

Ordinary Council Meeting

9 March 2022

Agenda

Notice is hereby given of 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

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1 OPENING AND ANNOUNCEMENT OF VISITORS

Presiding Member to declare the meeting open and welcome all in attendance.

2 WELCOME TO COUNTRY AND ACKNOWLEDGEMENT OF COUNTRY

Councillor Barry Winmar to present the Welcome to Country:

"Ngullak nyinniny kooralong koora ngullak noitj nidja noongar boodjar. Noongar moort djoorapiny nyinniny nidja ngulla quopadok noongar boodjar kooralong.

From the beginning of time to the end, this is Noongar Country. Noongar people have been graceful keepers of our nation for many, many years.

Ngalla djoorapiny maambart boodjar ngallak bala maambart quop ngalla koort djoorapiny nidja ngalla mia mia nyinniny noongar boodjar.

We respect the earth our mother and understand that we belong to her - she does not belong to us. In all her beauty, we find comfort, wellbeing, and life that creates a home for everyone that has become a keeper of Noongar Country.

Djinanginy katatjin djoorapiny nidja weern noongar boodjar ngalla mia mia boorda.

Look, listen, understand and embrace all the elements of Noongar Country that is forever our home.

Kaya wandju ngaany Barry Winmar Wadjuk Ballardong maaman ngaany koort djoorapiny noonook nidja Noongar boodjar daadjaling waankganiny noitj Noongar Boodjar.

Hello and welcome my name is Barry Winmar and I am a Whadjuk Ballardong man my heart is happy as we are gathered on Noongar country and speaking here on Noongar Country"

Presiding Member to 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 to 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:

Leave(s) of Absence (previously approved):

Councillor D Wood from 27 February 2022 to 14 March 2022 inclusive.
Councillor S Wood from 1 March 2022 to 25 March 2022 inclusive.

5 PUBLIC QUESTION TIME

In accordance with the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*, any person may during Public Question Time ask any question.

In accordance with Regulation 6 of the *Local Government (Administration) Regulations 1996*, the minimum time allowed for Public Question Time is 15 minutes.

A member of the public who raises a question during Question Time is to state his or her name and address.

Members of the public must provide their questions in writing prior to the commencement of the meeting. A public question time form must contain all questions to be asked and include contact details and the form must be completed in a legible form.

Please note that in accordance with Section 3.4(5) of the *City of Kwinana Standing Orders Local Law 2019* a maximum of two questions are permitted initially. An additional question will be allowed by the Presiding Member if time permits following the conclusion of all questions by members of the public.

6 RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

6.1 PETITIONS

A petition must –

- be addressed to the Mayor;
- be made by electors of the district;
- state the request on each page of the petition;
- contain at least five names, addresses and signatures of electors making the request;
- contain a summary of the reasons for the request;
- state the name of the person to whom, and an address at which, notice to the petitioners can be given; and
- be respectful and temperate in its language and not contain language disrespectful to Council.

The only motion which shall be considered by the Council on the presentation of any petition are –

- that the petition be received;
- that the petition be rejected; or
- that the petition be received and a report prepared for Council.

6.2 PRESENTATIONS

In accordance with Clause 3.6 of the *Standing Orders Local Law 2019* a presentation is the acceptance of a gift, grant or an award by the Council on behalf of the local government or the community.

Prior approval must be sought by the Presiding Member prior to a presentation being made at a Council meeting.

Any person or group wishing to make a presentation to the Council shall advise the CEO in writing before 12 noon on the day of the meeting. Where the CEO receives a request in terms of the preceding clause the CEO shall refer it to the presiding member of the Council committee who shall determine whether the presentation should be received.

A presentation to Council is not to exceed a period of fifteen minutes, without the agreement of Council.

6.3 DEPUTATIONS

In accordance with Clause 3.7 of the *Standing Orders Local Law 2019*, any person or group of the public may, during the Deputations segment of the Agenda with the consent of the person presiding, speak on any matter before the Council or Committee provided that:

- the person has requested the right to do so in writing addressed to the Chief Executive Officer by noon on the day of the meeting.
- setting out the agenda item to which the deputation relates;
- whether the deputation is supporting or opposing the officer's or committee's recommendation; and
- include sufficient detail to enable a general understanding of the purpose of the deputation.

A deputation to Council is not to exceed a period of fifteen minutes, without the agreement of Council.

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 23 FEBRUARY 2022

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 23 February 2022 be confirmed as a true and correct record of the meeting.

8 DECLARATIONS OF INTEREST (FINANCIAL, PROXIMITY, IMPARTIALITY – BOTH REAL AND PERCEIVED) BY MEMBERS AND CITY OFFICERS

Section 5.65(1) of the *Local Government Act 1995* states:

A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest —

- in a written notice given to the CEO before the meeting; or
- at the meeting immediately before the matter is discussed.

Section 5.66 of the *Local Government Act 1995* states:

If a member has disclosed an interest in a written notice given to the CEO before a meeting then —

before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and

at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before the matters to which the disclosure relates are discussed.

9 REQUESTS FOR LEAVE OF ABSENCE

10 ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY

11 ANY BUSINESS LEFT OVER FROM PREVIOUS MEETING

12 RECOMMENDATIONS OF COMMITTEES

12.1 INFRASTRUCTURE CONTRIBUTIONS ANNUAL STATUS REPORT

SUMMARY

Clause 6.10.18 of State Planning Policy 3.6 Infrastructure Contributions (SPP 3.6) requires an annual status report to be prepared by local government that provides an overview of progress of the delivery of infrastructure specified in each of the City's Developer Contribution Plans (DCPs) and the financial position of the Developer Contribution Funds.

The annual status report is to be published by the local government on its website and supporting documentation and data informing the status report is to be made available at the request of the Department of Local Government, Sport and Cultural Industries or the Department of Planning, Lands and Heritage, to enable the effective collection of information regarding the progress of all DCPs across the State.

OFFICER RECOMMENDATION

That the Audit and Risk Committee note and provide comment to Council on the Annual Status Reports (as per Attachments A and B) for publication by City of Kwinana on its website.

AUDIT AND RISK COMMITTEE RECOMMENDATION

That Council note the Annual Status Reports (as per Attachments A and B) for publication by City of Kwinana on its website.

Audit and Risk Committee Comments:

Nil

DISCUSSION

Draft Local Planning Strategy

The adoption of the Annual Status Reports will support the achievement of the following actions in the draft Local Planning Strategy:

Strategic Direction:

To deliver an equitable distribution of accessible and integrated multi-functional public open spaces, community infrastructure and recreation facilities that supports healthy and socially connected communities.

Strategic Actions:

- Pursue developer contributions for community, public open space, social, road and other infrastructure items for improvement or provision as appropriate, in accordance with the City of Kwinana's Community Infrastructure Plan and approved local structure plans.
- Implement, and regularly review, the City's Developer Contribution Plans in accordance with State Planning.

Annual Status Report

The revised SPP 3.6 was gazetted on 30 April 2021. The policy sets out the principles and considerations that apply to development contributions for the provision of infrastructure in new and established urban areas and the form, content and process to be followed.

The revised policy requires an annual review of cost estimates to be undertaken for each DCP. This was completed and reported to Council in late 2021, as part of adopting revised Developer Contribution Plan (DCP) Reports and associated Cost Apportionment Schedule (CAS) for DCAs 1-7. The review was based on the Community Infrastructure Plan (CIP) adopted by Council in October 2018.

In addition to the annual review of cost estimates, an annual status report is required by clause 6.10.18 of SPP 3.6 to be prepared by the local government, providing an overview of progress of the delivery of infrastructure specified in the Development Contribution Plan/s and the financial position of the Developer Contribution funds.

The status report is to include:

- The timing and estimated percentage delivery of an infrastructure item against that stated in the DCP, arising from the review of the local government’s Capital Expenditure Plan;
- The financial position of the DCP, including interest that has been accrued; and
- A summary of the review of the estimated costs in the CAS, including any changes in funding and revenue sources, and any relevant indexation.

Annual Status Reports have been prepared for the City’s Development Contribution Plans and can be found as Attachments A and B. The reports have been prepared using the model template provided in Schedule 5 of SPP 3.6.

Once considered by the Audit and Risk Committee and subsequently adopted by Council the Annual Status Reports are to be published by the local government on its website, and should align with the annual financial statements.

STRATEGIC IMPLICATIONS

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

Strategic Community Plan			
Outcome	Strategic Objective	Action in CBP (if applicable)	How does this proposal achieve the outcomes and strategic objectives?
3 – Infrastructure and services that are affordable and contribute to health and wellbeing	3.1 – Develop quality, affordable infrastructure and services designed to improve the health and wellbeing of the community	N/A – There is no specific action in the CBP, yet this report will help achieve the indicated outcomes and strategic objectives	Provides an update on progress towards infrastructure items identified in Developer Contribution Plans
	3.3 – Maintain infrastructure, playgrounds, parks and reserves to a high standard through sustainable asset	N/A – There is no specific action in the CBP, yet this report will help achieve the indicated outcomes and strategic objectives	Provides an update on progress towards infrastructure items identified in Developer Contribution Plans

	maintenance and renewal		
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SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

State Planning Policy 3.6: Infrastructure Contributions
 Local Planning Policy 4: Administration of Development Contributions

For the purpose of Councillors considering a financial or impartiality interest only, there are multiple owners and developers affected by this report, located within DCAs 2 – 7 and 8 – 15.

FINANCIAL/BUDGET IMPLICATIONS

This proposal provides an update on developer contributions towards community infrastructure.

ASSET MANAGEMENT IMPLICATIONS

This proposal provides an update on developer contributions towards community infrastructure.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

There are no environmental / public health implications as a result of this proposal.

COMMUNITY ENGAGEMENT

No community engagement required, however the Annual Status Reports will be published on the Councils website.

ATTACHMENTS

- A. Development Contribution Plans 1-7 - Annual Status Report 2021
- B. Development Contribution Plans 8-15 - Annual Status Report 2021



City of Kwinana Development Contribution Plans Annual Report 2021

Development Contribution Plans 1-7

Name DCP: **Development Contribution Plan 1 – Bertram/ Wellard/ Parmelia (North East)/ Orelia (East)**
 Report date: December 2021
 Financial year: 2020/2021

Table 1: Summary of delivery of infrastructure

Item of infrastructure	Scheduled delivery/ priority in DCP	Progress /status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
A. Sulphur Road bridge over railway	N/A	100% complete	Complete	100% DCP	N/A
B. Stormwater Management Infrastructure (formally Nutrient Stripping Basin) on the Peel Main Drain north of Bertram Road	0-3 years	95% complete	0-3 years	50% developer funded and 50% contributions	NA
B Stormwater Management Infrastructure (formally Nutrient Stripping Basin)	N/A	100% complete	Completed	100% DCP	N/A
C. upgrade to Bertram Road – Johnson Road to Challenger Road	N/A	100% complete	Complete	100% DCP	N/A
C. upgrade to Mortimer Road - Johnson Road to Freeway	N/A	100% complete	Complete	100% DCP	N/A
D. Johnson Road upgrade – north of Peel Lateral Drain to Holden Close – western Side	N/A	100% complete	Complete	100% DCP	N/A
D. Johnson Road upgrade – north of Peel Lateral Drain to Holden Close – eastern Side	N/A	100% complete	Complete	100% DCP	N/A

Item of infrastructure		Scheduled delivery/ priority in DCP	Progress /status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
E.	Johnson Road upgrade – south of Peel Lateral Drain to Bertram Road – both Sides	N/A	100% complete	Complete	100% DCP	N/A
E.	Johnson Road upgrade –south of Peel Lateral Drain to Bertram Road – roundabouts (2)	N/A	100% complete	Complete	100% DCP	N/A
F.	Dual Use Path (eastern side Johnson Road) – North of Peel Lateral Drain to Holden Close	N/A	100% complete	Complete	100% DCP	N/A
F.	Dual Use Path on eastern side Johnson Road – South of Peel Lateral Drain to Bertram Road	N/A	100% complete	Complete	100% DCP	N/A
I.	construction of road linkage across the parks and recreation reserves in Bertram – Price Parkway Road	N/A	100% complete	Complete	100% DCP	N/A
Separated into G,H and L	upgrade of Johnson Road south of Bertram Road and north of Millar Road	N/A	100% complete	Complete	100% DCP	N/A
Included in G and H	undergrounding existing overhead power lines on both side of Johnson Road south of Bertram Road and north of Millar Road and south side of Mortimer Road between Johnson Road and Freeway	N/A	100% complete	Complete	100% DCP	N/A
H	Johnson Road construction – south of Johnson Road culvert crossing over west side Peel Main Drain to Millar Road – the DCP item is the difference between a Neighbourhood Connector A and an Access Street B (WAPC Liveable Neighbourhoods)	N/A	100% complete	Complete	100% DCP	N/A
G.	Johnson Road upgrade – South Bertram Road to western edge, Johnson Road culvert crossing	N/A	100% complete	Complete	100% DCP	N/A

	Item of infrastructure	Scheduled delivery/ priority in DCP	Progress /status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
	over eastern side of Peel Main Drain					
L	Johnson Road new culvert and road crossing over Peel Main Drain	N/A	100% complete	Complete	100% DCP	N/A
K	Bertram Road – Challenger Ave to Wellard Road	0-4 years	5% complete	5-10	59% funded by the City and 41% by DCP	Detailed design completed with Main Roads WA. Road Improvement Grant application made. Project cannot be delivered due to lack of contributions collected. Delivery dependent upon timing of land development
J.	Wellard Road – Bertram Road to Cavendish Boulevard	0-4 years	5% complete	5-10	58% funded by the City and 42% funded by DCP	Detailed design completed with Main Roads WA. Road Improvement Grant application made. Project cannot be delivered due to

Item of infrastructure		Scheduled delivery/ priority in DCP	Progress /status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
						lack of contributions collected. Delivery dependent upon timing of land development
J.	Wellard Road – Cavandish Boulevard to Millar Road	0-3 years	5% complete	5-10	75% funded by the City and 25% funded by DCP	Detailed design completed with Main Roads WA. Road Improvement Grant application made. Project cannot be delivered due to lack of contributions collected. Delivery dependent upon timing of land development
M	New road culvert and road crossing over the Peel Main Drain linking Lot 661 and Lot 670 Bertram Road	0-5 years	5% complete	5-10	100% DCP	Detailed design completed with Main Roads WA. Road Improvement Grant application

Item of infrastructure	Scheduled delivery/ priority in DCP	Progress /status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
					made. Project cannot be delivered due to lack of contributions collected. Delivery dependent upon timing of land development

*% completion has been estimated from the amount of contributions received as a percentage of the overall cost of infrastructure item.

Table 2: Financial position of DCF

	Received/value contributions collected or land area	DCP funds expended/value	Current balance of DCF	Value of credits	Interest earned on DCP funds (if applicable)
Monetary component in levies (\$)	5,737,533	5,147,863	738,950	5,359,258	28,351
Works in kind		5,238,330			
Land contribution					
TOTAL	5,737,533	10,386,193	738,950	5,359,258	28,351

1. Has the DCF account been independently audited?
 Yes, DCA1-7 independently audited up to 30 June 2020 in early 2021. The audit of 20/21 financial year is scheduled for March 2022.

2. Has the annual review of the Cost Apportionment Schedule (CAS) and Cost Estimates been undertaken (Yes/No) (Frequency/insert date)
 Yes, the annual review of DCAs1-7 was undertaken in the second half of 2021.

3. Are dwelling forecasts current?
 Yes, dwelling forecasts are current as of June 2021.

4. Identify any matters that may require future modifications to the DCP (slow rate of growth, unlikely to develop) and if alternative funding needs to be investigated.
 N/A

Name DCP: **Development Contribution Plan 2 – Wellard**
 Report date: December 2021
 Financial year: 2020/2021

Table 1: Summary of delivery of infrastructure

Item of infrastructure	Scheduled delivery/ priority in DCP	Progress /status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
Internal Collector (Sunrise Boulevard)	1-9 years	Not commenced	1-9 years	100% DCP	N/A
Internal Collector (Sunrise Boulevard)	1-9 Years	Not commenced	1-9 years	100% DCP	N/A
Internal Collector (Sunrise Boulevard)	1-9 years	Not commenced	1-9 years	100% DCP	N/A
Peel Sub Drain N	0-4 years	61% complete	0-4 years	61% funded by City and 39% by DCP	N/A
Peel Sub Drain N1	0-4 years	100% Complete	--	100% DCP	N/A
Peel Sub Drain N2	0-4 years	100% Complete	-	100% DCP	N/A
Millar Road	0-5 years	79% complete	0-5 years	8% funded by the City and 91% by DCP	N/A
Mortimer Road	7-9 years	Not commenced	7-9 years	31.99% funded by DCP2 (68.01% funded by DCP3)	N/A
District Sporting Ground – POS Land (3 ha)	5-8 years	Not commenced	5-8 years	9.07% funded by DCP 2 (90%	N/A

Item of infrastructure	Scheduled delivery/priority in DCP	Progress /status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
				funded by other DCPS)	
Branch Library (land component – acquisition and basic improvements)	5-8 years	Not commenced	5-8 years	9.07% funded by DCP 2 (90% funded by other DCPS)	N/A

*% completion has been estimated from the amount of contributions received as a percentage of the overall cost of infrastructure item.

Table 2: Financial position of DCF

	Received/value contributions collected or land area	DCP funds expended/value	Current balance of DCF	Value of credits	Interest earned on DCP funds (if applicable)
Monetary component in levies (\$)	2,612,015	1,012,663	1,720,913	1,054,562	121,561
Works in kind		1,054,562			
Land contribution					
TOTAL	2,612,015	2,067,225	1,720,913	1,054,562	121,561

1. Has the DCF account been independently audited?
Yes, DCA1-7 independently audited up to 30 June 2020 in early 2021. The audit of 20/21 financial year is scheduled for March 2022.
2. Has the annual review of the Cost Apportionment Schedule (CAS) and Cost Estimates been undertaken (Yes/No) (Frequency/insert date)
Yes, the annual review of DCAs1-7 was undertaken in the second half of 2021.
3. Are dwelling forecasts current?
Yes, dwelling forecasts are current as of June 2021.
4. Identify any matters that may require future modifications to the DCP (slow rate of growth, unlikely to develop) and if alternative funding needs to be investigated.
N/A

Name DCP: **Development Contribution Plan 3 – Casuarina**
 Report date: December 2021
 Financial year: 2020/2021

Table 1: Summary of delivery of infrastructure

Item of infrastructure	Scheduled delivery/ priority in DCP	Progress/status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
Peel Sub Drain P	1-8 years	Not commenced	1-8 years	100% DCP	
Peel Sub Drain P1	1-8 years	Not commenced	1-8 years	100% DCP	
Peel Sub Drain P1A	1-8 years	Not commenced	1-8 years	100% DCP	
Peel Sub Drain O	1-8 years	Not commenced	1-8 years	100% DCP	
Casuarina Public Open Space	1-8 years	Not commenced	1-8 years	100% DCP	
Mortimer Road	6-8 years	Not commenced	6-8 years	68% funded by DCP3 (32% funded by DCP2)	
Thomas Road	1-5 years	Concept design processed commenced by Main Roads	6-8 years	63% funded by DCP3 (37% funded by DCP4)	Progress dependent on timing of Westport and private land.
District Sporting Ground - POS land (3 ha)	5-8 years	Not commenced	5-8 years	15.35% funded by DCP3 85% funded by other DCPs2&4-7)	

Item of infrastructure	Scheduled delivery/priority in DCP	Progress/status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
Branch Library (land component – acquisition and basic improvements)	5-8 years	Not commenced	5-8 years	15.35% funded by DCP3 85% funded by other DCPs2&4-7)	

*% completion has been estimated from the amount of contributions received as a percentage of the overall cost of infrastructure item.

Table 2: Financial position of DCF

	Received/valued contributions collected or land area	DCP funds expended/value	Current balance of DCF	Value of credits	Interest earned on DCP funds (if applicable)
Monetary component in levies (\$)	0	0	0	0	0
Works in kind	0	0	0	0	0
Land contribution					
TOTAL	0	0	0	0	0

1. Has the DCF account been independently audited?

Yes, DCA1-7 independently audited up to 30 June 2020 in early 2021. The audit of 20/21 financial year is scheduled for March 2022.

2. Has the annual review of the Cost Apportionment Schedule (CAS) and Cost Estimates been undertaken (Yes/No)
(Frequency/insert date)
Yes, the annual review of DCAs1-7 was undertaken in the second half of 2021.

3. Are dwelling forecasts current?
Yes, dwelling forecasts are current as of June 2021.

4. Identify any matters that may require future modifications to the DCP (slow rate of growth, unlikely to develop) and if alternative funding needs to be investigated.
N/A

Name DCP: **Development Contribution Plan 4 – Anketell**
 Report date: December 2021
 Financial year: 2020/2021

Table 1: Summary of delivery of infrastructure

Item of infrastructure	Scheduled delivery/ priority in DCP	Progress/status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
Treeby Road	Completed	100% Complete	N/A	100% DCP funded	N/A
Anketell North Public Open Space (including Community purposes site) –	1-8 years	Not commenced	1-8 years	100% DCP funded	N/A
Thomas Road	1-5 years		6-8 years	37.45% funded by DCP4 (62.55% funded by DCP3)	Progress is dependent on timing of Westport and private land development in DCAs 4 and 5.
Anketell Road	2-5 years		6-8 years	46.68% funded by DCP4 (53.32% funded by DCP5)	Progress is dependent on timing of Westport and private land development in DCAs 4 and 5.

Item of infrastructure	Scheduled delivery/ priority in DCP	Progress/status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
District Sporting Ground (land component – acquisition and basic improvements)	5-8 years	Not commenced	5-8 years	10.81 funded by DCP4 (rest funded by DCPs 2,3&5-7)	N/A
Local Community Centre (land component – acquisition and basic improvements)	5-8 years	Not commenced	5-8 years	39.55% funded by DCP4 with rest funded by DCP5	N/A
District Youth Centre (land component – acquisition and basic improvements)	5-8 years	Not commenced	5-8 years	27.5% funded by DCP 4 (rest funded by DCP5&6)	N/A
Branch Library (land component – acquisition and basic improvements)	5-8 years	Not commenced	5-8 years	10.81 funded by DCP4 (rest funded by DCPs 2,3&5-7)	N/A

*% completion has been estimated from the amount of contributions received as a percentage of the overall cost of infrastructure item.

Table 2: Financial position of DCF

	Received/value contributions collected or land area	DCP funds expended/value	Current balance of DCF	Value of credits	Interest earned on DCP funds (if applicable)
Monetary component in levies (\$)	1,319,775	136,809	1,194,025	759,761	11,059
Works in kind		759,761			
Land contribution					
TOTAL	1,319,775	896,570	1,194,025	759,761	11,059

1. Has the DCF account been independently audited?
Yes, DCA1-7 independently audited up to 30 June 2020 in early 2021. The audit of 20/21 financial year is scheduled for March 2022.

2. Has the annual review of the Cost Apportionment Schedule (CAS) and Cost Estimates been undertaken (Yes/No) (Frequency/insert date)
Yes, the annual review of DCAs1-7 was undertaken in the second half of 2021.

3. Are dwelling forecasts current?
Yes, dwelling forecasts are current as of June 2021.

4. Identify any matters that may require future modifications to the DCP (slow rate of growth, unlikely to develop) and if alternative funding needs to be investigated.

N/A

Name DCP: **Development Contribution Plan 5 – Wandi**
 Report date: December 2021
 Financial year: 2020/2021

Table 1: Summary of delivery of infrastructure

Item of infrastructure	Scheduled delivery/ priority in DCP	Progress /status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
Lyon Road	Final section likely to be constructed, estimated in 3-6 years	100% complete	3-6 years	100% DCP funded	N/A
Honeywood Avenue Internal Collector	Final portion of Honeywood/Cordata Avenue to be constructed at the time the future Wandi-Anketell District Centre is constructed, estimated 3-6 years	80% complete	3-6 years	100% DCP funded	N/A
Wandi Public Open Space	Largely complete, some outstanding establishment remaining.	99% complete	1-3 years	100% DCP funded	NA
Wandi Playing fields	Largely complete. Small triangular section 2-3 years.	97% complete	2-3 years	100% DCP funded	N/A
Anketell Road	2-5 years	Concept Design stage	6-8 years	53.32% funded by DCP5 and	Progress of this project is dependent upon

Item of infrastructure	Scheduled delivery/ priority in DCP	Progress /status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
				rest funded by DCP4.	Westport and private land development in DCA4 and 5.
District Sporting Ground (land component – acquisition and basic improvements)	5-8 years	Not commenced	5-8 years	13.13% funded by DCP5 rest funded by DCPs2,3,4,6&7	N/A
Local Community Centre	5-8 years	Not commenced	5-8 years	60.45% funded by DCP5 rest funded by DCP4.	N/A
District Youth Centre	5-8 years	Not commenced	5-8 years	42.13% funded by DCP5 with rest funded by DCP4&6.	N/A
Branch Library	5-8 years	Not commenced	5-8 years	100% DCP funded	N/A

*% completion has been estimated from the amount of contributions received as a percentage of the overall cost of infrastructure item.

Table 2: Financial position of DCF

	Received/valu e contributions collected or land area	DCP funds expended/value	Current balance of DCF	Value of credits	Interest earned on DCP funds (if applicable)
Monetary component in levies (\$)	1,061,506	157,628	972,058	45,894,064	68,178
Works in kind		45,894,064			
Land contribution					
TOTAL	892,752	2,478,792	753,954	2,336,733	3,262

1. Has the DCF account been independently audited?
Yes, DCA1-7 independently audited up to 30 June 2020 in early 2021. The audit of 20/21 financial year is scheduled for March 2022.

2. Has the annual review of the Cost Apportionment Schedule (CAS) and Cost Estimates been undertaken (Yes/No) (Frequency/insert date)
Yes, the annual review of DCAs1-7 was undertaken in the second half of 2021.

3. Are dwelling forecasts current?
Yes, dwelling forecasts are current as of June 2021.

4. Identify any matters that may require future modifications to the DCP (slow rate of growth, unlikely to develop) and if alternative funding needs to be investigated.
N/A

Name DCP: **Development Contribution Plan 6 – Mandogalup**
 Report date: December 2021
 Financial year: 2020/2021

Table 1: Summary of delivery of infrastructure

Item of infrastructure	Scheduled delivery/ priority in DCP	Progress /status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
Hammond Road extension	6-8 years	Not commenced	6-8 years	100% DCP funded	N/A
Internal collector road to Hammond Road Extension	6-8 years	Not commenced	6-8 years	100% DCP funded	N/A
Mandogalup Public Open Space	1-5 years	11% complete	6-8 years	100% DCP funded	Progress is dependent upon the timing of private land development in DCA 6.
District Sporting Ground (land component – acquisition and basic improvements)	5-8 years	Not commenced	5-8 years	9.45% funded by DCP6 (rest funded by DCP2-5&DCP7	N/A

Item of infrastructure	Scheduled delivery/ priority in DCP	Progress /status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
District Youth Centre (land component – acquisition and basic improvements)	5-8 years	Not commenced	5-8 years	30.30% funded b/y DCP6 (rest funded by DCP4&5)	N/A
Branch Library (land component – acquisition and basic improvements)	5-8 years	Not commenced	5-8 years	9.45% funded by DCP6 (rest funded by DCP2-5&DCP7)	N/A

*% completion has been estimated from the amount of contributions received as a percentage of the overall cost of infrastructure item.

Table 2: Financial position of DCF

	Received/value contributions collected or land area	DCP funds expended/value	Current balance of DCF	Value of credits	Interest earned on DCP funds (if applicable)
Monetary component in levies (\$)	892,752	142,059	753,954	2,336,733	3,262
Works in kind		2,336,733			

	Received/value contributions collected or land area	DCP funds expended/value	Current balance of DCF	Value of credits	Interest earned on DCP funds (if applicable)
Land contribution					
TOTAL	892,752	2,478,792	753,954	2,336,733	3,262

1. Has the DCF account been independently audited?
 Yes, DCA1-7 independently audited up to 30 June 2020 in early 2021. The audit of 20/21 financial year is scheduled for March 2022.

2. Has the annual review of the Cost Apportionment Schedule (CAS) and Cost Estimates been undertaken (Yes/No) (Frequency/insert date)
 Yes, the annual review of DCAs1-7 was undertaken in the second half of 2021.

3. Are dwelling forecasts current?
 Yes, dwelling forecasts are current as of June 2021.

4. Identify any matters that may require future modifications to the DCP (slow rate of growth, unlikely to develop) and if alternative funding needs to be investigated.
 N/A

Name DCP: **Development Contribution Plan 7 – Wellard/Bertram**
 Report date: December 2021
 Financial year: 2020/2021

Table 1: Summary of delivery of infrastructure

Item of infrastructure	Scheduled delivery/ priority in DCP	Progress /status (% complete)*	Expected delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
District sporting ground	5-8 years	Not commenced	5-8 years	42.18% funded by DCP7 (rest funded by DCP2-6).	N/A
Branch Library	5-8 years	Not commenced	5-8 years	42.18% funded by DCP7 (rest funded by DCP2-6).	N/A

*% completion has been estimated from the amount of contributions received as a percentage of the overall cost of infrastructure item.

Table 2: Financial position of DCF

	Received/valu e contributions collected or land area	DCP funds expended/value	Current balance of DCF	Value of credits	Interest earned on DCP funds (if applicable)
Monetary component in levies (\$)	85,541	33,938	52,702		794
Works in kind					
Land contribution					
TOTAL	85,541	33,938	52,702	0	794

1. Has the DCF account been independently audited?
Yes, DCA1-7 independently audited up to 30 June 2020 in early 2021. The audit of 20/21 financial year is scheduled for March 2022.

2. Has the annual review of the Cost Apportionment Schedule (CAS) and Cost Estimates been undertaken (Yes/No) (Frequency/insert date)
Yes, the annual review of DCAs1-7 was undertaken in the second half of 2021.

3. Are dwelling forecasts current?
Yes, dwelling forecasts are current as of June 2021.

4. Identify any matters that may require future modifications to the DCP (slow rate of growth, unlikely to develop) and if alternative funding needs to be investigated.
N/A

City of Kwinana Development Contribution Plans Annual Report 2021

Name DCP: **Development Contribution Plan 8-15**

- Development Contribution Plan 8: Mandogalup
- Development Contribution Plan 9: Wandil/Anketell
- Development Contribution Plan 10: Casuarina/Anketell
- Development Contribution Plan 11: Wellard East
- Development Contribution Plan 12: Wellard West
- Development Contribution Plan 13: Bertram
- Development Contribution Plan 14: Wellard/Leda
- Development Contribution Plan 15: Kwinana Town Centre

Report date: December 2021
 Financial year: 2020/2021

Table 1: Summary of delivery of infrastructure

DCP	Infrastructure item	Scheduled delivery/priority in DCP	Progress/Status (%complete)*	Expected Delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
8-15	Destination Park Calista	2015-2016	100% complete	complete	29% DCP funded, 43% grant funded, 22% Local Government funded	Infrastructure delivered and funds being collected in retrospect.
8-15	Wells Beach Foreshore Upgrade (Park and Boating facility)	2017-2018	19% complete	2024-2028	51% DCP funded, 39% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
8-15	Community Knowledge and Resource Centre	2015-2016	100% complete	complete	24% DCP funded, 50% grant funded, 18% Local Government funded	Infrastructure delivered and funds being collected in retrospect.
8-15	Sub Regional Sporting Ground (Thomas Oval/Kelly Park extension/upgrade)	2022-2024	100% complete	2024-2028	48% DCP funded, 52% Local Government funded	Infrastructure delivered and funds being collected in retrospect.
8,9	District A Sports Pavilion		0% complete	2024-2028		Delivery is dependent upon the rate of private development and contributions collected.
8,9	District A Community Centre		0% complete	2024-2028		Delivery is dependent upon the rate of private development and contributions collected.
8,9	District A Youth Centre	2022-2024	11% complete	2024-2028	90% DCP funded, 1% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.

DCP	Infrastructure item	Scheduled delivery/priority in DCP	Progress/Status (%complete)*	Expected Delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
8-13	Dry Recreation Centre (serves Districts A and B)	2024-2026	15% complete	2024-2028	76% DCP funded, 13% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
8-13	Branch Library (serves District A and B)	2024-2026	15% complete	2024-2028	76% DCP funded, 13% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
8-13	District Sporting Ground (serves District A and B)	2024-2026	21% complete	2024-2028	72% DCP funded, 12% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
10-13	District B Community Centre	2026-2028	15% complete	2024-2028	71% DCP funded, 19% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
10-13	District B Youth Centre	2026-2028	16% complete	2024-2028	70% DCP funded, 19% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
14,15	District C Youth Centre – Zone	-	100% complete	2024-2028	7% DCP funded, 72% grant funded and 19% Local Government funded	Infrastructure delivered and funds being collected in retrospect.
14,15	Community Knowledge and Resource Centre (District C)	-	0% complete	2024-2028	15% DCP funded, 50% grant funded, 38% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
14,15	District Sporting Ground (Medina Oval Extension/Upgrade)	2026-2028	0% complete	2024-2028	23% DCP funded, 77% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
8	Local Community Centre - Mandogalup	2024-2026	0% complete	2024-2028	100% DCP funded	Delivery is dependent upon the rate of private development and contributions collected.
8	Local Sporting Ground with Community Sports Facility Building A – Mandogalup	2024-2026	0% complete	2024-2028	100% DCP funded	Delivery is dependent upon the rate of private development and contributions collected. private development and contributions collected.
8	Local Community House – Mandogalup South	-	0% complete	2024-2028		Delivery is dependent upon the rate of private development and contributions collected.

DCP	Infrastructure item	Scheduled delivery/priority in DCP	Progress/Status (%complete)*	Expected Delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
9	Local Community Centre Large Scale – Wandí	2021-2023	43% complete	2024-2028	69% DCP funded, 1% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
9	Local Sporting Ground with Pavilion – Wandí	2021-2023	37% complete	2024-2028	72% DCP funded, 1% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
9	Local Sporting Ground with Community Sports Facility Building A – Anketell North	2021-2023	0	2024-2028	72% DCP funded, 28% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
9	Local Sporting Ground with Community Sports Facility Building B (Shared use) Wandí	2021-2023	95% Construction commenced	2024-2028	72% DCP funded, 28% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
10	Local Community Centre – Casuarina	2029-2031	0	2024-2028	100% DCP funded	Delivery is dependent upon the rate of private development and contributions collected.
10	Local Sporting Ground with Community Sports Facility Buildings B (Shared Use)- Casuarina	2029-2031	0	2024-2028	99% DCP funded, 1% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
11	Local Community Centre – Wellard East	2021-2023	18% complete	2024-2028	85% DCP funded	Delivery is dependent upon the rate of private development and contributions collected.
11	Local Sporting Pavilion – Wellard East	-	0	2024-2028		Delivery is dependent upon the rate of private development and contributions collected.
12	Local Sporting Ground with Community Centre / Pavilion – Wellard West	20265-2028	23% complete	2024-2028	79% DCP funded, 3% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
13	Local Community Centre – Bertram	-	100% complete		24% DCP funded, 24% grant funded, 52% Local Government funded	Infrastructure delivered and funds being collected in retrospect.
13	Local Sporting Ground with Community Sports Facility Building A – Bertram	2016-2018	0	2024-2028	26% DCP funded, 74% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
14	Local Sporting Ground with Pavilion Extension – Wellard/Leda	2016-2018	0	2024-2028	27% DCP funded, 73% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.

DCP	Infrastructure item	Scheduled delivery/priority in DCP	Progress/Status (%complete)*	Expected Delivery	% detail of funding (DCP and by other sources)	Reasons for delay (if applicable)
14	Local Sporting Ground with Community Sports Facility Building A – Wellard/Leda	2016-2018	0	2024-2028	27% DCP funded, 73% Local Government funded	Delivery is dependent upon the rate of private development and contributions collected.
14	Local Community Centre – Wellard/Leda	-	75% complete	2024-2028	9% DCP funded, 69% grant funded, 15% Local government funded.	Delivery is dependent upon the rate of private development and contributions collected.

*% completion has been estimated from the amount of contributions received as a percentage of the overall cost of infrastructure item.

Table 2: Financial position of DCF

	Received /value contributions collected or land area	DCP funds expended/value	Current balance of DCF	Value of credits	Interest earned on DCP funds (if applicable)
DCP 8					
Monetary component in levies (\$)	1,451,008	2,069,843 **	1,418,989		10,409
Works in kind					
Land contribution					
Total	1,451,008	2,069,843	1,418,989	0	10,409
DCP 9					
Monetary component in levies (\$)	11,541,464	5,480,217	12,810,629		2,003,446
Works in kind					
Land contribution					
Total	11,541,464	5,480,217	12,810,629	0	2,003,446
DCP10					
Monetary component in levies (\$)	239,939	3,792,730 **	197,222		10,671
Works in kind					
Land contribution					
Total	239,939	3,792,730	197,222	0	10,671
DCP11					
Monetary component in levies (\$)	5,940,779	1,774,264	6,478,479		766,261
Works in kind					
Land contribution					
Total	5,940,779	1,774,264	6,478,479	0	766,261
DCP12					
Monetary component in levies (\$)	8,158,640	4,309,963	9,488,144		1,223,621
Works in kind					
Land contribution					
Total	8,158,640	4,309,963	9,488,144	0	1,223,621
DCP13					
Monetary component in levies (\$)	354,991	5,751,901	269,075		94,905
Works in kind					
Land contribution					
Total	354,991	5,751,901	269,075	0	94,905
DCP14					
Monetary component in levies (\$)	2,904,851	13,097,947	813,783		163,570
Works in kind					

	Received /value contributions collected or land area	DCP funds expended/value	Current balance of DCF	Value of credits	Interest earned on DCP funds (if applicable)
Land contribution					
Total	2,904,851	13,097,947	813,783	0	163,570
DCP15					
Monetary component in levies (\$)	988,033	5,001,584	306,909		39,737
Works in kind					
Land contribution					
Total	988,033	5,001,584	306,909	0	39,737

** This overspend it likely due to the City prefunding projects such as Darius Wells Library and the Kwinana Adventure Park.

