

# Ordinary Council Meeting

12 May 2021

## Minutes

Notice is hereby given of the Ordinary Meeting of Council to be held in the Council Chambers, City of Kwinana Administration Centre commencing at 5:30pm.

Wayne Jack  
Chief Executive Officer

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

Agendas and Minutes are available on the City's website [www.kwinana.wa.gov.au](http://www.kwinana.wa.gov.au)

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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

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

Members of the Press 0  
Members of the Public 0

## **1 Opening and announcement of visitors**

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

## **2 Acknowledgement of country**

***Presiding Member read the Acknowledgement of 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 Matthew Rowse 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):**

Councillor Sherilyn Wood from 27 Ap10 May 2021 to 25 May 2021 inclusive.



## **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 28 April 2021:**

#### **COUNCIL DECISION**

417

**MOVED CR S LEE**

**SECONDED CR M KEARNEY**

**That the Minutes of the Ordinary Meeting of Council held on 28 April 2021 be confirmed as a true and correct record of the meeting.**

**CARRIED  
7/0**

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

Nil

## **9 Requests for leave of absence**

### **COUNCIL DECISION**

**418**

**MOVED CR M ROWSE**

**SECONDED CR S LEE**

**That Councillor Dennis Wood be granted a leave of absence from 24 June 2021 to 9 August 2021 inclusive.**

**That Councillor Merv Kearney be granted a leave of absence from 17 May 2021 to 21 May 2021 inclusive.**

**CARRIED  
7/0**

## **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 Wellard Village Design Guideline Review Panel**

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

There were no declarations of interest declared.

#### **SUMMARY:**

The Wellard Village Centre Design Guidelines ('the Guidelines') were prepared to inform the development of the Neighbourhood Centre (the Centre) lots in Wellard Village. The Guidelines identify desired outcomes and parameters for quality built form within the Centre.

Prior to applying for Development Approval (DA) within the Centre, the applicant must present their plans to at least one meeting of the Wellard Village Centre Design Guideline Review Panel ('the Panel'). The Panel will review a proposal and provide Peet Limited (Peet) with comments to assist them in their pre-DA endorsement.

Panel membership consists of Elected Members and senior planning officers from the City of Kwinana, a Peet representative and a relevant urban design or architecture expert. Previous representatives were Councillor Ruth Alexander and Councillor Wendy Cooper, with Mayor Carol Adams attending as an observer. The purpose of this report is to seek new nominations for two City of Kwinana elected members to be part of the panel.

#### **OFFICER RECOMMENDATION:**

That Council nominate two Councillors as sitting members of the Wellard Village Design Guideline Review Panel.

NOTE – AN ABSOLUTE MAJORITY OF COUNCIL IS REQUIRED

#### **DISCUSSION:**

In 2008, Council approved the Wellard Village Design Guidelines. The Guidelines are a requirement of the Local Planning Scheme No. 2 and provide provisions for quality built form and design in the Neighbourhood Centre.

In August 2016, following a number of updates to state planning policy, the Guidelines were updated and introduced a design review panel to review proposed developments. The role of the Panel is to provide recommendations using the Guidelines to assist Peet with its pre-development application endorsement. The review process helps certify that the development proposed achieves the highest possible quality architectural and built form outcomes as detailed in the Guidelines.

The approval process and the role of the Panel is outlined in greater detail in Section 1.3 of the guidelines provided in Attachment A. Councillor Ruth Alexander and Councillor Wendy Cooper were nominated members of the Panel in 2016, with Mayor Carol Adams invited as an observer. Other panel members include senior City of Kwinana planning officers, a representative from Peet and an urban design or architecture expert.

**17.1 WELLARD VILLAGE DESIGN GUIDELINE REVIEW PANEL**

As there have been local government elections and Councillor Alexander is no longer a sitting Elected Member, re-nominations are required for the Panel with two elected members sought. Further, as detailed in the guidelines, it is intended that there be two Councillors on the Panel. The observer role was established initially as an optional role as part of Council's initial deliberations around representation on the panel in 2016. It is not critical to the Panels current role and has not been put forward as a position for nomination as part of the City Officers recommendation.

It should be noted that the Panel would be conveyed by Peet once a development proposal relevant to specific lots within the Centre are proposed and may involve numerous meetings to enable effective consideration of any one proposal. At the time of preparing this report, a significant development proposal for Lot 543 Cheswick Parade at the Centre has been subject of pre-application discussion and may be first considered by the Panel once recommended.

**LEGAL/POLICY IMPLICATIONS:**

The Panel is established through the Wellard Village Design Guidelines and Local Development Plan.

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no financial/budget implications associated with this report.

**ASSET MANAGEMENT IMPLICATIONS:**

There are no asset management implications associated with this report.

**ENVIRONMENTAL IMPLICATIONS:**

The Guidelines include provisions relating to energy efficiency and sustainable design.

**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:**

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



**17.1 WELLARD VILLAGE DESIGN GUIDELINE REVIEW PANEL****PUBLIC HEALTH IMPLICATIONS**

The recommendation has the potential to help improve the following determinants of health -

- Built Environment –Environmental Quality; Neighbourhood Amenity

**RISK IMPLICATIONS:**

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

Risk Event	Incorrect implementation of Wellard Village Design Guidelines and poor built form outcomes.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Effect/Impact	Environment Reputation
Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Nomination of elected members to the Panel, will ensure the Panel is ready to be convened when a development proposal is put forward.
Rating (after treatment)	Low

**COUNCIL DECISION****419****MOVED CR P FEASEY****SECONDED CR W COOPER**

**That Council nominate two Councillors as sitting members of the Wellard Village Design Guideline Review Panel:**

- **Mayor Carol Adams**
- **Councillor Matthew Rowse**

**CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL****7/0**

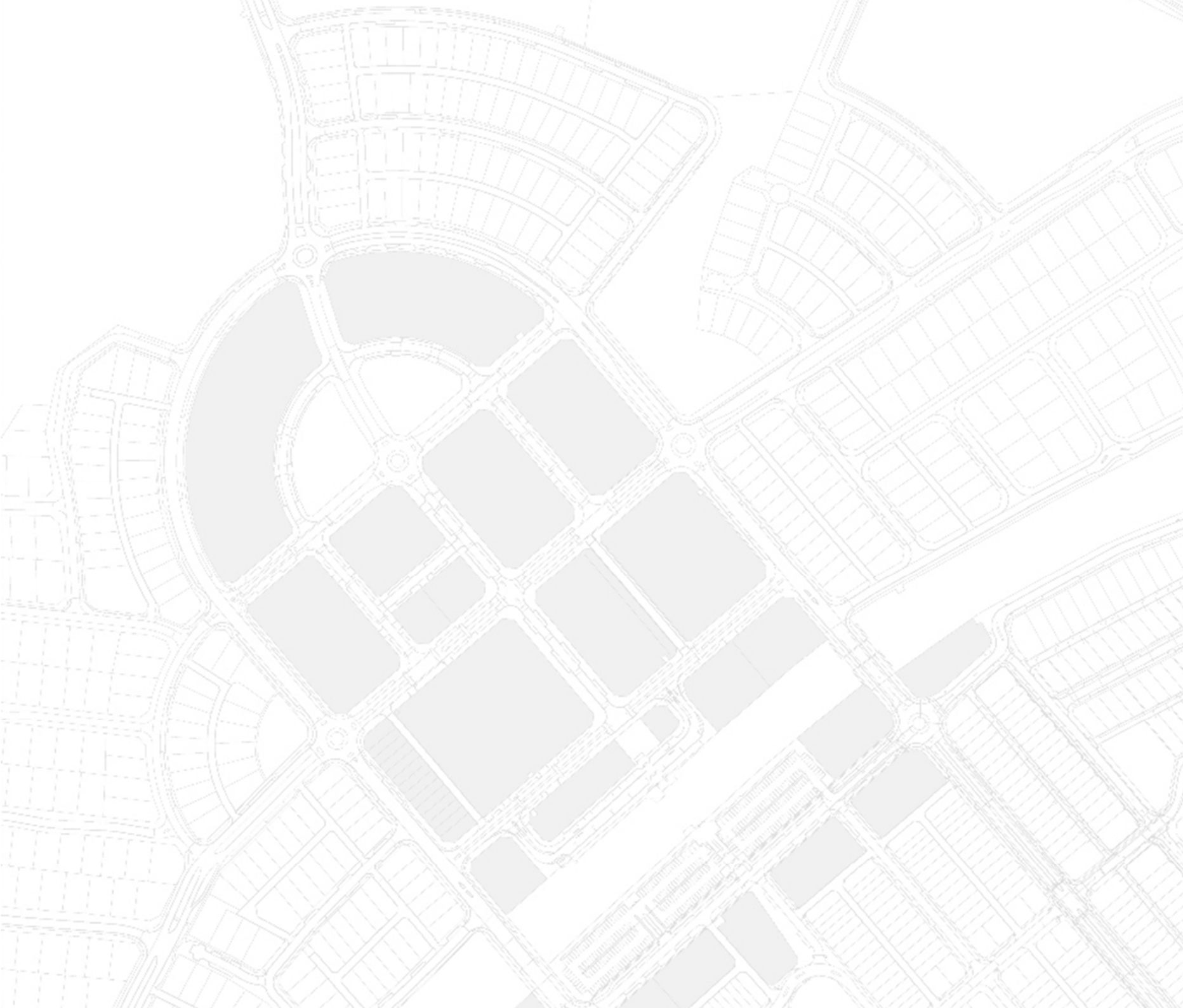
*NOTE – That the Officer Recommendation was amended by Council to include the two nominated Councillors names.*

# Wellard Village Centre

## Design Guidelines and Local Development Plan



the village at  
**Wellard**





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## Introduction

The Village at Wellard is a 320ha Transit Oriented Development (TOD) in the localities of Wellard and Leda. The Wellard Village Centre is located centrally within The Village at Wellard and is intended to comprise a mix of medium/high density residential development, together with a diverse mix of retail and commercial activities located around the Wellard rail station.

