(b) Local Government (Enforcement Agency) may delegate a function conferred on it.
Date Delegation made or reviewed:	13 October 2010 Council Resolution #199 23 November 2011 Council Resolution #31 12 December 2012 Council Resolution #258 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	In accordance with section 126 of the Food Act 2008 Infringement Notices. The Local Government can designate authorised officers to be designated officers for the purposes of section 126 of the Food Act 2008 subsection (2), (3), (6) or (7) or for the purposes of 2 or more of those subsections, but a person who is a designated officer for the purposes of giving infringement notices under subsection (2) is not eligible to be a designated officer for the purposes of any of the other subsections.
Statutory Power to sub-delegate:	Food Act 2008 s118 (2)(b) Functions of enforcement agencies and delegation
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

4.5 Food Act 2008 – Functions of enforcement agency

Function to be performed:	<ol style="list-style-type: none"> (1) Serve a Prohibition Order on the proprietor of a food business in accordance with s65 of the Food Act 2008. (2) Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices in accordance with s66 of the Food Act 2008. (3) Give written notice to the proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection in accordance with s67 of the Food Act 2008. (4) Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with s110 and s112 of the Food Act 2008. (5) Institute proceedings for an offence under the Food Act 2008 in accordance with s125 of the Food Act 2008. 								
Legislative power or duty delegated:	<p>Food Act 2008</p> <ul style="list-style-type: none"> s65(1) Prohibition orders s66 Certificate of clearance to be given in certain circumstances s67(4) Request for re-inspection s110 Registration of food businesses s112 Variation of conditions or cancellation of registration of food businesses s125 Institution of proceedings 								
Legislative Power to Delegate:	<p>Food Act 2008</p> <p>s118(2)(b) Local Government (Enforcement Agency)</p>								
Date Delegation made or reviewed:	<table border="0"> <tr> <td>9 March 2016</td><td>Council Resolution #129</td></tr> <tr> <td>14 June 2017</td><td>Council Resolution #513</td></tr> <tr> <td>13 June 2018</td><td>Council Resolution #196</td></tr> <tr> <td>11 March 2020</td><td>Council Resolution #110</td></tr> </table>	9 March 2016	Council Resolution #129	14 June 2017	Council Resolution #513	13 June 2018	Council Resolution #196	11 March 2020	Council Resolution #110
9 March 2016	Council Resolution #129								
14 June 2017	Council Resolution #513								
13 June 2018	Council Resolution #196								
11 March 2020	Council Resolution #110								
Delegation to:	<p>Chief Executive Officer</p> <ul style="list-style-type: none"> • Institute proceedings for an offence under the Food Act 2008 in accordance with s125 of the Food Act 2008. <p>Manager Environmental Health Coordinator Environmental Health (Health and Food Safety)</p> <ul style="list-style-type: none"> • Serve a Prohibition Order on the proprietor of a food business in accordance with s65 of the Food Act 2008. • Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any 								

	<p>Improvement Notices in accordance with s66 of the Food Act 2008.</p> <ul style="list-style-type: none"> • Give written notice to the proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a Certificate of Clearance after an inspection in accordance with s67 of the Food Act 2008. • Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with s110 and s112 of the Food Act 2008. <p>Coordinator Environmental Health (Health and Food Safety)</p> <ul style="list-style-type: none"> • Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices in accordance with s66 of the Food Act 2008. • Give written notice to the proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection in accordance with s67 of the Food Act 2008. • Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with s110 and s112 of the Food Act 2008.
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. In accordance with the requirements of the sections under which the function is to be performed. 2. Any proceedings of an offence must be reported in accordance with s121(2) of the Food Act 2008.
Statutory Power to sub-delegate:	<p>Food Act 2008 s118(4) Sub-delegation only permissible if expressly provided in Regulations.</p>
Reporting Requirements:	<p>Food Act 2008</p> <ol style="list-style-type: none"> 1. s121 Reports by and about enforcement agencies <ol style="list-style-type: none"> (1) An enforcement agency (other than the CEO) must report to the CEO, at the intervals that the CEO requires, on the performance of functions under this Act by persons employed or engaged by the agency. (2) In addition to any report required under subsection (1), an enforcement agency must forward to the CEO details of any proceedings for an offence under this Act taken by an officer of the agency within one month after the proceedings have been finally dealt with. 2. Any exercise of this delegation is to be recorded in the Delegated Authority Register.

PART 5

ENGINEERING AND PROPERTY

5.1 Road closures	
Function to be performed:	<ol style="list-style-type: none"> 1. Authorised to close, revoke or vary the closure, of a thoroughfare to vehicles, wholly or partially, to vehicles for a period not exceeding 4 weeks; and 2. For periods exceeding 4 weeks, after considering any submissions that are received, having given local public notice of the proposed closure of the thoroughfare; 3. Authorised to give notice of the fixing, altering, alignment or draining of a public thoroughfare or other public place.
Legislative power or duty delegated:	<p>Local Government Act 1995 – Part 3, Division 3</p> <p>Certain Provisions about thoroughfares</p> <p>s3.50 Closing certain thoroughfares to vehicles</p> <p>s3.50A Partial closure of thoroughfares for repairs or maintenance</p> <p>s3.51 Affected owners to be notified of certain proposals</p>
Legislative Power to Delegate:	<p>Local Government Act 1995</p> <p>s5.42 Delegation of some powers to the CEO</p>
Date Delegation made or reviewed:	<p>February 2015 D15/8358</p> <p>10 February 2016 D16/1283</p> <p>14 June 2017 Council Resolution #513</p> <p>13 June 2018 Council Resolution #196</p> <p>25 September 2019 Council Resolution #566</p>
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<p>3.50A exception to local public notice</p> <p>3.50(4) before it makes an order, wholly or partially closing a thoroughfare, exceeding 4 weeks give local public notice: including location, where, when and why and inviting submissions; and</p> <p>give written notice to each person who is prescribed for the purposes or owns land that is prescribed for the purposes of this section; and</p> <p>allow a reasonable time for submissions to be made; and</p> <p>consider any submissions made.</p>