1. Has the DCF account been independently audited?

Yes, DCA1-7 independently audited up to 30 June 2020 in early 2021. The audit of 20/21 financial year is scheduled for March 2022.

2. Has the annual review of the Cost Apportionment Schedule (CAS) and Cost Estimates been undertaken (Yes/No) (Frequency/insert date)

The City produced a new Community Infrastructure Plan in CIP in 2018 with revised cost estimates, Correspondence issued by the Western Australian Planning Commission (WAPC) dated 14 June 2021 outlined the Ministers requirement for the Community Infrastructure Plan and CAS to be modified, as part of Amendment 145, before the amendment can be resubmitted. This is currently with the Department of Planning Land and heritage for review

3. Are dwelling forecasts current?

Yes, dwelling forecasts are current as of June 2021.

4. Identify any matters that may require future modifications to the DCP (slow rate of growth, unlikely to develop) and if alternative funding needs to be investigated.

N/A

Note: The data used in the annual status report is to be provided in .CSV format.

12.2 REGULATION 17 AUDIT AND DEVELOPER CONTRIBUTION PAYMENT AUDIT - ACTION UPDATE**SUMMARY**

At the Audit and Risk Committee meeting of 14 June 2021, the findings of the recent Regulation 17 Audit conducted by Paxon Group as well as the Developer Contribution Payment ('DCP') Audit conducted by Crowe Australia were presented. Both audits contained recommendations as to areas of potential improvement to current practices.

An update of the actions recommended by the audits has been provided to the committee at its subsequent meetings. Those actions, as well as details from the relevant officers regarding their implementation are provided for noting by the Committee.

Those actions that have no further action required, as processes have been put in place or amended to reflect the audit findings, are detailed in Confidential Attachment A and are recommended to be closed.

OFFICER RECOMMENDATION

That the Audit and Risk Committee:

1. Note and provide comment where appropriate the Regulation 17 audit action report detailed in Confidential Attachment A and the Developer Contribution Payment audit action report detailed in Confidential Attachment B.
2. Note the closure of the following actions from the Regulation 17 audit as detailed in Confidential Attachment A:
 - I00008 Policies out of date on Website;
 - I00011 Team Risk Registers missing dates for ongoing review;
 - I00012 Cyber-Crime and Cyber Fraud Policies; Procedures non-existent;
 - I00015 ICT and Records Disaster Recovery Plan out of date;
 - I00018 Formal Risk Training and Refresher training not provided;
 - I00020 Provide refresher training to staff on Purchasing requirements;
 - I00021 Amend processes to ensure segregation of duties at all levels in the procurement process;
 - I00022 Ensure journals are reviewed and signed off by an independent experienced officer before processing;
 - I00024 Customer Service Charter Review;
 - I00026 Develop a process/checklist to ensure invoices relating to contracts and tenders are checked back to the price schedule before approval for payment;
 - I00027 No procedure for raising debtor invoice;
 - I00030 No Whistle Blower Policy;
 - I00031 Purchasing Policy not updated to reflect thresholds;
 - I00032 Action incomplete matters from 2020 Compliance Audit Return; and
 - I00033 Update the Gift Disclosure Register on the website.
3. Note the closure of the following actions from the Developer Contribution Payment audit as detailed in Confidential Attachment B:
 - I00053 DCP requirements - DCA1 Annual Financial Audit;
 - I00056 DCP Delegations;
 - I00059 DCP Recording System – B;
 - I00063 Managing conflict of interest; and
 - I00066 Bond/Bank Guarantee Monitoring.

AUDIT AND RISK COMMITTEE RECOMMENDATION

That Council:

1. **Note the Regulation 17 audit action report detailed in Confidential Attachment A and the Developer Contribution Payment audit action report detailed in Confidential Attachment B.**
2. **Note the closure of the following actions from the Regulation 17 audit as detailed in Confidential Attachment A:**
 - **I00008 Policies out of date on Website;**
 - **I00011 Team Risk Registers missing dates for ongoing review;**
 - **I00012 Cyber-Crime and Cyber Fraud Policies; Procedures non-existent;**
 - **I00015 ICT and Records Disaster Recovery Plan out of date;**
 - **I00018 Formal Risk Training and Refresher training not provided;**
 - **I00020 Provide refresher training to staff on Purchasing requirements;**
 - **I00021 Amend processes to ensure segregation of duties at all levels in the procurement process;**
 - **I00022 Ensure journals are reviewed and signed off by an independent experienced officer before processing;**
 - **I00024 Customer Service Charter Review;**
 - **I00026 Develop a process/checklist to ensure invoices relating to contracts and tenders are checked back to the price schedule before approval for payment;**
 - **I00027 No procedure for raising debtor invoice;**
 - **I00030 No Whistle Blower Policy;**
 - **I00031 Purchasing Policy not updated to reflect thresholds;**
 - **I00032 Action incomplete matters from 2020 Compliance Audit Return; and**
 - **I00033 Update the Gift Disclosure Register on the website.**
3. **Note the closure of the following actions from the Developer Contribution Payment audit as detailed in Confidential Attachment B:**
 - **I00053 DCP requirements - DCA1 Annual Financial Audit;**
 - **I00056 DCP Delegations;**
 - **I00059 DCP Recording System – B;**
 - **I00063 Managing conflict of interest; and**
 - **I00066 Bond/Bank Guarantee Monitoring.**

Audit and Risk Committee Comments:

- Noted that some of the policies on the City's website remain out of date. The CEO advised that a number of the policies in question had been approved and will be updated as soon as possible on the City's website.
- Ensure that the responsible action owner understands the requirements of the close out process.
- Explore a secondary check being introduced, potentially a Governance Officer.

DISCUSSION

At the Committee's meeting of 6 December 2021, the Committee deferred consideration of the close out of some actions from the Regulation 17 Audit, namely:

- I00008 Policies out of date on Website;
- I00011 Team Risk Registers missing dates for ongoing review;
- I00021 Amend processes to ensure segregation of duties at all levels in the procurement process;
- I00022 Ensure journals are reviewed and signed off by an independent experienced officer before processing;
- I00026 Develop a process/checklist to ensure invoices relating to contracts and tenders are checked back to the price schedule before approval for payment;
- I00032 Action incomplete matters from 2020 Compliance Audit Return; and
- I00033 Update the Gift Disclosure Register on the website.

In the interim, City Officers have updated the following additional Regulation 17 actions, which are now recommended for closure:

- I00012 Cyber-Crime and Cyber Fraud Policies; Procedures non-existent;
- I00015 ICT and Records Disaster Recovery Plan out of date;
- I00018 Formal Risk Training and Refresher training not provided;
- I00020 Provide refresher training to staff on Purchasing requirements;
- I00024 Customer Service Charter Review;
- I00027 No procedure for raising debtor invoice;
- I00030 No Whistle Blower Policy; and
- I00031 Purchasing Policy not updated to reflect thresholds.

It is further recommended that the Committee note the closing of the following actions from DCP Audit:

- I00053 DCP requirements - DCA1 Annual Financial Audit
- I00056 DCP Delegations
- I00059 DCP Recording System – B
- I00063 Managing conflict of interest
- I00066 Bond/Bank Guarantee Monitoring

Full details of the completed actions are included in Confidential Attachments A and B and are provided to the Committee for noting and comment where appropriated.

Further updates will be provided to each meeting of the Audit and Risk Committee until such time as all actions are approved for closure by the Committee.

In relation to its recording and monitoring of actions, the City is presently transitioning its reporting across the organisation:

- Strategic Community Plan and Corporate Business Plan Reporting – Previously the City stored and tracked this information in Performance Manager (Civica). Progress against actions is now being reported quarterly through spreadsheets as we progress towards tracking this information in TechOne. The first quarter for this financial year was provided to Council at its meeting of 24 November 2021.
- Team Business Plan Reporting – Remains on hold until the transition to recording this information in TechOne. Team Business Plans are currently being progressed through spreadsheets ahead of the new system.
- Opportunities for Improvement and Internal Non-Conformance Reporting – The City is transitioning from Performance Manager to Promapp software, with the intention of being able to identify, investigate and action an improvement/incident, rather than just report on them.
1.

STRATEGIC IMPLICATIONS

There are no strategic implications as a result of this proposal.

SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

No legal/policy implications have been identified as a result of this report or recommendation.

FINANCIAL/BUDGET IMPLICATIONS

There are no financial implications that 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/PUBLIC HEALTH IMPLICATIONS

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

COMMUNITY ENGAGEMENT

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

ATTACHMENTS

- A. Regulation 17 Audit - Attachment A - Audit and Risk Committee Meeting 28 February 2022 - Confidential
- B. Developer Contribution Payment Audit - Attachment B - Audit and Risk Committee Meeting 28 February 2022 - Confidential

12.3 RISK MANAGEMENT REPORT

SUMMARY

The City's Risk Management Policy provides the foundations and organisational arrangements for embedding risk awareness, monitoring and management across strategic and operational levels of the organisation.

At each Audit and Risk Committee Meeting, a report is presented detailing all identified strategic risks and high-level operational risks, as well as the status of the actions to manage those risks.

These reports are provided at Confidential Attachments A and B.

The City is continuing its transition to the Camms.Risk system, including providing further risk training and education across the organisation.

OFFICER RECOMMENDATION

That the Audit and Risk Committee note and provide comment where appropriate on:

- City of Kwinana Organisational Risk Register – Strategic Risks detailed in Confidential Attachment A.
- City of Kwinana Organisational Risk Register – Operational Risks detailed in Confidential Attachment B.

AUDIT AND RISK COMMITTEE RECOMMENDATION

That Council note:

- **City of Kwinana Organisational Risk Register – Strategic Risks detailed in Confidential Attachment A.**
- **City of Kwinana Organisational Risk Register – Operational Risks detailed in Confidential Attachment B.**

Audit and Risk Committee Comments:

- Noted that SR2 has had a long time between risks being out of appetite and them being reviewed next, possible risk owner education needed.
- Update received regarding SR2 and the Committee notes that the item will be discussed by Council at the next scheduled Ordinary Council Meeting.
- Noted SR7 did not have the correlating activity referenced within the comments. Identified by City Officers that all controls were updated in the system for this item and that the report circulated was incorrect and that it appears they had not been pulled through.
- Request that any risks identified as being past the due date should be noted as overdue and not under action within the summary page.
- Request that the seven current risks that are out of risk appetite are presented to the Committee with a summary of the journey to reach the residual risk target or whether the risk appetite needs to be reviewed.

DISCUSSION

The City’s Risk Management Strategy sets the following role and responsibilities for the Committee:

- a) Ensuring the City has appropriate risk management and internal controls in place;
- b) Approving and reviewing risk management programmes and risk treatment options for extreme risks;
- c) Setting and reviewing risk management tolerances/appetite and making recommendations to Council;
- d) Providing guidance and governance to support significant and/or high-profile elements of the risk management spectrum;
- e) Monitoring strategic risk management and the adequacy of internal controls established to manage the identified risks;
- f) Monitoring the City’s internal control environment and reviewing the adequacy of policies, practices and procedures;
- g) Assessing the adequacy of risk reporting;
- h) Monitoring the internal risk audit function, including development of audit programs as well as monitoring of audit outcomes and the implementation of recommendations;
- i) Setting the annual internal audit plan in conjunction with the internal auditor taking into account the City Strategic and Operational Risk Registers;
- j) Conduct an annual review of the organisation’s Risk Management Policy and Strategy; and
- k) Reporting through the Chief Executive Officer to the Council on its findings.

The Organisational Risk Registers are provided to the Audit and Risk Committee on a quarterly basis for their review and as an opportunity to provide advice regarding risk management, as the City is focussed on creating a culture that is committed to openness and transparency and fulfilling its responsibilities in relation to risk management.

The City of Kwinana Risk Management Strategy establishes the risk appetite/attitude for residual risk as follows:

Impact Category	Level of residual risk the City is willing to retain			
	Low	Moderate	High	Extreme
Environmental		●		
Financial	●			
Health and Safety	●			
ICT, Infrastructure and Assets		●		
Legislative Compliance	●			
Reputation/Image	●			
Service Delivery		●		

The Organisational Risk Register shows all strategic risks. Strategic and Operational Risk Registers are provided for the Committee’s noting and comment where appropriate, showing those risks having a residual risk assessment of ‘High’ or ‘Extreme’.

STRATEGIC IMPLICATIONS

There are no strategic implications as a result of this proposal.

SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

Regulation 17 of the Local Government (Audit) Regulations 1996 provides:

17. CEO to review certain systems and procedures

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*
 - (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

FINANCIAL/BUDGET IMPLICATIONS

There are no financial implications that 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/PUBLIC HEALTH IMPLICATIONS

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

COMMUNITY ENGAGEMENT

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

ATTACHMENTS

- A. Attachment A - Strategic Risk Register for Risk Identification - Camms.Risk - Confidential**
- B. Attachment B - Operational Risk Register for Risk Identification - Camms.Risk - Confidential**

12.4 COMPLIANCE AUDIT RETURN

SUMMARY

The Department of Local Government, Sport and Cultural Industries (the Department) has circulated to all Western Australian Local Governments the annual Compliance Audit Return (CAR) for completion.

The CAR is a requirement of the Department and monitors the local government's compliance with the *Local Government Act 1995* and its Regulations for the period of 1 January to 31 December 2021.

The function of the Audit and Risk Committee includes reviewing the effectiveness of the local government's systems in regard to risk management, internal control and legislative compliance which includes the Compliance Audit Return.

The Compliance Audit Return 2021 is as detailed at Attachment A.

OFFICER RECOMMENDATION

That the Audit and Risk Committee:

1. Review the Compliance Audit Return 2021
2. Recommends that Council adopt the Compliance Audit Return 2021 as detailed at Attachment A

AUDIT AND RISK COMMITTEE RECOMMENDATION

That Council:

1. **Review the Compliance Audit Return 2021**
2. **Recommends that Council adopt the Compliance Audit Return 2021 as detailed at Attachment A**

Audit and Risk Committee Comments:

Nil

DISCUSSION

Each year Western Australian Local Governments are required to complete a Compliance Audit Return (CAR) for the Department in accordance with the *Local Government Act 1995*.

The Department has circulated to all Western Australian Local Governments for completion of its annual CAR, covering the review period 1 January to 31 December 2021. The return is a means of monitoring compliance with the requirements of the *Local Government Act 1995* and its Regulations and is a statutory requirement. These returns are required to be completed and submitted to the Department no later than 31 March each year.

Regulation 14 of the *Local Government (Audit) Regulations 1996*, requires that the Local Government's Audit and Risk Committee review the CAR and report the results of that review to Council for its adoption. Once adopted by Council the report is to be submitted to the Department by 31 March 2021.

Whilst a 100% CAR is the ideal outcome, the CAR must be considered as a means of internal audit, capable of identifying shortcomings and weaknesses in the system, which can then be improved or modified practices can be implemented, to resolve these issues.

The area in which the City did not provide a 'Yes' response were:

Disclosure of Interest

- Questions 25 in relation to an up to date version of the City's Employees Code of Conduct being published on the City's website.

Action to be taken as an outcome of the no response – An updated version of the City's Employees Code of Conduct is now available on the City's website; a note has been added to the document within the City's Record Keeping System to state the requirements for advertising.

Optional Questions

- Question 5, in relation to the pushing information on the City's website, section 5.96A(1)(i) of the *Local Government Act 1995* states;

(1) *The CEO must publish the following information on the local government's official website, unless it would be contrary to subsection (2) to do so —*

(i) *information of a kind prescribed for the purposes of this subsection or required by another provision of this Act to be published on the website.*

Due to an updated version of the Employees Code of Conduct not being available on the website this question required the no response.

Action to be taken as an outcome of the no response - An updated version of the City's Employees Code of Conduct is now available on the City's website; a note has been added to the document within the City's Record Keeping System to state the requirements for advertising.

The CAR is provided electronically through a secure internet portal and is divided into sections. Each section deals with a specific area of the *Local Government Act 1995* and these sections are then allocated to the relevant officer within the local government who 'signs in' electronically through the portal to complete each question, in some instances there have been issues with accessing the portal and their comments have been entered on behalf of the relevant officer by the Governance and Risk Officer.

The officers who are required to complete a section within the CAR are advised how to use the online system. Where compliance is not occurring, officers are advised that an honest answer is required, so that procedural changes can be made to improve the City's compliance systems.

Once the audit has been completed, the City is required to:

- Present the Compliance Audit Return to the Audit and Risk Committee for review;
- Present the Compliance Audit Return to Council and seek adoption of the completed Compliance Audit Return; and
- Return the reviewed, adopted and certified Compliance Audit Return, along with a copy of the Council minutes, to the Department by no later than 31 March 2021.

The particulars of any matters of concern raised by the Audit and Risk Committee's review relating to the CAR must be recorded in the minutes of this meeting.

Any person who is not satisfied with the manner in which the compliance assessment process has been undertaken by the City or believes there may be a discrepancy in the CAR, may bring the particular issue to the attention of the Department.

Council may also refer the completed CAR to its Auditor or other external inspection service for an independent assessment, if it is deemed necessary.

STRATEGIC IMPLICATIONS

There are no strategic implications as a result of this proposal.

SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

Local Government Act 1995

7.13. Regulations as to audits²⁸

(1) *Regulations may make provision as follows —*

(aa) *as to the functions of a CEO in relation to —*

- (i) *a local government audit; and*
- (ii) *a report (an **action report**) prepared by a local government under section 7.12A(4)(a); and*
- (iii) *an audit report; and*
- (iv) *a report on an audit conducted by a local government under this Act or any other written law;*

(ab) *as to the functions of an audit committee, including in relation to —*

- (i) *the selection and recommendation of an auditor under Division 2; and*
- (ii) *a local government audit; and*
- (iii) *an action report; and*
- (iv) *an audit report; and*
- (v) *a report on an audit conducted by a local government under this Act or any other written law;*

(ac) *as to the procedure to be followed in selecting an auditor under Division 2;*

1. *[(ad) deleted]*

(ae) *as to monitoring action taken in respect of any matters raised in an audit report;*

(a) *with respect to matters to be included in an agreement in writing (**agreement**) made under section 7.8(1);*

(b) *for notifications and reports to be given in relation to an agreement, including any variations to, or termination of an agreement;*

(ba) *as to a copy of an agreement being provided to the Department;*

(c) *as to the manner in which an application may be made to the Minister for approval as an auditor under section 7.5;*

(d) *in relation to approved auditors, for the following —*

- (i) *reviews of, and reports on, the quality of audits conducted;*
- (ii) *the withdrawal by the Minister of approval as an auditor;*

- (iii) *applications to the State Administrative Tribunal for the review of decisions to withdraw approval;*
 - (e) *for the exercise or performance by auditors of their powers and duties under this Part;*
 - (f) *as to the matters to be addressed in an audit report;*
 - (g) *requiring an auditor (other than the Auditor General) to provide the Minister with prescribed information as to an audit conducted by the auditor;*
 - (h) *prescribing the circumstances in which an auditor (other than the Auditor General) is to be considered to have a conflict of interest and requiring an auditor (other than the Auditor General) to disclose in an audit report such information as to a possible conflict of interest as is prescribed;*
 - (i) *requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are —*
 - (i) *of a financial nature or not; or*
 - (ii) *under this Act or another written law.*
- (2) *Regulations may also make any provision about audit committees that may be made under section 5.25 in relation to committees.*

[Section 7.13 amended: No. 64 of 1998 s. 40; No. 49 of 2004 s. 9; No. 55 of 2004 s. 700; No. 5 of 2017 s. 20.]

Local Government (Audit) Regulations 1996

13. Prescribed statutory requirements for which compliance audit needed (Act s. 7.13(1)(i))

For the purposes of section 7.13(1)(i) the statutory requirements set forth in the Table to this regulation are prescribed.

Table

Local Government Act 1995		
s. 3.57	s. 3.58(3) and (4)	s. 3.59(2), (4) and (5)
s. 5.16	s. 5.17	s. 5.18
s. 5.36(4)	s. 5.37(2) and (3)	s. 5.42
s. 5.43	s. 5.44(2)	s. 5.45(1)(b)
s. 5.46	s. 5.51A	s. 5.67
s. 5.68(2)	s. 5.69(5)	s. 5.70
s. 5.71B(5) and (7)	s. 5.73	s. 5.75
s. 5.76	s. 5.77	s. 5.88
s. 5.89A	s. 5.104	s. 5.120
s. 5.121	s. 7.1A	s. 7.1B
s. 7.3	s. 7.6(3)	s. 7.9(1)
s. 7.12A		
Local Government (Administration) Regulations 1996		

<i>r. 18A</i>	<i>r. 18C</i>	<i>r. 18E</i>
<i>r. 18F</i>	<i>r. 18G</i>	<i>r. 19</i>
<i>r. 19C</i>	<i>r. 19DA</i>	<i>r. 22</i>
<i>r. 23</i>	<i>r. 28</i>	<i>r. 34B</i>
<i>r. 34C</i>		
Local Government (Audit) Regulations 1996		
<i>r. 7</i>	<i>r. 10</i>	
Local Government (Elections) Regulations 1997		
<i>r. 30G</i>		
Local Government (Functions and General) Regulations 1996		
<i>r. 7</i>	<i>r. 9</i>	<i>r. 10</i>
<i>r. 11A</i>	<i>r. 11</i>	<i>r. 12</i>
<i>r. 14(1), (3) and (5)</i>	<i>r. 15</i>	<i>r. 16</i>
<i>r. 17</i>	<i>r. 18(1) and (4)</i>	<i>r. 19</i>
<i>r. 21</i>	<i>r. 22</i>	<i>r. 23</i>
<i>r. 24</i>	<i>r. 24AD(2), (4) and (6)</i>	<i>r. 24AE</i>
<i>r. 24AF</i>	<i>r. 24AG</i>	<i>r. 24AH(1) and (3)</i>
<i>r. 24AI</i>	<i>r. 24E</i>	<i>r. 24F</i>

14. Compliance audits by local governments

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government’s audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
 - (a) *presented to the council at a meeting of the council; and*
 - (b) *adopted by the council; and*
 - (c) *recorded in the minutes of the meeting at which it is adopted.*

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) *a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*

(b) *any additional information explaining or qualifying the compliance audit, is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.*

(2) *In this regulation —*

certified *in relation to a compliance audit return means signed by —*

(a) *the mayor or president; and*

(b) *the CEO.*

FINANCIAL/BUDGET IMPLICATIONS

There are no financial implications that 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/PUBLIC HEALTH IMPLICATIONS

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

COMMUNITY ENGAGEMENT

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

ATTACHMENTS

A. Compliance Audit Return

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Kwinana - Compliance Audit Return 2021

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of the relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2021?	N/A		Warwick Carter
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2021?	N/A		Warwick Carter
3	s3.59(2)(c) F&G Regs 7,8A, 8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2021?	N/A		Warwick Carter
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2021?	N/A		Warwick Carter
5	s3.59(5)	During 2021, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Warwick Carter

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	N/A	There are no delegations to Committees	Victoria Patton
2	s5.16	Were all delegations to committees in writing?	N/A	There are no delegations to Committees	Victoria Patton
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	N/A	There are no delegations to Committees	Victoria Patton
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A	There are no delegations to Committees	Victoria Patton
5	s5.18	Has council reviewed delegations to its committees in the 2020/2021 financial year?	Yes	Yes, the Register of Delegated Authority was adopted by Council on 27 January 2021, Resolution #346.	Victoria Patton
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act?	Yes		Russell Mark
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	Yes, the Register of Delegated Authority and any amendments to the Register were adopted by absolute majority.	Victoria Patton
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes	All delegations to the CEO have been in writing.	Victoria Patton
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes	Yes, as detailed in the Register of Delegated Authority under the sub-delegation section.	Victoria Patton
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	Yes	Any amendments made to the Register of Delegated Authority are done so by absolute majority.	Victoria Patton
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes	Yes, employees are required to enter their exercise of delegated authority into the City's software system.	Victoria Patton
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2020/2021 financial year?	Yes	Reviews of the Register of Delegated Authority are conducted every year or as required this review is inclusive of the sub-delegations.	Victoria Patton
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Admin Reg 19?	Yes		Russell Mark

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	N/A	No such interests were declared.	Russell Mark
2	s5.68(2) & s5.69 (5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	N/A	No such decisions were made.	Russell Mark
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	Yes		Russell Mark
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes	All primary returns have been completed in the prescribed form by the due date via the City's software system.	Victoria Patton
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2021?	Yes	All annual return had been lodged by the 31 August 2021, via the City software system.	Victoria Patton
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes	The Mayor and CEO generate an email of acknowledgement via the City's software system, the email is then sent to the relevant person.	Victoria Patton
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76?	Yes	The CEO keeps a register of financial interest in its Record Keeping System.	Victoria Patton
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A, in the form prescribed in Admin Reg 28?	Yes	The CEO keeps all records in the Record Keeping System.	Victoria Patton
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes	The City's software system has the ability to removed licence users, the software then removes all the required information relating to the user. This includes information that was previously provided in registers. An audit of the City's Record Keeping System is also undertaken and any relevant information is removed.	Victoria Patton

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



No	Reference	Question	Response	Comments	Respondent
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes	Yes, all returns have been moved into containers in the City's Record Keeping System with retention periods set at no less than 5 Years.	Victoria Patton
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B, in the form prescribed in Admin Reg 28A?	Yes	The City has a software that Elected Members, Committee Members and Employees access to declare their gifts they receive, the CEO is notified of these gifts and requested to acknowledge them. The gifts are then generated onto the appropriate City's gift register based on the information provided by the Elected Member, Committee Member and Employees.	Victoria Patton
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes	The City's software has the ability to generate printable reports, these reports are generated by the Governance and Legal Team and sent to the Customer and Communications Team to be placed on the City's website.	Victoria Patton
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes	The City's software program has the ability to removed licence users, the software then removes all the required information relating to the user. This includes information that was previously provided in registers. An audit of the City's Record Keeping System is also undertaken and any relevant information is removed.	Victoria Patton
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes	An audit of the City's Record Keeping System is undertaken and any relevant information is removed from the required registers and a requested to the Records Team is made to make the appropriate amendments relating to retention.	Victoria Patton

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



No	Reference	Question	Response	Comments	Respondent
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?* *Question not applicable after 2 Feb 2021	Yes	Any impartiality interest declared has been recorded in the Minutes of the relevant meeting, a form is also requested to be completed.	Victoria Patton
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11(2) was the nature of the interest recorded in the minutes?*	Yes	Included in the declaration of interest section, there is also a section provided within the related report.	Victoria Patton
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	N/A		Victoria Patton
18	s5.71A & s5.71B (5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A	No such request was required.	Victoria Patton
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A	No such request was required.	Victoria Patton
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?*	No	The City's Code of Conduct for Council Members, Committee Members and Employees wasn't due for review before the 2 Feb, as such the amendments made to the City's Code of Conduct aligned with the new requirements under the Act and Regulations.	Victoria Patton
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?*	Yes	Yes, the City kept a register of notifiable gift as per the previous Regulations.	Victoria Patton
22	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members and candidates within 3 months of the prescribed model code of conduct coming into operation (3 February 2021)?	Yes	Council adopted the City of Kwinana, Elected Members, Committee Members and Candidates - Code of Conduct at its Ordinary Council Meeting held on the 24 February 2021, Resolution #368	Victoria Patton

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



No	Reference	Question	Response	Comments	Respondent
23	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4)?	Yes	Council adopted the Code of Conduct Behaviour Complaints Management Policy and Behaviour Complaints Form at its Ordinary Council Meeting held 28 July 2021, Resolution #470	Victoria Patton
24	s5.104(7)	Did the CEO publish an up-to-date version of the adopted code of conduct on the local government's website?	Yes	The adopted Code of Conduct is available under the publication section of the City's Website.	Victoria Patton
25	s5.51A(1) & (3)	Did the CEO prepare, and implement and publish an up-to-date version on the local government's website, a code of conduct to be observed by employees of the local government?	No	The up to date version of the employees Code of Conduct was not on the City's website, this has now been rectified. The employees Code of Conduct was however available at that time via the Agenda and Minutes for the Ordinary Council Meetings held 28 April 2021.	Victoria Patton

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	Yes	Lease of office space for commercial tenant was advertised.	Warwick Carter
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	Yes	Advertised as per the requirements	Warwick Carter

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Elections						
No	Reference	Question	Response	Comments	Respondent	
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate?	Yes	Only one declaration was made by a candidate.	Russell Mark	
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	Yes	All have been removed. The completed form has been retained in accordance with the City's record keeping obligations.	Russell Mark	
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	Yes	The register was published on the City's website and removed in the required time frame following the election.	Russell Mark	

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes	OCM 27 October 2021	Stacey Hobbins
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A		Stacey Hobbins
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2021 received by the local government by 31 December 2021?	Yes	OCM 15 December 2021	Stacey Hobbins
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	Yes	As outlined in report OCM 15 December 2021	Stacey Hobbins
5	s7.12A(4)(a) & (4)(b)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	Yes	As outlined in report OCM 15 December 2021	Stacey Hobbins
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	Yes		Stacey Hobbins
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	Yes		Stacey Hobbins

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Integrated Planning and Reporting					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	23 June 2021 - Ordinary Council Meeting	Rhys Pryce
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	23 June 2021 - Ordinary Council Meeting	Rhys Pryce
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Rhys Pryce

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A	CEO position not recruited for in this Audit period.	Victoria Patton
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	N/A	No recruitment activity for CEO or other designated senior employees.	Victoria Patton
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A	No recruitment activity in this Audit period.	Victoria Patton
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	N/A	No recruitment activity in this Audit period.	Victoria Patton
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A		Victoria Patton
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A		Victoria Patton

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	Yes	The CEO.	Russell Mark
2	s5.121(1) & (2)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)? Does the complaints register include all information required by section 5.121 (2)?	N/A	No such complaints have been received.	Russell Mark
3	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	N/A	No such complaints have been received.	Russell Mark
Optional Questions					
No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2021? If yes, please provide the date of council's resolution to accept the report.	Yes	The review was presented to Council on the 22 July 2022. Resolution #208.	Victoria Patton
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2021? If yes, please provide date of council's resolution to accept the report.	Yes	Yes, the City engaged an external auditor to conduct the Reg 17 review, the report was presented to the Audit and Risk Committee at its 14 June 2021 meeting and to Council at its 23 June 2021 Ordinary Council Meeting. Progress report on the actions/improvements continue to be reported to the Audit and Risk Committee and Council until those actions/improvements can be closed.	Victoria Patton
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C?	Yes		Victoria Patton

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No	Reference	Question	Response	Comments	Respondent
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events ?	Yes	The policy was adopted by absolute majority on the 23 June 2021, Resolution #453. The policy was placed on the City's website a short time after the Ordinary Council Meeting.	Victoria Patton
5	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	No	Under section 5.96A(i), the updated version of City's Employees Code of Conduct wasn't available on the website, this has now been rectified.	Victoria Patton
6	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	The Elected Members Training and Development Policy was adopted by absolute majority on the 21 July 2021, Resolution #163.	Victoria Patton
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2020/2021 financial year and publish it on the local government's official website by 31 July 2021?	No	The report was presented to the Ordinary Council Meeting on the 28 July 2021, although the report was available via the Agenda and Minutes of that meeting, the report was not published on the City's website by the 31 July 2021.	Victoria Patton
8	s6.4(3)	By 30 September 2021, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2021?	Yes		Victoria Patton
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes	The budget was adopted by absolute majority at its Ordinary Council Meeting held 23 June 2021, resolution #452.	Victoria Patton

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
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Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy [adopted under F&G Reg 11A(1) & (3)] in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes	Prior to Nov 2021 - Internal controls are in place and emphasis on review of all procurement over \$75,000. Post Nov 2021 - New Policy adopted. Procurement over 100k conducted by Procurement with new internal training and controls being developed to further enhance controls already in place for all procurement both under and over 100k	Victoria Patton
2	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes		Victoria Patton
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes	All Tenders are advertised via the Tenders section within the West Australian Statewide newspaper, as well as on the City's official website, via Tenderlink and displayed on our public notice boards	Victoria Patton
4	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	Yes		Victoria Patton
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	Yes		Victoria Patton
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Victoria Patton
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes		Victoria Patton
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	N/A	With electronic tendering, all tenders are received on time and in the electronic tender box as requested.	Victoria Patton

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No	Reference	Question	Response	Comments	Respondent
9	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes		Victoria Patton
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes		Victoria Patton
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	Yes		Victoria Patton
12	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	With electronic tendering, all EOIs are received on time and in the electronic tender box as requested	Victoria Patton
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under F&G Reg 23 (1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	Yes		Victoria Patton
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	Yes		Victoria Patton
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	N/A	no panels undertaken in this period.	Victoria Patton
16	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A		Victoria Patton
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A		Victoria Patton
18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A		Victoria Patton
19	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A		Victoria Patton

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



No	Reference	Question	Response	Comments	Respondent
20	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A		Victoria Patton
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A		Victoria Patton
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	N/A	we're not regional and do not provide regional price preference	Victoria Patton

I certify this Compliance Audit Return has been adopted by council at its meeting on _____

Signed Mayor/President, Kwinana

Signed CEO, Kwinana

12.5 OFFICE OF THE AUDITOR GENERAL (OAG) — CYBER SECURITY PERFORMANCE AUDIT - ACTION UPDATES

SUMMARY

At the Audit and Risk Committee meeting of 4 October 2021, the findings of the recent cyber security performance audit conducted by the Office of the Auditor General ('OAG') were presented. The report contained recommendations as to areas of potential improvement to current practices. An update of those actions, as well as details regarding their implementation are provided for noting by the Committee.

The following actions are recommended to be closed on the basis that no further action is required, as processes have been put in place or amended to reflect the audit findings (as detailed in Attachment A - Promapp Risk Status Report 21 February 2022):

- Cyber Security Awareness Training
- Vulnerability Management
- Cyber Security Policy

OFFICER RECOMMENDATION

That the Audit and Risk Committee:

1. Note and provide comment where appropriate the cyber security performance audit action report detailed in Attachment A - Promapp Risk Status Report 21 February 2022; and
2. Note closure of the following actions as detailed in Attachment A - Promapp Risk Status Report 21 February 2022:
 - Cyber Security Awareness Training
 - Vulnerability Management
 - Cyber Security Policy

AUDIT AND RISK COMMITTEE RECOMMENDATION

That Council:

1. **Note the cyber security performance audit action report detailed in Attachment A - Promapp Risk Status Report 21 February 2022; and**
2. **Note closure of the following actions as detailed in Attachment A - Promapp Risk Status Report 21 February 2022:**
 - **Cyber Security Awareness Training**
 - **Vulnerability Management**
 - **Cyber Security Policy**

Audit and Risk Committee Comments:

- In regards to I00058, it was noted that 30% of employees have not completed the Cyber Security Awareness Training. It was reported that while further staff have since completed the training the City now has policies, procedures and a training program in place to manage cyber security. In addition the Manager Information Technology provides regular updates to the Executive Leadership Team on the performance of the network and risks / issues.
- Noted that I00060, Vulnerability Management comments still appear to be a work in progress based on the comment that it will take 9 to 18 months. The Committee was informed that a

system is now in place which has now daily checks and weekly patching. It is this process will take time. The vulnerability management control is focused on a process / system which is now in place.

DISCUSSION

Progress towards implementing the recommended actions contained in the cyber security performance audit remains ongoing. Updates will be provided to each meeting of the Audit and Risk Committee until such time as actions are approved for closure by the Committee. Updates to open actions are provided in Attachment A - Promapp Risk Status Report 21 February 2022

STRATEGIC IMPLICATIONS

There are no strategic implications as a result of this proposal.

SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

No legal/policy implications have been identified as a result of this report or recommendation.