The Village at Wellard will accommodate a mix of residents of all ages, with services and activities to fulfil the everyday needs of the community, all within walking distance of public transport. The community features a mix of lifestyle choices with medium and high density residential options together with a diversity of retail and commercial opportunities.

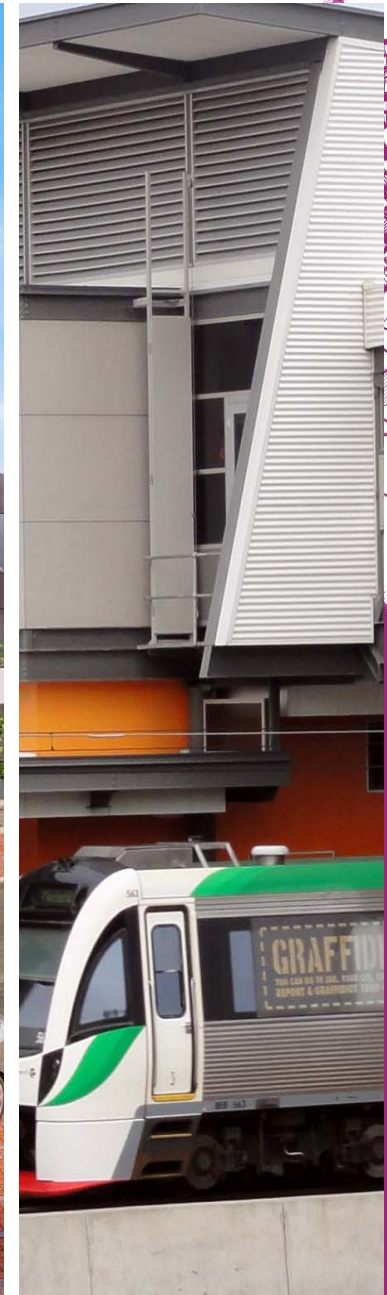
These Design Guidelines have been prepared to inform the development of the 'Neighbourhood Centre' lots, as per the requirements of the City of Kwinana *Town Planning Scheme No.2* provisions, and cover the area identified as 'Village Centre', by the *Wellard Village Structure Plan*.

The Design Guidelines will facilitate implementation of the vision for the Wellard Village Centre and the continuation of built form by identifying desired outcomes and establishing parameters for the design of development sites located within the Wellard Village Centre. This higher level of control over development for these sites will facilitate quality and desirable built form outcomes.

The Design Guidelines are divided into three main sections:

- Section 1 – Overview; provides a general introduction containing contextual information including the vision for the adjacent Wellard Village Centre which these sites are to complement, and the development approval process.
- Section 2 – Guidelines; contains the design requirements for development of these sites.
- Section 3 – Local Development Plan.

These guidelines are applicable to development on sites identified on the Local Development Plan (refer Section 3).





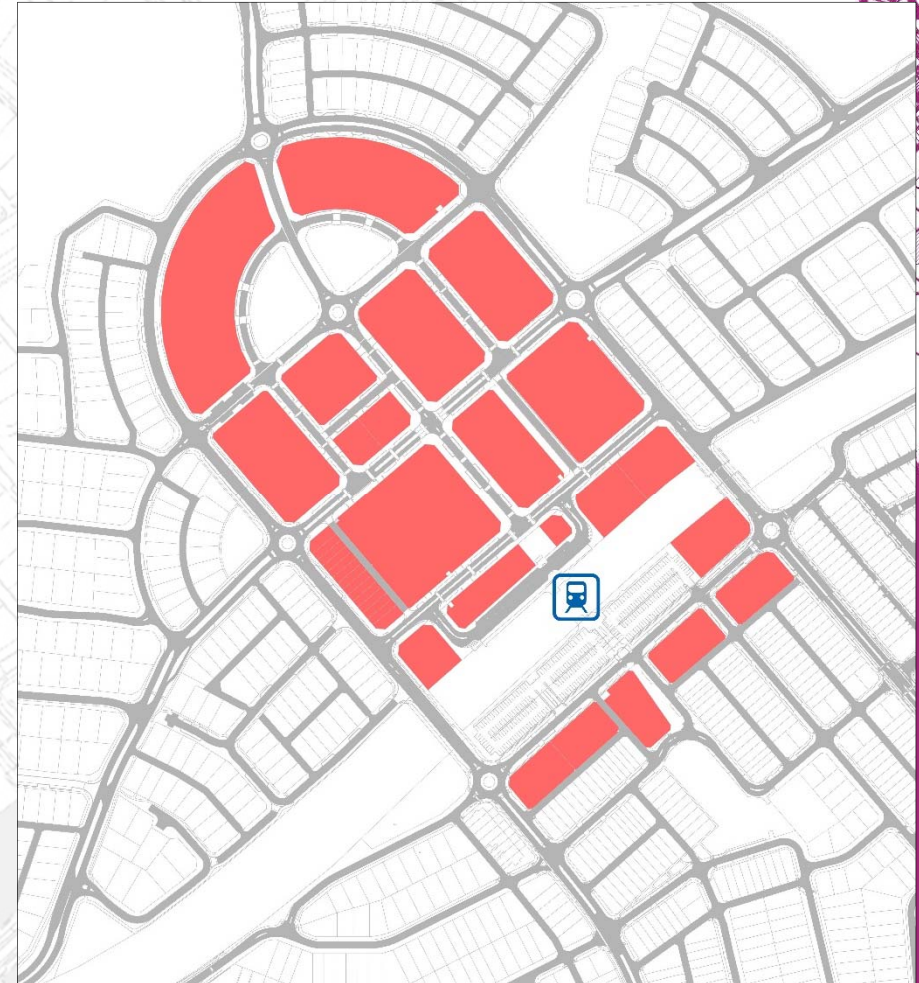
## 1. Overview

### 1.1. Wellard Vision

The vision for the Wellard Village Centre is to:

*“Create a Village Centre that supports a variety of economic opportunities through the provision of proper land uses and a solid resident base, accommodated within a robust, contemporary architectural form”*

The Wellard Village Centre will be the centrepiece of The Village at Wellard community. The Wellard Village Centre will feature vibrant, residential/mixed use development with retail/commercial activities within a robust contemporary architectural form, underpinned by the Wellard community. Associated public uses and facilities such as parking, open space, cycle ways, street furniture, public art and extensive landscaping will further increase the attraction of the Wellard Village Centre as a destination within The Village at Wellard and the broader Kwinana community.



Wellard Neighbourhood Centre



## 1.2. Statutory Context

The Design Guidelines have been prepared in accordance with the requirements of Schedule IV – Development Area 2: Wellard Village, of the City of Kwinana *Town Planning Scheme No. 2* (Scheme). These Design Guidelines will address detailed design matters and be supplemented by Local Development Plans (formerly Detailed Area Plans) which will address any variations to the *State Planning Policy 3.1: Residential Design Codes* (R-Codes).

The Wellard Village Centre Design Guidelines and Local Development Plan have been adopted by the City of Kwinana as a Local Development Plan pursuant to Part 6 – Local development plans, Schedule 2 – Deemed provisions for local planning schemes of the *Planning and Development (Local Planning Schemes) Regulations 2015*. In determining any application for *Approval to Commence Development*, the City of Kwinana will have due regard to the provisions of these Design Guidelines.

In the event of there being any inconsistency or conflict between any provision of any Council policy and these Design Guidelines, the Design Guidelines shall prevail. If there is any inconsistency or conflict between any provision of the Design Guidelines and a Local Development Plan, the Local Development Plan shall prevail.

### 1.2.1. Land Use

The Wellard Village Centre is identified as 'Neighbourhood Centre R80' (incorporating retail, office, residential and community facilities) on the approved *Wellard Village Structure Plan* (Structure Plan). Schedule IV – Development Area 2: Wellard Village of the Scheme states that uses within the 'Neighbourhood Centre (R80)', as identified on the Structure Plan, shall be in accordance with the provisions of the 'Commercial' zone, with the exception of a Single House which is to be considered a permitted use.

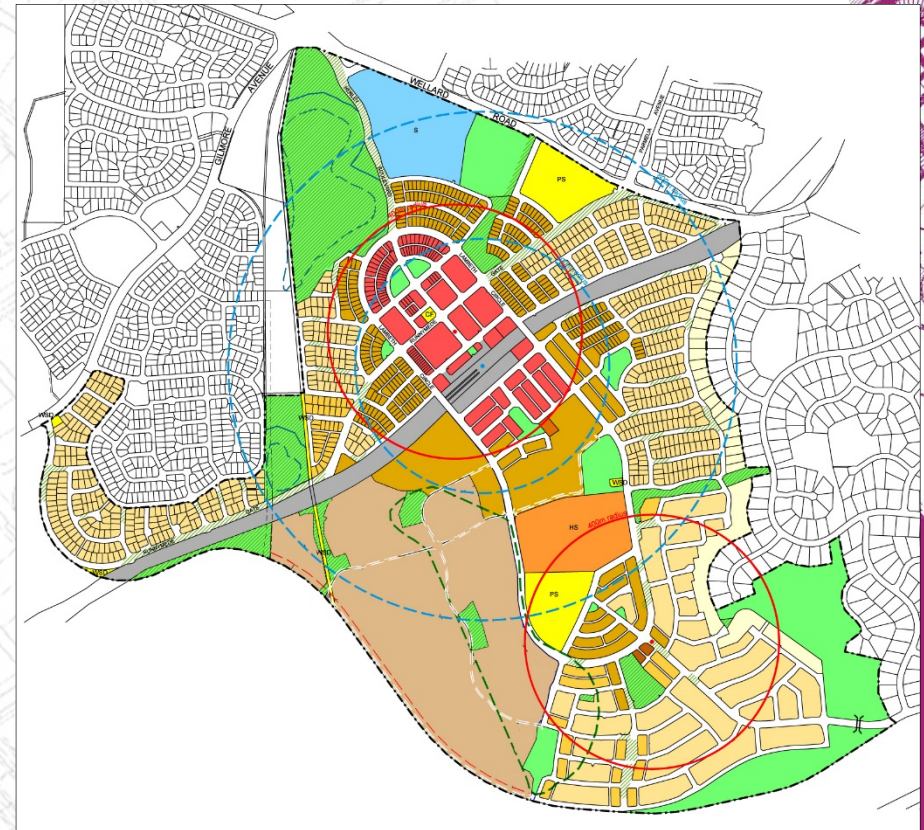
Development for solely residential use may be pursued in the Wellard Village Centre, with ground floor units developed in a manner that will enable the building to be converted for commercial activities as demand develops. Ground floor units along The Strand, Runnymede Gate, Chiswick Parade, and Charing Cross shall be developed to this standard, with ground floor height provided in accordance with Section 2.1.5. An exemption to this standard may be permitted at the discretion of Council.