	3.51(3) affected owners to be notified of certain proposals
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

5.2 Notices requiring certain things to be done by property owner/occupier	
Function to be performed:	<p>Authorised to:</p> <ol style="list-style-type: none"> 1. Serve notices requiring certain things to be done, including but not restricted to the removal of overgrown vegetation, rubbish or disused material from land considered untidy 2. Recover the cost of anything the City has done to achieve the purpose for which notice is given as a debt due from the person who failed to comply with the notice
Legislative power or duty delegated:	<p>Local Government Act 1995, Part 3, Division 3</p> <p>s3.25 Notices requiring things to be done by owner or occupier of land</p> <p>s3.26 Additional powers when giving notices</p>
Legislative Power to Delegate:	<p>Local Government Act 1995</p> <p>s5.42 Delegation of some powers to the CEO</p>
Date Delegation made or reviewed:	<p>November 2011 D11/90333</p> <p>December 2012 D12/77148</p> <p>February 2015 D15/8358</p> <p>10 February 2016 D16/1283</p> <p>14 June 2017 Council Resolution #513</p> <p>13 June 2018 Council Resolution #196</p> <p>25 September 2019 Council Resolution #566</p>
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Schedule 3.1 of the Local Government Act 1995.
Statutory Power to sub-delegate:	<p>Local Government Act 1995</p> <p>s5.44 CEO may delegate some powers and duties to other employees</p>
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

5.3 Particular things local government can do on land that is not local government property	
Function to be performed:	Authorised to do any of the things prescribed in Schedule 3.2 of the Local Government Act 1995 on land which is not local government property.
Legislative power or duty delegated:	Local Government Act 1995, Part 3, Division 3 s3.27 Particular things local governments can do on land that is not local government property
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Schedule 3.2 of the Local Government Act 1995.
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

5.4 Crossing from public thoroughfare to private land or private thoroughfare	
Function to be performed:	Upon application, approve the construction of a crossing giving access from a public thoroughfare to the land, or a private thoroughfare serving the land.
Legislative power or duty delegated:	Local Government (Uniform Local Provisions) Regulations 1996 r12(1) Crossing from public thoroughfare
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Conditions: Approvals are subject to: Local Government (Uniform Local Provisions) Regulations 1996 r12(2) crossing from public thoroughfare to private land or private thoroughfare r14(2)(a) Role of Commissioner of Main Roads in some cases
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

5.5 Requirement to construct and repair crossing	
Function to be performed:	<ol style="list-style-type: none"> 1. Give a person who is the owner or occupier of private land a notice in writing requiring the person to construct or repair a crossing from a public thoroughfare. 2. Construct or repair the crossing and recover 50% of the cost if the person fails to comply with the notice.
Legislative power or duty delegated:	Local Government (Uniform Local Provisions) Regulations 1996 r13(1) and (2) Requirement to construct or repair crossover
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. Local Government (Uniform Local Provisions) Regulations 1996 r14(2)(b) Role of Commissioner of Main Roads 2. That due process be followed for the issuing of a notice under section 3.25 of the <i>Local Government Act 1995</i> for a notice served under Regulation 14(3)
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

5.6 Private works, on, over or under public places	
Function to be performed:	Grant permission or conditional permission to a person to construct anything on, over or under a public thoroughfare or other public place that is local government property.
Legislative power or duty delegated:	Local Government (Uniform Local Provisions) Regulations 1996 r17(4) & (5) Private works on, over, or under public places r17(5) Imposition of conditions
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Nil
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

5.7 Local Government Act 1995 - Power of entry															
Function to be performed:	<ol style="list-style-type: none"> 1. Give a notice of entry 2. Execute an entry in an emergency 3. Give notice and execute the opening of a fence 4. The power of entry conferred, may be used for performing any function that a local government has under this Act if entry is required for the performance of the function or in any other case in which entry is authorised by this Act other than by a local law. 														
Legislative power or duty delegated:	Local Government Act 1995, Part 3, Division 3 s3.28 When the subdivision applies s3.32 Notice of entry s3.34 Entry in an Emergency s3.36 Opening Fences														
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO														
Date Delegation made or reviewed:	<table> <tr> <td>November 2011</td><td>D11/90333</td></tr> <tr> <td>December 2012</td><td>D12/77148</td></tr> <tr> <td>February 2015</td><td>D15/8358</td></tr> <tr> <td>10 February 2016</td><td>D16/1283</td></tr> <tr> <td>14 June 2017</td><td>Council Resolution #513</td></tr> <tr> <td>13 June 2018</td><td>Council Resolution #196</td></tr> <tr> <td>25 September 2019</td><td>Council Resolution #566</td></tr> </table>	November 2011	D11/90333	December 2012	D12/77148	February 2015	D15/8358	10 February 2016	D16/1283	14 June 2017	Council Resolution #513	13 June 2018	Council Resolution #196	25 September 2019	Council Resolution #566
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14 June 2017	Council Resolution #513														
13 June 2018	Council Resolution #196														
25 September 2019	Council Resolution #566														
Delegation to:	Chief Executive Officer														
Conditions and Exceptions:	<table> <tr> <td>3.31(1)(a)</td><td>consent obtained from the owner or occupier;</td></tr> <tr> <td>3.31(1)(b)</td><td>notice has been given under 3.32</td></tr> <tr> <td>3.34(2)</td><td>Entry in emergency</td></tr> <tr> <td>3.36 (3)</td><td>Opening fences</td></tr> </table>	3.31(1)(a)	consent obtained from the owner or occupier;	3.31(1)(b)	notice has been given under 3.32	3.34(2)	Entry in emergency	3.36 (3)	Opening fences						
3.31(1)(a)	consent obtained from the owner or occupier;														
3.31(1)(b)	notice has been given under 3.32														
3.34(2)	Entry in emergency														
3.36 (3)	Opening fences														
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees														
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.														