FINANCIAL/BUDGET IMPLICATIONS

There are no financial implications that 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/PUBLIC HEALTH IMPLICATIONS

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

COMMUNITY ENGAGEMENT

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

ATTACHMENTS

A. Attachment A - promapp Risk Status Report 21 February 2022



Incident Register

Filter: Priority: All; Portfolio: Internal non-conformance (Audit); Categories: OAG-IT Audit

PRIORITY	TITLE	PORTFOLIO	PORTFOLIO MANAGER	CATEGORY	LOCATION	DATE	DUE DATE	STATUS	OWNER
HIGH	I00058: Cyber Security Awareness Training	Internal non-conformance (Audit)	Vicky Patton	OAG-IT Audit		16 Sep 2021	21 Feb 2022	Ready to Close	Chris Hocking
HIGH	I00060: Vulnerability Management	Internal non-conformance (Audit)	Vicky Patton	OAG-IT Audit		16 Sep 2021	21 Feb 2022	Ready to Close	Chris Hocking
MED	I00064: Cyber Security Policy	Internal non-conformance (Audit)	Vicky Patton	OAG-IT Audit		16 Sep 2021	21 Feb 2022	Ready to Close	Chris Hocking
MED	I00065: Cyber Security Incident Detection and Response	Internal non-conformance (Audit)	Vicky Patton	OAG-IT Audit		16 Sep 2021	30 Jun 2022	Under Action	Chris Hocking
MED	I00067: Risk Management Strategy to define responsibilities to manage cyber risks	Internal non-conformance (Audit)	Vicky Patton	OAG-IT Audit		16 Sep 2021	30 Jun 2022	Under Action	Chris Hocking
MED	I00069: Review Disaster Recovery Plan	Internal non-conformance (Audit)	Vicky Patton	OAG-IT Audit		16 Sep 2021	30 Jun 2022	Under Action	Chris Hocking



Internal non-conformance (Audit)

PORTFOLIO MANAGER: Vicky Patton

I00058 Cyber Security Awareness Training

Testing performed outlined the need for security awareness training

Overview		HIGH
Owner:	Chris Hocking	Current Phase: Ready to Close
Reporter:	Alison Dymond (alison.dymond@kwinana.wa.gov.au)	
Reported:	16 Sep 2021	Date of Audit Action: 16 Sep 2021
Category:	OAG-IT Audit	
Product or service:	IT	
Responsible Officer:	Chris Hocking	

Investigation	
Investigation Completed:	16 Sep 2021 (target: 31 Dec 2021)
Findings and Summary:	<p>We found that the City has implemented a security awareness program for staff. We performed tests to assess the effectiveness of the security awareness program and found that 4 users clicked on the link and 2 submitted their credentials. One user forwarded the test email to City staff and external users who were not on the initial target list. As a result:</p> <ul style="list-style-type: none"> • 29 City users clicked on the link and provided their credentials • 15 external users also clicked on the link and provided their credentials • an additional 4 clicked the link but did not provide any credentials. <p>Without an effective and ongoing cyber security awareness program, there is an increased risk that individuals will not understand the risks to the City and their personal responsibilities. This may result in inappropriate actions which affect the confidentiality, integrity and availability of the City's information and cause reputational damage.</p>

Actions	
PROVIDE TRAINING, CHRIS HOCKING	COMPLETED
Cyber Security Awareness Training	
<p>The City should review their cyber security awareness program and ensure that it maintains awareness of the cyber security risks relevant to the City. It should also ensure individuals are aware of their personal responsibilities for cyber security.</p> <p>The awareness program should be updated regularly so it stays in line with City's policies and procedures and any new or emerging threats. It should also incorporate any lessons learned from cyber security incidents along with relevant details from cyber security standards and good practices</p>	
Action Completed:	16 Dec 2021 (target: 31 Dec 2021)
Progress Updates:	The City's cybersecurity awareness program has been updated and a solution implemented for all employees accessing ICT systems. The executive leadership team and all councillors have completed the training. 70% of employees have completed the cybersecurity awareness training with those remaining being reported to the Executive Leadership team for follow up.

Internal non-conformance (Audit)

PORTFOLIO MANAGER: Vicky Patton



I00060 Vulnerability Management

Vulnerability Management process is not fully effective

Overview

HIGH

Owner:	Chris Hocking	Current Phase: Ready to Close
Reporter:	Alison Dymond (alison.dymond@kwinana.wa.gov.au)	
Reported:	16 Sep 2021	Date of Audit Action: 16 Sep 2021
Category:	OAG-IT Audit	
Product or service:	IT	
Responsible Officer:	Chris Hocking	

Investigation

Investigation Completed: 16 Sep 2021 (target: 31 Dec 2021)

Findings and Summary: We found that the City’s vulnerability management process is not fully effective. We performed vulnerability scans of the City’s publicly accessible ICT infrastructure and detected a number of high and medium severity vulnerabilities. These vulnerabilities included:

- out of date software
- insecure configuration/use of protocol
- disclosure of information in error messages sensitive configuration information disclosed via a publicly accessible test file.

In addition, we found that there is no regular independent testing (penetration testing) of the City’s network to ensure that attacks can be detected and prevented.

Without having an effective process for identifying, assessing and addressing relevant ‘known’ vulnerabilities within a timely manner, there is an increased risk that IT systems are not adequately protected against potential threats. These vulnerabilities could be exploited, which may result in unauthorised access to IT systems and information.

Actions

REMEDIAL ACTION, CHRIS HOCKING

COMPLETED

Review Vulnerability Management Process

The City should review its vulnerability management process. This process should ensure all relevant 'known' software and security vulnerabilities (operating system and application) are identified. These vulnerabilities, along with the actions and updates (e.g. patches) required to address them, should be appropriately assessed and tested. Following successful testing, the relevant actions and updates should then be applied to the IT systems within a timely manner.

Cyber Security Manual to specify required patching and vulnerability assessment standards.

Action Completed: 16 Dec 2021 (target: 31 Dec 2021)

Progress Updates: Vulnerability management has been reviewed and is in the process of being addressed. An update schedule has been implemented for servers to start addressing outstanding updates. A vulnerability scanner has been implemented for daily scanning of servers and end user computers with scanning of internet facing systems being performed weekly. The cybersecurity manual specifies the patching and vulnerability assessment standards.

The remediation work is complex and ongoing and is likely to take a minimum of 9-18 months to complete once assessed and budget is approved. A number of internet facing services have been decommissioned as a result of a review as they are no longer required.

REMEDIAL ACTION, CHRIS HOCKING

COMPLETED

Test security of City's network

The City should regularly test the security of the City's network and address any identified issues.

Action Completed: 16 Dec 2021 (target: 30 Jun 2022)

Progress Updates: A vulnerability scanner has been implemented for daily scanning of servers and end user computers with scanning of internet facing systems being performed weekly.

Internal non-conformance (Audit)

PORTFOLIO MANAGER: Vicky Patton



I00064 Cyber Security Policy

There is not a policy in place to cover Cyber Security

Overview MED

Owner:	Chris Hocking	Current Phase: Ready to Close
Reporter:	Alison Dymond (alison.dymond@kwinana.wa.gov.au)	
Reported:	16 Sep 2021	Date of Audit Action: 16 Sep 2021
Category:	OAG-IT Audit	
Product or service:	IT	
Responsible Officer:	Chris Hocking	

Investigation

Investigation Completed:	16 Sep 2021 (target: 31 Dec 2021)
Findings and Summary:	Without adequate cyber security policies there is an increased risk that the City's requirements and objectives for cyber security will not be achieved. This could affect the confidentiality, integrity and availability of City's IT systems and information.

Actions

REMEDIAL ACTION, CHRIS HOCKING COMPLETED

Review and Update Cyber Security Control policies

The City should review, update, and endorse policies to cover cyber security controls and ensure that ICT securely meets business objectives. The City should utilise an internal security awareness program to communicate updates to policy and ensure individuals are aware of their personal responsibility for cyber security.

Action Completed: 16 Dec 2021 (target: 31 Dec 2021)

Progress Updates: Cybersecurity Policy has been created and approved by ELT. D21/66588.

REMEDIAL ACTION, CHRIS HOCKING COMPLETED

Implemented cyber security framework

Where appropriate, a suitable cyber security framework should be implemented to augment existing cyber and information security policies.

Action Completed: 16 Dec 2021 (target: 31 Dec 2021)

Progress Updates: A cybersecurity manual has been created which provides the frame of standards that is required for the City of Kwinana. This will be published in early January 2022

In addition to the Cybersecurity manual, an ICT Conditions of Use Policy has been created and approved by ELT which outlines ICT Acceptable and Unacceptable behaviours with examples. The Cybersecurity Manual is comprehensive and addresses the OAG Audit findings with additional cybersecurity guidelines and standards for the City to implement. An implementation plan for the City is being developed. Examples of the standards and guidelines include Roles & Responsibilities, ICT Acceptable Use, Security Awareness, Password Security, Change Management, Security Incident Detection and Response, Patch and Vulnerability Management, Information System Accreditation and Identity and Access Management.

Internal non-conformance (Audit)

PORTFOLIO MANAGER: Vicky Patton



I00065 Cyber Security Incident Detection and Response

The City does not have a cyber security incident plan

Overview

MED

Owner:	Chris Hocking	Current Phase: Under Action
Reporter:	Alison Dymond (alison.dymond@kwinana.wa.gov.au)	
Reported:	16 Sep 2021	Date of Audit Action: 16 Sep 2021
Category:	OAG-IT Audit	
Product or service:	IT	
Responsible Officer:	Chris Hocking	

Investigation

Investigation Completed: 16 Sep 2021 (target: 31 Dec 2021)

Findings and Summary: We found that the City does not have a cyber security incident response plan that provides details on how to manage cyber security incidents and there is no centralised cyber security incident register.

We performed vulnerability scans of the City’s publicly accessible ICT infrastructure and identified that:

- attempts to identify vulnerabilities within City infrastructure were not blocked
- personnel were not alerted to scans performed on City’s infrastructure.

Without an appropriate and documented cyber security incident response plan and controls, there is an increased risk that the City may not adequately respond to cyber security incidents in an effective and timely manner. This may impact IT systems and services and affect the City’s business operations

Actions

REMEDIAL ACTION, CHRIS HOCKING

READY TO ACTION

Develop Cyber Security Incident Response Plan & Review agency involvement detection and response capabilities

The City should develop a cyber security incident response plan and a cyber security incident register. These should ensure the effective management, response, and reporting of all cyber security related incidents. It should also implement appropriate controls to detect and block intrusion attempts.

The City should consider the involvement of key cyber security agencies within their cyber security incident detection and response capabilities. It should also develop appropriate guidelines for the preservation of evidence relevant to cyber security incidents.

Action Completed: (target: 30 Jun 2022)

Progress Updates: A Draft Cyber Incident Response plan and process is currently being developed. Reporting/investigating cyber incidents is currently through email cyber@kwinana.wa.gov.au or the ICT helpdesk. Implementing controls to detect and block intrusion attempts will be subject to budget availability



Internal non-conformance (Audit)

PORTFOLIO MANAGER: Vicky Patton

I00067 Risk Management Strategy to define responsibilities to manage cyber risks

The City has a risk management strategy which defines responsibilities to ensure that internal controls to manage cyber risks are effective.

Overview		MED
Owner:	Chris Hocking	Current Phase: Under Action
Reporter:	Alison Dymond (alison.dymond@kwinana.wa.gov.au)	
Reported:	16 Sep 2021	Date of Audit Action: 16 Sep 2021
Category:	OAG-IT Audit	
Product or service:	IT	
Responsible Officer:	Chris Hocking	

Investigation	
Investigation Completed:	16 Sep 2021 (target: 30 Jun 2022)
Findings and Summary:	<p>The City has a risk management strategy which defines responsibilities to ensure that internal controls to manage cyber risks are effective. However, we found that processes to identify and manage cyber security risks could be improved as key cyber security risks relevant to the City have not been assessed. The risk register does not include risks relevant to:</p> <ul style="list-style-type: none"> • unplanned disruption to systems • external hack • device theft or loss • cloud systems. <p>In addition, there is no information to suggest that risks are reviewed in a timely manner.</p> <p>Without the application of an effective risk management process for cyber security, business plans and objectives may fail if cyber security risks are not appropriately identified, assessed, and treated.</p>

Actions	
REMEDIAL ACTION, CHRIS HOCKING	READY TO ACTION
Review risk management process.	
The City should review the risk management process to ensure that key cyber security risks relevant to the City are appropriately managed. Risks within the register should be pro-actively reviewed and monitored.	
Action Completed:	(target: 30 Jun 2022)
Progress Updates:	Key relevant cybersecurity risks are being reviewed, assessed and assigned ownership. The risks will be managed with the risk register.



Internal non-conformance (Audit)

PORTFOLIO MANAGER: Vicky Patton

I00069 Review Disaster Recovery Plan

Disaster Recovery Plan out of date

Overview

MED

Owner:	Chris Hocking	Current Phase: Under Action
Reporter:	Alison Dymond (alison.dymond@kwinana.wa.gov.au)	
Reported:	16 Sep 2021	Date of Audit Action: 16 Sep 2021
Category:	OAG-IT Audit	
Product or service:	IT	
Responsible Officer:	Chris Hocking	

Investigation

Investigation Completed: 16 Sep 2021 (target: 31 Dec 2021)

Findings and Summary: We found that the City's Disaster Recovery Plan (DRP) was last reviewed in 2018 and contains out of date information. We also found that the City has not carried out any formal tests of their DRP. Due to the lack of testing the City's ability to recover key systems back to an operational state is unknown.

Without an adequate DRP, there is an increased risk that the City may not be able to effectively restore key systems following a major cyber security incident. This may impact business operations and the delivery of key services.

Actions

REMEDIAL ACTION, CHRIS HOCKING

READY TO ACTION

Review DRP

The City should review its DRP and undertake appropriate tests to verify its effectiveness. These tests should also verify that key staff are familiar with the plan and their specific roles and responsibilities in a disaster situation. The results of these tests should be recorded and relevant actions taken to improve the plan where necessary.

Action Completed: (target: 30 Jun 2022)

Progress Updates: A Cloud hosted ICT Disaster Recovery solution has been implemented (December 2021) to provide the ability bring existing critical on-premise systems back online within 48 hours. Processes are being developed to ensure the key ICT staff are familiar with the plan.

12.6 UPDATE ON THE PROGRESS OF THE ONECOUNCIL IMPLEMENTATION PROJECT

SUMMARY

Previously, the OneCouncil project update has noted the challenge with availability of skilled staff; this continues to be a significant project risk. To some extent, this risk can be offset by employing the software vendor, TechnologyOne, to deliver these services. To date, however, the City's experience with utilising TechnologyOne consultants has not been ideal. Due to these concerns, the City has now entered into a contract with Atturra, a specialist IT consulting firm with expertise in TechnologyOne products, as an alternative to TechnologyOne, and for specialist consultants that are not otherwise available in the general market. Consulting costs with Atturra are more competitive than the rates offered by TechnologyOne.

Despite the challenges with availability of specialist project staff, with the current project team, assistance from specialist Atturra consultants and to a lesser extent with assistance from TechnologyOne, the City is on target for a go-live on 1 July 2022. Although still on target, the timeframe to go-live is tight, and requires careful oversight by management to ensure any variation from the schedule is addressed through resourcing, or other critical decisions. In particular, the Works module and the Payroll module are both on the critical path, with the latter likely requiring additional external support to ensure the go-live is not delayed.

A significant change to the project since the last Council update is the retirement of the Project Manager. The Project Manager stepped into the project at short notice, and has been key to progressing the project to the current point of having most of the required boxes ticked to enable go-live, with a plan in place to achieve this goal. Fortunately, due to previously recognised risk relating to loss of project staff, the City has managed the project with a team made up of the Project Manager and Change Manager, so that the Change Manager has a good grasp of the project. With this approach, the Change Manager has been able to seamlessly step into the Project Manager role. To support the new Project Manager (who will continue to oversee the Change role), a specialist Atturra consultant will be engaged part time, to provide technical assistance, with particular focus on updating and monitoring the project schedule.

OFFICER RECOMMENDATION

That the Audit and Risk Committee note the Update on the Progress of the OneCouncil Implementation Project and provide comment where necessary, and note the requirement to update the budget as part of the mid year review.

AUDIT AND RISK COMMITTEE RECOMMENDATION

That Council note the Update on the Progress of the OneCouncil Implementation Project there is a further request to Council to consider an update to the budget as part of the mid year review.

NOTE – That the Officer Recommendation was amended by the Committee to include reference to the Council considering the update to the budget as part of the mid year review.

Audit and Risk Committee Comments:

- Noted that User Acceptance Training (UAT) has commenced.

- Update received regarding a gap identified with regards to a business analyst not being originally planned and budgeted for post go live. A review will take in place to future resourcing requirements

DISCUSSION

Project Resourcing

The availability of skilled project staff continues to be a challenge for the project. While the City has managed to acquire some talented staff, on many occasions staff have taken another role, before commencing with the City, or stayed with the City for a short time, before moving on. On several occasions, the skills or fit of the person did not match the City's requirements, and it was necessary to move the person on from the organisation. Due to the constrained market, the City is paying a premium for all project staff employed.

Due to the challenges staffing the project, to continue the progression of the project, the City has employed additional consultant hours through TechnologyOne. Unfortunately, the City has struggled to get consistency with TechnologyOne consultants, with bookings regularly being filled with different consultants, including junior consultants. The City has also engaged TechnologyOne to finalise parts of configuration, to catch up parts of the project that were lagging. The City's experience is that TechnologyOne Consultants are unable to complete this type of work, with the end result usually being a partial configuration with outstanding areas requiring work by the City, or additional advice from other consultants.

Due to the challenges with finding project staff, and the quality of the services provided by TechnologyOne, the City has now entered into a contract with Atturra to provide consulting services. Atturra's consultants are OneCouncil specialists, and are able to offer the City additional availability and consistency. Significant advantages of Atturra are the quality and consistency of their consultants, and their willingness to work as a team without additional costs (experience with TechnologyOne is that advice about integration with other modules requires the engagement of an additional consultant). The City's experience is also that the Atturra consultants are more experienced than the TechnologyOne consultants, generally being previously long-serving TechnologyOne employees.

With the assistance of Atturra, the City's internal project team, and to a lesser extent TechnologyOne, the project team has a high level of confidence that the go-live date of 1 July will be met. Noted above, the critical path is the Payroll module and the Works module. The Payroll module is substantially being configured by an internal resource. The relevant officer was delayed on the configuration by the enterprise agreement, and a recent audit by an Atturra consultant has determined that, although the major configuration is complete, a lot of detail is still required. To ensure the Payroll module stays on track, an Atturra consultant has been engaged to guide the City's internal resource, and to complete the detailed configuration. Advice from both Atturra and TechnologyOne is that there is a high level of confidence the resource allocation is sufficient to keep the project on track, and that the User Acceptance Testing date will be reached on schedule.

The Works module, to a significant extent, has been delayed due to the time taken to finalise the configuration of the Finance module. The challenge with completing the configuration of the Works module has also been created by previous inability to source a suitable internal resource to progress the configuration, perceived quality concerns with the TechnologyOne consultant, and medical issues with two different Atturra consultants (including Covid). Despite these issues, there is a high level of confidence that this module will be finalised in time to meet the User Acceptance Testing schedule. The relevant Atturra consultants have recovered and are available for the project, and the module is being supported by existing internal resources, with a member of the City's operations team to also be allocated to the project.

In addition to the project critical modules, the City is also progressing the PPLGS module, which is the performance management module, being the tool that manages corporate planning and the corporate business plan reporting. This module is standalone, so does not impact the go-live date.

However, despite the intention to deliver this module early, it is now being hampered by an inability of TechnologyOne to provide a resource to assist with the configuration. A resource has now been requested through Atturra, however, the availability of the Atturra resource means the module will not progress until April.

Finally, although it is not ideal to lose a project manager on such a significant project, the approach taken by the City, using a project management team, has reduced the impact of this risk being realised. To continue to mitigate this risk, the City will continue with a team approach. The City’s current Change Manager will become the formal Project Manager, while continuing to support the change actions. An Atturra consultant will be allocated to the project on a part-time basis, to provide technical assistance and schedule oversight. This approach ensures the Project Manager is not overloaded, and has the required technical support, while maintaining a project management team approach.

STRATEGIC IMPLICATIONS

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

Strategic Community Plan			
Outcome	Strategic Objective	Action in CBP (if applicable)	How does this proposal achieve the outcomes and strategic objectives?
5 – Visionary leadership dedicated to acting for its community	5.1 – Model accountable and ethical governance, strengthening trust with the community	5.1.1 – Implement the Strategic Community Plan and Corporate Business Plan 5.1.2 – Implement the Long Term Financial Plan 5.1.3 – Implement the Infrastructure Strategy	

SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

No legal/policy implications have been identified as a result of this report or recommendation.

FINANCIAL/BUDGET IMPLICATIONS

Early in the financial year, officers drew a line across implementation expenditure and determined the implementation funds available to complete the project. Against these funds, an estimate of resources required to complete the implementation from that point was undertaken by the new project manager, to confirm the efficacy of the project.

From July 1 2021, there was \$4.32m available of the agreed commitment, to complete the implementation of the project. The project manager estimated that Phase 1 would require approximately \$3.1m, with Phase 2 utilising approximately \$1.2m. Each report to the Council, however, has noted that there has been a significant increase in consulting and internal labour costs related to the current constrained IT project labour market.

Despite the escalating costs, the focus of the project team has been to on the delivery of the project within budget. This focus has ensured consideration of opportunities to shortcut the effort, particularly opportunities to work with other local authorities, and adopt other local government configurations. This focus has also dictated a minimum configuration approach, with a desire to deliver a viable product with minimal customisation (Councillors may also remember that a significant issue with the current business system is the level of customisation and the inability for the vendor to meaningfully support the product).

With the approach taken to date, the expenditure projection to go-live is an expenditure of \$2.8m, which is approximately \$0.3m under estimate. Additional Phase 1 costs will be realised after go-live, as part of hypercare, and any phasing of the go-live (e.g. turning on the Works module over a few months). The Phase 1 expenditure includes part of the Phase 2 data migration, so that some of the Phase 2 costs are being borne early. Accordingly, the project is considered to be on track to meet budget, with a minor contingency.

To ensure the project stays on track for Phase 2, as has been reported previously, the project team has been investigating the use of configurations from other local authorities, rather than building a Kwinana specific configuration. Consideration of the City of Canning and the City of Gosnells configurations has been undertaken, with internal acceptance that these configurations are suitable. Accordingly, there is a high level of confidence that the whole of the project will be delivered within budget.

Finally, it is necessary to update the 2021/22 financial year budget to recognise the project expenditure for the year. At the time of adopting the 2021/22 budget, the transition to SAAS had not been negotiated, and the details of the expenditure on the two phases had not been determined. Accordingly, the adopted budget was based on the original project expenditure estimates. As the City has a planned go-live of 1 July 2022, the majority of the project expenditure has been brought forward into the 2021/22 financial year, and the budget needs to be updated to reflect the progress on the project. Accordingly, as part of the mid-year review, reserve funds will be allocated to the project, to cover the total estimated expenditure (including software subscriptions) of \$2.97m.

ASSET MANAGEMENT IMPLICATIONS

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

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

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

COMMUNITY ENGAGEMENT

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

ATTACHMENTS

Nil

12.7 OCCUPATIONAL SAFETY AND HEALTH (OSH) STATISTICAL DATA REPORT

SUMMARY

This statistical data is provided to the Audit and Risk Committee for noting.

Council has endorsed a Health and Safety Policy to meet its moral and legal obligation to provide a safe and healthy work environment for all employees, contractors, customers and visitors. This commitment extends to ensuring the City's operations do not place the community at risk of injury, illness or property damage. At every Audit and Risk Committee Meeting the Committee receives a report detailing statistical data. This report entitled the City of Kwinana OSH Statistical Data Report is enclosed as Attachment A.

OFFICER RECOMMENDATION

That the Audit and Risk Committee note the City of Kwinana OSH Statistical Data Report detailed in Attachment A.

AUDIT AND RISK COMMITTEE RECOMMENDATION

That Council note the City of Kwinana OSH Statistical Data Report detailed in Attachment A.

Audit and Risk Committee Comments:

- Noted that an electrical injury was reported and that the details were of a report only nature and that no injury was obtained. As the data is important to provide a safe work place a request was made that this data be reviewed and possibly recorded as a near miss due to no injury being obtained.

DISCUSSION

The OSH Statistical Data Report is provided to the Audit and Risk Committee at each Audit and Risk Committee Meeting. The City assesses the incident reporting data to provide information on the nature and extent of injury and/or disease, including a comprehensive set of data for the workplace, to assist in the efficient allocation of resources, to identify appropriate preventative strategies and monitor the effectiveness of these strategies and to provide a set of data for benchmarking against other Local Governments. As a result, the City can adequately identify, evaluate and manage the safety and health aspects of its workforce operations.

Summary of Statistical Data:

The statistical data report details information over a three-month period, 1 December 2021 to 28 February 2022. From the represented data, it is noted that the incident count trend from the previous period remains the same, with one incident reported in December, six incidents in January and two incidents in February 2022. These nine incidents are from the following directorates:

- Four from City Life,
- three from City Infrastructure,
- one from City Development and Sustainability directorate, and
- one from the Office of the CEO.

The departments that are domiciled to each directorate includes teams that are considered “high risk” teams due to their operational nature. The incidents reported over the three-month reporting period have predominately occurred in these “high risk” teams. One of the incidents were listed as lost time, one injury – no lost time, one medical treatment, three first aid and three reports only.

OSH System Update:

As discussed at the Audit and Risk Committee meeting in October 2021, the City had undertaken research into an appropriate electronic system to remove the various manual and laborious recording systems and to further enhance the City’s Safety and Health Management framework. The expected outcomes of the electronic system are to continually assess and advance processes, improve on the information obtained and collate data that provides meaningful evaluation thereby assisting in the appropriate management of hazards and risks at the City. A preferred system has been assessed, namely MyOSH, and the City is now in the process of procuring the software.

During the process, the City identified the following core modules which are standard with the product: -

- Incident reporting,
- Action management,
- Hazard management, and
- Dash board.

Through a consultation process, the following modules were also agreed with the internal stakeholders being: -

- Inspections and audits,
- Risk assessments,
- Contractor management, and
- Safe work method statements (SWMS).

After procurement of the system, there will be a phase of configuration and implementation and the provision of training to appropriate staff.

STRATEGIC IMPLICATIONS

There are no strategic implications as a result of this proposal.

SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

Regulation 17 of the Local Government (Audit) Regulations 1996 provides:

17. *CEO to review certain systems and procedures*

- (1) *The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —*
- (a) *risk management; and*

- (b) internal control; and*
 - (c) legislative compliance.*
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- (3) The CEO is to report to the audit committee the results of that review.*

FINANCIAL/BUDGET IMPLICATIONS

The financial implications as a result of this report include the purchase/implementation of an electronic safety system.

ASSET MANAGEMENT IMPLICATIONS

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

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

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

COMMUNITY ENGAGEMENT

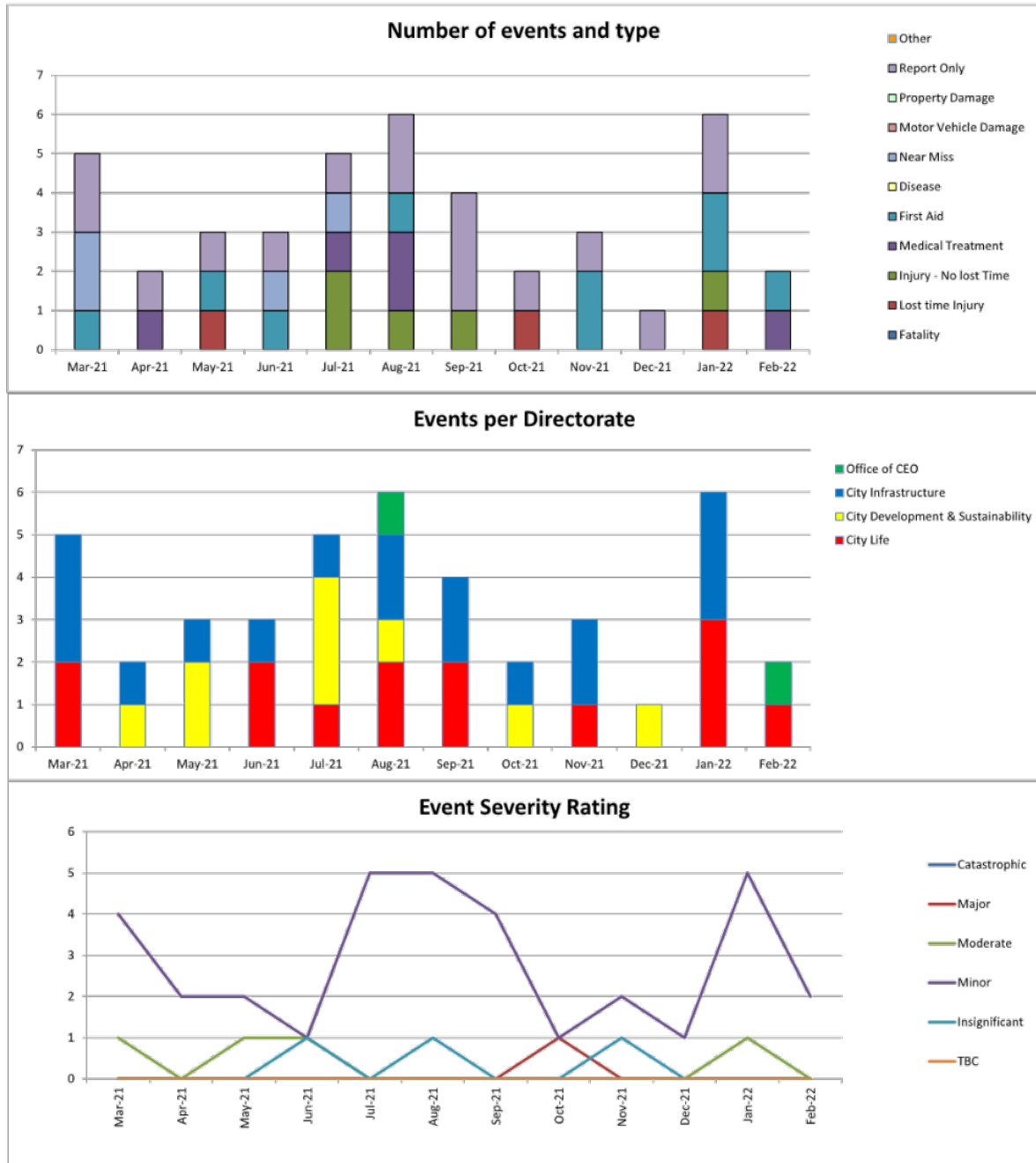
There are no community engagement implications as a result of this report or recommendation.

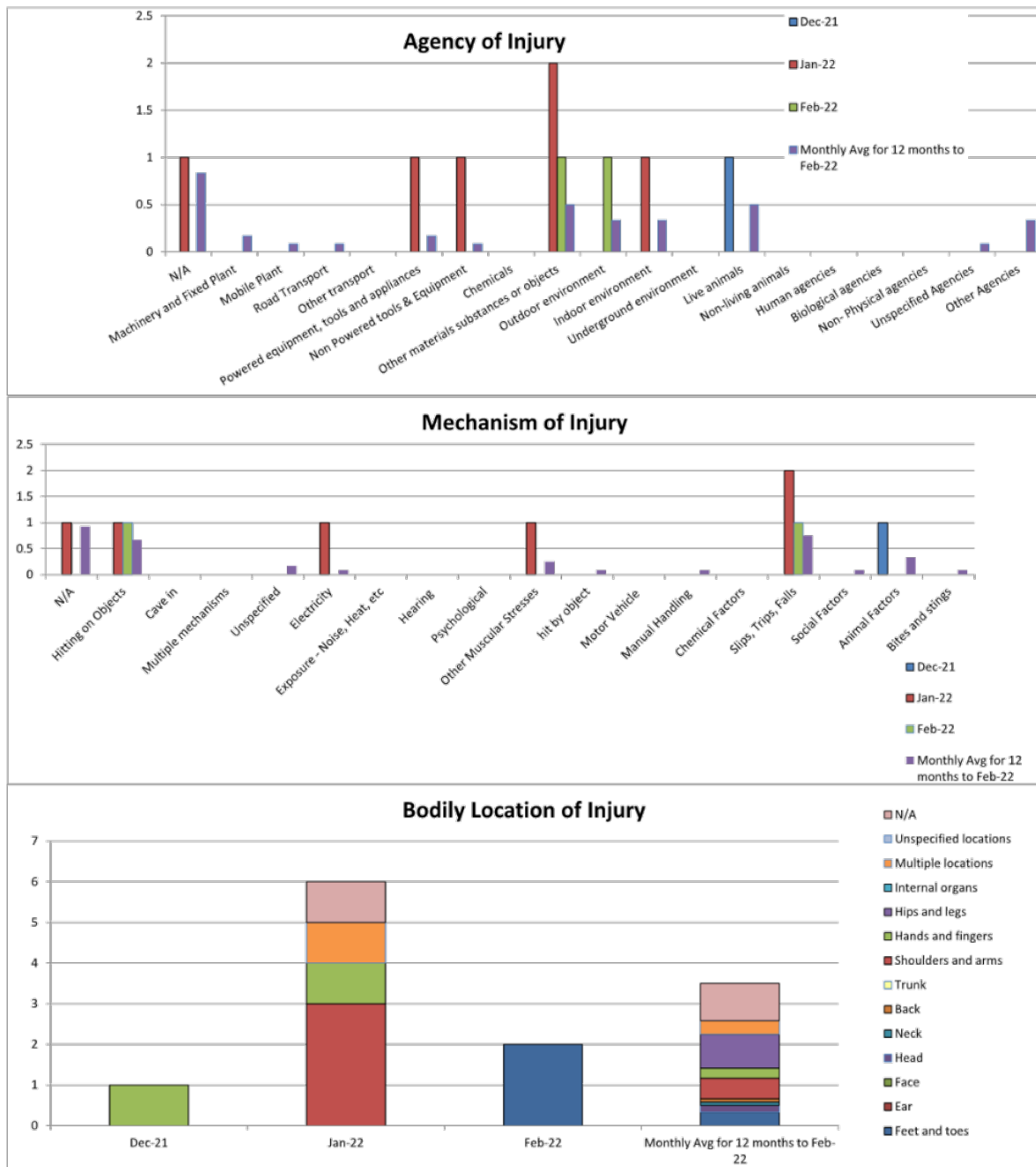
ATTACHMENTS

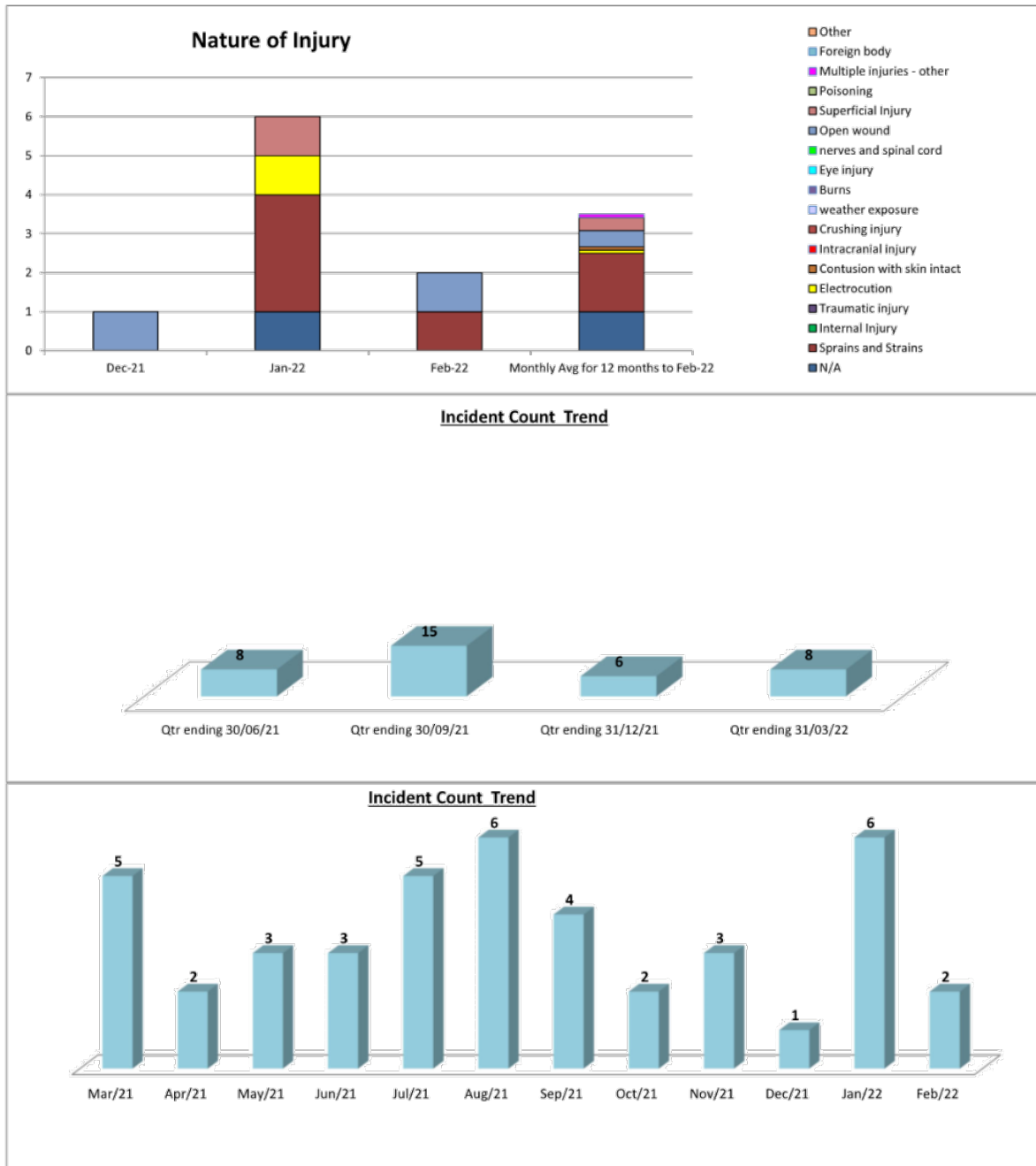
- A. Attachment A - City of Kwinana OSH Statistical Data Report**

Attachment A

City of Kwinana - OSH Statistical Data Report - 28 February 2022







13 ENBLOC REPORTS

14 REPORTS – COMMUNITY

Nil

15 REPORTS – ECONOMIC

Nil

16 REPORTS – NATURAL ENVIRONMENT

Nil

17 REPORTS – BUILT INFRASTRUCTURE

17.1 AMENDMENT 2 TO THE LOCAL STRUCTURE PLAN FOR LOTS 500 AND 501 BERTRAM ROAD, WELLARD - RECOMMENDATION TO THE WESTERN AUSTRALIAN PLANNING COMMISSION

SUMMARY

An amendment (Amendment 2) to the Local Structure Plan (LSP) for Lots 500 and 501 Bertram Road, Wellard has been lodged with the City of Kwinana (City), in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (P&D Regulations) (Attachment A).