Residential development within the Wellard Village Centre is encouraged, with a residential coding of R80 applicable for sole residential or mixed use development.

### 1.2.2. Local Development Plans

Local Development Plans (LDP) have been prepared for lots within the Wellard Village Centre as part of the subdivision statutory approval process to illustrate such elements as permissible building envelopes, R-Codes variations, vehicle access and parking requirements, special fencing requirements, etc.

Where development provisions of the R-Codes are not referred to or varied by the Design Guidelines or Local Development Plan, the provisions of the R-Codes prevail.



Wellard Village Structure Plan



### 1.2.3. Restrictive Covenants

Where lots are encumbered by Restrictive Covenants these are intended to benefit all property owners by ensuring minimum standards of development are met and the amenity of all properties is optimised. Restrictive Covenants are a legal instrument which is imposed by the seller of the property and any related queries are to be addressed directly to Peet Ltd.

The Guidelines are to be read in conjunction with the applicable Wellard Village Centre LDP's, Restrictive Covenants and any other relevant and current statutory documents including the following:

- *Building Code of Australia (BCA);*
- *Residential Design Codes of Western Australia (R-Codes); and*
- *City of Kwinana Town Planning Scheme No.2.*

### 1.3. Approval Process

Development proposed within the sites subject to these Design Guidelines, will require at least one pre-application meeting by the Wellard Village Centre Design Guideline Review Panel (WVCDGRP), together with endorsement by Peet Ltd prior to the formal lodgement of an Application for Planning Approval / Building Permit with the City of Kwinana.

Following the preparation of preliminary design drawings and prior to lodgement of a DA, a meeting with the WVCDGRP will be required as part of the Development Application (DA) process.

The WVCDGRP will consist of City of Kwinana (2 x Councillor/s and/or Senior Planning Officer/s), a Peet Ltd representative/s and relevant specialist/s as deemed appropriate by the panel (Architect or Urban Designer). The WVCDGRP will review the proposal and provide Peet Ltd with comments and recommendations to assist Peet Ltd in the consideration of its pre-DA endorsement. Where Peet Ltd is the proponent, the above process shall proceed as described, and Peet Ltd shall take the comments and recommendations of the WVCDGRP into consideration in finalising design drawings and formally lodging a DA.

The review and assessment process by Peet Ltd is required to ensure development achieves the required high quality architectural and built form outcomes required under these Guidelines.

Three (3) copies of drawings, which shall include a site plan, floor plans and elevations illustrating the proposed built form, together with an 'External Materials, Colours and Finishes Schedule' and 'Landscape Plan' (not applicable to residential development) shall be submitted to Peet Ltd for approval.

Following assessment and endorsement by Peet Ltd, two (2) copies of the application will be stamped approved and returned with at least one of the stamped copies to be included in any application for Planning Approval or a Building Permit subsequently made to the City of Kwinana.

#### APPROVALS PROCESS

##### PREPARE DESIGN DRAWINGS

##### PRE-APPLICATION MEETING

**WELLARD VILLAGE CENTRE DESIGN GUIDELINE REVIEW PANEL COMPRISING:**

- CITY OF KWINANA (2 X COUNCILLOR/S AND/OR SENIOR PLANNING OFFICER/S)
- A PEET LTD REPRESENTATIVE/S; AND
- RELEVANT SPECIALIST/S AS DEEMED APPROPRIATE BY THE PANEL (ARCHITECT OR URBAN DESIGNER).

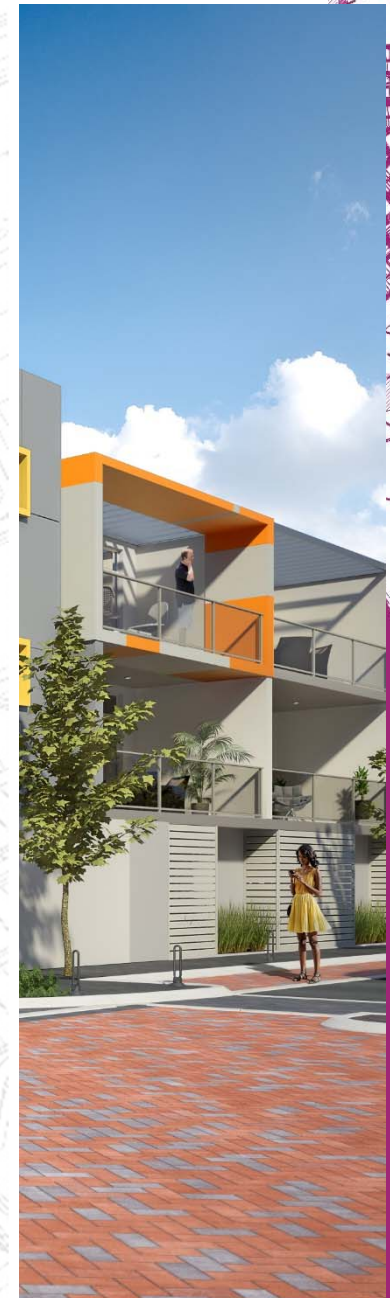
##### SUBMIT ENDORSEMENT APPLICATION TO PEET (3 COPIES)

- ARCHITECTURAL DRAWINGS
- EXTERNAL FINISHES AND COLOUR SCHEDULES
- LANDSCAPE PLAN (WHERE APPLICABLE)

##### APPLICATION APPROVED BY PEET

##### SUBMIT PLANS TO THE CITY OF KWINANA FOR PLANNING APPROVAL AND/OR BUILDING PERMIT

##### APPLICATION ASSESSED BY THE CITY OF KWINANA





#### 1.4. Performance Based Approach

The Design Guidelines are intended to be predominately performance based. The Guidelines provide specific design objectives that must be achieved, but are intended to provide flexibility in the means of achieving the design objectives.

The applicant is to demonstrate that the design solution meets the design objectives and is consistent with the vision for the Wellard Village Centre.

Variations to the standards detailed in the guidelines **may** be proposed and will be considered on a case by case basis, subject to approval by the City of Kwinana, in accordance with the approval process detailed in Section 1.3.





## 2. Design Guidelines

The intention of the Design Guidelines is to prescribe key elements which optimise urban design outcomes, while providing enough flexibility to allow for innovation and market responsiveness for individual lot development. The primary focus is to deliver a cohesive and quality Village Centre by achieving an appropriate interface between individual buildings and the public realm.

All development within the Wellard Village Centre is to be designed to meet the following building design objectives 2.1.1 to 2.1.14.

### 2.1. Building Design

#### 2.1.1. Architectural Design

- All new developments are to be of a high quality, contemporary architectural design, that responds to the context of the development and the established character and quality of Wellard Village Centre.
- Architectural design and building detail is to be used to provide strong articulation of buildings and reduction in building bulk.
- Buildings shall address the street and/or public realm in a manner that promotes visual interest, variety and fine-grained form. Entrances, balconies and openings should create an engaging interface with the street that encourages interaction between people within the building and the public realm.
- All buildings are to be designed in a manner that maximises solar access and passive ventilation and minimises overshadowing of adjacent buildings.

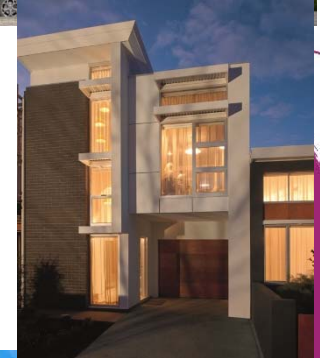
#### 2.1.2. Articulation of Facades

To ensure a high quality public realm, elevations to streets, rear laneways, rear entrances from carparks, and public open spaces are to be articulated to feature clearly defined architectural elements, including:

- Defined front entries which are clearly identifiable from the street;
- Avoidance of blank facades through the use of balcony projections, changes in material, projections and indentations in the floor plan with the resultant shadow effects and corresponding roof elements; and wall panels articulated through the use of glazing;
- Application of awnings and other shading devices;
- Neutral colours throughout the street highlighted by bold colours or accent material changes applied to specific elements of the built form;
- Continuous pedestrian cover at street level for commercial activities located within the Wellard Village Centre;
- Extensive glazing at ground level (i.e. controlled shopfronts) for commercial activities; and
- For upper floor residential: smaller individual openings which are more consistent with residential development.



*Architectural elements of the built environment greatly contribute to public realm and provide visual interest.*



*The material and colour selection adopted within the Village Centre shall respond to contemporary architectural character.*





### 2.1.3. Building Materials & Colours

Material and colour selection shall respond to contemporary architectural character with the following materials and colours encouraged within the Wellard Village Centre:

**Materials** - Modular construction methods are encouraged within the Wellard Village Centre as a sustainable and efficient alternative to traditional build. Such methods will be subject to facades and finishes complying with these Design Guidelines.

**Visible roofing** - Corrugated metal roof sheeting is to be of low or neutral visual impact from the range of Colorbond colours (for example Surfmist, Shale Grey or Dune) or Zincalume finish. Dark, heat absorbing colours are only acceptable to achieve a suitable design outcome.

**Walls** – Modular construction, masonry material or pre-cast concrete is to be complemented by elements of alternate materials or finishes, as well as glazing. Examples of suitable materials include: face and rendered/painted brickwork or blockwork, stone cladding; sheet metal cladding; compressed fibre cement; clear glazing.