5.8 Road Traffic Administration Act 2008 – Damage to road infrastructure	
Function to be performed:	<ol style="list-style-type: none"> 1. Recover by proceedings in a court of competent jurisdiction damage caused to road infrastructure due to an MLDR offence (Mass, Dimensions, or Loading Requirements). 2. Service any certificate(s) as detailed in section 125 in regard to the local government's authority to maintain the road and the estimating of road values and repairs. 3. Recover expenses of damage caused by heavy traffic.
Legislative power or duty delegated:	<p>Road Traffic Administration Act 2008</p> <p>s124(2) A compensation order may be made on the application of the prosecutor, the road authority or the CEO.</p> <p>s126(2) Service of certificates - If a road authority proposes to use a certificate, the road authority must serve a copy of the certificate on the accused at least 28 days before the day on which the matter is set down for hearing.</p> <p>s132(2) Where it appears to the road authority that has functions in relation to the repair of road infrastructure that, having regard to the average expense of repairing road infrastructure in the vicinity, extraordinary expenses have been incurred by the road authority in repairing the road infrastructure because of damage caused by heavy traffic, the road authority may recover the amount of the expenses as may be proved to the satisfaction of the court to have been incurred by the road authority because of damage caused by heavy traffic.</p>
Legislative Power to Delegate:	<p>Local Government Act 1995</p> <p>s5.42 Delegation of some powers to the CEO</p>
Date Delegation made or reviewed:	<p>10 February 2016 D16/1283</p> <p>14 June 2017 Council Resolution #513</p> <p>13 June 2018 Council Resolution #196</p> <p>25 September 2019 Council Resolution #566</p>
Delegation to:	Chief Executive Officer

Conditions and Exceptions:	<p>Compensation orders made under section 124 may only be made for an MDLR offence as defined in section 28 of the Act.</p> <p>All proceedings for the recovery of expenses or compensation for damage to be made in accordance with Part 7 of the Act.</p>
Statutory Power to sub-delegate:	<p>Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees</p>
Reporting Requirements:	<p>Any exercise of this delegation is to be recorded in the Delegated Authority Register.</p>

5.9 Dampier to Bunbury Pipeline Act 1997 – Deed of indemnity	
Function to be performed:	Authorised to execute any deed of indemnity between the City of Kwinana and the DBNGP Land Access Minister in respect to works undertaken in the Dampier to Bunbury Natural Gas Pipeline (DBNGP) corridor.
Legislative power or duty delegated:	Local Government Act 1995 – Part 9, Division 3 s49A(4) Execution of documents
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	A deed of indemnity to be executed in accordance with section 41 of the Dampier to Bunbury Pipeline Act 1997.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register. 2. Where the common seal is affixed, the details are to be recorded in the common seal register in accordance with the City's policies and work procedures.

PART 6
PUBLIC SAFETY

6.1 Bush Fires Act 1954 – Functions of a local government	
Function to be performed:	Perform any of the functions of a local government for the purposes of the Bush Fires Act 1954.
Legislative power or duty delegated:	Bush Fires Act 1954 s48(1) Delegation by Local Government
Legislative Power to Delegate:	Bush Fires Act 1954 s48(1) Delegation by Local Government
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 9 August 2017 Council Resolution #564 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	<p>Bush Fires Act 1954 s48(4) Nothing in s48 is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.</p> <p>This delegation excludes powers and duties that:</p> <ol style="list-style-type: none"> are prescribed in the Act with the requirement for a resolution by the local government; are prescribed in the Act for performance by appointed Officers; are subject to separate delegated authority within this register; or s33(5a) – making of local laws.
Statutory Power to sub-delegate:	Bush Fires Act 1954 s48 (3) No power provided to sub-delegate.

Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Register Delegation of Authority. 2. Records to be maintained in accordance with section 50 of the Bush Fire Act. 3. Notice of an appointment made under the provisions of subsection (1), shall be published at least once in a newspaper circulating in its district in accordance with 38(2A).
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6.2 Bush Fires Act 1954 - Restricted and prohibited burning times	
Function to be performed:	After consultation with an authorised CALM Act Officer if forest land is situated in the district, vary the prohibited and restricted burning times in respect of that year in the district or a part of the district.
Legislative power or duty delegated:	<p>Bush Fires Act 1954</p> <p>s17(7)(a) shortening, extending, suspending or reimposing a period of prohibited burning times</p> <p>s17(7)(b) impose a further period of prohibited burning times</p> <p>s17(8) give notice of any variation</p> <p>s18(5)(a)(i) shortening, extending, suspending or reimposing a period of restricted burning times;</p> <p>s18(5)(a)(ii) imposing a further period of restricted burning times;</p> <p>s18(5)(b) vary the prescribed conditions by modifying or suspending all or any of those conditions</p>
Legislative Power to Delegate:	<p>Bush Fires Act 1954</p> <p>s17(10) Delegation by Local Government</p>
Date Delegation made or reviewed:	<p>November 2011 D11/90333</p> <p>December 2012 D12/77148</p> <p>February 2015 D15/8358</p> <p>10 February 2016 D16/1283</p> <p>14 June 2017 Council Resolution #513</p> <p>13 June 2018 Council Resolution #196</p> <p>25 September 2019 Council Resolution #566</p>
Delegation to:	<p>Chief Bush Fire Control Officer</p> <p>Mayor and Chief Bush Fire Control Officer to act jointly</p>
Conditions and Exceptions:	Vary prohibited and restricted burning times in accordance with section 17(7)(b), section 17(8) and section 18(5B), 18(5C) of the Bush Fires Act 1954
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated
Reporting Requirements:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Delegated Authority Register. Any variations to be recorded

6.3 Local Government (Miscellaneous Provisions) Act 1960 - Appointment of Pound Keepers and Rangers	
Functions to be performed	To appoint fit and proper persons to be pound keepers and rangers of the City of Kwinana.
Legislative power or duty delegated:	Local Government (Miscellaneous Provisions) Act 1960 s449 Appointment of Pound keepers and Rangers
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Local Public notice of the appointment / removal of fit and proper persons to be pound keepers and rangers of the City of Kwinana.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

6.4 Dog Act 1976 - Appointment of authorised persons and registration officers	
Function to be performed:	To appoint authorised persons and registration officers.
Legislative power or duty delegated:	Dog Act 1976 s29(1) Appointment of authorised persons s11(1) Appointment of registration officers
Legislative Power to Delegate:	Dog Act 1976 s10AA(1) Delegation to CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 August 2015 Council Resolution #551 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Dog Act 1976 s11(3) A person who is authorised by a local government to exercise any power under this Act shall be furnished with a certificate in the prescribed form evidencing his appointment and shall provide that certificate on being required so to do by a person in respect of any power he exercises, has exercised or is about to exercise. s29(1) A local government shall, in writing, appoint persons to exercise on behalf of the local government the powers conferred on an authorised person by this Act.
Statutory Power to sub-delegate:	Not to be sub-delegated
Reporting Requirements:	1. Any exercise of this delegation is to be recorded in the Delegated Authority Register. 2. Any actions taken or notices issued are to be recorded on the appropriate file or record

6.5 Cat Act 2011 – Administration and enforcement	
Function to be performed:	Authorised to: <ol style="list-style-type: none"> 1. Exercise any of the City's powers or the discharge of any of its duties under the Cat Act 2011 2. Appoint such persons to be Authorised Persons for performing particular functions under this Act
Legislative power or duty delegated:	Cat Act 2011 s48(1) Authorised Persons
Legislative Power to Delegate:	Cat Act 2011 s44(1) Delegation by local government
Date Delegation made or reviewed:	November 2013 D13/89678 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Cat Act 2011 s48(2) A person who is not an employee of a local government cannot be appointed to be an authorised person for the purposes of s62 (Infringement notices)
Statutory Power to sub-delegate:	Cat Act 2011 s45 Delegation by CEO of local government Note: s45(6) A power or duty under section 63, 64 or 65 cannot be delegated to an authorised person.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; 2. Any actions taken or notices issued are to be recorded on the appropriate file or record

6.6 Litter Act 1979 - Appointment of persons authorised to withdraw infringement notices	
Function to be performed:	To approve the withdrawal of infringement notices issued under the Litter Act 1979
Legislative power or duty delegated:	Litter Act 1979 s30(4) Withdrawal of infringement notice
Legislative Power to Delegate:	Litter Act 1979 s30(4a) Appointed Person
Date Delegation made or reviewed:	October 13 2010 Council Resolution #199 November 23 2011 Council Resolution #31 December 12 2012 Council Resolution #258 February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer Director City Regulation Manager Essential Services
Conditions and Exceptions:	Litter Act 1979 s30(4a) Withdrawal notice sent under s30(4) shall be signed by a person appointed in writing to withdraw infringement notices.
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated.
Reporting Requirements:	1. Any exercise of this delegation is to be recorded in the Register Delegation of Authority. 2. Withdrawals of notices are to be retained on the appropriate file or record

6.7 Disposal of sick or injured animals	
Function to be performed:	Authorised to humanely destroy an impounded animal where it is determined to be too ill or injured to be treated.
Legislative power or duty delegated:	Local Government Act 1995, Part 3, Division 3 s3.47A Dispose of sick or injured animals
Legislative Power to Delegate:	Local Government Act 1995 s5.42 Delegation of some powers to the CEO
Date Delegation made or reviewed:	February 2015 D15/8358 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	s3.47 (2)(3)
Statutory Power to sub-delegate:	Local Government Act 1995 s5.44 CEO may delegate some powers and duties to other employees
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Register Delegation of Authority.