Amendment 2 proposes to increase the residential density of portions of Lot 501 from R25 to R40 which will increase the number of potential dwellings on Lot 501 by 6 - 10 lots (see Background for further information). The Subdivision Guide Plan shows the location of the proposed R40 lots (Attachment B). Residential development on the R40 density coded lots will be guided by Local Development Plans (LDP) which will control built form and streetscape outcomes.

The Western Australian Planning Commission (WAPC) advised the City that Amendment 2 is a minor amendment and did not need to be publicly advertised under the PD Regulations. However, City Officers notified adjoining property owners and invited submissions on Amendment 2 as part of a targeted consultation process. The City did not receive any submissions in response to the targeted consultation.

Amendment 2 meets the requirements of Liveable Neighbourhoods and will facilitate a greater diversity of lot sizes within the Wellard locality consistent with the strategic direction of the City's draft Local Planning Strategy (2021) (LPS). On this basis, City officers recommend that the amendment be supported by Council and then forwarded to the WAPC in accordance with clause 20 of the P&D Regulations.

The City has also received a proposal from The King's College, to amend the LSP for Lots 500 and 501 Bertram Road (Amendment 1) to develop school facilities on the adjoining lot (Lot 500). Amendment 1 is progressing separately to Amendment 2.

OFFICER RECOMMENDATION

That Council makes the following recommendation to the Western Australian Planning Commission (WAPC) in respect to Amendment 2 to the Local Structure Plan for Lots 500 and 501 Bertram Road, Wellard:

- 1. Advises the WAPC that it recommends that Amendment 2 to the Local Structure Plan for Lots 500 and 501 Bertram Road be approved.**
- 2. Forward this Ordinary Council Meeting Report and Council's recommendations to the WAPC pursuant to Schedule 2, Clause 20 of the *Planning and Development Regulations 2015*.**

DISCUSSION

Background

The current LSP for Lots 500 and 501 Bertram Road, Wellard (Attachment C) was adopted by the City on 26 April 2017, and approved by the WAPC on 6 November 2017.

The current LSP sets out the subdivision conditions that the City recommends be imposed by the WAPC on subdivision approvals, including:

- Provision of public open space in accordance with the LSP;
- Approval and implementation of a wetland management plan and mosquito management plan;
- Notification on titles that additional building requirements may apply to lots with a bushfire attack level (BAL) rating of 12.5 or above;
- Local Development Plans (LDP) to be prepared for lots with frontages less than 12m and BAL rating of 12.5 and above; and
- The portion of wetland on Lot 501 will be shown as a reserve for conservation ceded free of cost to the Crown at subdivision stage.

Subdivision approvals

The WAPC approved an application, on 18 October 2019, to subdivide Lot 501 to create 68 residential lots and 1.03ha of public open space. A modified subdivision was approved by the WAPC on 5 January 2021, which provided improved road access/egress to Bertram Road which resulted in the lot yield being reduced from 68 lots to 64 lots (Attachment D).

Amendment 2 is proposing to marginally increase the residential density of portions of Lot 501 from R25 to R40 which will increase the lot yield of Lot 501 to 74 residential lots.

The proponent will lodge a new subdivision application (consistent with the Amendment 2) with WAPC seeking the creation of approximately 74 green title residential lots, in the event that the WAPC approves Amendment 2.

Draft Local Planning Strategy

The City's draft Local Planning Strategy (LPS) was adopted by Council in March 2021 and sets out the Strategic Directions and Strategic Actions associated with the future development of the City. A key Strategic Direction of the City's draft LPS is to provide a range of lot sizes and dwelling types for a diversity of households. Amendment 2 is consistent with this Strategic Direction.

Assessment

Amendment 2 has been assessed by City officers against the objectives and requirements of *Liveable Neighbourhoods* (WAPC, 2009). The allocation of R40 density meets the requirements of the WAPC's *Liveable Neighbourhoods* document, with all lots being located within 200m of public open space.

Amendment 2 allows for a diversity of lot sizes ranging between 190m² – 418m² which is consistent with a key strategic direction of the City's draft LPS to provide a range of lot sizes and dwelling types for a diversity of households. The amendment will provide additional housing choice for the locality and the design of the LSP remains otherwise unchanged.

The amendment introduces the potential for an additional 10 lots for the site and is considered relatively minor in nature and not materially altering the purpose or intent of the LSP.

STRATEGIC IMPLICATIONS

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

Strategic Community Plan			
Outcome	Strategic Objective	Action in CBP (if applicable)	How does this proposal achieve the outcomes and strategic objectives?
4 – A unique, vibrant and healthy City that is safe, connected and socially diverse	4.1 – Create, activate and manage places and local centres that are inviting, unique and accessible	4.1.2 – Implement the Local Planning Strategy 4.1.4 – Review the Local Commercial and Activity Centres Strategy	Amends the Lot 500 and 501 Bertram Road Local Structure Plan to increase the diversity of lot sizes and dwelling types for a diversity of households, allowing residents to stay in their communities as they age as well as providing a range of housing options for young people and families with a high level of amenity. (Draft LPS)

SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

For the purpose of Councilors considering a financial or impartiality interest only, the proponent and owner is Parcel Wellard Pty Ltd.

Acts and Regulations

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

Schemes

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

State Government Policies

- Liveable Neighbourhoods
- State Planning Policy 3.1 – Residential Design Codes (WAPC)

Local Planning Policies

- City of Kwinana Draft Local Planning Strategy
- Local Planning Policy 3 – Bollard Bulrush East Landscape Masterplan (2017)

Other

- Report and recommendations of the Environmental Protection Authority – Metropolitan Region Scheme Amendment 1188/57 – Wellard Urban Precinct (EPA Report 1500) (EPA, January 2014)
- Statement that a scheme may be implemented (pursuant to the provisions of Division 3 of Part IV of the Environmental Protection Act 1986) (Ministerial Statement 961) (12 March 2014)

FINANCIAL/BUDGET IMPLICATIONS

The cost of preparing Amendment 2 to the LSP for Lots 500 and 501 Bertram Road, Wellard has been borne by the applicant.

ASSET MANAGEMENT IMPLICATIONS

The City will be financially responsible for maintaining open space, roads, verge trees and footpaths within the local structure plan once the area has been developed.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

The current LSP for Lots 500 and 501 Bertram Road, Wellard was adopted by the City on 26 April 2017, and approved by the WAPC on 6 November 2017. The LPS requires that the City request the WAPC to impose conditions on subdivision approvals in relation to the following environmental and health matters:

- a) Approval and implementation of a Wetland Management Plan and Mosquito Management Plan; and
- b) Preparation of a Mosquito Management Plan.

COMMUNITY ENGAGEMENT

The City wrote to the owners of the three properties which adjoin Lot 501 seeking comment on Amendment 2. No comments were received by the City.

ATTACHMENTS

- A. Amendment 2 LSP Plan
- B. Subdivision Guide Plan
- C. Current LSP
- D. Approved subdivision
- E. Amendment 2 documentation

Amendment 2 Lots 500 and 501 Bertram Road, Wellard Local Structure Plan



PROPOSED STRUCTURE PLAN AMENDMENT
LOT 500 & 501 BERTRAM ROAD
WELLARD



0 50m
SCALE @ A3: 1:2000
9448-FIG-05-B





INDICATIVE SUBDIVISION CONCEPT PLAN

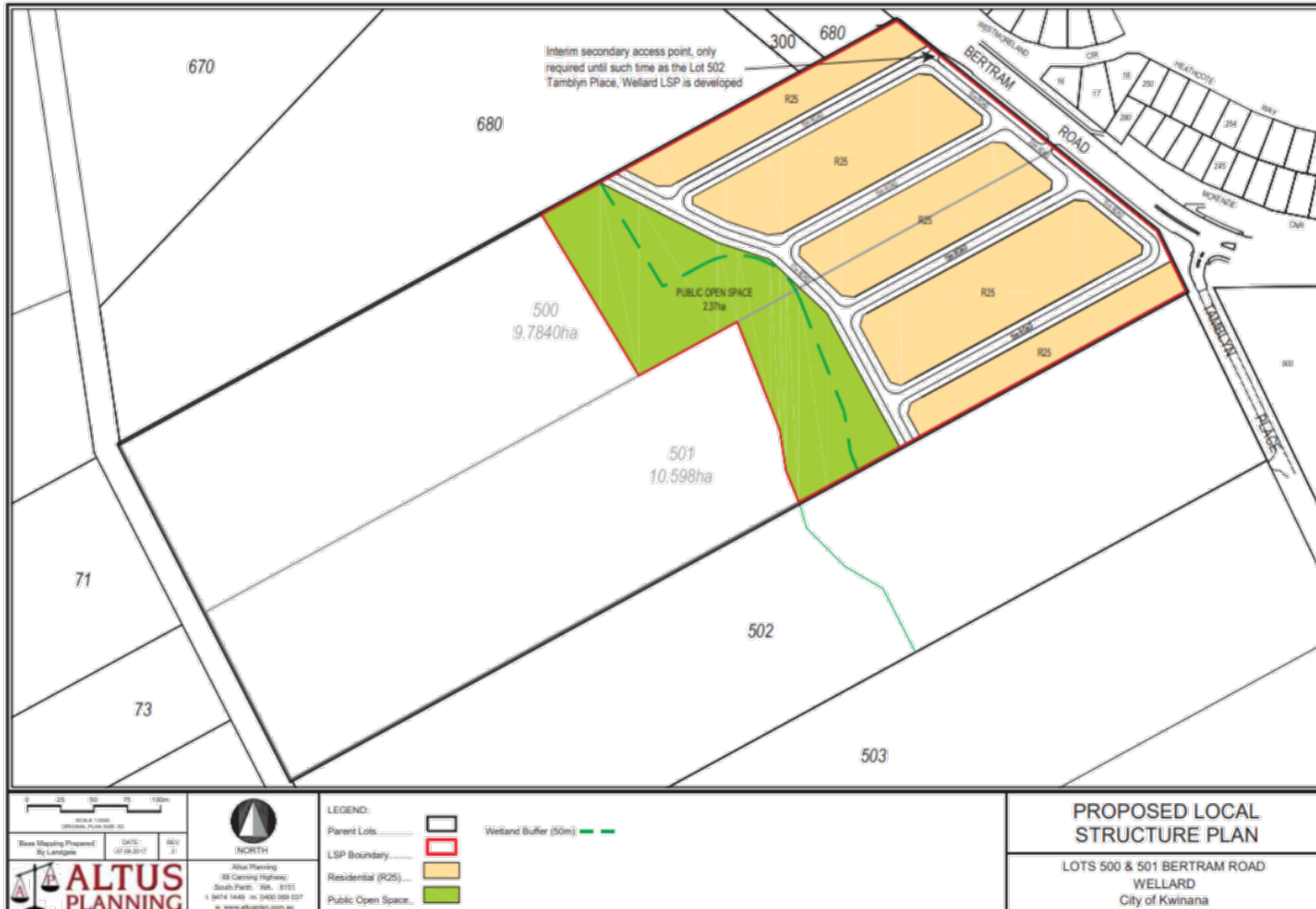
LOT 501 (NO.214) BERTRAM ROAD
WELLARD

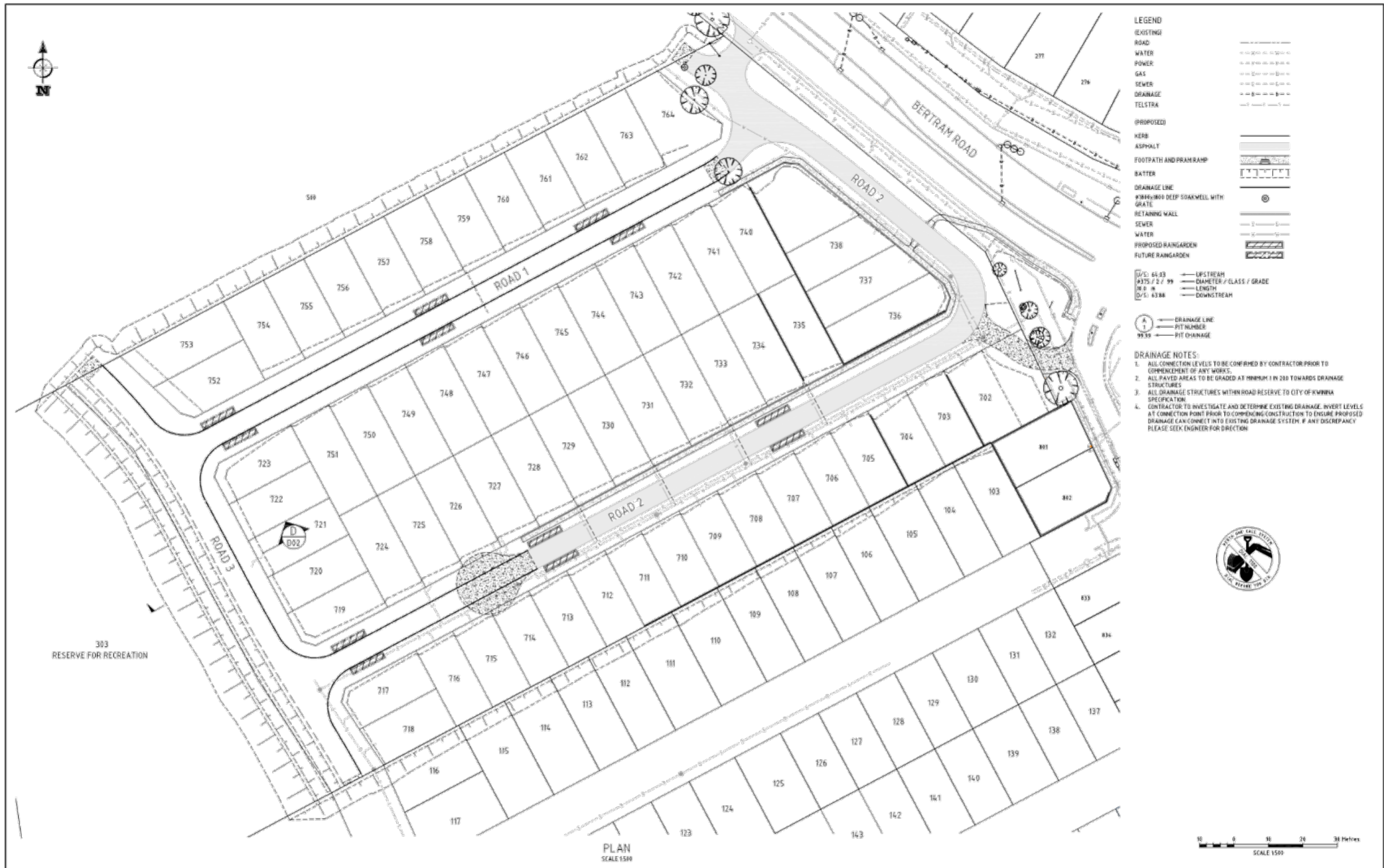


0 50 m
SCALE @ A3: 1:2000
9448-CON-03-A



**Current
Lot 500 and 501 Bertram Road, Wellard
Local Structure Plan**





<p>THIS IS ISSUED FOR:</p> <p>INFORMATION COMMENT APPROVAL TENDER</p> <p>DO NOT USE FOR ANY PURPOSE OTHER THAN THAT INDICATED</p>				<p>SCALE: AS SHOWN</p> <p>DATE: AND</p> <p>WAP: 15476</p>		<p>CLIENT: BOLLARD (WA) PTY LTD</p> <p>PROJECT: PROPOSED SUBDIVISION - STAGE 1 LOT 501 BERTRAM ROAD, WELLARD</p> <p>TITLE: DRAINAGE PLAN</p>	
<p>McDowall Affleck</p> <p>DESIGNERS PROJECT MANAGERS CONSTRUCTORS</p> <p>69 Great Northern Hwy Midland Western Australia 6456 PO Box 1377 Midland WA 6936</p> <p>T +618 9274 6444 F +618 9250 3433 E manager@mcapl.net.au W www.mcdowallaffleck.com.au</p>				<p>ENGINEER SIGN: [Signature]</p> <p>DRAWING NUMBER: 14468 D01</p> <p>REVISION: A</p>		<p>ALL DIMENSIONS IN METERS DO NOT SCALE</p>	



PROPOSED AMENDMENT BERTRAM ROAD, WELLARD LOCAL STRUCTURE PLAN

LOTS 500 & 501 BERTRAM ROAD,
WELLARD

OUR REF: 9448 23/12/2021

DOCUMENT CONTROL

Printed 23 December 2021

9448_21dec01R_js V4

VERSION	FILE NAME	PREPARED BY	APPROVED BY	DATE
1	9448_21dec01R_js V2	Jake Spiteri	Reyne Dial	22/12/2021

This report has been authorised by;



Reyne Dial
Senior Urban Planner



Jake Spiteri
Town Planner



Jamie Baxter
Quality Control

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1. CERTIFICATES OF TITLE
2. BUSHFIRE MANAGEMENT PLAN
3. SUBDIVISION CONCEPT PLAN
4. APPROVED STRUCTURE PLAN LOT 500/501 BERTRAM ROAD, WELLARD
5. APPROVED SUBDIVISION WAPC 159997

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1. BUSHFIRE MANAGEMENT STRATEGIES



1. INTRODUCTION

Rowe Group acts on behalf of Parcel Wellard Pty Ltd, the landowner of Lot 501 Bertram Road, Wellard (the 'subject site'). This report has been prepared in support of a proposed Structure Plan Amendment Request seeking to amend the *Lot 500 and 501 Bertram Road, Wellard Local Structure Plan* (the 'Structure Plan'). The proposed amendment seeks to increase the residential density of portions of the site from R25 to R40, to facilitate the delivery of medium density residential housing.

This report includes a description of the following matters:

- ▲ Location of the subject site;
- ▲ Description of the existing land use;
- ▲ Overview of relevant town planning and urban design issues;
- ▲ Detailed explanation of the proposed Structure Plan Amendment; and
- ▲ Justification for the proposed Structure Plan Amendment.



2. DESCRIPTION OF SITE

2.1 LOCATION

The subject site is located within the South Metropolitan Peel Sub-Region, within the Municipality of the City of Kwinana. The subject site is situated approximately 3 kilometres south-east of the Kwinana Centre and west of the Kwinana Freeway.

The subject site is bound by the Kings College to the north, residential development to the south and the Bollard Bulrush Swamp to the west.

2.2 CADASTRAL INFORMATION

The subject site comprises two (2) land parcel, being:

- ▲ Lot 500 on Diagram 70999, Certificate of Title Volume 2796 Folio 129.
- ▲ Lot 501 on Diagram 70999, Certificate of Title Volume 2796 Folio 130.

The subject site has a total land area of 10.598 hectares, with frontage of approximately 148 metres to Bertram Road.

Refer **Attachment 1 – Certificates of Title**.

2.3 EXISTING IMPROVEMENTS

The eastern portion of the subject site is generally cleared, with scattered trees and remnant vegetation throughout. The remainder of the subject site is known as the Bollard Bulrush Swamp, with paperbarks, flooded gums and bulrushes.

2.4 ENVIRONMENTAL

2.4.1 REMNANT VEGETATION / FAUNA

A search of the Department of Water and Environmental Regulation's Threatened (Declared Rare) Flora database has been undertaken over the subject site and there has been no recording of Declared Rare Flora within the subject site.

There are also no Bush Forever sites affecting the subject site.

2.4.2 WETLANDS

The Department of Parks and Wildlife's Geomorphic Wetlands Database identifies a "Multiple Use". The Conservation Category Wetland known as the Bollard Bulrush Swamp is located over the western portion of the subject site.

It is noted that the wetland has residual ecological values, which are intended to be maintained and reserved throughout the future development of the subject site. The protection and management of the subject site's environmental assets will be implemented through an approved plan at subdivision stage, to ensure any alterations and extensions reinforce the significance of the wetland.



2.4.3 ACID SULPHATE SOILS

The Department of Water and Environmental Regulation’s Acid Sulphate Soil Risk Mapping identifies the site as having a “high to moderate risk of ASS occurring within 3m of natural soil surface (and beyond)”.

Final fill levels and subsequent excavation will determine if dewatering is required. It is likely due to the shallow depth to the groundwater. A Management Plan may be required to be prepared as a condition of subdivision, prior to dewatering or excavation.

2.4.4 CONTAMINATION

A search of the Department of Water and Environmental Regulation’s Contaminated Sites Database does not indicate the presence of contamination within the site.

2.5 BUSHFIRE HAZARD

State Planning Policy 3.7 – Planning in Bushfire Prone Area (‘SPP 3.7’) seeks to guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure. The subject site is identified as being within a “Bushfire Prone Area” under the Department of Fire and Emergency Services (‘DFES’) Bushfire mapping tool.

Accordingly, the proposed Structure Plan Amendment is supported by a Bushfire Management Plan (‘BMP’) prepared by Eco Logical Australia. The BMP confirms that the proposed subdivision is capable of achieving compliance with the four (4) bushfire protection criteria outlined within Attachment 2 of the Guidelines for Planning in Bushfire Prone Areas (‘Guidelines’). An updated BMP will be prepared in support of the subsequent subdivision application, to be generally in accordance with Structure Plan amendment. The bushfire management strategies are summarised in the table below.

BUSHFIRE PROTECTION CRITERIA	PROPOSED BUSHFIRE MANAGEMENT STRATEGIES
Element 1: Location	All proposed lots within the subject site will be located in an area subject to BAL rating of BAL-29 or less.
Element 2: Siting and Design	Based on the indicative subdivision layout, all future dwellings constructed within the subject site can be located such that the maximum BAL rating is BAL-29 or less
Element 3: Vehicular Access	The proposed development provides its main public road access via Bertram Road, with access and egress in two different directions. A secondary access point to the subject site will be provided through an Emergency Access Way (EAW). The Road will be established and maintained until future road connections to Lot 9001 to the south are provided. The development proposes two cul-de-sacs that comply with the Guidelines, with these to be established until connection with subsequent development of Lot 500 to the north and Lot 9001 to the south occurs.
Element 4: Water	Future residential lots within the subject site will be serviced by reticulated water supply.

Table 1: Bushfire Management Strategies

Attachment 2 – Bushfire Management Plan



2.6 HERITAGE

2.6.1 INDIGENOUS HERITAGE

A search of the Department of Aboriginal Affairs Aboriginal Heritage Inquiry System identified no registered sites within the subject site subdivision area or immediate surrounds.

2.6.2 NON-INDIGENOUS HERITAGE

The subject site is identified under the Heritage Council of Western Australia's Heritage Places Database and the City of Kwinana Municipal Heritage List since 1998. The Bollard Bulrush swamp is *'is the southernmost swamp of the eastern chain of wetlands, at the interface of the Spearwood and Bassendean dunes. The place has suffered some clearing and has been grazed, however there is still dense growth of paperbarks and flooded gums, with bulrushes through the very wet areas. The drains constructed during the Inter-War period still pass through the swamp and can be seen on Bertram Road, comprising narrow but deep drains, marked by their mounded earth banks'*.

The conservation category wetland has been identified to be retained and restored as outlined within the amended and subsequent subdivision application.

2.6.2.1 DRAFT HERITAGE SURVEY & HERITAGE LIST

The entirety of the subject site is classified as being an area of 'heritage significance' in the City of Kwinana Draft Heritage Survey and Draft Heritage List. The subject site is identified as an 'Exceptional' level of heritage significance. Exceptional significance is defined as:

Essential to the heritage of the City of Kwinana. Rare or outstanding example. Recommended for inclusion on the State Register of Heritage Places.

The desired outcomes outlined within the Draft Heritage Survey are consistent with the State Heritage Office document Criteria for Assessment of Local Heritage Places and Areas. The Desired outcomes of 'Exceptional Significance' states:

The place should be retained and conserved unless there is no feasible and prudent alternative to doing otherwise. Any alterations or extensions should reinforce the significance of the place, and be in accordance with a Conservation Plan (if one exists for the place). Include on the Local Planning Scheme Heritage List.

It is noted that the conservation and enhancement of wetland will not be affected by way of the proposed amendment and will be further considered as part of the subsequent subdivision application.



3. TOWN PLANNING CONSIDERATIONS

3.1 ZONING

3.1.1 METROPOLITAN REGION SCHEME

The subject site is zoned "Urban" under the provisions of the *Metropolitan Region Scheme* ('MRS').

The proposed Amendment is consistent with the objectives of the "Urban" zone.

3.1.2 CITY OF KWINANA TOWN PLANNING SCHEME NO. 2

The subject site is zoned "Development" and "Rural A" under the *City of Kwinana Town Planning Scheme No. 2* (TPS 2). The objectives of the Development zone area to:

- a. *designate land for future development.*
- b. *provide a planning mechanism for the identification and protection of areas of conservation value whilst facilitating the growth of the Town.*
- c. *provide for the orderly planning of large areas of land for residential, commercial, industrial and associated purposes through a comprehensive structure planning process.*
- d. *enable planning to be flexible and responsive to changing circumstances throughout the developmental stages of the area, and.*
- e. *provide sufficient certainty for demand forecasting by service providers.*

The proposed development outlined within the Structure Plan Amendment is developed in accordance with the requirements of the TPS2.

The area zoned 'Rural A' under the TPS 2 is identified as the area known as the Bollard Bulrush Wetland, which is a conservation category wetland.

3.1.3 LOT 500 AND 501 BERTRAM ROAD, WELLARD LOCAL STRUCTURE PLAN

The *Lot 500 and 501 Bertram Road, Wellard Local Structure Plan* (the 'Structure Plan') was endorsed by the Western Australian Planning Commission ('WAPC') on 6 November 2017 to guide development within the area designated as "Development" under TPS 2. The Structure Plan provides for the overarching framework for coordinating and assessing subdivision and development applications and to provide certainty to landowners in terms of major structure and land use elements.

The Structure Plan currently identifies the subject site as a mix of "Residential R25", "Conservation Category Wetland" and "Public Open Space". The proposed amendments to the approved Structure Plan are generally consistent with the design philosophy of the Structure Plan and aim to facilitate a medium density residential outcome.

Further details with regard to the proposed amendments to the approved Structure Plan are provided at **Section 4** of this report.

Refer Figure 1 – Current Lot 500 and 501 Bertram Road, Wellard Local Structure Plan Zoning.



3.1.4 WAPC SUBDIVISION APPROVAL 159997

The Western Australia Planning Commission (WAPC) granted subdivision approval to WAPC 159997 at Lot 501 Bertram Road, Wellard on 5 January 2021. The approval provides for the creation of 68 residential lots being developed at the subject site. The proposed amendment is generally consistent with the layout of WAPC 159997. The minor amendment refers to the rezoning of approximately twenty-three (23) lots (to be confirmed at the Subdivision Application stage) from 'R25' to 'R40'.

Refer Attachment 5 – WAPC Subdivision Approval 159997



3.2 SUB REGIONAL PLANNING FRAMEWORK

3.2.1 SOUTH METROPOLITAN PEEL SUB-REGIONAL PLANNING FRAMEWORK

The *South Metropolitan Peel Sub-Regional Planning Framework* (‘the Framework’) was released as part of the State Government’s Perth and Peel @ 3.5 million suite of documents, representing the government’s approach to managing the State’s future urban form at a sub-regional level.

The eastern portion of the subject site is identified as ‘Urban’ under whilst the other western portion of the parent lot is identified as ‘Proposed Open Space – Nature / Passive Recreation within the Framework.

3.3 STATE PLANNING POLICIES

3.3.1 LIVEABLE NEIGHBOURHOODS

Liveable Neighbourhoods (‘LN’) represents the WAPC’s primary policy to guide the design and assessment subdivision for new urban development of residential communities in Western Australia. The underlying objective is to create quality neighbourhoods with site responsive identity supportive of local community that reduce dependency on private vehicles and are more energy and land efficient.

The proposed Structure Plan Amendment and accompanying concept plans have been prepared in accordance with the requirements and objectives of LN.

3.3.2 STATE PLANNING POLICY 3.7 – PLANNING IN BUSHFIRE PRONE AREAS

SPP 3.7 seeks to guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure. The subject site is identified by the Department of Fire and Emergency Services Map of Bush Fire Prone Areas as being “bushfire prone”. Due to the site being identified as being “bushfire prone”, consideration of the principles and objectives of SPP 3.7 need to be considered as part of the structure planning and subsequent subdivision stages. A Bushfire Management Plan has therefore been prepared by Eco Logical Australia and included in Attachment 2 to this report.

Refer Attachment 2 - Bushfire Management Plan.



4. PROPOSED STRUCTURE PLAN AMENDMENT

The proposed amendments to the *Lot 500 and 501 Bertram Road, Wellard* which form part of this request are detailed as follows:

- ▲ Increase in density over a portion of the Structure Plan from “R25” to “R40”;

Further detail and justification in support of the proposed amendment request are provided below.

Refer Figure 2 - Proposed Structure Plan Amendment Zoning and Figure 3 - Indicative Subdivision Concept Plan

4.1 LAND USE

The site is identified under the Structure Plan as a mix of ‘Residential’ and ‘Public Open Space’ with an applicable residential density code of ‘R25’.

The minor amendment proposes to increase the residential density coding over portions of the site from ‘R25’ to ‘R40’. Areas of R40 development have been located consistent with the proposed Plan of Subdivision, which will be lodged with the WAPC for approval following the City of Kwinana’s endorsement of the amendment. The allocation of R40 density meets the requirements of the WAPC’s LN document, with all lots being located within 200m of public open space.

The proposed amendment will facilitate the delivery of additional lots and housing typologies within the estate, which have been recently (and successfully) delivered at the ‘Living Edge Estate’ in Wellard. The proposed lot typology provides for affordable and diverse house and land packages for first home buyers to access the housing market, with lot sizes likely ranging from 190m² – 420m² (to be confirmed at the subdivision stage). The smaller lots will facilitate the delivery of 7.5m frontage front loaded lots, single garage, with the larger lots delivering 12.5m frontage front loaded lots with double garages further supporting a range of affordable options that meet with growing demand for this type of product in the Perth market.

The Subdivision Concept Plan provided at **Attachment 3** is indicative only for the purposes of this Structure Plan Amendment request. Final engineering and landscape design will be subject to detailed design and approval post-subdivision.

The change in residential density coding proposed by way of this amendment is minor in nature and does not materially alter the purpose or intent of the Structure Plan. It is noted that the *Planning and Development (Local Planning Schemes) Regulations 2015* (‘Regulations’) deem Structure Plans as instruments of “due regard”, meaning inconsequential variations to the Structure Plan, which are reflected on a proposed Plan of Subdivision, may be assessed and ultimately approved at the subdivision stage. Notwithstanding, DPLH have requested a minor amendment to the Structure Plan be submitted to formalise the increase in residential density over portions of the subject site. In this regard, it is requested that the City and WAPC consider the variation as a “minor” amendment and deal with the amendment (where possible) under delegated authority.

Furthermore, given the minor nature of the amendment (which will not impact the adjacent landholdings), it is our view that the proposal is not required to be publicly advertised. Notwithstanding, should the City and / or the WAPC require the proposed amendment to be



advertised, it is requested that the matter be advertised to the adjacent landowners of Lot 500 and 9001 Bertram Road, Wellard only, for a period of time no longer than two (2) weeks. This approach is consistent with the minor nature of the proposed amendment

Refer Figure 2 – Proposed Structure Plan Amendment Zoning and Attachment 3 - Precinct Concept Plan.

4.1.1 SUBSEQUENT SUBDIVISION APPLICATION

A Subdivision Application (consistent with the proposed Structure Plan Amendment) will be lodged with WAPC seeking the creation of approximately 74 green title residential lots over the subject site following the City of Kwinana's and WAPC consideration of the proposed Amendment. The proposed future application will be consistent with the residential density coding proposed as part of the Structure Plan Amendment and enable the WAPC to consider all matters concurrently.



4.2 RESIDENTIAL

4.2.1 OVERALL DEVELOPABLE AREA

The proposed amendment to the Structure Plan does not result in any increase or decrease to the overall Structure Plan area. It is considered that the revised residential spatial layout (to include a minor increase of lots) provides for an improved urban design outcome and diversity of lot sizes within the precinct.

The revised Structure Plan layout is considered to meet of the key objectives of the State Government with regard to the provision of lot and housing typologies which cater for the “missing middle”, being smaller residential freehold lots within medium density residential areas.

4.3 MOVEMENT NETWORK

4.3.1 ROAD NETWORK

The proposed Structure Plan Amendment does not seek to change the proposed road layout from the approved Structure Plan and WAPC Subdivision Approval 159997. The proposed Structure Plan Amendment is therefore consistent with the previously endorsed movement network for the site and Structure Plan more broadly.

4.4 WATER MANAGEMENT

4.4.1 LOCAL WATER MANAGEMENT STRATEGY

A Local Water Management Strategy (‘LWMS’) has previously been prepared in support of the Structure Plan area which supports the spatial planning for the site by demonstrating how surface water, groundwater and water supply/conservation can be achieved. The LWMS will guide the development of the Urban Water Management Plan (‘UWMP’) which is to be prepared post Subdivision Approval (i.e. imposed as a condition of approval).

The proposed Structure Plan Amendment does not impact the outcomes of the LWMS and therefore, an addendum has not been provided as a part of the amendment.



5. CONCLUSION

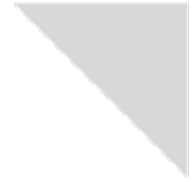
This report has been prepared in support of an application to amend the *Lot 500 and 501 Bertram Road, Local Structure Plan* to increase the residential density applicable over a portion of the site (limited to Lot 501 Bertram Road, Wellard) from 'R25' to 'R40'.

As demonstrated within this report, the proposed amendment is considered justified and appropriate for the following reasons:

- ▲ The proposed density increase is considered appropriate in the context of the Structure Plan area, given it will support housing diversity and choice and is consistent with facilitating dwelling typologies which are consistent with the “missing middle” (i.e. medium density residential).
- ▲ The proposed amendment is minor in nature and does not materially alter the purpose or intent of the approved Structure Plan.
- ▲ The ultimate development of the site (specifically the R40 density coded lots) will be guided by Local Development Plans which will provide further controls with regard to built form and streetscape outcomes.
- ▲ Risks associated with bushfire have been appropriately addressed through the respective management plan. Appropriate mitigation measures will be implemented as part of the future subdivision and development of the site.
- ▲ The proposed amendment is considered consistent with the relevant State and Local planning framework, particularly LN, and the original vision and intent of the approved Structure Plan.
- ▲ The proposed amendment will not impact the surrounding landholdings, which also ensures the proposal is not required to be publicly advertised.

In view of the above, the proposal is considered entirely appropriate and consistent with the orderly and proper planning of the locality. It is therefore requested the City and WAPC support the amendment request.





ATTACHMENT 1

CERTIFICATES OF TITLE



WESTERN



AUSTRALIA

REGISTER NUMBER 501/DP70999	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **2796** FOLIO **130**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 501 ON DEPOSITED PLAN 70999

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

PARCEL WELLARD PTY LTD OF 301 VINCENT STREET LEEDERVILLE WA 6007
(T O845283) REGISTERED 20/8/2021

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP70999
PREVIOUS TITLE: 1318-810
PROPERTY STREET ADDRESS: 214 BERTRAM RD, WELLARD.
LOCAL GOVERNMENT AUTHORITY: CITY OF KWINANA

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING N425906

WESTERN AUSTRALIA



REGISTER NUMBER 500/DP70999	
DUPLICATE EDITION 1	DATE DUPLICATE ISSUED 3/9/2012

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **2796** FOLIO **129**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES 

LAND DESCRIPTION:

LOT 500 ON DEPOSITED PLAN 70999

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

THE KING'S EDUCATIONAL MINISTRIES INC OF 170 BERTRAM ROAD WELLARD WA 6170
(T O261875) REGISTERED 18/10/2019

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

- 1. *O261876 MORTGAGE TO MINISTER FOR EDUCATION OF CARE OF DEPARTMENT OF EDUCATION 151 ROYAL ST, EAST PERTH WA 6004 REGISTERED 18/10/2019.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP70999
PREVIOUS TITLE: 1281-799
PROPERTY STREET ADDRESS: 202 BERTRAM RD, WELLARD.
LOCAL GOVERNMENT AUTHORITY: CITY OF KWINANA

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING N804019



ATTACHMENT 2

BUSHFIRE MANAGEMENT PLAN





Bushfire Management Plan Coversheet

This Coversheet and accompanying Bushfire Management Plan has been prepared and issued by a person accredited by Fire Protection Association Australia under the Bushfire Planning and Design (BPAD) Accreditation Scheme.