**Colours** - Bold accent colours are encouraged, in conjunction with panels of alternative materials being used to accentuate colour or character differences.

### 2.1.4. Roof Forms

Roof forms are not restricted; rather a mix of contemporary roof elements is encouraged to provide varied and interesting streetscapes.

Given the contemporary architectural character promoted within the Wellard Village Centre, a range of roof profiles may be provided including: conventional hipped and gabled roofs of varying pitches, low pitched skillions and flat or parapet style roofs.

It is also envisaged that the roofs of single houses will predominantly be traditionally pitched while larger multi-residential or retail developments will incorporate parapet or skillion roof forms.





### 2.1.5. Building Height

The maximum permitted height within the Wellard Village Centre varies between 3-5 storeys with an additional level permitted on corners identified for landmark buildings, as defined on the **Local Development Plan** (refer Section 3).

For development on Lots 813, 814, 815, 882 and 915 on the Local Development Plan a 4<sup>th</sup> storey setback of a minimum of 5 metres applies to a laneway (where it abuts single dwelling lots) to provide an adequate transition in building height.

For development on single lots with a frontage less than 7.5m, a minimum 2 storey height limit applies.

Maximum Building Height shall be as follows:

3 Storeys:	maximum height
• Top of wall (roof over)	10.8m
• Top of wall (parapet)	12.3m
• Top of pitched roof	16.8m
4 Storeys:	maximum height
• Top of wall (roof over)	14.0m
• Top of wall (parapet)	15.5m
• Top of pitched roof	20.0m
5 Storeys:	maximum height
• Top of wall (roof over)	17.2m
• Top of wall (parapet)	18.7m
• Top of pitched roof	23.2m
6 Storeys Landmark Elements:	maximum height
• Top of wall (roof over)	20.4m
• Top of wall (parapet)	21.9m
• Top of pitched roof	26.4m

Ground level floor-to-floor height shall be a minimum of 3.2m to all development along *The Strand* and *Chiswick Parade* to accommodate future commercial adaptability. An exemption to this standard may be permitted at the discretion of Council. Ground level floor-to-floor heights of 3.2m to development outside of *The Strand* and *Chiswick Parade* is encouraged but not mandatory.

Vertical (building height) articulation of the building is encouraged within the building height limits applicable to each site, to assist with reduction of building bulk, to create a pedestrian scale at ground level and to maximise solar access within the public realm.



*Landmark locations provide opportunities for point of orientation and legibility and should be treated with additional architectural emphasis such as increased building height, distinctive roof forms, and bold colours complemented by material changes.*





### 2.1.6. Plot Ratio / Site Coverage

**Maximum plot ratio for each individual lot shall be a maximum of 1.5** (inclusive of non-residential floor space).

**Minimum Open Space (% of site) for residential development is:**

- **20%** for single residential dwellings on lots with a frontage less than 7.5m;
- **30%** for grouped dwellings, multiple dwellings and single residential dwellings on lots with a frontage greater than 7.5m.

The following elements are included as part of Open Space:

- Open areas of accessible and usable flat roofs and outdoor living areas above natural ground level (including rooftop gardens and balconies);
- Areas beneath eaves;
- Unroofed open structures (e.g. pergolas); and
- Uncovered driveways and uncovered parking spaces.

### 2.1.7. Setbacks

Setbacks for development are specified on the **Local Development Plan** (refer Section 3). The extent of setbacks should generally reflect those shown on the Local Development Plans.

For single dwellings on lots with a frontage less than 7.5m, two-storey boundary walls are permitted, subject to meeting the design principles of Clause 5.1.3 of the R-Codes.

For single dwellings on lots with a frontage greater than 7.5m, the boundary walls shall meet the requirements of the R-Codes.

### 2.1.8. Landmark Locations / Element

In order to facilitate orientation and legibility within a neighbourhood, built form at the landmark locations identified on the Local Development Plan (refer Section 3) shall be treated with additional architectural emphasis such as distinctive roof forms and colours, complemented by a contrast in materiality.

To further emphasise these corner sites, built form at these landmark locations is **permitted an additional storey in height** to that identified on the Local Development Plan (refer Section 3). This 'additional storey in height' shall be setback from the landmark corner, and the extent of the landmark element is to be at Councils discretion.

### 2.1.9. Secondary Street Elevations

Development on corner lots is required to address both the primary and secondary streets. A secondary street elevation is to be articulated and feature a suitable level of detail including windows, in a manner which is consistent with that of a primary street elevation.

Development on Lots 538 and 543 is to provide a high quality design and suitable articulation to both Chiswick Parade and the Transperth 'Kiss and Ride' road; whilst development on Lot 542 is to provide a high quality design and suitable articulation to the Wellard 'Village Square' facade.

Buildings on these above lots shall be designed to provide activation of both street edges through the use of glazing and other architectural features. Where activation is limited by services or bin stores and/or similar, these areas shall be screened to the satisfaction of Council.





### 2.1.10. Glazing

For commercial/retail activities glazing to the street elevation shall be optimised with at least 70% of the ground floor façade (including doorways) to be glazed.

Glazing may comprise window panels to floor level or with sills set approximately 0.75m above floor level, with fixed opening sashes as the use may dictate.

### 2.1.11. Stores

For each grouped or multiple dwelling a store shall be provided in accordance with the requirements of the R-Codes.

For single dwellings on lots with a frontage less than 7.5m, a single store with a minimum area of 1.5m<sup>2</sup> shall be provided and can be accessible from the internal part of the dwelling, including the garage or below the staircase.

For single dwellings on lots with a frontage greater than 7.5m, a single store with a minimum area of 4m<sup>2</sup> shall be provided and can be accessible from the internal part of the dwelling.

### 2.1.12. Safety

All development within the Village Centre is to be designed to meet the following safety objectives:

- Developments are to incorporate design principles of Crime Prevention Through Environmental Design (CPTED).
- Fencing between public and private or semi-private spaces should generally be low or visually permeable to promote visibility and cross surveillance.
- The preferred front fence is of solid rendered masonry in a finish which is compatible with that of the main building to a maximum height of 0.75 metres.
- Security and surveillance design measures are to include active street frontages at street level and passive surveillance from upper floor windows and balconies.
- Safety design features are to include external lighting, safe entrances, eliminating entrapment points, and safe commercial loading and storage areas.
- Building entries and service areas are to be well lit to facilitate safe after hours use.
- Building design is to contribute to the creation of safe environment by avoiding the formation of “blind” spaces and facilitate informal surveillance of surrounding open space through the use of window openings and balconies.
- Lighting shall be provided to space beneath pedestrian awnings.



### 2.1.13. Public Art

Public art is an important element associated with the public realm which can be a source of inspiration and pride for its residents. Elements of public art both permanent and temporary shall be realised throughout the Wellard Village Centre. Temporary art has an important role to play in giving artists a voice to affect change and create opportunities for more spontaneous engagement with residents. Public art installations must consider:

- Long term maintenance and durability of materials;
- Location, setting and relationship with surrounding built form and amenity;
- Public safety standards, and risk management requirements; and
- Scale of the work must be in keeping with surrounding built form.

*Note: "All development shall refer to City of Kwinana's Public Art Policy."*

### 2.1.14. Noise Mitigation (incl. Quiet house design)

It is likely, and should be generally accepted, that some noise will be experienced in association with an active mixed use precinct such as the Wellard Village Centre. It is important, however, to ensure a reasonable level of acoustic privacy for residences. Noise generating uses in tenancies should be suitably designed and built, with the use appropriately managed to limit noise and disturbance to nearby residential occupants.

'Quiet Building' design principles should be considered for affected dwellings including:

- Absorbent materials for balcony ceilings to reduce the extent of reflected noise;
- Masonry external walls for example, double brick or solid concrete construction; and
- Windows with compressible acoustic seals or the application of thicker than normal laminated glass to windows and sliding doors.

#### *Air-conditioning Plants*

Noise associated with the use of air conditioners can be limited through implementation of the following:

- Air conditioning or evaporative cooling plants are prohibited from roof areas visible from the street or other public areas;
- Where the plant is roof mounted, it is to be located in a position where it is screened from public view (e.g. behind parapet walls or in plant enclosures) and otherwise finished in a colour consistent with the roofing material;
- Where an air conditioning plant is located on a balcony it is to be screened from public view. (e.g. behind fixed screens or within a separate screened enclosure off the balcony area); and



*Public art should enhance the public realm and enable people opportunities to engage with the built form and surrounding environment.*



- Air conditioning plant is to be located or acoustically screened to minimise the level of noise intrusion into neighbouring properties to within the limits set out in the Environmental Protection (Noise) Regulations 1997.

## 2.2. Building Context

### 2.2.1. Sustainable Design

Environmentally sustainable development is encouraged within the Wellard Village Centre. Passive and active design principles are encouraged to minimise the need for artificial cooling and heating or mechanical ventilation.

Dwelling design should optimise winter solar penetration to indoor and outdoor living areas. Daytime living areas should be located to maximise major openings facing north to allow winter sunlight penetration.

Windows facing west should be minimised or protected by means of awnings, screens or other similar devices. The use of solar hot water systems and Photovoltaic cells are encouraged, particularly for single dwellings.

Buildings should be designed to take advantage of prevailing breezes and facilitate natural cross-ventilation.

All residential and commercial development shall satisfy the energy efficiency requirements of the *Building Code of Australia* (BCA). An energy rating assessment shall be undertaken for each commercial building within the Wellard Village Centre and submitted with the planning approval application. All commercial buildings within the Wellard Village Centre shall satisfy a range of sustainability criteria including energy management by achieving a minimum 4 star 'Green Star' rating (Green Building Council of Australia). Buildings in general should be designed to be energy efficient with particular attention paid to the principles of passive solar design for both residential and commercial buildings which include:

#### Residential Building Considerations:

- The use of roof and ceiling insulation;
- Light or reflective colours to roofing and walling materials selected from the promoted palette of colours;
- Awnings, balconies, verandahs, pergolas, sunshades, eaves, overhangs, etc. used to control direct solar impact on openings;
- Vertical and horizontal protection of west and east facing openings;
- Larger openings facing north/northeast to maximise winter solar penetration;
- North facing courtyards or balconies for residential development to maximise winter solar penetration;
- Strategically located deciduous trees and shrubs to permit solar penetration in winter whilst limiting its impact in summer; Location of openings to facilitate cross ventilation through buildings and roof spaces;



*Windows, openings and balconies address the street to encourage active use of this zone.*



- Choice of construction materials from renewable resources;
- The selection of energy efficient services and appliances; and
- The use of quality door and window seals.