6.8 Firearms Act 1973													
Function to be performed:	<p>Authorised to:</p> <ol style="list-style-type: none"> 1. Exercise any of the City's powers or the discharge of any of its duties under the Firearms Act 1973 2. Appoint such persons to be authorised to possess, carry or use a firearm in accordance with the licence and for performing particular functions under this Act. 												
Legislative power or duty delegated:	<p>Firearms Act 1973</p> <table> <tr> <td>s9A(4)</td><td>Duration and renewal of licence</td></tr> <tr> <td>s16(2)(a)</td><td>Authorisation of employees</td></tr> <tr> <td>s30A</td><td>Sale and disposal of firearms</td></tr> <tr> <td>s30B</td><td>Loss, theft, destruction, or disposal out of State to be reported</td></tr> <tr> <td>s31(2)</td><td>Records</td></tr> </table> <p>Firearms Regulations 1974</p> <table> <tr> <td>r11A</td><td>Storage security requirements</td></tr> </table>	s9A(4)	Duration and renewal of licence	s16(2)(a)	Authorisation of employees	s30A	Sale and disposal of firearms	s30B	Loss, theft, destruction, or disposal out of State to be reported	s31(2)	Records	r11A	Storage security requirements
s9A(4)	Duration and renewal of licence												
s16(2)(a)	Authorisation of employees												
s30A	Sale and disposal of firearms												
s30B	Loss, theft, destruction, or disposal out of State to be reported												
s31(2)	Records												
r11A	Storage security requirements												
Legislative Power to Delegate:	<p>Local Government Act 1995</p> <p>s5.42 Delegation of some powers to the CEO</p>												
Date Delegation made or reviewed:	<table> <tr> <td>16 December 2015</td><td>Council resolution #077</td></tr> <tr> <td>10 February 2016</td><td>D16/1283</td></tr> <tr> <td>14 June 2017</td><td>Council Resolution #513</td></tr> <tr> <td>13 June 2018</td><td>Council Resolution #196</td></tr> <tr> <td>25 September 2019</td><td>Council Resolution #566</td></tr> </table>	16 December 2015	Council resolution #077	10 February 2016	D16/1283	14 June 2017	Council Resolution #513	13 June 2018	Council Resolution #196	25 September 2019	Council Resolution #566		
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10 February 2016	D16/1283												
14 June 2017	Council Resolution #513												
13 June 2018	Council Resolution #196												
25 September 2019	Council Resolution #566												
Delegation to:	Chief Executive Officer												
Conditions and Exceptions:	<p>Firearms Act 1973</p> <p>This delegation is subject to:</p> <ol style="list-style-type: none"> 1. Annual renewal of the corporate firearm licence as permitted by section 16(1)(c). 2. Authorisation of employees to possess, carry or use a firearm in accordance with the licence. Authorisation only to be given to persons employed by the City and approved by the Chief Executive Officer. 3. Sale or disposal of firearms to comply with section 30A and section 3.58 of the <i>Local Government Act 1995</i>. 4. Any loss, theft, destruction, or disposal out of State, to be reported to the Commissioner. 5. Compile, maintain and furnish records in such manner as is prescribed. 												

	Firearms Regulations 1974 6. Ensure that firearms and ammunition are stored in accordance with regulation 11A.
Statutory Power to sub-delegate:	This delegation cannot be sub-delegated.
Reporting Requirements:	<ol style="list-style-type: none"> 1. Any exercise of this delegation is to be recorded in the Delegated Authority Register; and 2. Compile, maintain and furnish records in such manner as is prescribed by the Firearms Act 1973 and subsidiary legislation.

6.9 Graffiti Vandalism Act 2016 – Administration and Enforcement	
Function to be performed:	Authorised to exercise any of the City's powers or the discharge of any of its duties under the Graffiti Vandalism Act 2016.
Legislative power or duty delegated:	Graffiti Vandalism Act 2016 Part 3 Powers of local government
Legislative Power to Delegate:	Graffiti Vandalism Act 2016 s16 Delegation by local government
Date Delegation made or reviewed:	28 September 2016 Council Resolution #334 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Must be in accordance with the Graffiti and Vandalism Policy
Statutory Power to sub-delegate:	Graffiti Vandalism Act 2016 s17 Delegation by CEO of local government
Reporting Requirements:	Any exercise of this delegation is to be recorded in the Delegated Authority Register.

6.10 Dog Act 1976 - Power or duty of the local government under any provision of this Act	
Function to be performed:	Any power or duty of the local government under any provision of this Act.
Legislative power or duty delegated:	Dog Act 1976 s10AA(1) Delegation to CEO
Legislative Power to Delegate:	Dog Act 1976 s10AA(1) Delegation to CEO
Date Delegation made or reviewed:	November 2011 D11/90333 December 2012 D12/77148 February 2015 D15/8358 August 2015 Council Resolution #551 10 February 2016 D16/1283 14 June 2017 Council Resolution #513 13 June 2018 Council Resolution #196 25 September 2019 Council Resolution #566
Delegation to:	Chief Executive Officer
Conditions and Exceptions:	Dog Act 1976 s10AA(4) A local government's Chief Executive Officer who is exercising or performing a power or duty that has been delegated as authorised under this section, is to be taken to do so in accordance with the terms of the delegation unless the contrary is shown. s10AA(5) Nothing in this section limits the ability of a local government's Chief Executive Officer to perform a function through an officer or agent.
Statutory Power to sub-delegate:	Dog Act 1976 s10(AA)(3) The delegation may expressly authorise the delegate to further delegate the power or duty
Reporting Requirements:	1. Any exercise of this delegation is to be recorded in the Delegated Authority Register. 2. Any actions taken or notices issued are to be recorded on the appropriate file or record