Bushfire Management Plan and Site Details

Site Address / Plan Reference: Lot 501 (No. 214) Bertram Road			
Suburb: Wellard	State: WA	P/code: 6170	
Local government area: City of Kwinana			
Description of the planning proposal: Subdivision Application for residential dwellings			
BMP Plan / Reference Number: 21PER-20500	Version: v1	Date of Issue: 20/12/2021	
Client / Business Name: Parcel Wellard Pty Ltd			

Reason for referral to DFES	Yes	No
-----------------------------	-----	----

Has the BAL been calculated by a method other than method 1 as outlined in AS3959 (tick no if AS3959 method 1 has been used to calculate the BAL)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Have any of the bushfire protection criteria elements been addressed through the use of a performance principle (tick no if only acceptable solutions have been used to address all of the BPC elements)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Is the proposal any of the following special development types (see SPP 3.7 for definitions)?

Unavoidable development (in BAL-40 or BAL-FZ)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strategic planning proposal (including rezoning applications)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Minor development (in BAL-40 or BAL-FZ)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
High risk land-use	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vulnerable land-use	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If the development is a special development type as listed above, explain why the proposal is considered to be one of the above listed classifications (E.g. considered vulnerable land-use as the development is for accommodation of the elderly, etc.)?

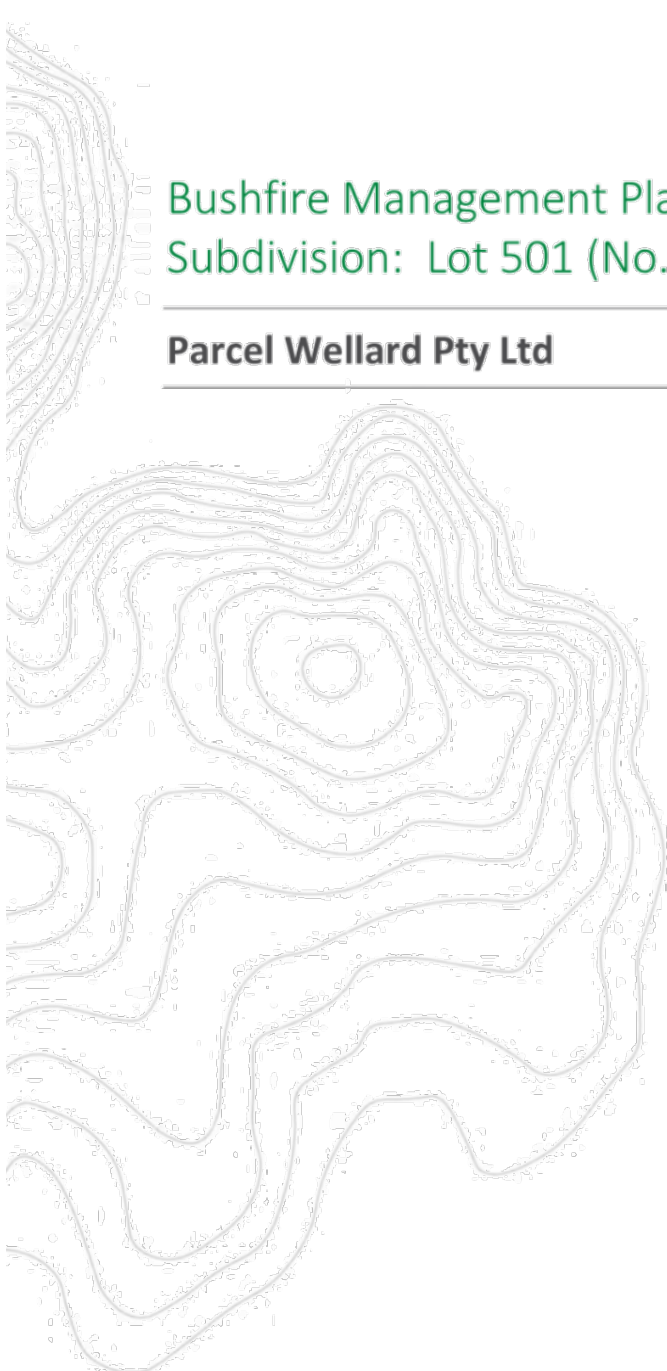
Note: The decision maker (e.g. local government or the WAPC) should only refer the proposal to DFES for comment if one (or more) of the above answers are ticked "Yes".

BPAD Accredited Practitioner Details and Declaration

Name Eva Cronin	Accreditation Level Level 2	Accreditation No. 45482	Accreditation Expiry August 2022
Company Eco Logical Australia		Contact No. 08 6218 2200	

I declare that the information provided within this bushfire management plan is to the best of my knowledge true and correct

Signature of Practitioner	Date 20/12/2021
---------------------------	-----------------



Bushfire Management Plan:
Subdivision: Lot 501 (No. 214) Bertram Road, Wellard

Parcel Wellard Pty Ltd



DOCUMENT TRACKING

Project Name	Bushfire Management Plan: Subdivision: Lot 501 (No. 214) Bertram Road, Wellard
Project Number	21PER-20500
Project Manager	Eva Cronin
Prepared by	Eva Cronin (BPAD Level 2 – 45482)
Reviewed by	Daniel Panickar (BPAD Level 3 – 37802)
Approved by	Daniel Panickar (BPAD Level 3 – 37802)
Status	Final
Version Number	v1
Last saved on	20 December 2021

This report should be cited as ‘Eco Logical Australia 2021. *Bushfire Management Plan: Subdivision: Lot 501 (No. 214) Bertram Road, Wellard.* Prepared for Parcel Wellard Pty Ltd

ACKNOWLEDGEMENTS

This document has been prepared by Eco Logical Australia Pty Ltd with support from Parcel Wellard Pty Ltd. (the client).

Disclaimer

This document may only be used for the purpose for which it was commissioned and in accordance with the contract between Eco Logical Australia Pty Ltd and the client. The scope of services was defined in consultation with the client, by time and budgetary constraints imposed by the client, and the availability of reports and other data on the subject area. Changes to available information, legislation and schedules are made on an ongoing basis and readers should obtain up to date information. Eco Logical Australia Pty Ltd accepts no liability or responsibility whatsoever for or in respect of any use of or reliance upon this report and its supporting material by any third party. Information provided is not intended to be a substitute for site specific assessment or legal advice in relation to any matter. Unauthorised use of this report in any form is prohibited.

Template 2.8.3

Version control	
Version	Purpose
v0b	Draft – Submission to client
v1	Final – Submission to client

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1. Introduction

1.1 Proposal details

Eco Logical Australia (ELA) was commissioned by Parcel Wellard Pty Ltd to prepare a Bushfire Management Plan (BMP) to support a subdivision application for Lot 501 (No. 214) Bertram Road, Wellard (hereafter referred to as the subject site, Figure 1). The proposed development will result in an intensification of land use on the eastern portion of the subject site involving a subdivision that will create 74 residential lots and a Public Open Space (POS) 1.03 hectares in size that includes a designated Conservation Category Wetland (CCW) buffer area (Figure 2).

The subject site is within a designated bushfire prone area as per the *Western Australia State Map of Bush Fire Prone Areas* (DFES 2019; Figure 3), which triggers bushfire planning requirements *under State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7; Western Australian Planning Commission (WAPC) 2015) and reporting to accompany submission of the subdivision application in accordance with the associated *Guidelines for Planning in Bushfire Prone Areas v 1.3* (the Guidelines; WAPC 2017).

The subject site is located within the City of Kwinana and the eastern portion of the site is zoned 'Development' under the City of Kwinana Local Planning Scheme No. 2. The western portion of the site is zoned 'Rural A' under the City of Kwinana Local Planning Scheme No. 2 and contains a CCW that will form part of a 6.29 hectare Reserve for Conservation (Figure 2).

The subject site is approximately 10.6 hectares in size and is bound by:

- Land zoned 'Development' and 'Rural A' to the north and south;
- A CCW to the west; and
- Bertram Road and residential properties to the east.

Future residential development of the lots adjacent to the northern and southern boundaries of the subject site is planned under the endorsed Local Structure Plans (Altus Planning 2017; Development Works Pty Ltd 2016) with development of the lot to the south currently underway.

This assessment has been prepared by ELA Bushfire Consultant Eva Cronin (FPAA BPAD Level 2 Certified Practitioner No. BPAD45482) with quality assurance undertaken by Principal Bushfire Consultant Daniel Panickar (FPAA BPAD Level 3 Certified Practitioner No. BPAD37802).

1.2 Purpose and application of the plan

The primary purpose of this BMP is to act as a technical supporting document to inform planning assessment. This BMP is also designed to provide guidance on how to plan for and manage the bushfire risk to the subject site through implementation of a range of bushfire management measures in accordance with the Guidelines.

1.3 Environmental considerations

SPP 3.7 policy objective 5.4 recognises the need to consider bushfire risk management measures alongside environmental, biodiversity and conservation values.

The western portion of the subject site occurs within an Environmentally Sensitive Area (ESA). ESAs are defined in the Environmental Protection (Environmentally Sensitive Areas) Notice 2005 under s. 51B of the State *Environmental Protection Act 1986* (EP Act). ESAs include areas declared as World Heritage, included on the National Heritage List, defined wetlands, and vegetation containing rare (Threatened) flora and Threatened Ecological Communities (TECs). No data is available as to the origin of this ESA, however it is inferred that it relates to the CCW located on the western portion of the subject site (discussed below).

Swan Coastal Plain Geomorphic Wetlands mapping dataset DBCA-019 (Landgate 2021) identifies Bollard Bulrush Swamp, a CCW (UFI 15866) within the western portion of the subject site, with the vast remainder of the site to the east where development is proposed mapped as Multiple Use Wetland (UFI 13327). Environmental conditions were considered at the time of preparation of the Local Structure Plan (LSP) over the site and are detailed in an Environmental report within Appendix 6 of the endorsed LSP over the site (Altus Planning 2017). The main environmental consideration for the site was the retention and protection of the Bollard Bulrush Swamp CCW along with a 50 metre buffer. Additionally, it was noted that significant mature native trees within the POS area should be retained where possible to meet the Environmental Protection Authorities' (EPA) environmental objectives for the assessed environmental factors for the site.

A Wetland Management Plan and/or Landscape Plan was not available at the time this BMP was commissioned and the following assumptions, were therefore, applied in the BMP:

- A worst case scenario vegetation classification (Class A – Forest) has been assumed for the revegetation area within the wetland buffer (post development scenario); and
- The POS area outside of the 50 meter CCW buffer will be landscaped to a low threat state and maintained in perpetuity.

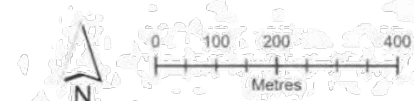
Once a landscape plan is finalised and further detail regarding species to be planted within the revegetated area is available, this can be addressed in a BMP Addendum or similar and may subsequently result in lower BAL ratings for lots adjacent to the road reserve separating the POS from the lots.

All landscaping within the development, including road reserves, will be maintained in a low-threat state in perpetuity.



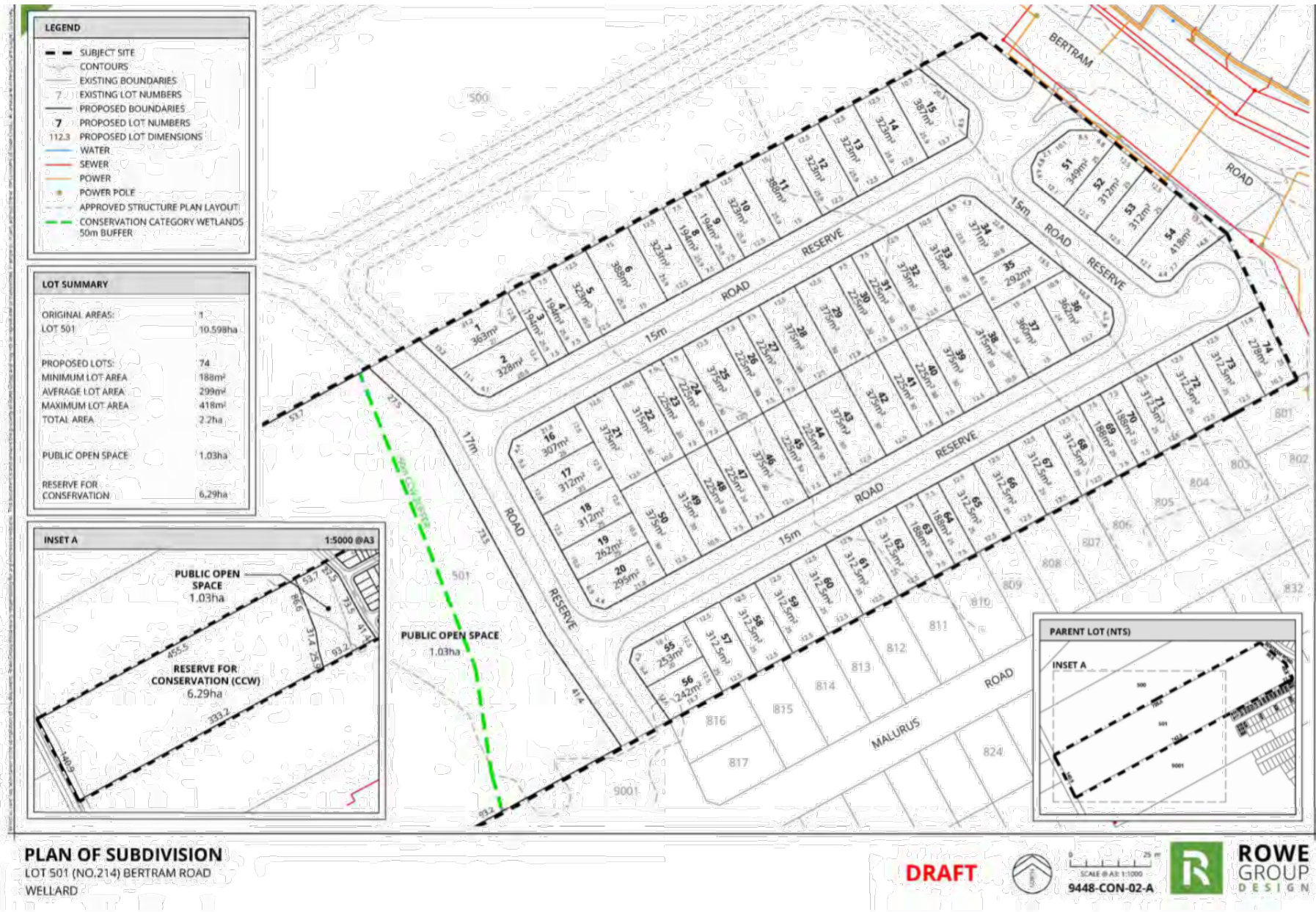
Figure 1: Site Overview

- Subject site
- 100m site assessment
- 150m site assessment
- CCW



Datum/Projection:
GDA 1994 MGA Zone 50
Project: 20500-SM/RD
Date: 19/11/2021





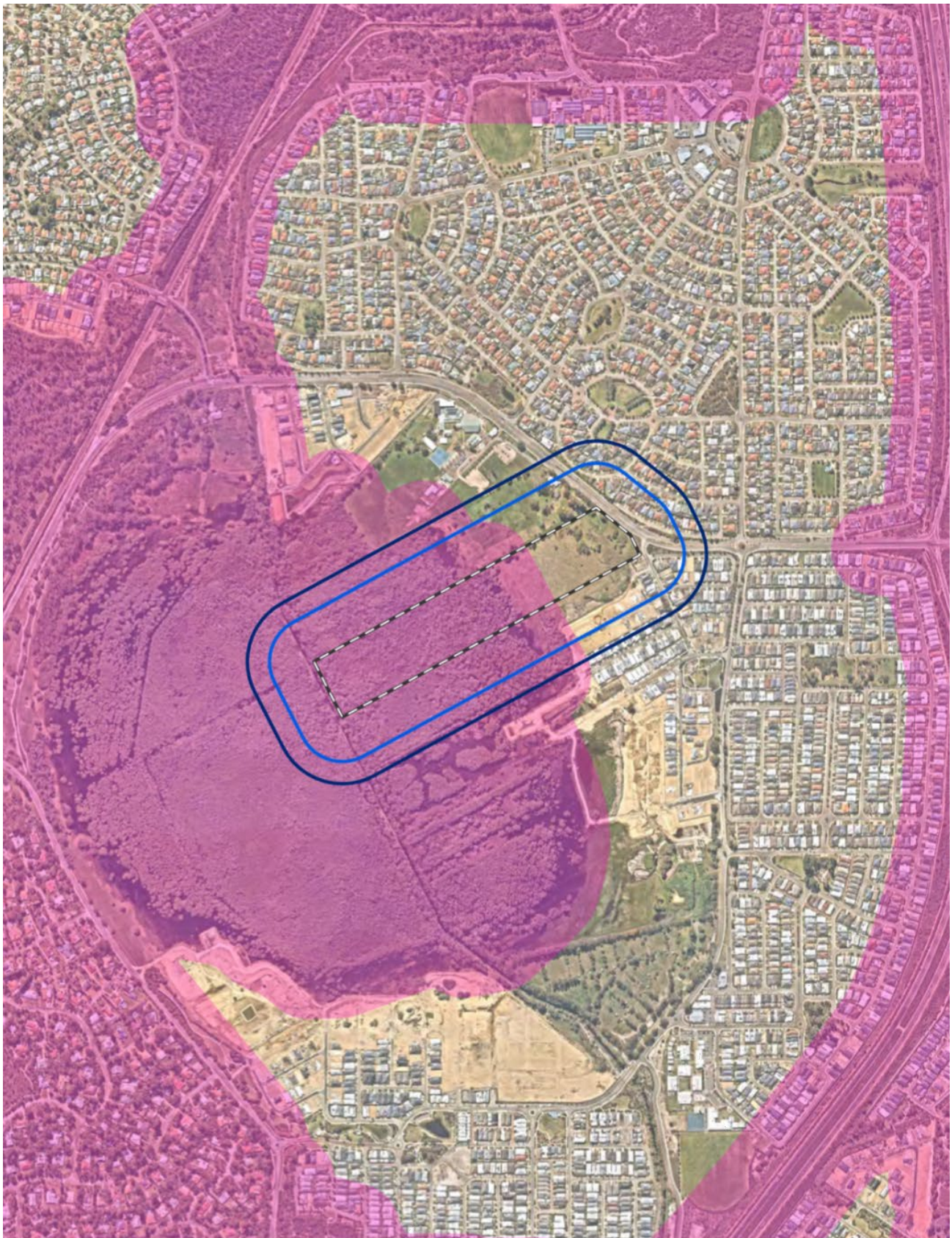



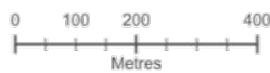


Figure 3: Bushfire Prone Areas

-  Subject site
-  100m site assessment
-  150m site assessment

2



Datum/Projection:
GDA 1994 MGA Zone 50
Project: 20500-SM Date: 4/11/2021



2. Bushfire assessment results

2.1 Bushfire assessment inputs

The following section is a consideration of spatial bushfire risk and has been used to inform the bushfire assessment in this report.

2.1.1 Fire Danger Index

A blanket Fire Danger Index (FDI) 80 is adopted for Western Australia, as outlined in Australian Standard AS 3959: 2018 Construction of Buildings in Bushfire Prone Areas (SA 2018) and endorsed by Australasian Fire and Emergency Service Authorities Council (AFAC).

2.1.2 Vegetation classification and slope under vegetation

Vegetation and effective slope (i.e. slope under vegetation) within the subject site and surrounding 150 m (the assessment area) were assessed in accordance with the Guidelines and AS 3959: 2018 with regard given to the Visual guide for bushfire risk assessment in Western Australia (DoP 2016). Site assessment was undertaken on 29 October 2021.

The classified vegetation and effective slope for the site from each of the identified vegetation plots (post development) are identified below in Table 1 and Figure 4.

Table 1: Classified vegetation as per AS 3959: 2018

Plot	Vegetation Classification	Effective Slope
1	Class A Forest	All upslopes and flat land (0 degrees)
2	Class G Grassland	All upslopes and flat land (0 degrees)
3	Excluded AS 3959: 2018 2.2.3.2 (e) & (f)	-

Photographs relating to each area and vegetation type are included in Appendix A.

Classified vegetation to the north and south of the proposed development is a very mild cross-slope (approximately 1°) relative to subject site as shown through the contour lines in Figure 4. Effective slope measurements based upon a transect line in an east west orientation parallel to the site does not provide an accurate depiction of direct line of bushfire attack to future dwellings on the proposed lots. The effective slope for Plot 2 has, therefore, been assessed along a transect line perpendicular to the north and south boundaries of the site resulting in 0°/flat.

Vegetation within the eastern portion of the subject site, that occurs within the bounds of Parcel Wellard Pty Ltd’s landholdings will be cleared and maintained as part of the subdivision works. Plot 1 within the western portion of the site is comprised of Class A – Forest vegetation located within Bollard Bulrush Swamp, a conservation category wetland (CCW). The 50 metre CCW buffer to the wetland will be located within the western portion of the POS and will be revegetated post development. All other areas within the development (including the portion of the POS outside the 50 m CCW buffer) will be landscaped to resemble low threat vegetation in accordance with clause 2.2.3.2 of AS 3959: 2018. A worst case scenario vegetation classification (Class A – Forest) has been assumed for revegetation that

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will occur within the 50 metre CCW buffer post development. A post-development vegetation classification map depicting this is provided in Figure 4.

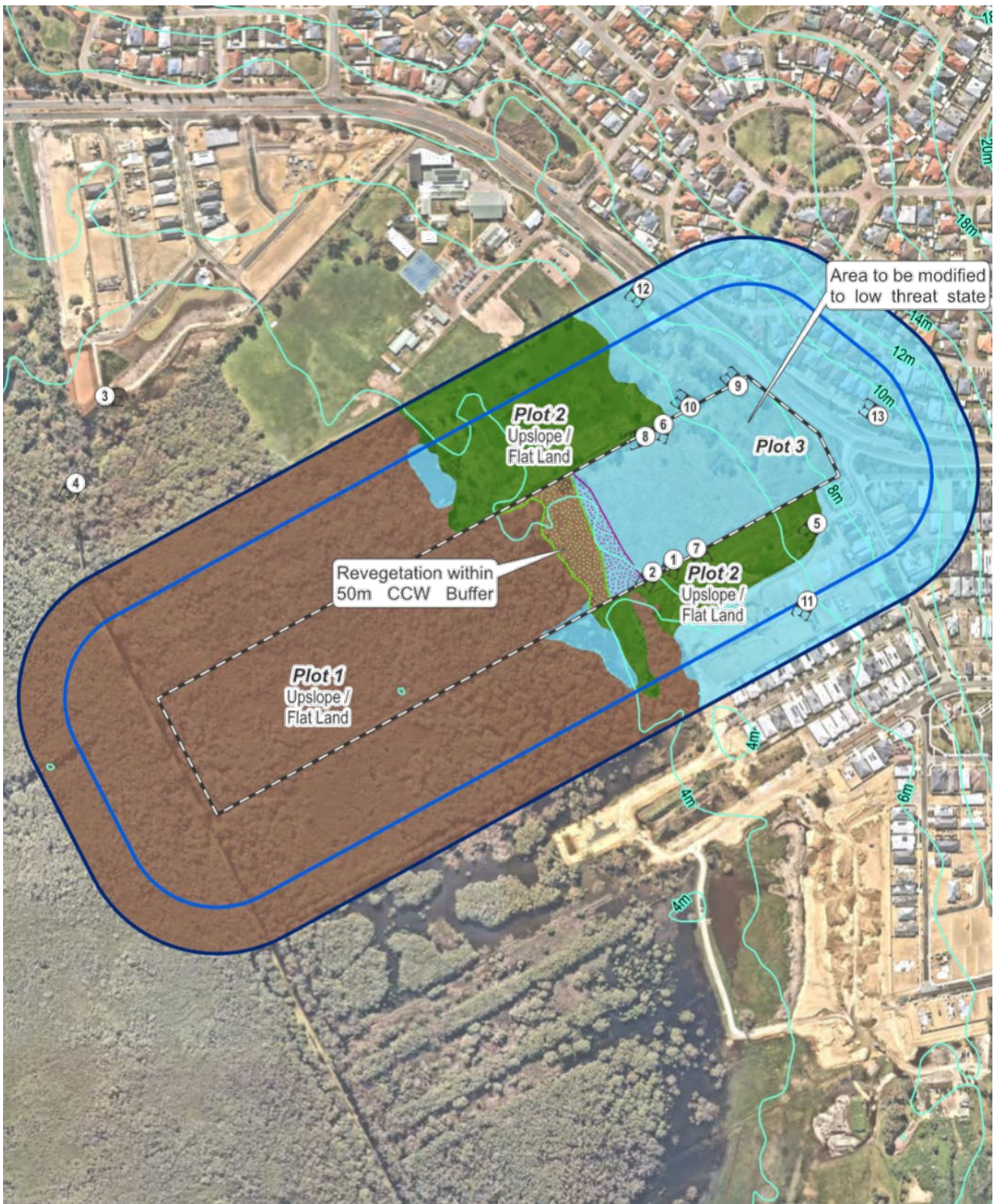
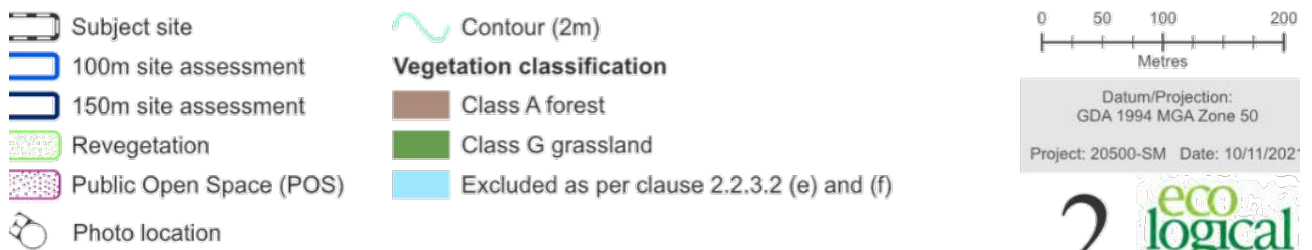


Figure 4: Vegetation Classification



2.2 Bushfire assessment outputs

A Bushfire Attack Level (BAL) assessment has been undertaken in accordance with SPP 3.7, the Guidelines, AS 3959: 2018 and the bushfire assessment inputs in Section 2.1.

2.2.1 BAL assessment

All land located within 100 m of the classified vegetation depicted in Figure 4 is considered bushfire prone and is subject to a BAL assessment in accordance with AS 3959: 2018.

A Method 1 BAL assessment (as outlined in AS 3959: 2018) has been completed for the proposed development and incorporates the following factors:

- Fire Danger Index (FDI) rating;
- Vegetation class;
- Slope under classified vegetation; and
- Distance between proposed subdivision area and the classified vegetation.

Based on the identified BAL, construction requirements for proposed future buildings can then be assigned. The BAL rating gives an indication of the expected level of bushfire attack (i.e. radiant heat flux, flame contact and ember penetration) that may be received by proposed buildings and subsequently informs the standard of construction required to increase building survivability.

2.2.2 Method 1 BAL assessment

Vegetation clearing and management works (i.e. establishment of Asset Protection Zones) on adjacent land will be undertaken as part of the subdivision (refer to Section 2.3 for detail). Figure 5 depicts the full modified vegetation extent that has been subject to a BAL assessment.

Table 2 and Figure 6 display the Method 1 BAL assessment (in the form of BAL contours) that has been completed for the proposed subdivision in accordance with AS 3959: 2018 methodology. The BAL assessment is based on the following assumptions:

- Vegetation management works (i.e. Asset Protection Zones) on adjacent land;
- Clearing and management of vegetation within the development area on the eastern portion of the subject site; and
- POS areas located outside the 50 m CCW buffer will be cleared and landscaped to resemble low threat vegetation in accordance with clause 2.2.3.2 of AS 3959: 2018 .

Consequently, only two of the three plots listed in Table 1 (i.e. Plots 1 and 2) have been assessed in Table 2 as all other plots will either: be cleared and maintained as per an exclusion under clause 2.2.3.2 of AS 3959: 2018; are already excluded under the same clause; or are located outside of the 100 m assessment area.

Table 2: Method 1 BAL calculation (BAL contours)

Plot and vegetation classification	Effective slope	Hazard separation distance	BAL rating	Comment
Plot 1 Class A Forest	All upslopes and flat land (0 degrees)	0-<16	BAL-FZ	No development proposed in this area
		16-<21	BAL-40	No development proposed in this area
		21-<31	BAL-29	Development proposed in this area
		31-<42	BAL-19	Development proposed in this area
		42-<100	BAL-12.5	Development proposed in this area
Plot 2 Class G Grassland	All upslopes and flat land (0 degrees)	0-<6	BAL-FZ	No development proposed in this area
		6-<8	BAL-40	No development proposed in this area
		8-<12	BAL-29	No development proposed in this area
		12-<17	BAL-19	No development proposed in this area
		17-<50	BAL-12.5	Development proposed in this area

ALL OTHER PLOTS ARE EITHER EXCLUDED UNDER CLAUSE 2.2.3.2 OR GREATER THAN 100 M FROM THE SUBJECT SITE

Based on the site assessment inputs and BAL assessment, all proposed lots within the subject site can achieve a BAL rating of ≤BAL-29.

2.3 Identification of issues arising from the BAL assessment

Vegetation management works (i.e. Asset Protection Zones) on adjacent land to the north (Lot 500 Bertram Road) and south (Lot 9001 Tamblyn Place) of the subject site that falls outside Parcel Property Wellard Pty Ltd’s landholdings will be undertaken as part of the subdivision under land management agreements (Appendix D). Managing this vegetation to a low threat state in accordance with clause 2.2.3.2 (f) of AS 3959: 2018 and/or Asset Protection Zone (APZ) standards (Appendix B) will be undertaken by Parcel Property Wellard Pty Ltd (under landowner agreements) until these areas are replaced by future residential development as proposed in the endorsed LSPs over this land. As a minimum requirement this will involve managing grasses within this zone to a minimal fuel condition as defined in AS3959 (i.e. short-cropped grass to a nominal height of 100 mm).

The 50 m wide APZ identifies the area on Lot 500 to the north that must continue to be maintained to a low threat state as per clause 2.2.3.2 (f) of AS 3959: 2018 to ensure the BAL ratings for the lots within the north east portion of the subject site (Lots 11-15) are maintained (this area was excludable under the same clause at the time of site assessment). The remaining APZ area on Lot 500 to the north is 17 m wide and will be managed in accordance with APZ standards (Appendix B) to ensure BAL impacts from classifiable grassland vegetation to Lots 1 and Lots 3-10 do not exceed BAL-12.5 from this area of vegetation (note: BAL ratings up to BAL-29 may still apply to certain lots from other areas of classified vegetation). The APZ area on Lot 9001 to the south extends beyond 50 m in width and will be managed in accordance with APZ standards (Appendix B). This area includes all remaining grassland areas that are yet to be developed and currently pose a bushfire threat to proposed lots bordering the southern boundary of the subject site. Landscaping within the POS area outside the 50 CCW buffer to a low threat standard as per 2.2.3.2 of AS3959: 2018 will ensure lots on the western side of the development fronting the road reserve along the POS (Lots 1-2, 16-20 and 55-56) achieve ratings of ≤BAL-29. The POS area outside the 50 CCW buffer and the 50 m wide APZ on Lot 500 to the north shall be managed to a low

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threat standard as per clause 2.2.3.2 of AS3959: 2018. All remaining APZ areas will be managed in accordance with APZ standards (Appendix B).

Should there be any changes in development design or vegetation/hazard extent that requires a modified bushfire management response, then the above BAL ratings will need to be reassessed for the affected areas and documented in a brief addendum to this BMP.

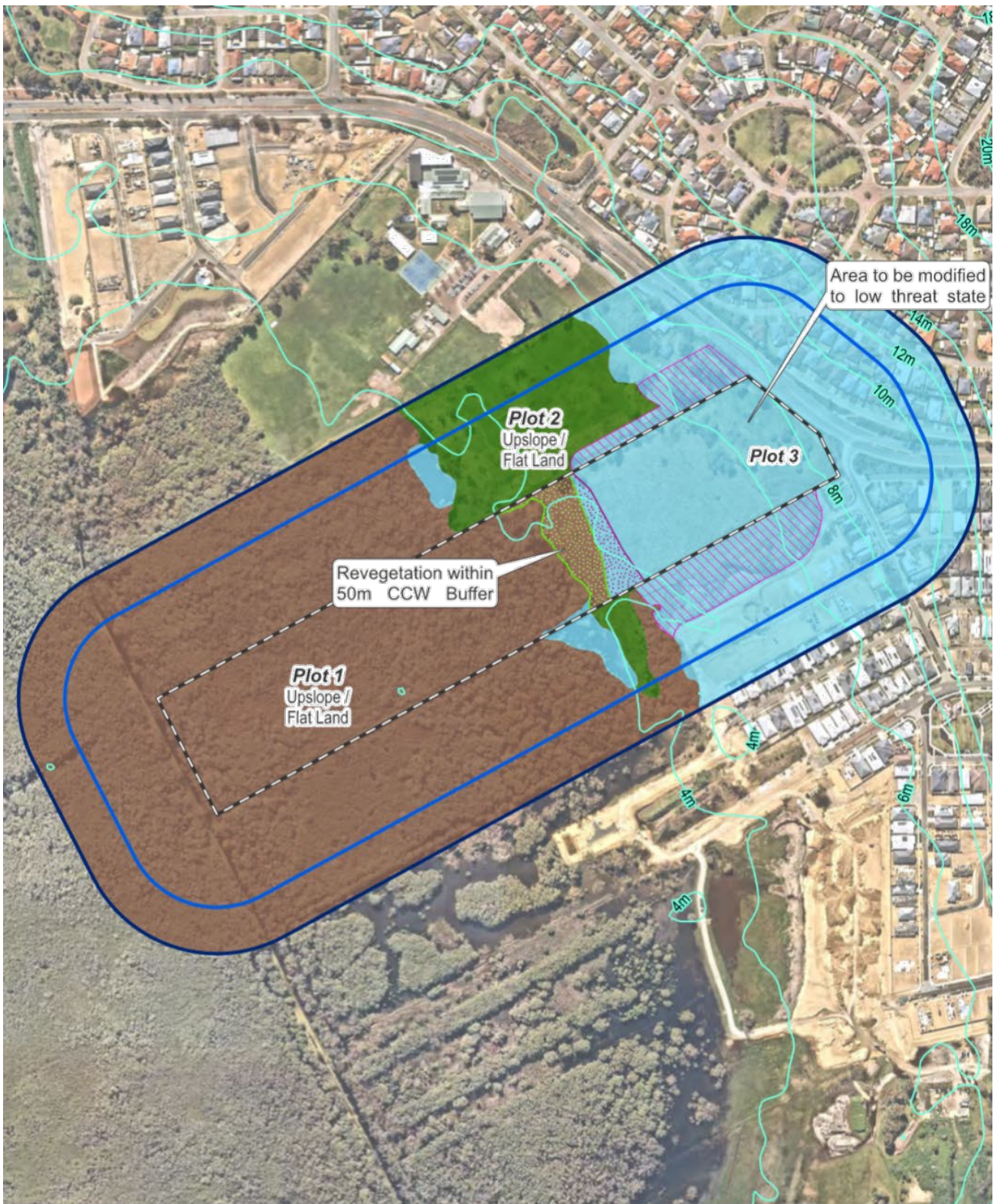
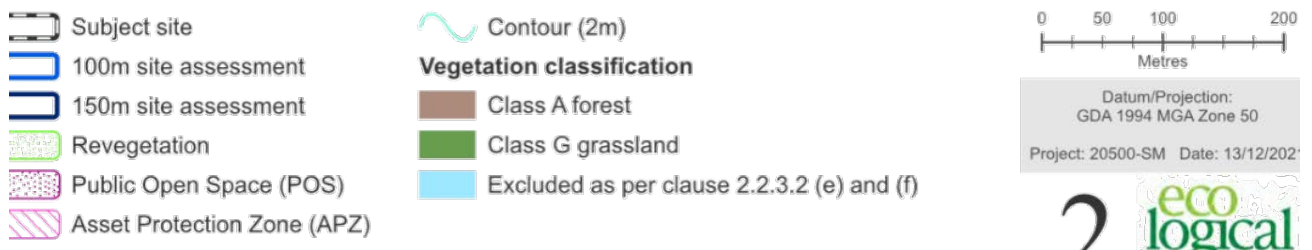


Figure 5: Vegetation Classification: Post APZ Implementation



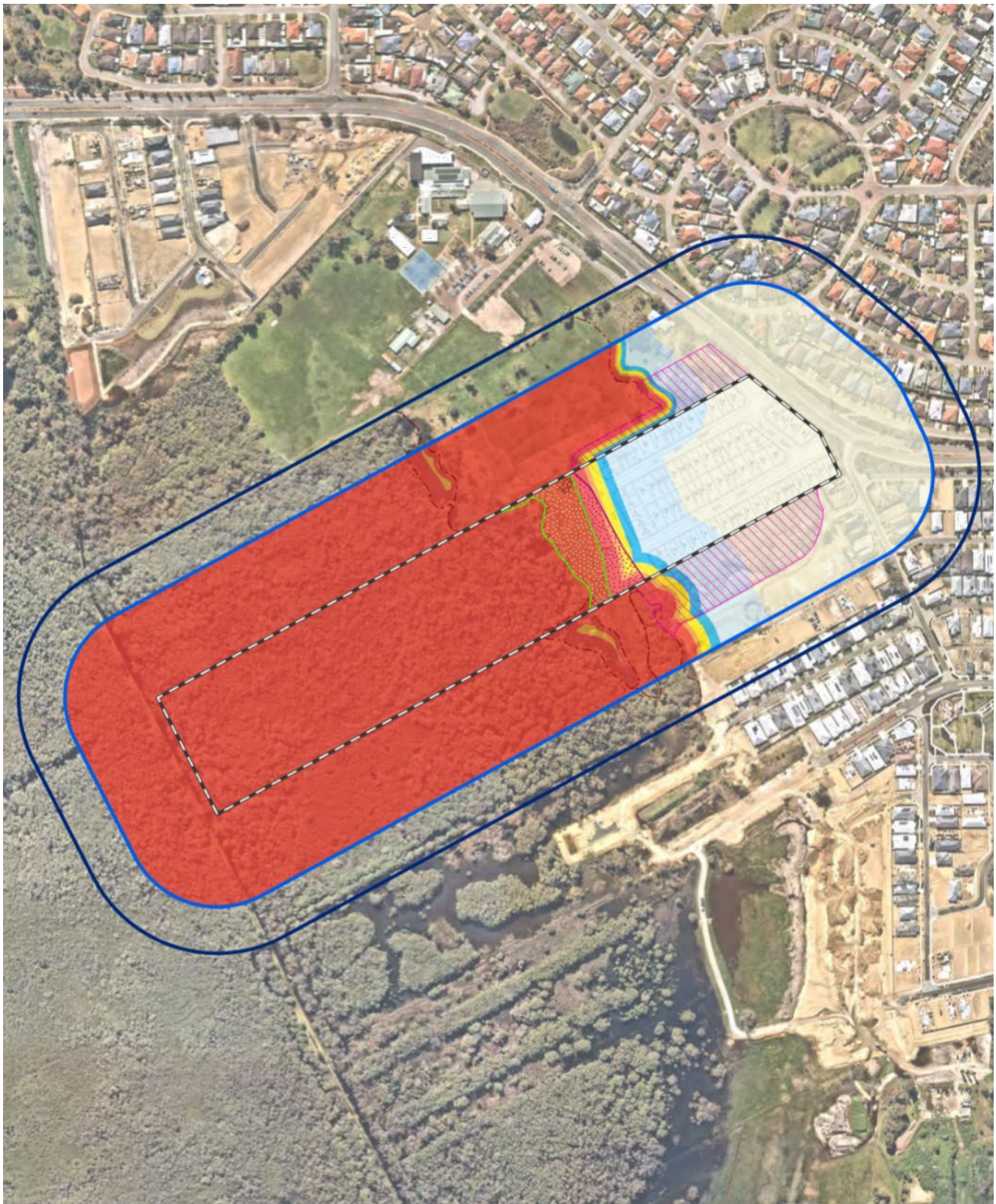


Figure 6: Bushfire Attack Level (BAL) Contours: Post APZ Implementation



3. Assessment against the Bushfire Protection Criteria

3.1 Compliance

The proposed subdivision is required to comply with policy measures 6.2 and 6.4 of SPP 3.7 and the Guidelines. Implementation of this BMP is expected to meet objectives 5.1-5.4 of SPP 3.7.