#### Commercial Building Considerations:

- The use of atriums, light wells and shelves to maximise natural light within the building core;
- The use of cross ventilation to minimise the requirement for air-conditioning;
- Thermal massing;
- Tenant and centrally controlled natural ventilation;
- Water efficient appliances and fittings;
- Reduced PVC usage;
- Recycled aggregate in concrete;
- The use of recycled and plantation timbers; and
- Eaves, awnings, blades etc. to limit direct solar gain to windows.

### 2.3. Street Integration

#### 2.3.1. Frontage/Articulation and Streetscape

Design and articulation at street level helps to provide for a vibrant and interesting pedestrian experience. It also creates opportunities for passive surveillance of the public realm, contributing to the sense of safety.

Elevations to streets, rear laneways, rear entrances from car parks, and public open spaces are to be articulated, using clearly defined architectural elements. This includes front entries which are clearly identifiable from the street and well lit, the avoidance of blank facades by way of changes in material or articulation, awnings or other shading devices.

Secondary street elevations are to be articulated and feature a suitable level of detail, including windows, in a manner which is consistent with that of a primary street. For two-storey development at rear laneways, windows or balconies providing outlook over the lane are recommended.

The facades of larger developments (multi-residential and commercial) within the Wellard Village Centre should have clearly defined ground floors and utilise finer details and tactile materials which consider the close pedestrian experience. Upper levels are to be viewed in a broader context and this can be reflected in larger scale composition.

Where a residential use fronts the street, windows, openings, balconies and/or courtyards should address the street to encourage active use of this zone and passive surveillance of the street. Where there are residential ground floor uses in multi-residential developments, separate front doors to street level apartments or gates to courtyards are highly desirable.



*Front entries which are clearly identifiable from the street and well lit, and the avoidance of blank facades provides for a pleasant pedestrian experience.*



*Clearly defined ground floors enhance public realm, with upper levels providing opportunities for passive surveillance of the public realm.*



### 2.3.2. Retail

Retail activities provide a high level of activation and play an integral role in creating a place which is lively, safe and desirable to experience.

At street level, the building frontage of retail tenancies should be designed to address the street via entries, windows and displays to provide activation. Retail entry points should be clearly defined to orientate visitors and create a desirable identity for the development. Long retail frontages that address primary streets are to be articulated as a series of smaller shop fronts with the character of a traditional retail street. Retail frontages to streets are to be fully glazed, thereby maximising the visual connection between the street and the retail activity. Retail activities that directly engage and extend into the street, such as cafe uses, are encouraged.

### 2.3.3. Awnings / Canopies

Awnings and canopies are encouraged. Awnings and canopies provide protection from the weather, encourage pedestrian activity and create opportunities for extending retail activities to footpaths. They also create an intimacy of space and can provide identity and detail to a building.

All retail frontages are to be provided with awnings or canopies. For commercial activities, awnings over footpaths shall comply with the following:

- Maximum extension to within 0.5m of street kerb, may not be built over street parking bays, should generally be cantilevered or suspended and provide no obstructions or hazards to pedestrians and should be lightly framed with fine design lines;
- Should generally be cantilevered or suspended and provide no obstructions or hazards to pedestrians;
- Have minimum average clearance of 3.0m over a sidewalk;
- Be lightly framed with maximum fascia depth of 300mm; and
- Lighting shall be provided to spaces beneath pedestrian awnings.

### 2.3.4. Signage

Signage is important for way-finding and for business identification; its design should be compatible with the building design and streetscape character.

Location, design and content of all signage visible from public spaces or adjoining properties must comply with the City of Kwinana Local Law on signage, and may require planning approval or a sign licence.

Tenant signage will not be permitted on the street front façade above the awnings. Signage suspended below canopies with a minimum 2500mm pedestrian head clearance or integrated into shopfronts are acceptable. Major signage elements or building naming signage may be placed above awning height but below the first floor window height.



*The pedestrian experience is enhanced and supported through the provision of awnings and canopies, this also enables retail activities to be extended over the footpath.*





### 2.3.5. Fencing

Fencing design and materials should complement and be consistent with the building design. Fencing should not adversely impact on the safety and security of residents or visitors, or the amenity of the public realm.

In general, where fencing is provided along any primary / secondary street edge, it shall utilise high quality materials. Solid fencing to street boundaries shall be no higher than 750mm. Fencing shall be visually permeable above the solid section and have a maximum total height of 1.5m.

Front fencing is not permitted to be colourbond.

Where provided, laneway fencing is to be to a maximum height of 1.8m with any component of fencing greater than 1.5m required to be visually permeable. Dividing fences between properties shall not project beyond the building line, and be 1.8m in height. Where colourbond is used, it shall not be visible from the public realm.



## 2.4. Open Space and Landscape

### 2.4.1. Private Open Space

Outdoor living spaces, including balconies/verandahs, assist to articulate the building facade. Outdoor spaces orientated towards the public realm can also provide people presence, contributing to the liveliness of a place, the opportunity for passive surveillance and the sense of safety of the Village.

Outdoor living spaces in multi-residential developments should directly overlook the adjacent street where possible. In any development which is bounded by a primary and secondary street, outdoor living spaces should be provided to address both streets.

Where private or communal open space is directly visible or accessible from the public realm, landscaping should be carefully considered and may include the provision of public art. Where screening is utilised to separate private open space from the street for security reasons, it should be permeable to provide visual continuity between the public and private realms.

Outdoor Living Areas for grouped and multiple dwellings and single residential dwellings on lots with a frontage greater than 7.5m shall be provided in accordance with the Residential Design Codes.

For single dwellings, on lots with a frontage of less than 7.5m shall provide an Outdoor Living Area with a minimum dimension 2m and area of 7m<sup>2</sup> is to be provided.



## 2.4.2. Landscaping

Landscaping provides visual amenity to residents and visitors, and soft landscaping, including trees, provides much needed shade in summer. Accordingly, a high standard of landscaping is encouraged in the Wellard Village Centre. A Landscape Plan shall be prepared and submitted with all applications to Peet Limited for approval, prior to formal lodgement with the City.

For commercial development the minimum extent of landscaping shall be as defined in the town planning scheme, however in line with the aim to produce a superior urban outcome a minimum of 10% of the site area is highly recommended.

Planting should be predominantly plants which are consistent with the existing landscape character of the Village at Wellard, with consideration given to drought tolerant species. Low maintenance landscaping is encouraged.

Care should be taken not to provide excessive areas of paving which will become a heat trap. Alternate materials such as light coloured stone, mulches and garden beds which reduce heat retention and allow for drainage should be provided.



## 2.5. Parking and Services

### 2.5.1. Parking

The visual impact of car parking areas is to be minimised to preserve the streetscape for built form and activated frontages. At-grade parking should be designed to incorporate landscaping, along with well-defined pedestrian access to and from the parking area.

Parking is to be provided in accordance with the R-Codes and Scheme. As the subject sites form part of a transit oriented development, and are located within 400m of the Wellard Train Station, an application for a reduction in the required number of bays may be made as part of any application, with Council able to vary the provisions where deemed appropriate.

Parking shall be contained on-site or provided on-street. Parking should be placed to the rear of buildings or where parking areas do occur immediately adjacent to the street, the visual impact of parking areas should be minimised through landscaping. Parking areas which are accessed from secondary streets or laneways are encouraged.

### 2.5.2. Services

Service elements should be considered during the design phase and sensitively accommodated within the design. Generally waste and vent pipes, cable ducts, air-conditioning units, television antennae, satellite dishes, clothes drying areas and hot water storage tanks are to be concealed from the street or public view.

Storage of rubbish should be screened from public view whilst facilitating access for collection. Loading docks and service areas shall be suitably screened.

Air conditioning units shall be fully concealed from view. Where air conditioning units are located on balconies, they shall be screened from view in a manner that has regard for the overall design of the building. Noise impact to adjacent dwellings shall also be considered and managed.





### 3. Local Development Plan

Development of sites within the Village at Wellard shall be undertaken in accordance with the following Local Development Plan, with further guidance on built form from the preceding Design Guidelines elements.

Development shall be undertaken, designed and assessed in accordance with the process detailed in Section 1.3 of the Design Guidelines.







**LEGEND**

**ZONE & R-CODING**  
'Neighbourhood Centre R80'

**SETBACKS**  

Nil Setback

Nil Setback  
(5m Minimum Setback to 4th Storey)

1m Minimum Setback

1.5m Minimum Setback  
(3m average)

2m Minimum Setback  
(3m average)

3m Minimum Setback  
(4m average)

0.5m Garage Setback

Minimum Setback as per R-Codes

**HEIGHT**  

Maximum 3 Storeys

Maximum 4 Storeys

Maximum 5 Storeys

Landmark Building  
(additional storey permitted)

**OPEN SPACE**  

30% Minimum Open Space (% of site)

**NOTE**  
Information used to prepare this plan has been taken from Approved Local Development Plans, Design Guidelines, Town Planning Schemes and R-Codes

NORTH

0306090m

Scale: 1:3000@A3  
Date: 07/07/2016  
Plan: PACWE-4-026C

PEET

Creative

DESIGN+PLANNING

# LOCAL DEVELOPMENT PLAN

Wellard Village Centre, The Village at Wellard

A PEET Limited and Department of Housing Joint Venture Project

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## **17.2 Proposed Road Names for Lot 9020 Lyon Road, Wandi – Honeywood Rise – Stage 5A**

### **DECLARATION OF INTEREST:**

There were no declarations of interest declared.