PART 7

COUNCIL TO EXECUTIVE COMMITTEES

7.1 Executive Appraisal Committee																	
Function to be performed:	To undertake a review of the Chief Executive Officer's performance and appoint a suitably qualified independent reviewer to assist with the review process.																
Legislative power or duty delegated:	Local Government Act 1995 s5.38 Annual review of certain employees' performance																
Legislative Power to Delegate:	Local Government Act 1995 – Part 5 Division 2 s5.16 Delegation of some powers and duties to certain committees																
Date Delegation made or reviewed:	<table> <tr> <td>13 October 2010</td><td>Council Resolution #199</td></tr> <tr> <td>November 2011</td><td>D11/90333</td></tr> <tr> <td>December 2012</td><td>D12/77148</td></tr> <tr> <td>February 2015</td><td>D15/8358</td></tr> <tr> <td>10 February 2016</td><td>D16/1283</td></tr> <tr> <td>14 June 2017</td><td>Council Resolution #513</td></tr> <tr> <td>13 June 2018</td><td>Council Resolution #196</td></tr> <tr> <td>25 September 2019</td><td>Council Resolution #566</td></tr> </table>	13 October 2010	Council Resolution #199	November 2011	D11/90333	December 2012	D12/77148	February 2015	D15/8358	10 February 2016	D16/1283	14 June 2017	Council Resolution #513	13 June 2018	Council Resolution #196	25 September 2019	Council Resolution #566
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14 June 2017	Council Resolution #513																
13 June 2018	Council Resolution #196																
25 September 2019	Council Resolution #566																
Delegation to:	Executive Appraisal Committee																
Conditions and Exceptions:	The Executive Appraisal Committee will recommend the proposed remuneration and key performance indicators for the proceeding 12 months to Council for approval.																
Statutory Power to sub-delegate:	This Authority is not to be sub-delegated																
Reporting Requirements:	<ol style="list-style-type: none"> Any exercise of this delegation is to be recorded in the Register Delegation of Authority; and Recorded in the Register of delegations to committees 																

7.2 Audit Committee	
Function to be performed:	<ol style="list-style-type: none"> 1. Authority to terminate the appointment of an Auditor; 2. Meet with the City's Auditor at least once per year; 3. Examine the report of the auditor prepared under section 7.9(1) of the Local Government Act 1995, and any report prepared under section 7.9(3) under that Act and forwarded to the local government; and 4. Have a report prepared on any actions under subsection 7.12 (3) of the Local Government Act 1995 in respect of an audit conducted in respect of a financial year; and have a copy forwarded to the Minister,
Legislative power or duty delegated:	<p>Local Government Act 1995</p> <p>s7.6(2)(f) Term of office of an auditor</p> <p>s7.12A(2) Meet with the auditor of the local government</p> <p>s7.12A(3) Examine the report of an auditor</p> <p>s7.12A(4) Prepare a report on actions in respect to an audit and forward it to the Minister.</p>
Legislative Power to Delegate:	<p>Local Government Act 1995 – Part 5 Division 2</p> <p>s5.16 Delegation of some powers and duties to certain committees</p>
Date Delegation made or reviewed:	<p>10 February 2016 D16/1283</p> <p>14 June 2017 Council Resolution #513</p> <p>13 June 2018 Council Resolution #196</p> <p>25 September 2019 Council Resolution #566</p>
Delegation to:	Audit Committee
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. If the Audit Committee have resolved to terminate the employment of an Auditor under s7.6(2)(f), an information bulletin is to be provided to Council on the matter. 2. When examining the report of an auditor under s7.12(A)(3) in respect to audits under s7.9(1) and s 7.9(3), the Audit Committee is to have a report prepared by the Chief Executive Officer, determine any matters raised by the auditors report and ensure that appropriate action is taken in respect to those matters. 3. the Audit Committee is to have a report on any actions under clause 7.12A(3) prepared by the Chief Executive Officer and have that report forwarded to the Minister by the end of the

	<p>next financial year, or 6 months after the last report prepared under s7.9 is received by the local government, whichever is the latest in time.</p> <p>4. The Audit Committee is to report and provide appropriate advice and recommendations to Council on matters relevant to its Term of Reference in order to facilitate informed decision making by Council in respect to audits of the local government.</p>
Statutory Power to sub-delegate:	This Authority cannot be sub-delegated
Reporting Requirements:	<p>1. Any exercise of this delegation is to be recorded in the Register Delegation of Authority; and</p> <p>2. Recorded in the Register of delegations to committees</p>

Council Appointment of Officers

Local Government to

Officers

2019



Introduction

Purpose of Appointment of Officers

The Local Government has been authorised to exercise powers and duties under the relevant Acts and Regulations.

COUNCIL APPOINTMENT OF OFFICERS

CONTENTS

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1.1 Public Health Act 2016 – Designation of authorised officers	
Function to be performed:	To designate environmental health officers as a class of persons to be authorised officers for the purposes of s312(1)(b) of the Public Health Act 2016 and authorised to issue infringement notices under regulation 15D of the Health (Asbestos) Regulations 1992.
Power to appoint:	Public Health Act 2016 s24 (1) Designation of authorised officers
Date of Appointment:	14 June 2017 Resolution #513 25 September 2019 Resolution #566
Appointment of:	Public Health Act 2016 s24(3) Designation of authorised persons Environmental health officers as a class of persons.
Special Requirements:	<p>Persons to be appointed as authorised environmental health officers must satisfy the criteria published in Government Gazette No 22 of 24 January 2017 - Public Health Act 2016 – Guidelines on the Designation of Authorised Officer.</p> <p>Copy of Government Gazette notice attached at Annexure 1.1 (TRIM Ref: D17/36111)</p> <p>Public Health Act 2016</p> <p>s18. Chief Health Officer to approve qualifications and experience required by environmental health officers</p> <p>(1) The Chief Health Officer must, by notice published in the Gazette, approve the qualifications and experience that persons to be appointed as environmental health officers must have.</p> <p>s29. Chief Health Officer may issue guidelines about qualifications and experience of authorised officers</p> <p>The Chief Health Officer may issue guidelines in relation to the appropriate qualifications and experience for a person or class of persons to be designated as authorised officers.</p> <p>s30. Certificates of authority</p> <p>(1) An enforcement agency must issue to each person who is an authorised officer by virtue of a designation by the agency a certificate of authority as an authorised officer.</p>