In response to the above requirements of SPP 3.7 and the Guidelines, bushfire risk management measures, as outlined, have been devised for the proposed subdivision in accordance with Guideline acceptable solutions to meet compliance with bushfire protection criteria.

Table 3 outlines the Acceptable Solutions (AS) that are relevant to the proposal and summarises how the intent of each Bushfire Protection Criteria has been achieved. No Performance Solutions (PS) have been proposed for this proposal. These management measures are depicted in Figure 7 where relevant.

Table 3: Summary of solutions used to achieve bushfire protection criteria

Bushfire Protection Criteria	AS	PS	N/A	Comment
Element 1: Location A1.1 Development location	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All proposed lots within the subject site will be located in an area subject to BAL ratings of ≤BAL-29 (Figure 6). The proposed development is considered to be compliant with A1.1.
Element 2: Siting and design of development A2.1 Asset Protection Zone (APZ)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development has an APZ sufficient for the potential radiant heat flux to not exceed 29kW/m ² and will be managed in accordance with the requirements of 'Standards for Asset Protection Zones' (WAPC 2017; Appendix B) or to a low threat standard according to clause 2.2.3.2 of AS3959: 2018. Implementation of APZs on adjacent land to the north and south of the subject site occur on land that will form future residential development under the relevant endorsed LSPs. These APZs form a temporary risk reduction measure and will not be required once future development occurs on these areas. The proposed development is considered to be compliant with A2.1.
Element 3: Vehicular access A3.1 Two access routes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Main access to/from the site will be via Bertram road, a main public road that provides vehicular access and egress in two different directions. To the east Bertram Road also provides access to Kwinana Freeway (North and South bound). A secondary access point to the subject site will be provided through an Emergency Access Way (EAW) that will be established and maintained until future road connections with subsequent development of Lot 9001 to the south removes this requirement (Figure 7).

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Bushfire Protection Criteria	AS	PS	N/A	Comment
				All roads are public roads and comply with requirements outlined in the Guidelines (Appendix C). The proposed development is considered to be compliant with A3.1.
A3.2 Public road	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All roads are public roads and comply with requirements outlined in the Guidelines (Appendix C). The proposed development is considered to be compliant with A3.2.
A3.3 Cul-de-sac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Two temporary cul-de-sacs (Figure 7) that comply with the Guidelines (including having a minimum 17.5 m diameter turn-around area) will be established and maintained until future road connections with subsequent development of Lot 500 to the north and Lot 9001 to the south (as per the endorsed LSP over these properties) remove this requirement. The proposed development is considered to be compliant with A3.3.
A3.4 Battle-axe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No battle axe lots are proposed.
A3.5 Private Driveway longer than 50 m	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No private driveways longer than 50 m are proposed.
A3.6 Emergency Access way	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A temporary EAW that complies with the Guidelines will be established and maintained to provide a secondary access point to the subdivision via Bertram Road. The EAW will continue to be maintained in accordance with the Guidelines until future road connections with subsequent development of Lot 9001 to the south removes this requirement (Figure 7).
A3.7 Fire-service access routes	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No fire service access routes are required or proposed.
A3.8 Firebreak width	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None of the proposed residential lots are greater than 1,499m ² , therefore firebreaks for residential lots are not required or proposed as per the City of Kwinana Firebreak Notice (City of Kwinana 2021). Firebreaks and fuel management within the POS area will be detailed in the landscaping plan being developed.
Element 4: Water				
A4.1 Reticulated areas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject site has a reticulated water supply that will be extended to all proposed lots in accordance with the Water Corporations Design Standard DS 63 Water Reticulation Standard. The proposed development is considered to be compliant with A4.1.
A4.2 Non-Reticulated areas	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Reticulated water is present within the area.

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Bushfire Protection Criteria	AS	PS	N/A	Comment
A4.3 Individual Lots within non-reticulated areas	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Reticulated water is present within the area.

NOTE – AS- ACCEPTABLE SOLUTION, PS- PERFORMANCE SOLUTION, N/A- NOT APPLICABLE



Figure 7: Spatial representation of the bushfire management strategies



4. Implementation and enforcement

Implementation of the BMP applies to the developer, future owners within the subject site and the local government to ensure bushfire management measures are adopted and implemented on an ongoing basis. A summary of the bushfire management measures described in Section 3, as well as a works program, is provided in Table 4. These measures will be implemented to ensure the ongoing protection of life and property assets is achieved. Timing and responsibilities are also defined to assist with implementation of each measure.

Table 4: Proposed work program

No	Bushfire management measure	Responsibility
Prior to issue of Titles		
1	Ensure proposed future buildings are located outside of areas subject to BAL-FZ and BAL-40 as per the design in Figure 7.	Parcel Wellard Pty Ltd
2	Ensure all APZs are established and maintained as depicted in Figure 5, Figure 6, and Figure 7.	Parcel Wellard Pty Ltd
3	Ensure that 100 m wide APZs (within the landholding, however outside the CCW and 50 m buffer) are cleared around each stage of subdivision if the entirety of the development depicted in Figure 7 is not developed in a single stage.	Parcel Wellard Pty Ltd
4	Ensure all POS areas outside the 50m CCW buffer and road reserves within the subdivision are cleared and landscaped to a low threat state as per exclusion clause 2.2.3.2 of AS 3959.	Parcel Wellard Pty Ltd
5	Once developed ensure fuel loads on all lots are maintained in accordance with requirements of the current City of Kwinana Firebreak Notice.	Parcel Wellard Pty Ltd
6	Place Section 165 Notification on Title for all lots within Bushfire Prone Areas.	Parcel Wellard Pty Ltd
7	Establish the public road network within the subdivision site in accordance with the Guidelines (Appendix C).	Parcel Wellard Pty Ltd
8	Establish and maintain temporary cul-de-sacs in accordance with the Guidelines (including having a minimum 17.5 m diameter turn-around area) at the north and south terminus points of the road reserve adjacent to the POS (Figure 7) until such time that future road connections remove this requirement.	Parcel Wellard Pty Ltd
9	Establish and maintain an Emergency Access Way (EAW) in accordance with the Guidelines (Appendix C) as shown in Figure 7 until future road connections remove this requirement.	Parcel Wellard Pty Ltd
10	Provide reticulated water supply to all lots and hydrants in accordance with Water Corporation Standards.	Parcel Wellard Pty Ltd
Prior to occupancy		
11	Ensure all APZs are established and maintained as depicted in Figure 5, Figure 6, and Figure 7.	Parcel Wellard Pty Ltd

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No	Bushfire management measure	Responsibility
12	Ensure all POS areas outside the 50m CCW buffer and road reserves within the subdivision continue to be maintained to a low threat state as per exclusion clause 2.2.3.2(f) of AS 3959.	Parcel Wellard Pty Ltd until development completion and road reserve and POS area vested in City of Kwinana.
13	Continue to maintain temporary cul-de-sacs and the EAW until future road connections remove this requirement.	Parcel Wellard Pty Ltd
14	Construct proposed building to relevant construction standard in AS 3959-2018.	Builder
15	Comply with current City of Kwinana fire break notice.	Parcel Wellard Pty Ltd until lots are sold to new landowner.
Ongoing management		
16	Ensure all APZs are established and maintained as depicted in Figure 5, Figure 6, and Figure 7.	Parcel Wellard Pty Ltd
17	Ensure all POS areas outside the 50m CCW buffer and road reserves within the subdivision continue to be maintained to a low threat state as per exclusion clause 2.2.3.2(f) of AS 3959.	City of Kwinana
18	Continue to maintain temporary cul-de-sacs and the EAW until future road connections remove this requirement.	Parcel Wellard Pty Ltd
19	Comply with current City of Kwinana fire break notice.	Individual landowners (within property)

5. Conclusion

In the author's professional opinion, the bushfire protection requirements listed in this assessment provide an adequate standard of bushfire protection for the proposed subdivision. As such, the proposed subdivision is consistent with the aim and objectives of SPP 3.7 and associated guidelines and is recommended for approval.

6. References

Altus Planning, 2017, *Local Structure Plan Lots 500 & 501 (No. 202 & 214) Bertram Road Wellard*, [Online], Department of Planning Lands and Heritage, available from: <https://www.dplh.wa.gov.au/kwinana>

City of Kwinana, 2021, *Fire-break/Hazard Compliance Notice*, [Online], Government of Western Australia, available from: <https://www.kwinana.wa.gov.au/fires>

Department of Fire and Emergency Services (DFES), 2019, *Map of Bush Fire Prone Areas*, [Online], Government of Western Australia, available from: <http://www.dfes.wa.gov.au/regulationandcompliance/bushfireproneareas/Pages/default.aspx>

Department of Planning (DoP), 2016, *Visual guide for bushfire risk assessment in Western Australia*. DoP, Perth.

Development Works Pty Ltd, 2016, *Local Structure Plan Lot 502 Tamblyn Place Wellard*, [Online], Department of Planning Lands and Heritage, available from: <https://www.dplh.wa.gov.au/kwinana>

Standards Australia (SA), 2018, *Construction of buildings in bushfire-prone areas, AS 3959-2018*. SAI Global, Sydney.

Western Australian Planning Commission (WAPC), 2015, *State Planning Policy 3.7 Planning in Bushfire Prone Areas*. WAPC, Perth.


Western Australian Planning Commission (WAPC), 2017, *Guidelines for Planning in Bushfire Prone Areas Version 1.3 (including appendices)*, WAPC, Perth.

Western Australian Planning Commission (WAPC), 2019, *A guide to developing a Bushfire Emergency Evacuation Plan, October 2019*.

Appendix A – Classified Vegetation Photos

Plot	1	Classification or Exclusion Clause	Class A Forest
Photo Point 1		Classified vegetation within this plot is comprised of forest vegetation located within Bollard Bulrush Swamp to the west of the proposed residential development site. This Plot contains Trees between 8-10 m tall with foliage cover greater than 30%. Vegetation is situated on flat land.	
Photo Point 2		Classified vegetation within this plot is comprised of forest vegetation located within Bollard Bulrush Swamp to the west of the proposed residential development site. This Plot contains Trees between 8-10 m tall with foliage cover greater than 30%. Vegetation is situated on flat land.	
Photo Point 3		Classified vegetation within this plot is comprised of forest vegetation located within Bollard Bulrush Swamp to the west of the proposed residential development site. This Plot contains Trees between 8-10 m tall with foliage cover greater than 30%. Vegetation is situated on flat land.	

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Plot	Classification or Exclusion Clause	Class A Forest
<p>Photo Point 4</p> <p>Classified vegetation within this plot is comprised of forest vegetation located within Bollard Bulrush Swamp to the west of the proposed residential subdivision site. This Plot contains Trees between 8-10 m tall with foliage cover greater than 30%. Vegetation is situated on flat land.</p>		
Plot	Classification or Exclusion Clause	Class G Grassland
<p>Photo Point 5</p> <p>Classified vegetation within this plot is predominantly grassland with foliage cover from the overstorey less than 10%. Vegetation is situated on flat land.</p>		
Plot	Classification or Exclusion Clause	Class G Grassland
<p>Photo Point 6</p> <p>Classified vegetation within this plot is predominantly grassland with foliage cover from the overstorey less than 10%. Vegetation is situated on flat land.</p>		

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Plot	Classification or Exclusion Clause	Class G Grassland
2		
Photo Point 7		
Classified vegetation within this plot is predominantly grassland with foliage cover from the overstorey less than 10%. Vegetation is situated on flat land.		
2		
Photo Point 8		
Classified vegetation within this plot is predominantly grassland with foliage cover from the overstorey less than 10%. Vegetation is situated on flat land.		
3		
Photo Point 9		
This plot has been excluded under clause 2.2.3.2 (e) & (f) of AS 3959: 2018. This area comprises low threat maintained vegetation around a dwelling and other structures on private land.		

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Plot	3	Classification or Exclusion Clause	Excluded – clause 2.2.3.2 (e) & (f)
Photo Point 10		<p>This plot has been excluded under clause 2.2.3.2 (e) & (f) of AS 3959: 2018. This area comprises low threat maintained vegetation around a dwelling and shed on private land.</p>	
Photo Point 11		<p>This plot has been excluded under clause 2.2.3.2 (e) & (f) of AS 3959: 2018. This area comprises land cleared for development to the south east of the subject site.</p>	
Photo Point 12		<p>This plot has been excluded under clause 2.2.3.2 (e) & (f) of AS 3959: 2018. This area comprises low threat maintained vegetation around a dwelling and other structures on private land.</p>	

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Plot	3	Classification or Exclusion Clause	Excluded – clause 2.2.3.2 (e) & (f)
Photo Point 13			
		<p>This plot has been excluded under clause 2.2.3.2 (e) & (f) of AS 3959: 2018. This area comprises roads, houses and landscaped vegetation.</p>	

Appendix B – Standards for Asset Protection Zones

The following standards have been extracted from the *Guidelines for Planning in Bushfire Prone Areas v 1.3* (WAPC 2017).

Every habitable building is to be surrounded by, and every proposed lot can achieve, an APZ depicted on submitted plans, which meets the following requirements:

a. Width: Measured from any external wall or supporting post or column of the proposed building, and of sufficient size to ensure the potential radiant heat impact of a fire does not exceed 29kW/m² (BAL-29) in all circumstances.

b. Location: the APZ should be contained solely within the boundaries of the lot on which a building is situated, except in instances where the neighbouring lot or lots will be managed in a low-fuel state on an ongoing basis, in perpetuity (see explanatory notes).

c. Management: the APZ is managed in accordance with the requirements of ‘Standards for Asset Protection Zones’ (below):

- 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 8).

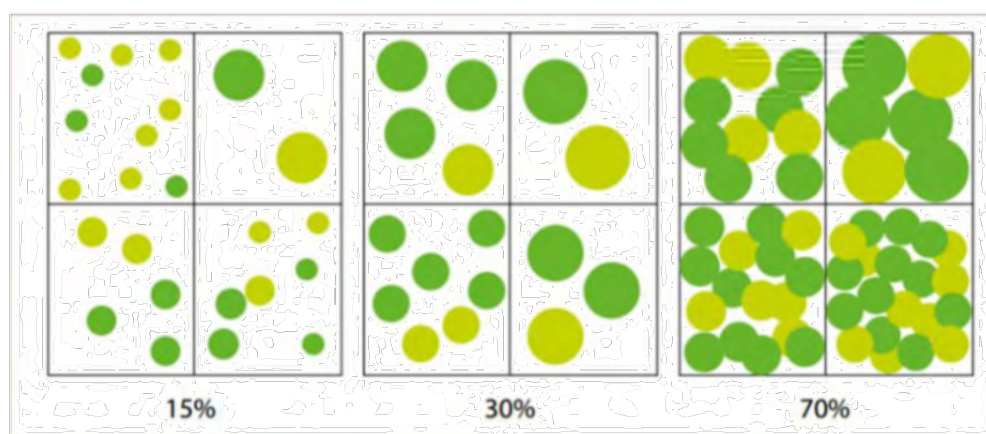


Figure 8: Illustrated tree canopy cover projection (WAPC 2017)

Bushfire Management Plan:
Subdivision: Lot 501 (No. 214) Bertram Road, Wellard | Parcel Wellard Pty Ltd

- **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.

Additional notes

The Asset Protection Zone (APZ) is an area surrounding a building that is managed to reduce the bushfire hazard to an acceptable level. Hazard separation in the form of using subdivision design elements or excluded and low threat vegetation adjacent to the lot may be used to reduce the dimensions of the APZ within the lot.

The APZ should be contained solely within the boundaries of the lot on which the building is situated, except in instances where the neighbouring lot or lots will be managed in a low-fuel state on an ongoing basis, in perpetuity. The APZ may include public roads, waterways, footpaths, buildings, rocky outcrops, golf courses, maintained parkland as well as cultivated gardens in an urban context, but does not include grassland or vegetation on a neighbouring rural lot, farmland, wetland reserves and unmanaged public reserves.

Appendix C - Vehicular access technical requirements (WAPC 2017)

Technical requirements	Public road	Cul-de-sac	Private driveway	Emergency access way	Fire service access route
Minimum trafficable surface (m)	6*	6	4	6*	6*
Horizontal distance (m)	6	6	6	6	6
Vertical clearance (m)	4.5	N/A	4.5	4.5	4.5
Maximum grade <50 m	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	8.5	8.5	8.5	8.5	8.5
* Refer to E3.2 Public roads: Trafficable surface					

Bushfire Management Plan:
Subdivision: Lot 501 (No. 214) Bertram Road, Wellard | Parcel Wellard Pty Ltd

Appendix D – Management arrangements



T +61 8 9200 4000
 info@parcelproperty.com.au
 301 Vincent Street, Leederville WA 6007
 PO Box 175, Leederville WA 6903

Tuesday, 14 December 2021

The King's Educational Minister Inc
 170 Bertram Road
 Wellard WA 6170

To Whom it May Concern

LETTER OF UNDERTAKING: SLASHING/MAINTENANCE AT BORDER OF LOT 501 BERTRAM ROAD (PARCEL WELLARD PTY LTD) AND 500 Bertram Road (The King's Educational Minister Inc) WELLARD

The following mutual undertakings are provided by Parcel Wellard Pty Ltd and The King's Educational Minister Inc:

1. Parcel Wellard Pty Ltd will carry out slashing/maintenance works over the portion of lot 500 Bertram Road, Wellard, directly adjacent to the northern boundary of lot 501 Bertram Road Wellard. The area to be maintained within the lot is the 'Asset Protection Zone' (APZ) as identified in Appendix 1 – BAL Contour Map.
2. Parcel Property will carry out the works consisting of slashing/maintenance so that the grass does not exceed 100mm, and dead vegetation removed.
3. Parcel Wellard Pty Ltd will carry out the works identified in point 2 as soon as is reasonably practicable, prior to the onset of fire season and again as required between November and May.
4. Parcel Wellard Pty Ltd will be responsible for all works costs over lot 500 Bertram Road, Wellard, associated with the clearing of the 'Asset Protection Zone' identified in Appendix 1.
5. Parcel Wellard Pty Ltd may terminate this agreement at any time, at its own discretion.

If you have any queries regarding the above please contact me via email at fenualla@parcelproperty.com.au or via telephone on 0432 039 482.

Yours Sincerely,

Fenualla O'Brien
Development Manager

On behalf of The King's Educational Minister Inc, I agree to the above terms:

16/12/2021

Signed by:

Dated:

parcelproperty.com.au



T +61 8 9200 4000
info@parcelproperty.com.au
301 Vincent Street, Leederville WA 6007
PO Box 175, Leederville WA 6903

APPENDIX 1



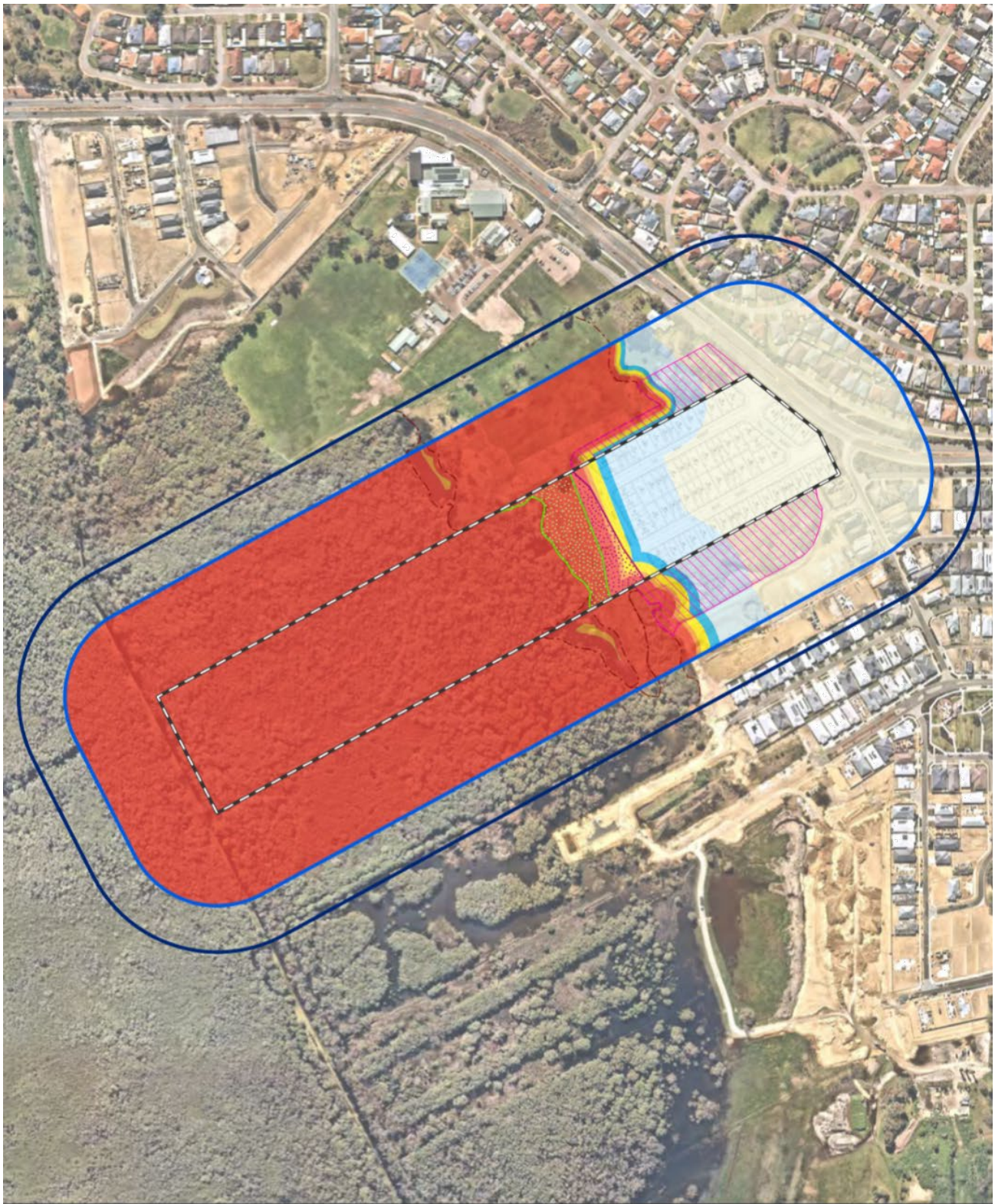
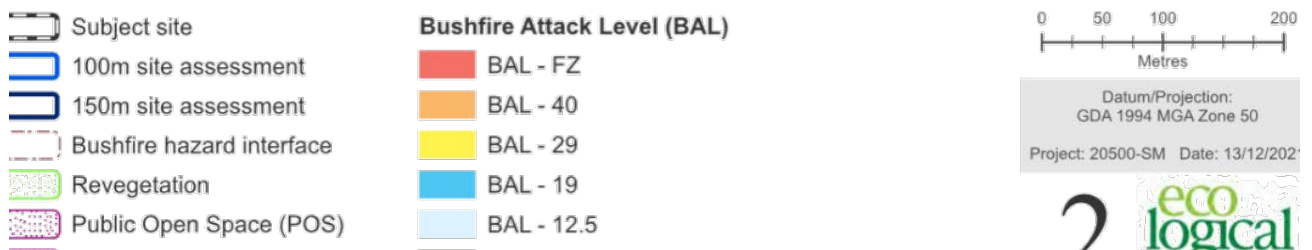


Figure 6: Bushfire Attack Level (BAL) Contours: Post APZ Implementation





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PO Box 175, Leederville WA 6903

Wednesday, 24 November 2021

Fred Ferrante
Development Works Pty Ltd
PO Box 6846
East Fremantle WA 6892

**LETTER OF UNDERTAKING: SLASHING/MAINTENANCE AT BORDER OF LOT 501
BERTRAM ROAD (PARCEL WELLARD PTY LTD) AND 9001 TAMBLYN PLACE (ASCARI
DEVELOPMENT PTY LTD) WELLARD**

The following mutual undertakings are provided by Parcel Wellard Pty Ltd and Ascari Development Pty Ltd:

1. Parcel Wellard Pty Ltd will carry out slashing/maintenance works over the portion of lot 9001 Tamblyn Place, Wellard, directly adjacent to the southern boundary of lot 501 Bertram Road Wellard. The area to be maintained within the lot is the 'Asset Protection Zone' (APZ) as identified in Appendix 1 – BAL Contour Map.
2. Parcel Property will carry out the works consisting of slashing/maintenance so that the grass does not exceed 100mm, and dead vegetation removed.
3. Parcel Wellard Pty Ltd will carry out the works identified in point 2 as soon as is reasonably practicable, prior to the onset of fire season and again as required between November and May.
4. Parcel Wellard Pty Ltd will be responsible for all works costs over lot 9001 Tamblyn Place, Wellard, associated with the clearing of the 'Asset Protection Zone' identified in Appendix 1.
5. Parcel Wellard Pty Ltd may terminate this agreement at any time, as its own discretion.

If you have any queries regarding the above please contact me via email at fenualla@parcelproperty.com.au or via telephone on 0432 039 482.

Yours Sincerely,

Fenualla O'Brien

Fenualla O'Brien
Development Manager

On behalf of Ascari Development Pty Ltd, I agree to the above terms:

Signed: Fred Ferrante

Dated: _____

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info@parcelproperty.com.au
301 Vincent Street, Leederville WA 6007
PO Box 175, Leederville WA 6903

APPENDIX 1



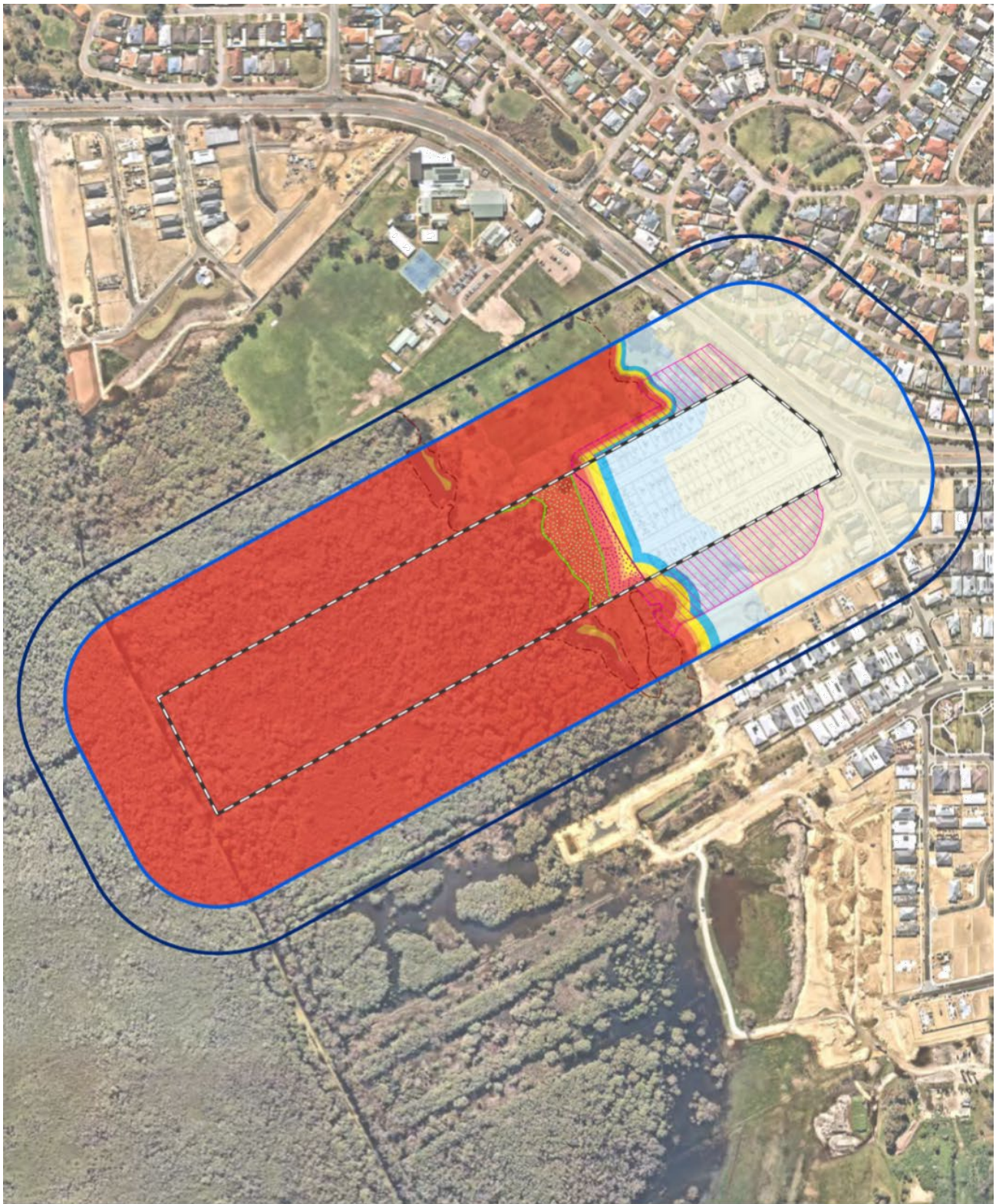
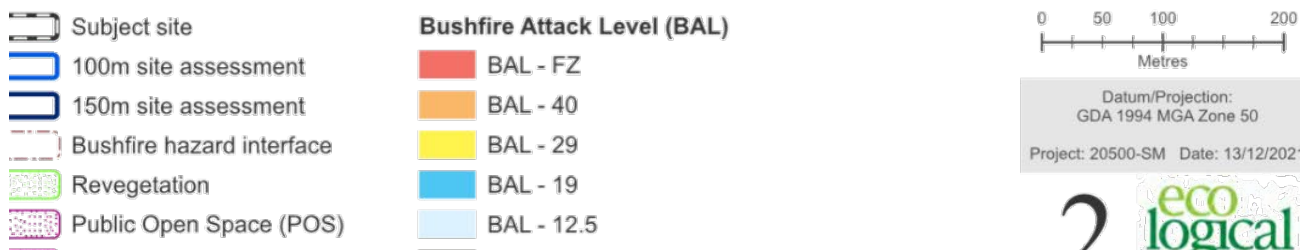
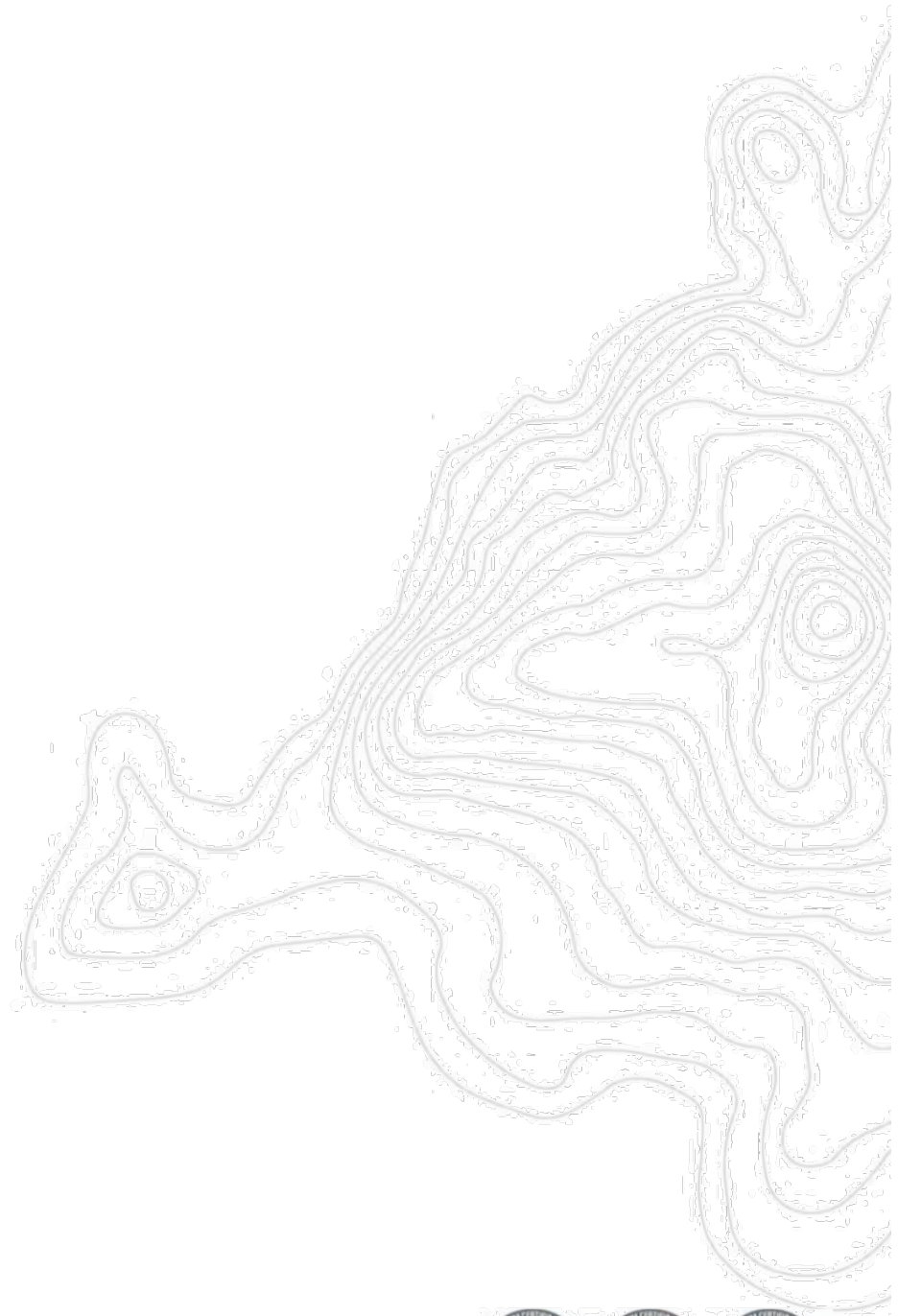