### **SUMMARY:**

MNG, the surveyor of the developer for Lot 9020 Lyon Road, Wandi has submitted details of a proposed extension of an existing road name as indicated in Attachment A. MNG is now seeking Council support for the extension of the existing road name in order to present the road name to the Geographic Names Committee.

### **OFFICER RECOMMENDATION:**

That Council approve the extension of Hartz Way for use within Lot 9020 Lyon Road, Wandi as shown in Attachment A.

### **DISCUSSION:**

Before the developer of a subdivision can lodge survey diagrams for clearance, all road names need to be approved and indicated on the survey diagram. Geographic Names has granted the use of the existing road name which is proposed to be extended.

The proposed existing road name to be extended for Lot 9020 Lyon Road, Wandi, is Hartz Way, no alternative names have been proposed.

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

The approval process is in compliance with the Geographic Names Committee Guidelines, and Council Policy – Street Naming.

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

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

### **ASSET MANAGEMENT IMPLICATIONS:**

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

### **ENVIRONMENTAL IMPLICATIONS:**

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



**17.2 PROPOSED ROAD NAMES FOR LOT 9020 LYON ROAD, WANDI – HONEYWOOD RISE – STAGE 5A****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 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 approval of the road names is required for titles to be issued for the lots within the subdivision. Should Council or Geographic Names not approve these road names, clearances may be delayed which will have implications for the developer and the owners of these lots
Risk Theme	Errors omissions delays
Risk Effect/Impact	Service delivery
Risk Assessment Context	Operational
Consequence	Insignificant
Likelihood	Possible
Rating (before treatment)	Low
Risk Treatment in place	Reduce (mitigate the risk)
Response to risk treatment required/in place	Work instructions in place for Geographic Names approvals and sufficient information and alternative names for Council approvals.
Rating (after treatment)	Low

**COUNCIL DECISION**

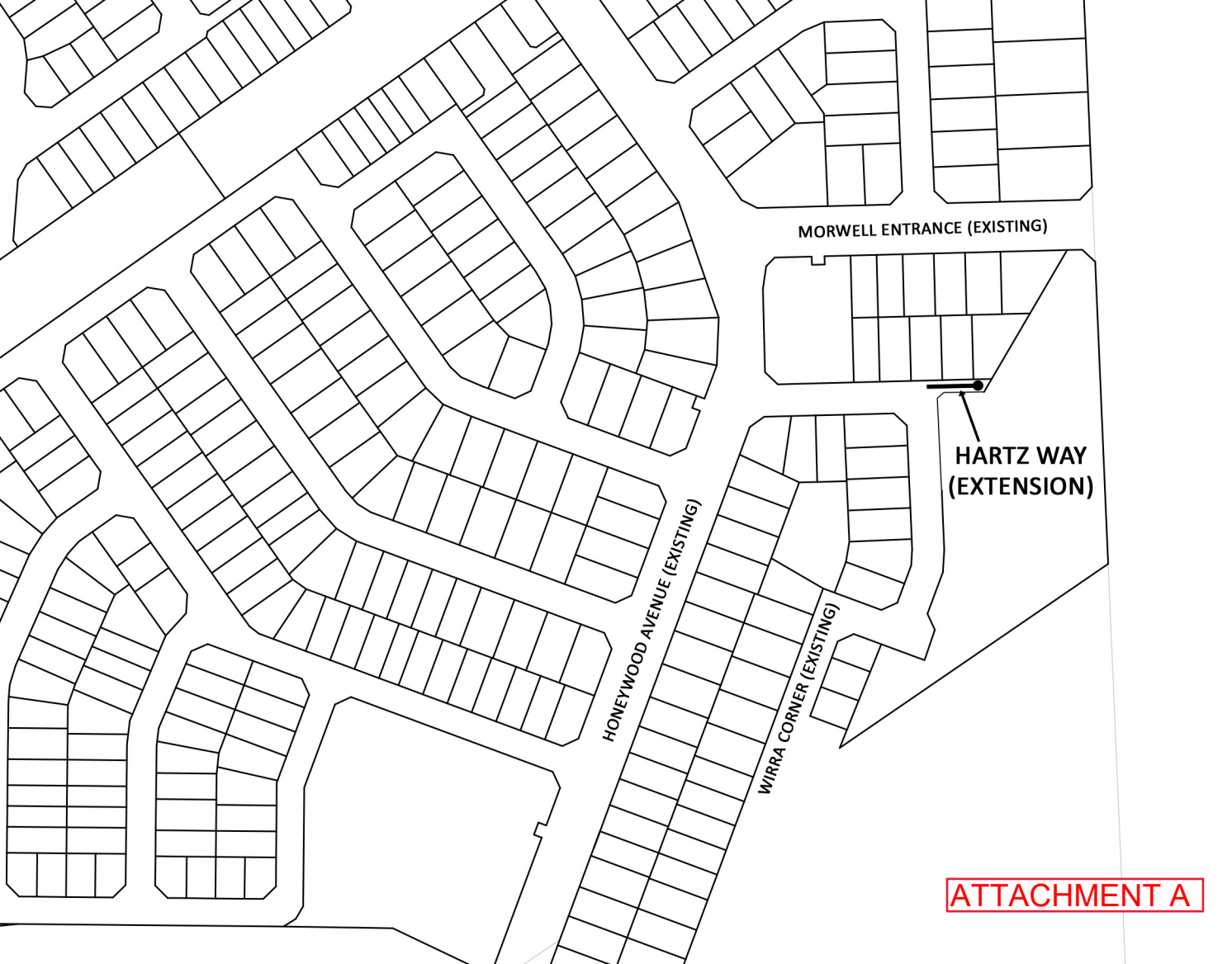
420

**MOVED CR D WOOD**

**SECONDED CR S LEE**

**That Council approve the extension of Hartz Way for use within Lot 9020 Lyon Road, Wandi as shown in Attachment A.**

**CARRIED  
7/0**



MORWELL ENTRANCE (EXISTING)

HARTZ WAY  
(EXTENSION)

HONEYWOOD AVENUE (EXISTING)

WIRRA CORNER (EXISTING)



## 18 Reports – Civic Leadership

### 18.1 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 – Footpaths – Bilya Gardens footpath construction	(115,000)	29,712	(85,288)
	Capital Expense – Roads – Stefanelli Close road resurfacing	(75,000)	16,363	(58,637)
	Capital Expense – Roads – Wandi Drive	(85,000)	5,130	(79,870)
	Capital Expense – Street lighting – Leath Road new street lighting	(208,525)	3,795	(204,730)
	Capital Expense – Footpaths – Mulligan Way new footpath construction	Nil	(55,000)	(55,000)
2	Capital Expense – Buildings – Goldney Velodrome BMX Track works	(12,000)	(5,000)	(17,000)
	Capital Expense – Street lighting – Leath Road new street lighting	(204,730)	5,000	(199,730)
3	Capital Expense – Buildings – Darius Wells Stormwater system	(27,300)	(9,000)	(36,300)
	Capital Expense – Buildings – Contingency	(101,750)	9,000	(92,750)
4	Capital Expense – Buildings – Recquatic – Electrical works and rubber flooring replacement.	Nil	(44,400)	(44,400)

## 18.1 BUDGET VARIATIONS

Capital Expense – Buildings – Recquatic Spa balance tank lid and ladder	(8,400)	8,400	Nil
Operating Expense – Recquatic – Marketing – Advertising & Promotions	(73,320)	20,000	(53,320)
Operating Expense – Recquatic – Marketing – Special Event Expenses	(10,320)	8,000	(2,320)
Operating Expense – Recquatic Health & Fitness – Expendable Equipment	(17,157)	8,000	(9,157)

NOTE: AN ABSOLUTE MAJORITY OF COUNCIL IS REQUIRED

## DISCUSSION:

ITEM #	DESCRIPTION	CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
1	Capital Expense – Footpaths – Bilya Gardens footpath construction	(115,000)	29,712	(85,288)
	Capital Expense – Roads – Stefanelli Close road resurfacing	(75,000)	16,363	(58,637)
	Capital Expense – Roads – Wandi Drive	(85,000)	5,130	(79,870)
	Capital Expense – Street lighting – Leath Road new street lighting	(208,525)	3,795	(204,730)
	Capital Expense – Footpaths – Mulligan Way new footpath construction	Nil	(55,000)	(55,000)

Variation in scope of works resulted in under expenditure in three of the projects in the Australian Government Local Roads and Community Infrastructure (LRCI) Program (Phase 1). In order to utilise the available funding it is proposed to allocate the funds to construct a new project, Mulligan Way footpath.  
It is proposed that the additional funds required are transferred from savings in the Leath Road streetlight project, which is funded from the Asset Management Reserve. This project is under budget as a revised quotation from Western Power was received to design and install street lighting and resulted in a cost saving.

2	Capital Expense – Buildings – Goldney Velodrome BMX Track	(12,000)	(5,000)	(17,000)
	Capital Expense – Street lighting – Leath Road new street lighting	(204,730)	5,000	(199,730)



## 18.1 BUDGET VARIATIONS

Goldney Velodrome building works is a project that was identified in the Australian Government Local Roads and Community Infrastructure (LRCI) Program (Phase 1). Since meeting with the BMX Club, additional urgent works have been identified not included in the grant funding.

It is proposed that the additional funds required are transferred from savings in the Leath Road streetlight project, which is funded from the Asset Management Reserve. This project is under budget after a revised quotation from Western Power was received to design and install street lighting and resulted in a cost saving.

3	Capital Expense – Buildings – Darius Wells Stormwater system	(27,300)	(9,000)	(36,300)
	Capital Expense – Buildings – Contingency	(101,750)	9,000	(92,750)

The Darius Wells stormwater system capital project original scope of works was to add to the capacity of the system to cope with volume of water during storms. During the investigation, water ingress issues were found with existing components, which are required to be rectified at the same time.

It is proposed that the additional funds required are transferred from the Building contingency budget, which is funded from the Asset Management Reserve.