	<p>s312 Environmental health officers to be authorised officers for certain purposes</p> <p>(1)(b) to have been so designated for the purposes of —</p> <ul style="list-style-type: none"> (i) Parts 8, 9, 14 and 16; and (ii) the Health Act sections 145(1), 157(2), 173 (paragraph (a) of the definition of authorised person), 181, 183, 184(1), 227(1), 228(1), 234(1), 257, 262(3), 265(1), 267(1)(c), 268(a), 277(1)(b) and (3), 280(2), 349(1), 351(1), (2) and (5), 352(1) and (2), 358(2) and 375; and (iii) the Tobacco Products Control Act 2006; and (v) the Food Act 2008. <p>NOTE: This designation does not include the;</p> <ul style="list-style-type: none"> • Cat Act 2011; or • Dog Act 1976 <p>Health (Asbestos) Regulations 1992</p> <p>15D. Infringement notices</p> <ul style="list-style-type: none"> (5) A local government may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of the Criminal Procedure Act 2004 Part 2. (6) Each local government that appoints a person as an authorised officer under subregulation (5) must issue to the officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.
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1.2 Caravan Parks and Camping Grounds Act 1995 – Appointment of authorised persons	
Function to be performed:	Appointment of such persons to be Authorised Persons for the purposes of this Act.
Power to appoint:	Caravan Parks and Camping Grounds Act 1995 s17(1) Appointment of Authorised Persons
Date of Appointment:	25 February 2015 D15/8364[v2] 10 February 2016 D16/1305 13 July 2016 Resolution #267 14 June 2017 Resolution #513 25 September 2019 Resolution #566
Appointment of:	<p>For the purposes of Division 1 of Part 2 and Sections 22, 23(3), 23(5) and 23(7) of the Caravan Parks and Camping Grounds Act 1995:</p> <p>Director City Regulation Manager Building Services Manager Environmental Health Manager Essential Services.</p> <p>For the purposes of section 23(2) of the Caravan Parks and Camping Grounds Act 1995:</p> <p>Coordinator Environmental Health and Waste Services Coordinator Environmental Health (Health and Food Safety) All Environmental Health Officers All Building Surveyors Building Technician Coordinator City Assist Senior City Assist Officer All City Assist Officers</p>
Special Requirements:	<p>Caravan Parks and Camping Grounds Act 1995: s17(2) authorised person is to produce the identity card whenever required to do so.</p> <p>Caravan Parks and Camping Grounds Regulations 1997 Regulation 68 ; Schedule 1, Division 1 Identity Card to be in prescribed form - Form 5</p>

1.3 Control of Vehicles (Off-Road Areas) Act 1978- Appointment of authorised officers	
Function to be performed:	Appointment of such persons to be Authorised Persons for the purposes of this Act.
Power to appoint:	Control of Vehicles (Off-Road Areas) Act 1978 s38(3)(a) employees of Local Government
Date of Appointment:	24 June 2015 Resolution #500 10 February 2016 D16/1305 13 April 2016 Resolution #158 14 December 2016 Resolution #408 14 June 2017 Resolution #513 26 July 2017 Resolution #552 08 November 2017 Resolution #020 14 February 2018 Resolution #088 25 September 2019 Resolution #566
Appointment of:	Chief Executive Officer Director City Legal Manager Essential Services Coordinator City Assist All City Assist Officers
Special Requirements:	Control of Vehicles (Off-Road Areas) Act 1978 s38(4) A person who is appointed as an authorised officer pursuant to subsection (2) or subsection (3) — (d) shall be issued with a certificate of his appointment as an authorised officer in the prescribed form, evidencing the area of jurisdiction entrusted to him under this Act, which he shall, on reasonable demand, produce for inspection by any person.

1.4 Library Board of Western Australia Act 1951 - Appointment of Librarian and delegates	
Function to be performed:	Appointment of such person to be the Librarian or their delegates for the purposes of this Act.
Power to appoint:	Library Board (Registered Public Libraries) Regulations 1985
Date of Appointment:	14 June 2017 Resolution #513 25 September 2019 Resolution #566
Appointment of:	<ol style="list-style-type: none"> Appointment of Librarian Library Operations Co-ordinator Appointment of delegates of Librarian Library Librarian Library Operations Team Leader
Special Requirements:	<p>Library Board (Registered Public Libraries) Regulations 1985</p> <ol style="list-style-type: none"> Librarian appointed for the purposes of Regulation 28 – Librarian's general authority. Delegates appointed for the purposes of undertaking certain functions of a librarian under the Regulations, as directed by the Librarian.

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 attended the City of Kwinana Citizenship Ceremony where the City welcomed 36 new Australian Citizens.