Figure 6: Bushfire Attack Level (BAL) Contours: Post APZ Implementation





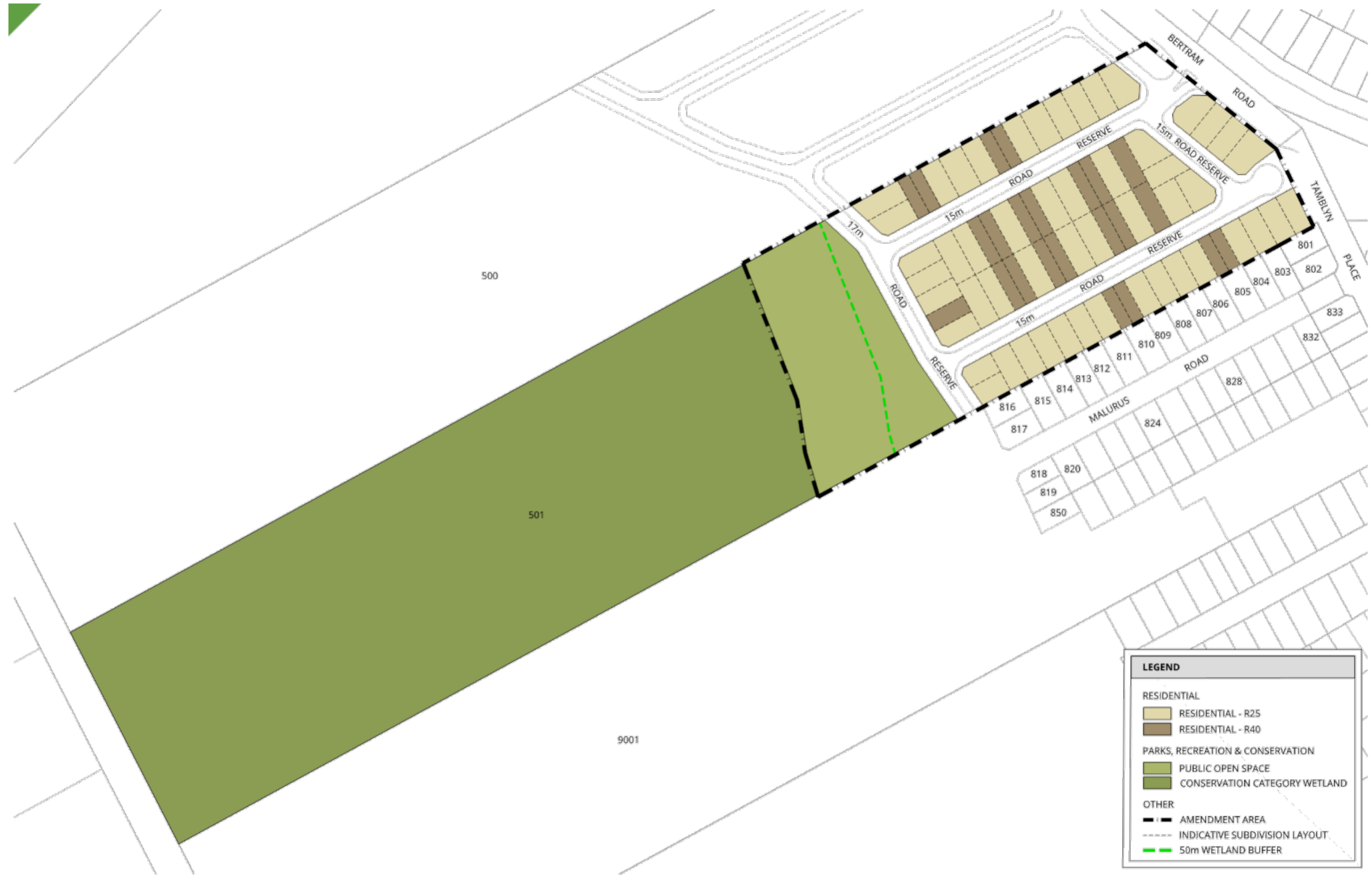
1300 646 131
www.ecoaus.com.au



ATTACHMENT 3

SUBDIVISION CONCEPT PLAN





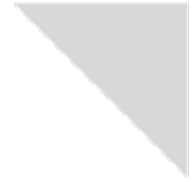
INDICATIVE SUBDIVISION CONCEPT PLAN

LOT 501 (NO.214) BERTRAM ROAD
WELLARD



0 50 m
SCALE @ A3: 1:2000
9448-CON-03-A





ATTACHMENT 4

APPROVED STRUCTURE PLAN LOT 500/501 BERTRAM ROAD, WELLARD







ATTACHMENT 5

APPROVED SUBDIVISION WAPC 159997





Your Ref : 8021/18

Scanlan Surveys Pty Ltd
 P O Box 429
 MIDLAND WA 6936

**Approval Subject To Condition(s)
 Freehold (Green Title) Subdivision**

Application No : 159997

Planning and Development Act 2005

Applicant	: Scanlan Surveys Pty Ltd P O Box 429 MIDLAND WA 6936
Owner	: Bollard (Wa) Pty Ltd P O Box 8281 SUBIACO WA 6008
Application Receipt	: 14 October 2020

Lot Number	: 501
Diagram / Plan	: 70999
Location	: -
C/T Volume/Folio	: 2796/130
Street Address	: Lot 501 (No. 214) Bertram Road, Wellard
Local Government	: City of Kwinana

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a deposited plan in accordance with the plan date-stamped **14 October 2020** once the condition(s) set out have been fulfilled.

This decision is valid for **four years** from the date of this advice, which includes the lodgement of the deposited plan within this period.

The deposited plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by **05 January 2025** or this approval no longer will remain valid.

Reconsideration - 28 days

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 Tel: (08) 6551 8002; Fax: (08) 6551 9001; Infoline: 1800 626 477
 e-mail: info@dph.wa.gov.au; web address <http://www.dph.wa.gov.au>
 ABN 35 482 341 493



Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Right to apply for a review - 28 days

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 section 251 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, PERTH, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

Deposited plan

The deposited plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the deposited plan. A copy of the deposited plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Condition(s)

The WAPC is prepared to endorse a deposited plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the deposited plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the

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deposited plan.

If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the deposited plan for endorsement.

Prior to the commencement of any subdivision works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with accompanying advice, are:

CONDITION(S):

Subdivision plan modifications

1. Proposed Lots 703 to 709 and 764 (inclusive) are excluded from the approved plan of subdivision (attached) until such time as the temporary bushfire risk presented by the adjacent land to the north and south of the site is removed, or it is demonstrated to the satisfaction of the Western Australian Planning Commission that a bushfire attack level (BAL) rating of BAL-29 or below can be achieved for the development of the lots. (Local Government)
2. The plan of subdivision is to be modified to show proposed Lots 701 and 702 as a single lot. (Local Government)

Administration

3. The landowner/applicant contributing towards development infrastructure provisions pursuant to the City of Kwinana Town Planning Scheme No. 2. (Local Government)
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 and/or common infrastructure as

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established through Amendment 145 (when gazetted) to the City of Kwinana Town Planning Scheme No. 2. (Local Government)

5. Arrangements being made to the satisfaction of the Western Australian Planning Commission for the preparation and implementation of a Mosquito and Midge Management Strategy. (Local Government)

Drainage and site works

6. Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of subdivision, for grading and/or stabilisation of the site to ensure that:
 - a) lots can accommodate their intended use; and
 - b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting. (Local Government)
7. Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water and Environmental Regulation, consistent with any approved Local Water Management Strategy. (Local Government)
8. Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with an approved urban water management plan for the site. (Local Government)
9.
 - a) Prior to the commencement of subdivisional works, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and
 - b) In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all subdivisional works have been carried out in accordance with the pre-works geotechnical report. (Local Government)
10. Suitable arrangements being made with the Water Corporation for the drainage of the land either directly or indirectly into a drain under the control of that body. (Water Corporation)
11. Uniform fencing being constructed along the boundaries of all the proposed lots abutting Bertram Road (Local Government).

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Environmental

12. Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention that is not impacted by subdivisional works, prior to commencement of subdivisional works. (Local Government).
13. An acid sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Department of Water and Environmental Regulation before any subdivision works or development are commenced. Where an acid sulphate soils management plan is required to be submitted, all subdivision works shall be carried out in accordance with the approved management plan. (Department of Water and Environmental Regulation)
14. Prior to the commencement of subdivisional works a wetland management plan for the adjoining portion of Bollard Bulrush Swamp and its buffer is to be prepared and approved to ensure the protection and management of the site's environmental assets with satisfactory arrangements for the implementation of the approved plan. (Local government).
15. A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificates of title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

'This lot is in close proximity to known mosquito breeding areas. The predominant mosquito species is known to carry viruses and other diseases.' (Western Australian Planning Commission)

Fire and emergency

16. Information is to be provided to demonstrate that the measures contained in the Lots 500 & 501 Bertram Road, Wellard Bushfire Management Plan by Smith Consulting dated 22 September 2017 have been implemented during subdivisional works. (Local Government)
17. A Notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate(s) of title of the proposed lot(s) with a Bushfire Attack Level (BAL) rating of 12.5 or above, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

'This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is subject to a bushfire management plan. Additional planning and building requirements may apply to development on this land.' (Western Australian Planning Commission)
18. A 6 metre wide emergency access way in accordance with the approved plan of subdivision (attached) is to be provided. The provision of necessary access rights for

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the emergency access way as an easement under Sections 195 and 196 of the Land Administration Act 1997 in favour of the Local Government and/or public authority for emergency fire purposes and the deed of easement to specify care and management of the easement area is by the Local Government. (Local Government)

Reserves

19. The proposed reserve for recreation shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve for recreation and vested in the Crown under Section 152 of the *Planning and Development Act 2005*, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)
20. The proposed reserve for conservation shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve for conservation and vested in the Crown under Section 152 of the *Planning and Development Act 2005*, such land to be ceded free of cost and without any payment of compensation by the Crown. (Department of Water and Environmental Regulation)
21. Arrangements being made for the proposed reserve for recreation to be developed by the landowner/applicant to a minimum standard and maintained for two summers through the implementation of an approved landscape plan providing for the development and maintenance of the proposed public open space in accordance with the requirements of Liveable Neighbourhoods and to the specifications of the local government. (Local Government)
22. A fence restricting vehicle and pedestrian access to proposed reserve for conservation on the approved plan of subdivision is to be constructed in accordance with the approved Bollard Bulrush East Landscape Masterplan to protect native vegetation. (Local Government)

School sites

23. The landowner/applicant making a pro-rata contribution towards the cost of the acquisition of the primary school site identified in the subdivision locality. (Department of Education)

Transport and access

24. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost.

As an alternative, and subject to the agreement of the local government the Western Australian Planning Commission (WAPC) is prepared to accept the

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landowner/applicant paying to the local government the cost of such road works as estimated by the local government and the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government)

25. Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:
- street lighting is installed on all new subdivisional roads to the standards of the relevant licensed service provider;
 - roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly;
 - temporary turning areas are provided to those subdivisional roads that are subject to future extension; and
 - embayment parking is provided abutting the public open space, to the satisfaction of the Western Australian Planning Commission. (Local Government)
26. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of shared paths through and connecting to the application area in accordance with the approved Lots 500 and 501 Bertram Road, Wellard Structure Plan.
- The approved shared paths are to be constructed by the landowner/applicant. (Local Government)
27. Satisfactory arrangements being made with the local government for the:
- temporary road connection to Bertram Road to be removed;
 - temporary emergency access to Tamblyn Place to be removed; and
 - verges to be reinstated with grass or landscaping, once permanent vehicular access to Bertram Road and formalised secondary access eventuates in accordance with the approved Lots 500 and 501 Bertram Road, Wellard Structure Plan. (Local Government)

Servicing

28. Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)
29. Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)

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30. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply to the lot(s) shown on the approved plan of subdivision. (Western Power)
31. The transfer of land as a Crown reserve free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)

ADVICE:

1. In regard to Conditions 1 and 18, if alternative access, as depicted in the Lots 500 and 501 Bertram Road, Wellard Structure Plan, is provided prior to the expiry of this approval, then:
 - (a) the emergency access easement can be deleted; and
 - (b) proposed Lots 701 and 702 can be created as separate lots.
2. In regard to Condition 4, Amendment 145 to the City of Kwinana Town Planning Schemes No. 2 is viewed to be seriously entertained planning proposal, and will provide for developer contributions for community infrastructure.
3. Condition 13 makes reference to an 'acid sulphate soils self-assessment form'. This form can be downloaded from the Western Australian Planning Commission's website www.dplh.wa.gov.au
4. In regard to Condition 14, The Environmental Protection Authority's (EPA's) *Metropolitan Region Scheme Amendment 1188/57 – Wellard Urban Precinct Report 1500 (January 2014)* recommended that a Wetland Management Plan (WMP) be prepared as a condition of subdivision. The EPA report outlined that the WMP is to facilitate the enhancement of the wetland's core habitat, vegetation and function, including the reduction of weed species.

The 'acid sulphate soils self-assessment form' makes reference to the Department of Water and Environmental Regulation's 'Identification and Investigation of Acid Sulphate Soils' guideline. This guideline can be obtained from the Department of Water and Environmental Regulation's website: www.dwer.wa.gov.au
5. In regard to Condition 18, the easement is to provide for emergency access in the event of a bushfire emergency and should be constructed to the standards set out in the *Guidelines for Planning in Bushfire Prone Areas*.
6. In regard to Conditions 31 and 32, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/applicant, a Land Development Agreement under Section 83 of the *Water Services Act 2012* will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.

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7. In regard to Condition 33, Western Power provides only one underground point of electricity supply per freehold lot.

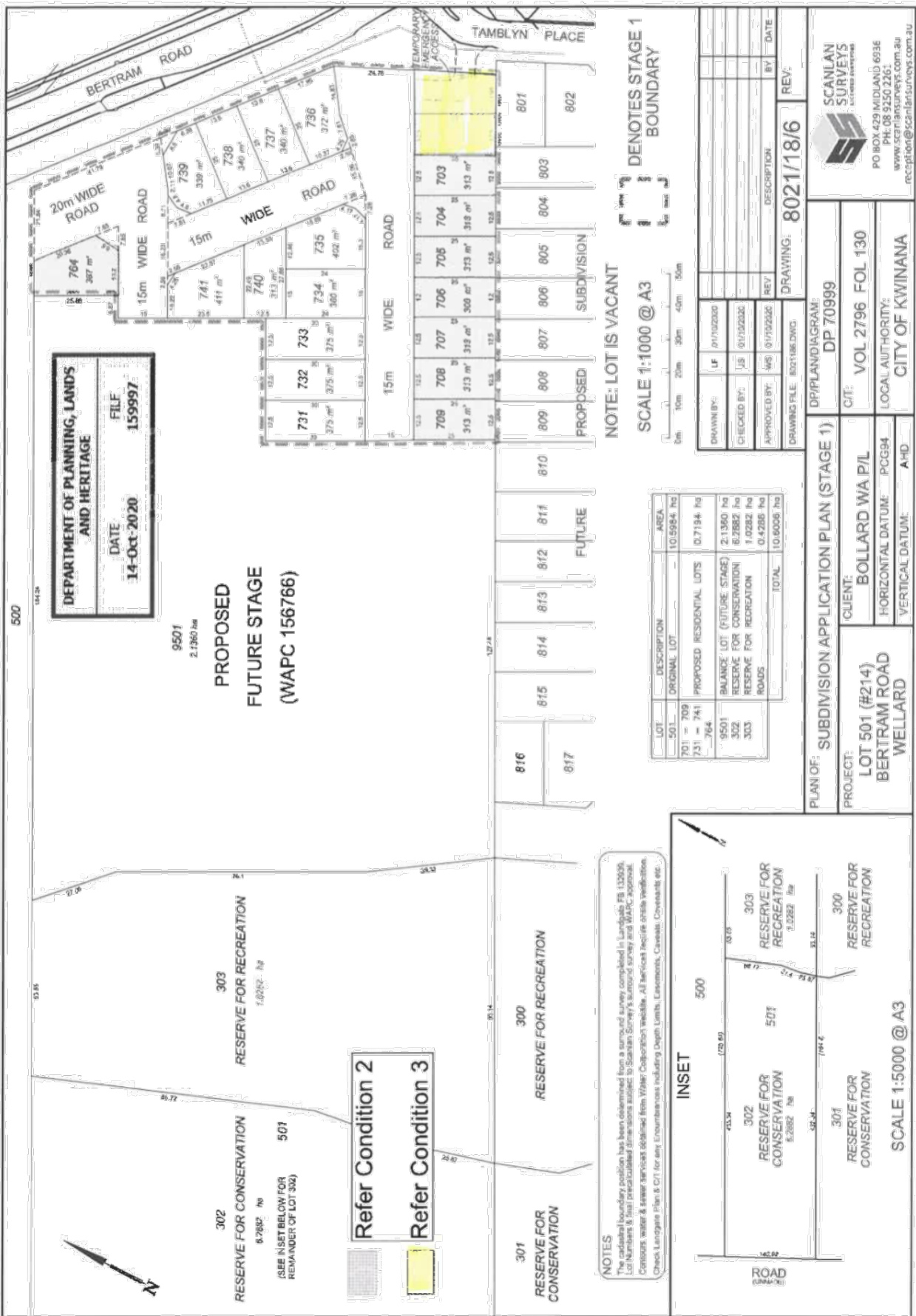
A handwritten signature in black ink, appearing to read "S Fagan".

Ms Sam Fagan
Secretary
Western Australian Planning Commission
5 January 2021

Enquiries : Paul Ellenbroek (Ph 6551 9458)

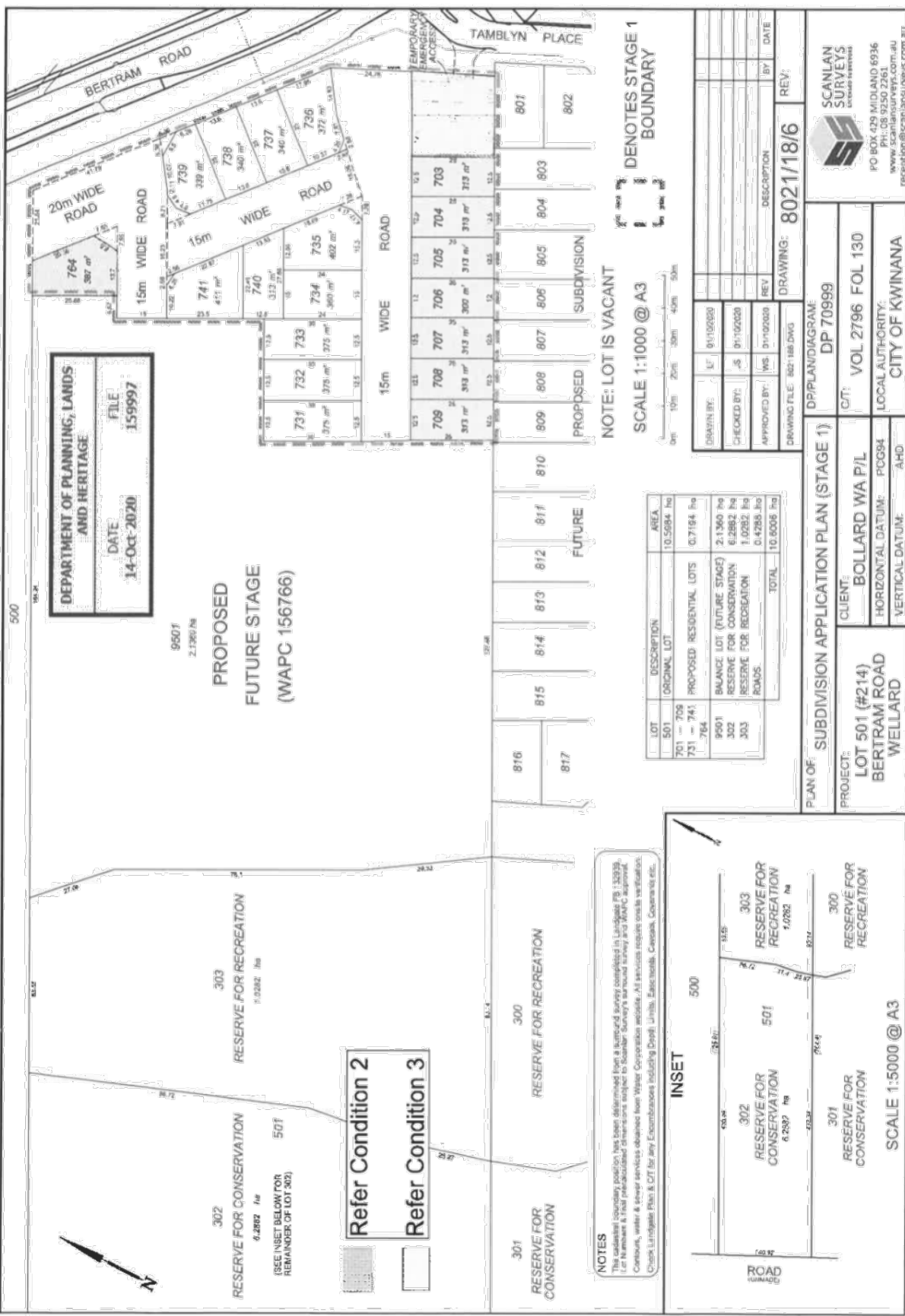
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Attachment 2: Subdivision Plan





Attachment 2: Subdivision Plan



17.2 LOCAL PLANNING POLICY NO. 3 - BOLLARD BULRUSH LANDSCAPE MASTERPLAN

SUMMARY

The City of Kwinana (the City) has reviewed and revised Local Planning Policy No. 3 – Bollard Bulrush East Landscape Masterplan (LPP3) which was adopted in 2017. The revised draft policy forms Attachment A of this report and the original adopted policy Attachment B.

The intention of the policy review is to update the Bollard Bulrush Landscape Masterplan to reflect the following:

- Update the masterplan to reflect development that has taken place
- Extend the masterplan to apply to the remainder (west and southern boundary) of Bollard Bulrush wetland replicating all elements of the landscape masterplan for the entirety of the Bollard Bulrush wetland.

It is proposed that the revised policy be adopted as a draft for the purposes of advertising pursuant to Clauses 4(1) and 4(2) of Division 2 of *Planning and Development Regulations 2015*. The City will consult the Department of Biodiversity, Conservation and Attractions (DBCA) during the advertising period to ensure that the landscape masterplan meets DBCA's environmental objectives in relation to Bollard Bulrush Wetland. It is intended that the policy be advertised for a period of 28 days through the City's engagement portal www.lovemykwinana.com.au and the City's social media. Affected landowners will also be notified by letter.

OFFICER RECOMMENDATION

That Council:

1. **Adopt the revised draft Local Planning Policy No. 3 – Bollard Bulrush Landscape Masterplan for the purposes of advertising.**
2. **Advertise revised draft Local Planning Policy No. 3 – Bollard Bulrush Landscape Masterplan pursuant to Clauses 4(1) and 4(2) of *Division 2 of Planning and Development Regulations 2015*.**
3. **Require a report back to Council that details the submissions received during the advertising period with a recommendation that the revised draft Local Planning Policy No 3 – Bollard Bulrush Landscape Masterplan be adopted with or without modifications.**

DISCUSSION

Draft Local Planning Strategy

Revised draft Local Planning Policy No. 3 – Bollard Bulrush Landscape Masterplan (Attachment A) will support the achievement of the following actions in the draft Local Planning Strategy:

Strategic Direction:

To identify, permanently protect and enhance Kwinana's natural environment which is critical to the maintenance of ecological processes and biodiversity.

Strategic Actions:

- Develop measures for ecological corridors, outlining revegetation, restoration and landscaping standards expected of developers, and requirements for other landscape elements to strengthen connections, such as wider verges and median strips to accommodate street trees.
- Ensure future planning and development appropriately manages bushfire risk, which may include the development of local planning controls for bushfire management.

Background

The City adopted LPP3 – Bollard Bulrush East Landscape Masterplan in 2017 (Attachment B). The Bollard Bulrush Landscape Masterplan has been incorporated into a planning policy adopted under Local Planning Scheme No. 2 (LPS 2) to ensure that it has statutory weight and is given 'due regard' during the assessment of local structure plans and subdivision applications by the City.

It is considered timely to review the policy given how much development has taken place around the Bollard Bulrush wetland since the policy's adoption and with a view to the potential development of the southern and western parts of the wetland.

The purpose of revised draft LPP3 (Attachment A) remains the same as the adopted policy which is to:

- Ensure that a range of recreation facilities and activities are provided in a uniform and coordinated manner within the open space situated in the Bollard Bulrush Urban Cell; and
- To guide the preparation of landscape plans for the open space in the Bollard Bulrush Urban Cell.

Landscape Masterplan review

The Bollard Bulrush landscape masterplan has been reviewed in relation to the following:

- (a) Review the existing landscape masterplan as it applies to the east portion of Bollard Bulrush;
- (b) Extend the landscape masterplan to apply to the remainder (west and southern sides) of Bollard Bulrush replicating all elements of the adopted landscape masterplan for the entirety of the Bollard Bulrush wetland whilst recognising that land on the western side of the wetland is not zoned under the Scheme and has not been structure planned. Extending the masterplan around the western section of the Bollard Bulrush wetland is in anticipation of future land development in that location; and
- (c) Integration of the Kwinana Loop Trail into the Masterplan.

The scope for the review included the following:

- Realignment of the dual use path to lie outside of the 50m wetland buffer. The adopted landscape masterplan shows the dual use path inside the buffer which is contrary to guidance in draft *Guideline for the Determination of Wetland Buffer Requirements (WAPC, 2005)*. The dual use path links existing and planned areas of public open space and will be red asphalt and of uniform design;
- Realignment of the maintenance access track/firebreak to the outer edge of the wetland buffer in line with draft *Guideline for the Determination of Wetland Buffer Requirements (WAPC, 2005)*;
- Extension of the dual use path around the western side of Bollard Bulrush wetland, in anticipation of future development in this location;
- Requirement for the 50m wetland buffer to be rehabilitated commensurate with endemic wetland flora species to protect and enhance the integrity and function of the wetland;
- Proposed location of neighbourhood parks (1-5ha) that provide play and fitness equipment and kick about space, shelter, park furniture, BBQs (provision of amenities to be in line with the City's *Landscape Development Guidelines*);
- Location of road and pedestrian/ cycle connections over the Peel Main Drain;

- Location of maintenance access points; and
- Integration with the Kwinana Loop Trail.

The revised landscape masterplan can viewed as Attachment A.

Summary of Changes to LPP3 - Bollard Bulrush East Landscape Masterplan

Table 1 provides a summary of the proposed changes to LPP3 - Bollard Bulrush East Landscape Masterplan.

Table 1: proposed changes to LPP3 – Bollard Bulrush East Landscape Masterplan

Section/ Clause	Proposed Change
Amended policy title	Title amended to read Local Planning Policy No.3 – Bollard Bulrush Landscape Masterplan to reflect the application of the landscape masterplan across the entirety of the Bollard Bulrush wetland not just the eastern half.
Overall Policy format	The layout and format of the policy has been amended to align with WALGA’s model Local Planning Policy template designed to improve consistency across jurisdictions.
Section 4: Applications subject of this policy Clause 4.2	Inclusion of ‘development applications’ as well as structure plans and subdivision applications such as a current development application for Kings College.
Section 5: Policy Statement New Clause 5.2.2	New clause which requires flora and fauna reports to be submitted to Council for local structure plans. This reflects current practice and has been included for completeness.
Section 5: Policy Statement Clause 5.2.3	Amended wording to ensure bushfire mitigation measures and drainage infrastructure are not located within the Wetland Buffer in accordance with <i>Guideline for the Determination of Wetland Buffer Requirements (WAPC, 2005)</i> .
Section 5.3 Subdivision approval	<p>Inclusion of the following environmental conditions to be recommended to the Western Australian Planning Commission (WAPC) when a subdivision application within the Bollard Bulrush urban cell is received for comment. These are conditions which are already being recommended to the WAPC for subdivision applications in this location. They have been included in the draft policy for completeness.</p> <ul style="list-style-type: none"> • Prior to the commencement of subdivisional works a wetland management plan for [insert value] is to be prepared and approved to ensure the protection and management of the sites environmental assets with satisfactory arrangements being made for the implementation of the approved plan. (Local Government) • Prior to the commencement of subdivisional works, measures being undertaken to identify any vegetation on the site worthy of retention, including any potential habitat or foraging trees for threatened fauna species, and protection measures implemented to ensure such vegetation is not impacted by subdivisional works. (Local Government) • Prior to the commencement of subdivisional works a wildlife protection management plan for [insert value] is

Section/ Clause	Proposed Change
	<p>to be prepared and approved to ensure the protection and management of the sites environmental assets with satisfactory arrangements being made for the implementation of the approved plan. (Local Government)</p> <ul style="list-style-type: none"> • Prior to the commencement of subdivision works a landscape feature and tree retention management plan is to be prepared and approved to ensure the protection and management of the sites environmental assets in accordance with the City of Kwinana Local Planning Policy No.1 with satisfactory arrangements being made for the implementation of the approved plan.
Revised Landscape Masterplan	A revised landscape masterplan (prepared by Ecoscape) has been inserted at the end of the policy replacing the adopted masterplan which only covered the eastern half of Bollard Bulrush.

STRATEGIC IMPLICATIONS

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

Strategic Community Plan			
Outcome	Strategic Objective	Action in CBP (if applicable)	How does this proposal achieve the outcomes and strategic objectives?
1 – A naturally beautiful environment that is enhanced and protected	1.1 – Retain and improve our streetscapes and open spaces, preserving the trees and greenery that makes Kwinana unique	N/A – There is no specific action in the CBP, yet this report will help achieve the indicated outcomes and strategic objectives	Retain and improve open spaces and vegetation at Bollard Bulrush
	1.2 – Maintain and enhance our beautiful, natural environment through sustainable protection and conservation	1.2.3 – Implement the Local Planning Strategy	Enhance and conserve the Bollard Bulrush wetland

SOCIAL IMPLICATIONS

This proposal will support the achievement of the following social outcome/s, objective/s and strategic priorities detailed in the Social Strategy.

Social Strategy			
Social Outcome	Objective	Strategic Priority	How does this proposal achieve the social outcomes, objectives and strategic priorities?
1 – Healthy and Active	1.0 – A physically and mentally healthy and active community	1.1 – Facilitate a diverse range of active lifestyle opportunities 1.2 – Deliver initiatives that enhance the use of public open space and natural environment reserves 1.5 – Provide infrastructure that enhances opportunities for recreation, play and relaxation	The draft policy will facilitate recreation opportunity around Bollard Bulrush wetland

LEGAL/POLICY IMPLICATIONS

Legislation

- City of Kwinana Local Planning Scheme No. 2
- Planning and Development Regulations 2015

Policy

- City of Kwinana LPP No. 3 - Bollard Bulrush East Landscape Masterplan
- Liveable Neighbourhoods

Guidelines

- Guideline for the Determination of Wetland Buffer Requirements (draft) (WAPC, 2005).

FINANCIAL/BUDGET IMPLICATIONS

This policy has been reviewed in line with budgeting requirements and there are no financial implications as a result of the policy provisions.

ASSET MANAGEMENT IMPLICATIONS

The City will be responsible for:

- Maintaining POS and possibly that part of the 50-metre wetland buffer abutting Bollard Bulrush Wetlands situated within the Structure Plan.
- Managing bushfire fuel loads in POS and the wetland buffer in accordance with the requirements for low threat vegetation listed in Australian Standard AS3945.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

The adoption of revised draft LPP No. 3 - Bollard Bulrush Landscape Masterplan will help protect the integrity of the 50m wetland buffer and ensure that a range of recreation facilities are provided in a coordinated manner in the public open space surrounding Bollard Bulrush wetland.

COMMUNITY ENGAGEMENT

Should Council resolve to adopt the revised draft policy for the purposes of public advertising it will be advertised in accordance with the City's Community Engagement Policy and pursuant to the requirements of the *Planning and Development Regulations 2015*.

The community engagement process for the draft LPP No. 3 - Bollard Bulrush Landscape Masterplan will involve as a minimum:

- Advertising the draft policy for a minimum 28 days;
- Consultation through the City's web-based engagement portal "Love my Kwinana";
- Notification to affected landowners;
- Notification to Department of Biodiversity, Conservation and Attractions; and
- Notification on the City's social media platforms.

ATTACHMENTS

- A. Revised Draft LPP No. 3 - Bollard Bulrush Landscape Masterplan - (Feb 2022)**
- B. Local Planning Policy No. 3 - Bollard Bulrush East Landscape Masterplan**



Draft Revised Local Planning Policy No. 3

Bollard Bulrush Landscape Masterplan



Draft Revised Local Planning Policy No. 3 – Bollard Bulrush Landscape Masterplan

1.0 Policy Objectives

- 1.1 To ensure that a range of recreation facilities and activities are provided in a uniform and coordinated manner within the open space situated in the Bollard Bulrush Urban Cell; and
- 1.2 To guide the preparation of landscape plans for the open space in the Bollard Bulrush Urban Cell.

2.0 Policy Application

- 2.1 The provisions of this policy apply to all land adjacent to Bollard Bulrush Wetland that is zoned 'Development and 'Rural A' under Town Planning Scheme No. 2.
- 2.2 The policy is to be applied during the preparation and assessment of:
 - Local structure plans; and
 - Subdivision applications
 - Development applications
- 2.3 LPP 3 should be read in conjunction with the Bollard Bulrush Landscape Masterplan (Attachment 1).
- 2.4 The City of Kwinana (the City) acknowledges that Bollard Bulrush Landscape Masterplan includes elements that exceed the requirements for the treatment of POS specified in Liveable Neighbourhoods (WAPC). The purpose of LPP 3 is not to enforce the provision of facilities in excess of the minimum standard specified by Liveable Neighbourhoods. The purpose of LPP 3 is to ensure that recreation facilities and activities are provided in a uniform and coordinated manner surrounding the Bollard Bulrush wetland in the event they are provided in excess of the minimum standards of Liveable Neighbourhoods.

3.0 Policy Provisions

- 3.1 The City's requirements at each stage of the land use planning framework, in relation to the implementation of the Bollard Bulrush Landscape Masterplan, are as follows:
- 3.2 Local Structure Planning

- 3.2.1 A landscape strategy is to be submitted to Council with the Local Structure Plan.
- 3.2.2 Flora and fauna reports are to be submitted to Council for the Local Structure Plan.
- 3.2.3 The location and design of the following matters are to be included in the landscape strategy consistent with the Bollard Bulrush Landscape Masterplan.
- A uniform dual use path around Bollard Bulrush wetland, to be located outside the wetland buffer, including pedestrian/cycle connections over the Peel Main Drain;
 - Neighbourhood parks (1-5ha) that provide uniform playground equipment, fitness equipment, park benches, lighting, kick about spaces, shelter and BBQs to be provided in line with the City's Landscape Development Guidelines;
 - Uniform conservation fencing in accordance with the City's fencing standards;
 - Stormwater detention areas that do not interfere with the function of public open space (POS) and are not within the wetland buffer;
 - Fire breaks and fire access tracks, accessible to pedestrians, to be located on the outer edge of the wetland buffer;
 - Maintenance access in appropriate locations; and
 - Rehabilitation and revegetation of the 50m wetland buffer commensurate with endemic wetland flora species.
 - A wetland buffer that does not accommodate any bushfire mitigation measures.
- 3.3 Subdivision Approval
- 3.3.1 When a subdivision application within the Bollard Bulrush urban cell is received for comment, the City shall recommend the following conditions to the Western Australian Planning Commission:
- A fence restricting vehicle and pedestrian access to [INSERT VALUE] is to be constructed in accordance with the approved Bollard Bulrush Landscape Masterplan 2022 to protect native vegetation. (Local Government)
 - The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve(s) for [INSERT VALUE] and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and within any payment of compensation by the Crown. (insert clearing agency as applicable)
 - Arrangements being made for the proposed public open space to be developed by the landowner/applicant to a minimum standard and maintained for two summers through the implementation of an approved landscape strategy providing for the development and

maintenance of the proposed public open space in accordance with the requirements of Liveable Neighbourhoods, the approved Bollard Bulrush Landscape Masterplan (2022), and to the specifications of the local government. (Local Government)

- Prior to the commencement of subdivisional works a wetland management plan for [INSERT VALUE] is to be prepared and approved to ensure the protection and management of the sites environmental assets with satisfactory arrangements being made for the implementation of the approved plan. (Local Government)
- Prior to the commencement of subdivisional works, measures being undertaken to identify any vegetation on the site worthy of retention, including any potential habitat or foraging trees for threatened fauna species, and protection measures implemented to ensure such vegetation is not impacted by subdivisional works. (Local Government)
- Prior to the commencement of subdivisional works a wildlife protection management plan for [INSERT VALUE] is to be prepared and approved to ensure the protection and management of the sites environmental assets with satisfactory arrangements being made for the implementation of the approved plan. (Local Government)
- Prior to the commencement of subdivision works a landscape feature and tree retention management plan is to be prepared and approved to ensure the protection and management of the sites environmental assets in accordance with the City of Kwinana Local Planning Policy No.1 with satisfactory arrangements being made for the implementation of the approved plan.