4	Capital Expense – Buildings – Recquatic – Electrical works and rubber flooring replacement.	Nil	(44,400)	(44,400)
	Capital Expense – Buildings – Recquatic Spa balance tank lid and ladder	(8,400)	8,400	Nil
	Operating Expense – Recquatic – Marketing – Advertising & Promotions	(73,320)	20,000	(53,320)
	Operating Expense – Recquatic – Marketing – Special Event Expenses	(10,320)	8,000	(2,320)
	Operating Expense – Recquatic Health & Fitness – Expendable Equipment	(17,157)	8,000	(9,157)

The Recquatic have identified electrical and rubber flooring replacement works to maximise members experience and achieve full functionality of the new leased equipment.

It is proposed that the funds are transferred from the Recquatic Spa balance lid capital works project, which is funded from the Asset Management Reserve. This project was completed in the previous financial year. It is proposed that the remaining funds are transferred from identified savings in various Recquatic operating budgets.

**LEGAL/POLICY IMPLICATIONS:**

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

- (b) is authorised in advance by resolution\*

**18.1 BUDGET VARIATIONS**

“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
Risk Theme	Failure to fulfil statutory regulations or compliance Providing inaccurate advice/information



## 18.1 BUDGET VARIATIONS

Risk Effect/Impact	Financial Reputation Compliance
Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Rare
Rating (before treatment)	Low
Risk Treatment in place	Reduce (mitigate risk)
Response to risk treatment required/in place	Submit budget variation requests to Council as they arise, identifying financial implications and ensuring there is nil effect on the budget adopted
Rating (after treatment)	Low

**COUNCIL DECISION**

421

**MOVED CR P FEASEY****SECONDED CR S LEE**

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

<b>ITEM #</b>	<b>DESCRIPTION</b>	<b>CURRENT BUDGET</b>	<b>INCREASE/ DECREASE</b>	<b>REVISED BUDGET</b>
1	Capital Expense – Footpaths – Bilya Gardens footpath construction	(115,000)	29,712	(85,288)
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**18.1 BUDGET VARIATIONS**

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Operating Expense – Recquatic Health & Fitness – Expendable Equipment	(17,157)	8,000	(9,157)

**CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**  
**7/0**



## 18.2 Tender #684KWN21 – Landscape Maintenance Services

### DECLARATION OF INTEREST:

There were no declarations of interest declared.

### SUMMARY:

The City of Kwinana invited Tenders from suitably qualified and experienced contractors for the provision of Landscape Maintenance Services.

The Request for Tender was advertised in “The Weekend West” newspaper on Saturday, 13 March 2021. The Tender was also advertised and issued through the City’s e-tendering portal Tenderlink [www.tenderlink.com/kwinana](http://www.tenderlink.com/kwinana), on the City’s official website and on the City’s public notice boards.

The Tender deadline was 2:00 pm, Tuesday, 30 March 2021 with eight submissions received from the following:

- ELM (WA) Pty Ltd
- Environmental Industries Pty Ltd
- Gas Assets Pty Ltd trading as Gecko Contracting Turf and Landscape Maintenance
- Horizon West Landscape & Irrigation Pty Ltd
- Sanpoint Pty Ltd trading as LD Total
- LLS AUST Pty Ltd as trustee for Lochness Unit Trust T/A Lochness Landscape Services
- Skyline Landscape Services Group Pty Ltd
- ULL WA Pty Ltd ATF the Dzodzoz Family Trust T/A United Lawns and Landscaping

### OFFICER RECOMMENDATION:

That Council:

1. Award Contract for 684KWN21 – Landscape Maintenance Services to Sanpoint Pty Ltd trading as LD Total, for a period of four years commencing 3 June 2021, for an estimated annual expenditure of \$1,824,188.00 (ex GST), in accordance with the City’s Special Conditions of Contract, General Conditions of the Contract, the Specifications and their Tender submission including their schedule of rates.
2. Approves the above Contract for the specified Contract term, subject to price increases based on quarterly Consumer Price Index (CPI) (All Groups) (Perth) allocated to the Contractor at scheduled intervals during the Contract Term. The price adjustment will be automatically applied by the Principal.

### DISCUSSION:

The evaluation panel comprised of:

- a. A Senior Contracts Officer who evaluated the Tenderers’ submissions in accordance with the compliance criteria provided in the Request for Tender documentation; and

**18.2 TENDER #684KWN21 – LANDSCAPE MAINTENANCE SERVICES**

- b. The *Coordinator Parks and Natural Areas, Manager City Operations, Supervisor Parks Contracts and Technical Officer – Parks Operations*, who evaluated the Tenderers' submissions in accordance with the qualitative criteria included in the Request for Tender documentation.

The panel evaluated the tender submissions in accordance with the documented compliance and qualitative criteria (**refer to Confidential Attachment A**). The evaluation recommendation report is under confidential cover as it contains commercial-in-confidence information.

**LEGAL/POLICY IMPLICATIONS:**

*Local Government (Functions and General) Regulations 1996*

Purchasing Policy – 2020

**FINANCIAL/BUDGET IMPLICATIONS:**

Budget Item Name:	Parks & Reserves – Streetscapes / Verges - Various
Budgeted Amount:	\$1,824,188.00 per annum
Proposed expenditure:	\$1,824,188.00 per annum

\*NOTE: All figures are exclusive of GST

**ASSET MANAGEMENT IMPLICATIONS:**

If public open space and landscaped areas are not adequately managed appropriately then City assets will be affected.

**ENVIRONMENTAL IMPLICATIONS:**

Adequately manage public open space and landscaped areas to enhance flora and fauna and to alleviate pest and disease from City assets.

**STRATEGIC/SOCIAL IMPLICATIONS:**

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

Plan	Outcome	Objective
Strategic Community Plan	A well maintained City	Actively improve the appearance of public areas, streetscapes and public access ways throughout the City



**18.2 TENDER #684KWN21 – LANDSCAPE MAINTENANCE SERVICES****PUBLIC HEALTH IMPLICATIONS:**

The City's public open space and streetscapes are highly visible assets and a highly aesthetic feature of the City for both visitors and residents. Poor management of public open space and streetscapes will impact the communities ability to utilise these assets.

**RISK IMPLICATIONS:**

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

Risk Event	Poor management of public open space and assets
Risk Theme	Unplanned maintenance costs
Risk Effect/Impact	Operational
Risk Assessment Context	Operational
Consequence	Moderate (Reputational, financial)
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	Engage skilled contractor to undertake maintenance works
Response to risk treatment required/ in place	Engage skilled contractor to undertake maintenance works
Rating (after treatment)	Low

**COUNCIL DECISION****422****MOVED CR D WOOD****SECONDED CR W COOPER****That Council:**

- 1. Award Contract for 684KWN21 – Landscape Maintenance Services to Sanpoint Pty Ltd trading as LD Total, for a period of four years commencing 3 June 2021, for an estimated annual expenditure of \$1,824,188.00 (ex GST), in accordance with the City's Special Conditions of Contract, General Conditions of the Contract, the Specifications and their Tender submission including their schedule of rates.**
- 2. Approves the above Contract for the specified Contract term, subject to price increases based on quarterly Consumer Price Index (CPI) (All Groups) (Perth) allocated to the Contractor at scheduled intervals during the Contract Term. The price adjustment will be automatically applied by the Principal.**

**CARRIED**  
**7/0**

### 18.3 Dogs on Lead signage for all public places, parks and reserves

#### DECLARATION OF INTEREST:

There were no declarations of interest declared.

#### SUMMARY:

Council was presented with a petition at its 25 November 2020 Ordinary Council Meeting requesting dog on lead signage be placed at all playgrounds following a dog attack at one of the City's local parks. A report was presented to the Ordinary Council Meeting of 27 January 2021 outlining what the current practice and legislation is with managing dogs at public open spaces and as a result Council resolved to:

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 needed 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.*

Upon these recommendations being supported by Council, City staff have:

- Notified all parties subject to the petition of the outcomes determined and supported by Council at its Ordinary Council Meeting listed on 27 January 2021.
- Continued to undertake an awareness and education programs via City's electronic mediums and hard copy documentation (Responsible Animal ownership pamphlet) in making dog owners aware of their responsibilities when walking their dog(s) in a public place, which is ongoing awareness,
- Continued with its targeted patrols of known hotspot locations as determined by statistical reporting and officer knowledge based and;
- Undertaken an audit of all of the City's public places, parks, reserves, including those with playgrounds and sporting activities, to determine the cost associated in considering having 'Dog on Lead' signs placed at all these locations and at key entry points into these areas.

Following a review of a number of options that included a rollout of signage across all public spaces as per the resolution. It was determined that the placement of such dog on lead signage at all parks reserves and public places would not to be cost effective and further and more importantly the placement of this signage would also not fulfil the intended purposes of outcomes to accommodate the petitions intent.

It was therefore determined that the best option was to consider using the City's resources to increase its education and awareness programs and in doing so better target specific age and or community groups within the community.



### 18.3 DOGS ON LEAD SIGNAGE FOR ALL PUBLIC PLACES, PARKS AND RESERVES

#### **OFFICER RECOMMENDATION:**

That Council resolve to support an expanded community education and awareness program, targeted towards dog owners, to increase awareness of and compliance with the Dog Act 1976.

#### **DISCUSSION:**

City staff undertook an audit to determine how many of the City's listed public places, which included parks, and reserves were located within the City. This audit determined that there are 174 parks, reserves and open public space areas, subject to this audit.

City Assist Officers attended and inspected all these listed public places, reserves and parks, filled out audit reports of their findings, determining the best location for the placement of Dogs on Lead signs.

The audit also determined that with some parks or reserves, an alternate type of signage in the form of stencilling, would be better suited. This was determined on the basis that some of the signs and post may impact negatively on the amenity of the area in question and may create ongoing maintenance needs. City staff determined that it would be better to have this information stencilled at the key entry pathway points into the reserve or park area, as opposed to a sign and post option.

Other locations however, were best suited to just having a sign and post installed, as there were no concrete path or access ways to these locations, which could accommodate the stencils,

The audit also highlighted some places as unsuitable for having any type of advice signage installed, as most were areas of bushland and or located in bushland well isolated from any residential properties or activities and not easily accessible to the public.