22.2 Councillor Wendy Cooper

Councillor Wendy Cooper reported that she had attended the Rotary Australia Day breakfast and entertainment at Calista Oval which brought many of the community to celebrate the wonderful country we all share.

Councillor Cooper advised that she had attended the City of Kwinana Citizenship Ceremony which is always a social occasion especially on Australia Day and she was glad to be part of it. Councillor Cooper added that some of the traditional dress were awesome.

22.3 Councillor Merv Kearney

Councillor Merv Kearney reported that he had attended the City of Kwinana Citizenship Ceremony which was held in a great location, under the trees on the Council Green. Councillor Kearney stated that the attendees in their traditional dress looked fantastic and it was a great day. Councillor Kearney passed on his thanks to the City Officers for the lovely event.

22.4 Councillor Sandra Lee

Councillor Sandra Lee reported that she had attended the City of Kwinana Citizenship Ceremony which as always was a wonderful occasion to celebrate people becoming Australian Citizens on Australia Day.

22 REPORTS OF ELECTED MEMBERS

22.5 Councillor Matthew Rowse

Councillor Matthew Rowse reported that he had attended the City of Kwinana Citizenship Ceremony which was great. Councillor Rowse passed on his thanks to the City Officers for the event.

22.6 Councillor Dennis Wood

Councillor Dennis Wood reported that he had attended the City of Kwinana Citizenship Ceremony which was fantastic and that he thoroughly enjoyed the event and that it had been interesting to see the variety of countries the new Citizens came from and that those in traditional dress looked great. Councillor Dennis Wood passed on his thanks to the City Officers for arranging the event.

22.7 Councillor Sherilyn Wood

Councillor Sherilyn Wood reported that she had attended the City of Kwinana Citizenship Ceremony which was a fabulous event and that you could see everyone was proud to become an Australian Citizen. Councillor Sherilyn Wood passed on her thanks to the City Officers for the wonderful event.

23 Answers to questions which were taken on notice

Nil

24 Mayoral Announcements

The Mayor welcomed back everyone to the first Ordinary Council Meeting of 2021 and hoped that everyone had a restful break over the Christmas and New Year period. The Mayor stated that it is shaping up to be an exciting year with both a State and Local Government Election in March and October respectively. The Mayor explained that the State election in particular, provides advocacy opportunities for Kwinana and there are some key projects which we will be discuss with our local members of Parliament in both Kwinana and Baldivis.

The Mayor reported that since the Ordinary Council Meeting held on 16 December 2020, she has attended the following events or undertaken the following commitments:

- City of Kwinana Lolly Run for three evenings
- Kwinana Swimming Club Meeting with the Chief Executive Officer
- Rotary Club of Kwinana Australia Day Multicultural BBQ on Australia Day
- Attended the City of Kwinana Australian Day Citizenship Ceremony where we warmly welcomed 36 new Australian Citizens from 15 different countries
- Meeting with Bertram Primary School Chaplains
- WA Local Government Association - Governance and Organisational Services Policy Team Meeting held on 17 December and 18 December 2020
- Boola Maara Advisory Group Thank you Luncheon

24 MAYORAL ANNOUNCEMENTS

- Sod Turning at the site of George Weston Food Mill (lot 1024 Armstrong Road, Hope Valley) ahead of its construction commencing later this year. The shovel ready project represents over \$70M worth of investment in WA and will create over 200 jobs during construction. Once operational, the project is expected to create 35 full time ongoing jobs directly and up to 80 full time jobs indirectly
- Outer Metropolitan South Joint Development Assessment Panel (JDAP) briefing held on 25 January 2021 along with Councillor Cooper
- Local recovery Group Meetings held on 18 January and 20 January 2021

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

- ABC Radio, regarding the Casuarina bushfires and the impact on our community
- Installation of new signalised pedestrian crossing on Gilmore Avenue

The Mayor passed on her heartfelt thanks to the volunteer and career firefighters and emergency service personnel and City Officers whom worked tirelessly to contain this fire which commenced in Oakford on Saturday, 16 January 2021. According to Department Fire and Emergency Services (DFES), the fire was particularly challenging given the rural and residential interface of the fire front. Over 292 hectares of land was lost as well as sheds, motor vehicles and boats. No occupied homes, livestock or lives were lost. The City opened its evacuation centre at the Kwinana Recquatic Centre and the Mayor passed on her thanks to the many City Officers and Elected Members whom responded both quickly and professionally in setting up the centre and ensuring COVID protocols were adhered to.

Our thanks also go to the emergency service personnel and City Officers who also involved in containing the earlier fire which commenced on or about 2 January 2021 and which threatened parts of the Industrial Area.

25 Confidential items

COUNCIL DECISION

347

MOVED CR P FEASEY

SECONDED CR D WOOD

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

CARRIED
8/0

The members of the public exited and the Council Chambers doors were closed at 6:28pm.

25.1 Variation to kerbside waste and recycling contract

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

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

COUNCIL DECISION

348

MOVED CR P FEASEY

SECONDED CR M KEARNEY

That Council approve the variations to the Schedule of Fees and Charges of the Waste Management Services – Waste and Recycling Collections, Processing and Disposal contract with SUEZ Recycling and Recovery Pty Ltd as per Attachment A.

CARRIED
8/0

COUNCIL DECISION

349

MOVED CR P FEASEY

SECONDED CR W COOPER

That Council return from Behind Closed Doors.

CARRIED
8/0

The Council Chambers doors were opened at 6:30pm and the members of the public returned to the Council Chambers.

26 Close of meeting

The Mayor declared the meeting closed at 6:34pm.