The completed individual audit forms were then inputted into a spreadsheet, detailing all the information needed to inform Council of its findings.

These findings then determined that there are:

- 174 public places, reserves and parks subject to an inspection requirement.
- 15 of these Parks and Reserves were listed as existing dog exercise area and already had the required signage in place to inform users of the permitted activity.
- Some open public space areas were completely concreted in or built on such as the Kwinana Town Centre and Wellard Town Centre.
- Other parks were located within the Kwinana Heavy Industrial areas or Postans Industrial Estate and are no longer easily accessible to the public or City Assist staff.
- Upon completing the assessment, it was determined that the following number of signs and posts or stencils were needed to accommodate the request of the community members petition received and to ensure sufficient notification was being proved to make users aware of their legal obligations:
  - Sign and Posts 251
  - Stencils 485

The indicative costs provided by one of the City authorised suppliers had determined that the cost of supplying and installing a single sign and post is approximately \$77:00.

### 18.3 DOGS ON LEAD SIGNAGE FOR ALL PUBLIC PLACES, PARKS AND RESERVES

- The creation of a stencil would cost \$104:00, which would be a one-off cost.
- There is also a \$183.00 cost per application of the stencil.
- Therefore, the total cost for this project based on this pricing quoted had been determined to be as follows:
  - 251 Signs and Posts = \$19,325.00
  - 485 Stencils = \$88,755.00
  - Total Cost = \$108,200 (rounded off)
- In addition to the installation cost there is a need to ensure ongoing maintenance requirements are budgeted for these signs or stencils once installed. The cost of maintenance is generally budgeted for at 10% of the total cost of the supply and install cost and slightly less for the stencils. This equates to approximately \$10,820.00 per year for ongoing maintenance.

The alternate option was to consider just targeting those parks and reserves within the City, which are listed as active parks and reserves or locations where certain key activities are scheduled to occur – such as sports activities, regular community events or large-scale playground areas.

When taking these additional criteria into consideration it reduces the number of parks and reserves being targeted from 174 to just under 40 resulting in approximately:

- 99 signs or posts needed to be installed; and
- 178 stencils needing to be laid.

The total cost of this work is approximately \$40,000, with approximately \$4,000 per year to be set aside for ongoing maintenance needs.

The placement of the advisory signs at the identified parks and reserves may not provide the outcome anticipated or expected results that would observe an overall reduction in the number of incidents occurring at these locations. Whilst it may have some short-term effects, and will remind some of the more responsible dog owners of the requirement of having proper control of their dogs, the longer-term effect of these signs being placed on the City's parks, reserves and public places is not known. It has been observed with other advisory signage put in place at similar locations for other related matters, these signs or stencils will in time likely be ignored and lose their anticipated effect, making the City question the cost outlay for such matters, the affect that some of these sign will have on the overall amenity or streetscapes of the area and the overall effect on this signages intent.

However, there are other ways in which the City can ensure that the requirements of the Dog Act can be adhered too and these includes such things as:

1. Ongoing education and awareness programs targeted towards specific age and demographic groups, is undertaken using certain electronic mediums on offer for these group types,
2. Increased concentrations of target active patrol to know hot spot areas, and
3. The using set enforcement methods or programs targeted at known problem locations and groups;



**18.3 DOGS ON LEAD SIGNAGE FOR ALL PUBLIC PLACES, PARKS AND RESERVES**

When combining all these above measures together even though resource intensive at times, it has proven to demonstrated some positive short - medium term effects to the issues at hand. It is therefore recommended that this approach be taken rather than the placement of signs.

**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

**18.3 DOGS ON LEAD SIGNAGE FOR ALL PUBLIC PLACES, PARKS AND RESERVES****FINANCIAL/BUDGET IMPLICATIONS:**

There will be budget cost implications to the City, should Council approve the installation of Dogs on Lead- signs and posts or stencils at these 174 identified public places, parks and reserve locations as per the recommendation made 27 January 2021. Funding is currently not allocated for this activity and would need to be reprioritised from existing budget allocations if this activity was to occur.

There would also be ongoing annual maintenance costs needed to be considered once these signs, posts or stencils are installed as referred to above.

Should Council support the officer's recommendation, the Marketing and Communications Plan related to dog owner education will be reviewed. It is considered that any additional costs can be absorbed as part of the existing budget.

**ASSET MANAGEMENT IMPLICATIONS:**

There will be asset management implications arising should Council approve the installation of the signs or posts or the application of stencils at certain parks and reserve areas.

These assets would need to be recorded within the City assets system database and scheduled for ongoing maintenance and replacement projects linked to these parks and reserve areas.

However, should Council support the officer's latest recommendation then this implication referred to above would no longer need to be considered.

**ENVIRONMENTAL IMPLICATIONS:**

Whilst no direct environment implications are expected it is anticipated that the education and awareness programs recommended will further add protections to our flora and fauna within the City.

**STRATEGIC/SOCIAL IMPLICATIONS:**

The City of Kwinana Strategic Community Plan 2019 – 2029 provides that Council will;

Plan	Outcome	Objective
Strategic Community Plan 2019 – 2029	Services for an active community	1.4 A healthy and active community with services for everyone's needs
	Great public place	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



**18.3 DOGS ON LEAD SIGNAGE FOR ALL PUBLIC PLACES, PARKS AND RESERVES****COMMUNITY ENGAGEMENT:**

The outcomes determined above were as a result of a petition received from some concerned community members. No further engagement has been undertaken with the community as part of the audit.

Should Council support the officer's recommendation, an expanded marketing and communications program will be established to better engage with the broader community and target groups.

**RISK IMPLICATIONS:**

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

Risk Event	Request to consider the installation of 'Dogs on Lead Signage', to all City Reserve, Parks and Public Places- to reduce the risk of dog attacks at these locations.
Risk Theme	Failure to fulfil statutory regulations or compliance Inadequate control practices
Risk Effect/Impact	People/Health Financial Reputation Compliance
Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Placement of signage or stencils may have some direct short term affects, in reducing the risk. However, overtime the fear is users of these sites will become complacent to signage or stencils in place and ignore the same, increasing the risk once again. Funds are better used towards education and awareness programs rather than signage installation
Rating (after treatment)	Moderate

**COUNCIL DECISION****423****MOVED CR P FEASEY****SECONDED CR M ROWSE**

**That Council resolve to support an expanded community education and awareness program, targeted towards dog owners, to increase awareness of and compliance with the Dog Act 1976.**

**CARRIED  
7/0**

## **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 Councillor Sandra Lee**

Councillor Sandra Lee reported that she had attended two City of Kwinana OMG Fringe Festival performances. Councillor Lee noted that the area between City of Kwinana Administration Building and the Koorliny Arts Centre looked very inviting. Councillor Lee passed on her thanks to everyone in bringing the festival to Kwinana.

### **22.2 Councillor Dennis Wood**

Councillor Dennis Wood reported that he had been pleased to attend the City of Kwinana OMG Fringe Festival which was great. Councillor Wood passed on his compliments to all the City Officers involved in the festival as they did a fantastic job.

## **23 Answers to questions which were taken on notice**

Nil

## **24 Mayoral Announcements**

Mayor Carol Adams reported that she had attended a meeting with members of the Maori community to discuss the concept of building a regional Marae and the housing of the Waka canoe which is to be returned for the Eastern States.

The Mayor advised that in company with, Councillor Dennis Wood and Councillor Sherilyn Wood that they had met with several new teachers for an afternoon tea at the Darius Wells Library and resource Centre as part of their tour of the City and to discuss what facilities and programs the Council has to assist and support students and teachers.

The Mayor mentioned that she had participated in the WA Local Government Association's Strategic Forum and State Council Meeting. The Mayor explained that at the forum was the new Local Government Minister, John Carey whom spoke about his open door policy and the need for councils to be more transparent with its ratepayers. The Mayor stated that the City will write to Minister Carey and invite him to meet with the City so that we can showcase some of the great initiatives that the City has implemented.



## 24 MAYORAL ANNOUNCEMENTS

The Mayor reported that she had attended the Gilmore College Board Meeting and provided an update regarding the “Old Flames” Alumni School Brick project, which is progressing well with the first of the bricks arriving for the footpath project.

The Mayor advised that, in company with the Chief Executive Officer, they had met with Mr Reece Whitby MLA for Baldivis and the recently appointed Officer In Charge (OIC) of the Kwinana Police Station, Senior Sergeant Andrea Smith. The Mayor explained that the principle topic of the discussion was the Police Station renovation progress and the recent and ongoing spate of issues in Wellard Village which the Police are working hard to address, with the assistance of the Wellard community.

The Mayor mentioned that she had attended several of the City of Kwinana OMG Fringe Events on Friday 7 May 2021 and Saturday 8 May 2021. The Mayor gave special mention to the introduction of “The Grove” as a future activity space between the Koorliny Art Centre and the Council Administration Building.

The Mayor reported that she had participated in the Freeman Working Group Meeting with Deputy Mayor Peter Feasey and Councillor Merv Kearney.

The Mayor advised that she had attended a meeting with the City’s Director of City Engagement and a local resident to discuss how the City can better market diversity in our advertising material.

## 25 Confidential items

### COUNCIL DECISION

424

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  
7/0

*The Council Chambers doors were closed at 5:40pm.*

### 25.1 Appointment Audit and Risk Committee Independent Member

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

(b) the personal affairs of any person; and

### COUNCIL DECISION

425

MOVED CR M ROWSE

SECONDED CR S LEE

That Council resolve to appoint Candidate A as the Independent Audit and Risk Committee Member, for a term expiring 16 October 2021 and remunerated at \$750.00 per meeting.

CARRIED  
7/0

### COUNCIL DECISION

426

MOVED CR P FEASEY

SECONDED CR W COOPER

That Council return from Behind Closed Doors.

CARRIED  
7/0

*The Council Chambers doors we reopened at 5:42pm.*

## **26 Close of meeting**

The Mayor declared the meeting closed at 5:42pm.