3.4 Discretion to vary the policy

3.4.1 The City may vary the provisions of this policy when it is satisfied that a proposed local structure plan, subdivision application or development application can be implemented in a coordinated and uniform manner that does not prejudice the implementation of the landscape masterplan.

3.5 Procedure for amending Local Planning Policy No. 3

3.5.1 This policy may be amended by the City of Kwinana in accordance with Clause 4 of Schedule 2 of the Planning and Development Regulations 2015.

Name of Policy	Local Planning Policy No. 3 – Bollard Bulrush Landscape Masterplan
Date of adoption and resolution No.	TBA

Review dates and resolution No.	Reviewed 17 February 2020
Legal authority	This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015
Directorate	City Development and Sustainability
Department	Planning and Development
Related documents	City of Kwinana Local Planning Scheme No.2 and No.3 Planning and Development (Local Planning Schemes) Regulations 2015



ecoscape
 2 STIRLING HIGHWAY, NORTH FREMANTLE WA 6159
 2020/2021/2022/2023/2024/2025/2026/2027/2028/2029/2030

AUTHOR: NS
 DATE: Q4/21
 PROJECT NO: 14470-21
 SCALE: 1:3000 @A3
 0 50 100 150m

- Legend**
- Wetland Core boundary
 - Buffer boundary with conservation fence to City of Kwinana standard detail
 - Wetland buffer
 - Peel main drain alignment
 - Indicative location of shared path, minimum 2.5m wide with concrete edging
 - 3.0m wide fire break/ maintenance access to be located above 10-year flood level
 - Pedestrian access 'kissing gate'
 - Maintenance access gate
 - Tramway trail connection
 - Stormwater detention areas
 - Public Open Space (POS) area
 - Playground activity node, development to be as per City of Kwinana landscape development guidelines
 - Seating node with benches
 - Shade structure with table settings
 - Fitness equipment node
 - Pedestrian bridge



BOLLARD BULRUSH
 CITY OF KWINANA

MASTER PLAN SK01-L



Bollard Bulrush East Landscape Masterplan

Local Planning Policy No. 3 Bollard Bulrush East Landscape Masterplan

The purpose of this local planning policy is to:

- a) ensure that a range of recreation facilities and activities are provided in a uniform and coordinated manner within the open space situated in the Bollard Bulrush East Urban Cell; and
- b) guide the preparation of landscape plans for the open space in the Bollard Bulrush East Urban Cell.

Adopted:	
Last reviewed:	
Legal Authority	Division 2 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>

1. APPLICATION

Local Planning Policy No. 3 (LPP 3) applies to all land within the Bollard Bulrush East Urban Cell that is zoned 'Development' under *Town Planning Scheme No. 2*.

This policy is to be applied during the preparation and assessment of:

- local structure plans; and
- subdivision applications.

LPP 3 should be read in conjunction with the *Bollard Bulrush East Landscape Masterplan* (Attachment 1).

The City of Kwinana (the City) acknowledges that *Bollard Bulrush East Landscape Masterplan* includes elements that exceed the requirements for the treatment of POS specified in *Liveable Neighbourhoods* (WAPC). The purpose of LPP 3 is not to enforce the provision of facilities in excess of the minimum standard specified by *Liveable Neighbourhoods*. The purpose of LPP 3 is to ensure that recreation facilities and activities are provided in a uniform and coordinated manner throughout the Bollard Bulrush East Urban Cell in the event they are provided in excess of the minimum requirements of *Liveable Neighbourhoods*.

2. POLICY

The City's requirements at each stage of the land use planning framework, in relation to the implementation of the *Bollard Bulrush East Landscape Masterplan*, are as follows:

LOCAL STRUCTURE PLANNING



Bollard Bulrush East Landscape Masterplan

Landscape Strategy

A landscape strategy is to be submitted to Council with the local structure plan.

The location and design of the following matters are to be included in the landscape strategy consistent with the *Bollard Bulrush East Landscape Masterplan*:

- a uniform dual use path around the eastern side of Bollard Bulrush Swamp, including pedestrian/cycle connections over the Peel Main Drain;
- uniform playground equipment, fitness equipment, park benches and lighting;
- 'kick about' spaces;
- uniform conservation fencing;
- stormwater detention areas that do not interfere with the function of public open space (POS);
- fire breaks and fire access tracks; and
- wetland revegetation.

SUBDIVISION APPROVAL

When a subdivision application within the Bollard Bulrush east urban cell is received for comment, the City shall recommend the following conditions to the Western Australian Planning Commission:

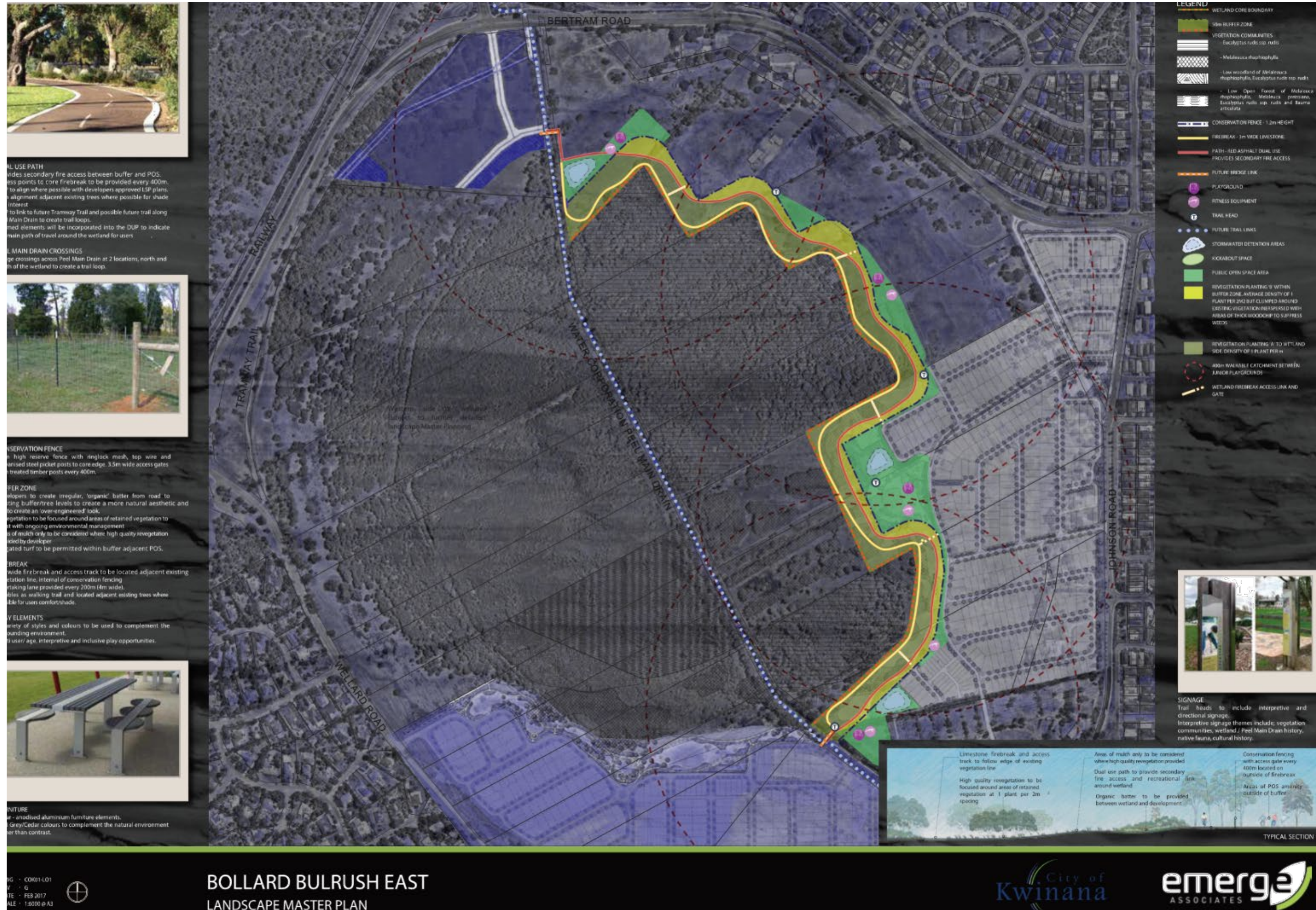
1. A fence restricting vehicle and pedestrian access to [INSERT VALUE] is to be constructed in accordance with the approved *Bollard Bulrush East Landscape Masterplan* (Dated __), to protect native vegetation. (Local Government)
2. The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve(s) for [INSERT VALUE] and vested in the Crown under Section 152 of the *Planning and Development Act 2005*, such land to be ceded free of cost and without any payment of compensation by the Crown. (Insert clearing agency as applicable)
3. Arrangements being made for the proposed public open space to be developed by the landowner/applicant to a minimum standard and maintained for two summers through the implementation of an approved landscape strategy providing for the development and maintenance of the proposed public open space in accordance with the requirements of *Liveable Neighbourhoods*, the approved *Bollard Bulrush East Landscape Masterplan* (Dated __), and to the specifications of the local government. (Local Government)

3. DISCRETION TO VARY THE POLICY

The City may vary the provisions of this policy when it is satisfied that a proposed local structure plan or subdivision application can be implemented in a coordinated and uniform manner that does not prejudice the implementation of the landscape masterplan.

4. PROCEDURE FOR AMENDING LOCAL PLANNING POLICY NO. 3

This policy may be amended by the City of Kwinana in accordance with Clause 4 of Schedule 2 of the *Planning and Development Regulations 2015*.



17.3 AMENDING LOCAL PLANNING POLICY NO.4 - ADMINISTRATION OF DEVELOPER CONTRIBUTIONS

SUMMARY

Council is being asked to amend its existing Local Planning Policy No. 4 – Administration of Developer Contributions. The amended policy is contained as Attachment A. It is proposed the amended policy be advertised for 21 days, following which Council will reconsider the policy in light of any submissions made, prior to final adoption.

The policy was originally adopted on 14 December 2016 and was prepared to build upon the existing provisions of Local Planning Scheme No. 2 (LPS2) in relation to the administration of Developer Contribution Plans (DCPs), specifically, when an amendment to LPS2 is underway and how the City would deal with crediting DCP works undertaken by developers.

The policy has operated largely as intended, however due to revisions to State Planning Policy 3.6 – Infrastructure Contributions, clause numbering in LPS2 and internal audit findings, a revision of the policy is necessary.

The revision has deemed that there are no fundamental changes required to the policy's operation, however updates to references, formatting and other internal process changes are needed. Further detail on the required updates are provided in the body of the report.

OFFICER RECOMMENDATION

That Council:

- 1. Amends Local Planning Policy No. 4 – Administration of Developer Contributions as contained in Attachment A;**
- 2. Advertises the amended policy in accordance with clause 87, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and**
- 3. After the expiry of advertising, reviews the policy in light of any submissions made.**

DISCUSSION

Background

Draft Local Planning Policy No. 4 - Administration of Development Contribution Plans (LPP4) was adopted by Council on 27 May 2015 for the purpose of advertising. Public advertising occurred during 25 June and 17 July 2015 (23 days) and seven submissions were received.

The issues raised by the submitters, as well as further internal review and legal advice resulted in a number of modifications to the advertised version of the policy. Subsequently, a modified policy was adopted, for implementation, on 14 December 2016. A copy of the existing LPP4 is shown as Attachment B.

The policy was prepared to build upon the existing provisions of LPS2 in relation to the administration of DCPs and specifically covers the following key areas:

1. Procedures for administering a DCP where an amendment to the Scheme is regarded as 'seriously entertained' and should be given 'due regard'; and
2. Acceptance of works-in-kind and/or crediting of works undertaken by a developer.

The policy has been in operation since its adoption on the 14 December 2016 and has performed as intended, particularly with LPS2 Amendment 145 continuing to be resolved. Amendment 145 has involved a major review of community infrastructure contribution arrangements under LPS2.

Draft Local Planning Strategy

This review is in alignment with the City’s adopted draft Local Planning Strategy through the following Public Open Space and Community Facilities Strategic Direction which states:

To deliver an equitable distribution of accessible and integrated multi-functional public open spaces, community infrastructure and recreation facilities that supports healthy and socially connected communities.

It also specifically implements action 20 which states:

Implement, and regularly review, the City of Kwinana’s development contribution plans in accordance with State Planning Policy 3.6 - Development Contributions for Infrastructure.

Proposal

The policy has been in operation for over 5 years, an audit of the City’s DCP functions identified a review of the policy should be undertaken and the Western Australian Planning Commission updated its State Planning Policy 3.6 – Infrastructure Contributions (SPP3.6) in 2021, thus it was deemed appropriate to review the policy.

The review of the policy identified some minor items that need updating, but that the policy was otherwise operating as intended. Reviewed items, and their recommended solutions, are as follows:

REVIEW ITEM		COMMENT / SOLUTION
1.	Revised SPP3.6 and LPS2 clauses.	Update references.
2.	Clause headings & numbering not clear.	Update formatting.
3.	Review recommended inclusion of a subdivision condition based on results of recent State Administration Tribunal (SAT) case.	No change required. Policy complies.
4.	Check revised SPP3.6 (specifically the ability to collect provisional contributions).	No change required. Policy complies.
5.	‘Acceptance of works-in-kind and/or crediting works undertaken by the developer’ Works-in-kind and Credits assume the construction of an item, rather than the provision of land for an item (e.g.: Public Open Space / Community Facility).	Update policy to refer to all instances where a credit may be given, including the provision of land.
6.	Wording in clause 2 is not clear in terms of who is the decision maker. The City, Council and CEO are all listed in varying forms.	The policy should refer to the City, as the organisation, with Council being the decision maker for that organisation. The City’s separate instrument of delegation then determines who, if delegated the power by Council, makes that decision.

As a result of the review, there are a number of formatting, referencing and minor updates required but the main issue identified is clarifying delegation.

Review item 6 identified that the policy currently specifies the CEO as having discretion for:

- (a) Varying the 30% provisional contribution;
- (b) Waiving contribution for State agencies;
- (c) Waiving the legal agreement requirement and reducing contingency amount from 30% to 15%, where less than 5 lots are being created; and
- (d) Accepting works-in-kind/credits.

The City’s Instrument of Delegation part 3.3.3 currently deals with the ability to sign legal agreements in accordance with LPP4, which is granted to the CEO and Director City Development and Sustainability. However, in order for the City to continue operating, as is currently the case, the City’s Instrument of Delegation part 3.3.3 should be updated to:

1. Include a condition that any exercise of the power should be in accordance with LPP4.
2. Specify who has the power to make the following decisions:
 - (a) Varying 30% provisional contribution;
 - (b) Waiving contribution for State agencies; and
 - (c) Waiving the legal agreement requirement and reducing contingency amount from 30% to 15%, where less than 5 lots are being created.

It is not considered necessary to include a delegation for accepting works-in-kind/credits, as accepting works-in-kind/credits are undertaken in accordance with the policy, not as a variation to it and this function is performed as part of administering the DCP and associated Cost Apportionment Schedule, which are both adopted by Council annually as part of the annual review.

Effectively, City Officers are already carrying out Councils resolved positions by following the DCP, Cost Apportionment Schedule (CAS) and LPP4 procedures in relation to accepting works-in-kind/credits.

Changes to delegations are not included as part of this report. This will be addressed in a separate report once advertising of LPP4 has concluded, submissions, and any modifications to LPP4, are being considered.

Accordingly, it is proposed that LPP4 be amended in accordance with the comments provided against reviewed items 1 – 6, as set out in the above table, and contained in Attachment A.

STRATEGIC IMPLICATIONS

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

Strategic Community Plan			
Outcome	Strategic Objective	Action in CBP (if applicable)	How does this proposal achieve the outcomes and strategic objectives?
3 – Infrastructure and services that are affordable and contribute to health and wellbeing	3.3 – Maintain infrastructure, playgrounds, parks and reserves to a high standard through sustainable asset maintenance and renewal	N/A – There is no specific action in the CBP, yet this report will help achieve the indicated outcomes and strategic objectives	Developer Contributions allow the City to fund infrastructure items, Public Open Space and Community Facilities.

<p>4 – A unique, vibrant and healthy City that is safe, connected and socially diverse</p>	<p>4.4 – Develop wellbeing programs and implement physical recreation that is culturally appropriate for Kwinana’s community</p>	<p>N/A – There is no specific action in the CBP, yet this report will help achieve the indicated outcomes and strategic objectives</p>	<p>Developer Contributions allow the City to fund infrastructure items, Public Open Space and Community Facilities.</p>
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SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

The City’s Instrument of Delegation will be required to be updated should the Council determine to proceed with the policy after advertising has concluded. The Instrument of Delegation will be updated via its own report.

FINANCIAL/BUDGET IMPLICATIONS

There are no financial implications that 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/PUBLIC HEALTH IMPLICATIONS

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

COMMUNITY ENGAGEMENT

If the amended policy is adopted by Council it will undergo an advertising period whereby effected parties will be notified and given 21 days to comment on the amended policy.

The City will then reconsider the policy in light of any submissions made before determining to proceed with the amended policy, proceed with modifications to the amended policy, or not to proceed with the amended policy.

ATTACHMENTS

- A. Amended LPP4 - Administration of Developer Contributions (Feb 2022)
- B. Local Planning Policy No. 4 - Administration of Development Contributions - current



Local Planning Policy No. 4

Administration of Development Contributions



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

1.0 Objectives

- 1.1 To set out provisions that apply when administering Development Contribution Plans whilst an amendment to the Scheme is underway and given 'due regard'.
- 1.2 To set out the requirements for developers to meet, in order to claim a credit for the provision of land or works undertaken towards a Development Contribution Plan item.

2.0 Policy Application

- 2.1 The provisions of this policy apply to land within Special Control Areas - Development Contribution Areas as shown on the LPS2 map and detailed in Schedule V of LPS2.

3.0 Definitions

- 3.1 **Provisional contribution:** The City's best estimate of the contribution, payable by the developer at the time the liability for cost contributions becomes payable in accordance with cl. 5.15.5.13.2 of the Scheme, whilst a Scheme amendment affecting the Development Contribution Plan is underway.
- 3.2 **Contingency amount:** 30% of the provisional contribution.
- 3.3 **Actual contribution:** The final cost contribution, determined in accordance with the gazetted Scheme amendment and first Development Contribution Plan Report and Cost Apportionment Schedule adopted under that gazetted Scheme amendment.

4.0 Policy Statement

- 4.1 Provisions for administering Development Contribution Plans when subject to a Scheme amendment.
 - 4.1.1 In accordance with SPP 3.6, cl. 6.10.2 Operative Scheme Provisions, the Western Australian Planning Commission (WAPC) will support the imposition of a condition of subdivision or development requiring contributions for the provision of infrastructure consistent with the proposed Development Contribution Plan (DCP), where a local government has advertised a DCP, and the submissions have been considered by the local government and the amendment forwarded to the WAPC for final approval.
 - (a) When the above applies,

- (i) for a Development Approval, the City will impose a condition that generally states:

Prior to the commencement of development, appropriate arrangements will be made with the City of Kwinana for the payment of development contributions as proposed by Amendment XX to Local Planning Scheme No. 2 to the satisfaction of the Chief Executive Officer, City of Kwinana.

- (ii) for a subdivision referral, recommend the imposition of a condition that generally states:

Appropriate arrangements are to be made with the City of Kwinana for the payment of development contributions as proposed by Amendment XX to Local Planning Scheme No. 2 to the satisfaction of the Chief Executive Officer, City of Kwinana.

- 4.1.2 Where the Scheme amendment has not yet been gazetted, and the developer is seeking clearance of a condition of subdivision or development approval, as set out in provision 4.1.1(a)(i) or 4.1.1(a)(ii) of this policy, the City will require that the developer enter into a legally binding deed of agreement (agreement) with the City in accordance with the following:

- (a) The developer will be responsible for all costs associated with the preparation of the agreement.
- (b) The agreement will be prepared by the City's solicitors and must be satisfactory to the City, acting reasonably.
- (c) A provisional contribution will be made to the City at the time of liability for cost contributions, as provided by the Scheme.
- (d) In addition to the provisional contribution referred to in provision 4.1.2(c) an additional contingency amount, being 30% of the provisional contribution, will be payable.

The contingency amount is to account for any cost increase from the time of preparing the provisional contribution, to determination of the actual contribution after gazettal of the Scheme amendment.

- (e) The provisional contribution and contingency amount will be held as security by the City as restricted funds where interest will be earned based on the cash interest rates of the Municipal Fund. Interest earned, in excess of the actual contribution liable, will be credited to the developer for the period up to the time of approval of the first DCP Report following the gazettal of the Scheme amendment.
- (f) Following the gazettal of the Scheme amendment:

- (i) The developer shall pay the City the actual contribution liable, in accordance with the gazetted Scheme amendment and the adoption of the first DCP Report and Cost Apportionment Schedule; and
 - (ii) Any difference between the provisional contribution (including the contingency amount and any interest earned on the provisional contribution and contingency amount calculated on the cash rate for the quarter preceding the payment date, on a pro rata basis) and the actual contribution liable under the Scheme, shall be made good by either the developer or the City whomever that may be, within 60 days of the adoption of the applicable Cost Apportionment Schedule.
- 4.1.3 Upon completion of the payment arrangements being met, referred to in provision 4.1.2(f) of this policy, the agreement will be at an end.
- 4.2 Discretion to vary the above provisions
- 4.2.1 The City may vary provisions 4.1.2(c) – 4.1.2(f) of this policy and negotiate a specific arrangement with a developer where the ability to receive the actual contribution liable under the Scheme amendment, once gazetted, is sufficiently secured, provided the following is met:
 - (a) Where land is proposed as security in lieu of the 30% contingency amount:
 - (i) The developer will provide a valuation report prepared by a certified land valuer within the past 6 months, that demonstrates the value of the land proposed as security exceeds the contingency amount; or
 - (ii) Where a staged development is proposed and the land offered as security forms part of the development at a particular stage, the City will require an updated valuation of the land that demonstrates sufficient value in the remaining land not forming part of the development; and
 - (iii) Under both circumstances outlined above, a caveat will be required to be lodged on the land offered as security that registers the City's interest in the land.
 - (b) Where a bank guarantee is proposed as security in lieu of the 30% contingency amount referred to in provision 4.1.2(d) of this policy, the bank guarantee shall be for the contingency amount, will be unconditional and not have an expiry date.

- (c) Where the developer seeks to provide an infrastructure item as part of their subdivision or development works and receive a credit for the works in accordance with provision 4.3 of this policy, the City must be satisfied that the item will be required by the proposed Amendment, once gazetted.
- 4.2.2 The City has discretion to vary or waive the requirement for a provisional contribution and contingency amount, where the development is being undertaken by a State Government Department.
- 4.2.3 The City has discretion to waive the requirement for an agreement to be prepared under provision 4.1.2 of this policy, where the development is for 4 dwellings / lots or less and the Scheme amendment relates to community infrastructure. In such instances, the developer shall pay the City the relevant provisional contribution and a 15% escalation allowance at the time of seeking clearance for the subdivision / development.

Payment under this provision will constitute full and final discharge of the developer's liability under the DCP proposed by the Scheme amendment.

- 4.3 Crediting land, or work undertaken by a developer, towards a DCP item
- 4.3.1 Where a developer is seeking to pay its cost contribution through the transfer of land or the provision of physical infrastructure, as provided by cl. 5.15.5.14.1 of the Scheme, the following shall apply:
- (a) The infrastructure item must be an item included in the DCP provided by the Scheme. Infrastructure items will not be finalised until gazetted;
 - (b) The infrastructure item has to be on the priority list established in the current DCP Report. As only future priorities can be set within a DCP Report, all historical pre-funded items (that pre-date the DCP gazetted and this policy) without appropriate arrangements are priorities by default;
 - (c) Before commencing construction of physical infrastructure items, developers are required to enter into an appropriate arrangement with the City. The arrangement can be in the form of a legal agreement (for items of fundamental importance to the DCP or for complex or unusual arrangements) or an exchange letter. The City will determine whether a letter or an agreement is appropriate in the relevant circumstance.
 - (i) As part of the arrangement, developers are required to provide detailed costs and scope of works to the City for approval prior to commencing construction of physical infrastructure.

- (ii) The City is to verify all cost claims for completed works (or completed stages) before any credits (offsets against a liability) will be applied.
- (d) Where transferring land or the provision of physical infrastructure is provided, payment will be credited (offset against liability) to a developer in accordance with the priority timing established in the current DCP Report. Until supported by priority timing, an unrealised credit cannot be used to pay for, or offset, cost contributions.
- (e) The City may accept the transfer of land or the provision of physical infrastructure items prior to the gazettal of the DCP, if the City is satisfied:
 - (i) the item has a very high probability of being an item of infrastructure in the DCP and will be an item of priority infrastructure; and
 - (ii) the developer enters into an appropriate pre-funding agreement satisfactory to the City and generally in accordance with the provisions 4.3.1(c) of this policy.
- 4.3.2 The cost of infrastructure items, as detailed in the prevailing DCP Report, determines the amount of credit allowable for such infrastructure and will be referenced in any agreement required under provision 4.3.1(c) of this policy.
- 4.3.3 Unless the City determines otherwise, in the event of sale of partially subdivided land, existing DCP obligations will transfer with the land. Similarly, this will apply to any existing DCP credits associated with that development (the DCP cannot be required to pay out credits prematurely when land transfers owners).

Date of adoption	14 December 2016
Resolution Number	# 401
Date Reviewed (draft)	9 March 2022



Policy

Local Planning Policy 4 Administration of Development Contribution Plans



Local Planning Policy 4 Administration of Development Contribution Plans

To complement the provisions of the Town Planning Scheme in administering Development Contribution Plans within the Town Planning Scheme area

Adopted:	14 December 2016
Last reviewed:	[Insert date of last review if applicable]
Legal Authority:	Local Government Act Section 2.7 – The Role of Council Part 2 of Schedule 2 Deemed Provisions – Planning and Development (Local Planning Schemes) Regulations 2015

Application:

The provisions of this policy apply to land within Special Control Areas - Development Contribution Areas as shown on the Town Planning Scheme No. 2 (Scheme) map and detailed in Schedule V of the Scheme.

Policy:

1. Procedure for administering a proposed Development Contribution Plans (DCPs) where an amendment to the Scheme is regarded as ‘seriously entertained’.

An amendment to the Scheme will be considered by the City of Kwinana as a ‘seriously entertained’ planning proposal once the amendment has been initiated by the Council and consent has been granted for public submissions to be sought. This approach is consistent with paragraph 5, clause 5.4 of State Planning Policy 3.6: Development Contributions for Infrastructure and to date, has been supported by the Western Australian Planning Commission in applying relevant conditions of subdivision approval that have the effect of the developer being liable for contributions under the DCP proposed by the amendment to the Scheme.

- 1.1 Where an amendment is regarded as ‘seriously entertained’, and proposes a DCP applicable to the land subject to the development application or subdivision application, the City will either:
 - a) Impose a condition of planning approval that generally states, “Prior to the commencement of development, appropriate arrangements will be made with the

City of Kwinana for the payment of development contributions as proposed by Amendment XX to Town Planning Scheme No. 2 to the satisfaction of the Chief Executive Officer, City of Kwinana.”

- b) Recommend the imposition of a condition of subdivision approval that generally states, “Appropriate arrangements are to be made with the City of Kwinana for the payment of development contributions as proposed by Amendment XX to Town Planning Scheme No. 2 to the satisfaction of the Chief Executive Officer, City of Kwinana.”

- 1.2 Where the proposed Amendment has not yet been gazetted, and the developer is seeking clearance of a condition of subdivision or planning approval (outlined in clause 1.1), the City will require that the developer enter into a legally binding deed of agreement (agreement) with the City in accordance with the following provisions:

Responsibility for costs

- (a) The developer will be responsible for all costs associated with the preparation of the agreement. The agreement will be prepared by the City's solicitors and must be satisfactory to the City, acting reasonably.

Provisional contributions

- (b) A provisional contribution will be made to the City at the time of liability for the payment of development contributions, as provided by the Scheme. The provisional contribution will be based on the City's best estimates of the cost contribution payable by the developer at the time of liability of the contribution.
- (c) The provisional contribution referred to in clause 1.2(b) will also include an additional contingency amount of 30% of the provisional contribution to allow for any cost increase from the time of preparing the provisional contribution and determination of the actual contribution after gazettal of the proposed Amendment. The provisional contribution and 30% contingency amount will be held as security by the City as restricted funds where interest will be earned based on the cash interest rates of the Municipal Fund. Interest earned at the cash interest rates of the Municipal Fund on the provisional contribution and 30% contingency amount in excess of the liability shown in the adopted cost apportionment schedule for the developer's land will be credited to the developer for the period up to the time of approval of the first DCP Report following the gazettal of the proposed Amendment.

Acquittal of agreements (actual contribution and timing)

- (d) The agreement will provide that following the gazettal of the proposed Amendment:
 - i) Payment of the development contribution shall be in accordance with the Scheme and the adoption of the first DCP Report and cost apportionment schedule; and
 - ii) Any difference between the provisional contribution (including the contingency amount and any interest earned on the provisional contribution and contingency amount calculated on the cash rate for the quarter preceding the payment date, on a pro rata basis) and the actual contribution liable under the Scheme shall be made good by either the developer or the

City whomever that may be, within 60 days of the adoption of the applicable Cost Apportionment Schedule.

- (e) Upon completion of the payment arrangements referred to in clause 1.2(d) the agreement will be at an end.

Discretion to vary the above provisions

- (f) The Chief Executive Officer (CEO) may vary the provisions of clauses 1.2(b) – (d) inclusive and negotiate a specific arrangement with a developer, in appropriate circumstances and where the CEO is satisfied that the City's ability to receive the actual development contribution liable under the proposed Amendment once gazetted is sufficiently secured. In considering a request under this clause, the CEO will have regard to the following matters:
- i) Where land is proposed as security in lieu of the 30% contingency amount referred to in clause 1.2(c):
 - The developer will provide a valuation report prepared by a certified land valuer within the past 6 months, that demonstrates the value of the land proposed as security exceeds the contingency amount;
 - Where a staged development is proposed and the land offered as security forms part of the development at a particular stage, the City will require an updated valuation of the land that demonstrates sufficient value in the remaining land not forming part of the development; and
 - A caveat will be required to be lodged on the land offered as security that registers the City's interest in the land.
 - ii) Where a bank guarantee is proposed as security in lieu of the 30% contingency amount referred to in clause 1.2(c), the bank guarantee shall be for the contingency amount, will be unconditional and not have an expiry date.
 - iii) Whether the developer is likely to provide infrastructure item/s required by the proposed Amendment as part of their subdivision or development works and will in all likelihood receive a credit for the works in accordance with clause 2 of this policy.
- (g) Where the development is being undertaken by a State Government Department the CEO has discretion to waive the requirement for a provisional contribution and contingency amount.
- (h) Where the development is for 4 dwellings / lots or less and the proposed Amendment relates to community infrastructure, the CEO has the discretion in appropriate circumstances to waive the requirement for a legal agreement under clauses 1.2(b) – (d) where the developer pays the City a provisional contribution and 15% escalation allowance at the time of seeking clearance for the subdivision / development. Payment under this clause will constitute full and final discharge of the developer's liability under the development contribution plan proposed by the Amendment.

2. Acceptance of works-in-kind and/or crediting works undertaken by the developer

Clause 6.16.5.14.1 of the Scheme allows for the developer to pay its development contribution by the provision of physical infrastructure, or some other method acceptable to the local government. This is generally referred to as 'works-in-kind'. Priority list or priority timing refers to the infrastructure item/s identified in the current DCP report (as adopted post gazettal, or the most up to date draft) as items that will be required within approximately 24 months and which are generally crucial to development of a DCP area. In order for the CEO to accept works-in-kind by a developer as a credit towards the developer's contribution, the following provisions shall apply:

- (a) The infrastructure item must be an item included in the DCP provided by the Scheme. Infrastructure items will not be finalised until gazettal;
- (b) In order to obtain credits (offsets against a DCP liability) or accrue interest on works- in-kind, the infrastructure has to be on the priority list established in the current DCP Report. As only future priorities can be set within a DCP Report, all historical pre- funded items (that pre-date the DCP gazettal and this policy) without appropriate arrangements are priorities by default.
- (c) Before commencing construction of infrastructure items, developers are required to enter into an appropriate arrangement with the City. The arrangement can be in the form of a legal agreement (for items of fundamental importance to the DCP or for complex or unusual arrangements) or an exchange letter. The City will determine whether a letter or an agreement is appropriate in the relevant circumstance.
- (d) As part of the arrangement, developers are required to provide detailed costs and scope of works to the City for approval prior to commencement of construction of pre- funded infrastructure.
- (e) The City is to verify all cost claims for completed works (or completed stages) before any credits (offsets against a liability) will be applied.
- (f) Works-in-kind infrastructure credits will be credited (offset against liability) to a developer in accordance with the priority timing established in the current DCP Report. Until supported by priority timing, an unrealised credit cannot be used for contribution offset purposes.
- (g) Council may in appropriate circumstances permit provisional off-sets for the pre-funding of expected items of infrastructure prior to the gazettal of the DCP, if the Council is satisfied:
 - (i) the item of infrastructure has a very high probability of being an item of infrastructure in the DCP and will be an item of priority infrastructure; and
 - (ii) the developer enters into an appropriate pre-funding agreement satisfactory to the City and generally in accordance with clauses 2(c) – (e) inclusive.
- (h) The pooling of DCP funding and credits across all infrastructure items allows for the prioritisation of infrastructure procurement.
 - (i) The cost of infrastructure items as detailed in the prevailing DCP Report determines the amount of credit allowable for such infrastructure and will be referenced in 2(c) and (d).

- (j) Unless the City determines otherwise, in the event of sale of partially subdivided land, existing DCP obligations will transfer with the land. Similarly, this will apply to any existing DCP credits associated with that development (the DCP cannot be required prematurely to pay out credits when land transfers).

18 REPORTS – CIVIC LEADERSHIP**18.1 2021/22 BUDGET REVIEW****SUMMARY**

This report presents the statutory Budget Review of the 2021/22 Budget. A number of budget variations are proposed as part of this review, which results in an overall favourable change of projected net current assets of \$752,996 as at 30 June 2022.

OFFICER RECOMMENDATION

That Council:

1. **Receives the 2021/22 Budget Review Report as per Attachment A and adopts the budget adjustments to the 2021/22 Statutory Budget;**
2. **Notes that the 2021/22 Budget Review results in a favourable improvement in the budget surplus as at 30 June 2022, with a forecast unallocated surplus of \$752,996; and**
3. **Allocate the \$752,996 surplus to the following;**

Transfers to Reserve	Purpose	\$
Restricted Grants & Contributions Reserve	Kwinana Loop Trail	100,000
Restricted Grants & Contributions Reserve	Challenger Beach Ablutions	150,000
Restricted Grants & Contributions Reserve	Medina Hall Air Conditioning	50,000
Workers Compensation Reserve	LGIS Credit	39,103
Information Technology Reserve	OneCouncil Implementation	413,893
Total Allocated Surplus		752,996

DISCUSSION

The Budget Review is a statutory review that is undertaken in accordance with the *Local Government Act 1995* and Regulation 33 of the *Local Government (Financial Management) Regulations 1996*. The purpose of this review is to identify significant variations from the Annual Budget and to recommend any amendments that may be necessary.

Changes to the Annual Budget are required during the year as circumstances change from when the Annual Budget was adopted by Council at the beginning of the financial year. Amendments to the Annual Budget will ensure that tight fiscal control is maintained over the City's finances.

The below table summarises the estimated closing surplus position as a result of this review and the variance to the original adopted budget.

Description	Adopted Budget		Revised Budget		Variance	
	\$		\$		\$	
Opening surplus brought forward	500,000		3,374,335		2,874,335	
Revenue from operating activities	63,987,506		64,104,215		116,709	
Expenditure from operating activities	(74,886,570)		(76,396,137)		(1,509,567)	
Non-cash amounts excluded from operating activities	16,317,966		16,154,021		(163,945)	
Investing activities	(10,632,621)		(13,096,576)		(2,463,955)	
Financing Activities	4,713,719		6,613,138		1,899,419	
Closing funding surplus / (deficit)	0		752,996		752,996	

Provided below is a summary of the major variances to the Current Budget

Operating Revenue

Rates – increase \$200,000.

- The variance relates to actual interim rates raised to date, plus further interim rates that are expected to be received as a result of the State Government housing stimulus provided to support the building and construction sectors.

Operating Grants, Subsidies and Contributions – decrease (\$631,730)

- Financial assistance grant \$962k, received by the City in June 2021, offset against brought forward surplus.
- Increase in Fire & Emergency mitigation works grant \$296,250, offset against contractor costs.

Fees and charges – increase \$209,929

- \$52k increase in rates instalment and direct debit administration fees.
- \$44k increase to accelerated depreciation fees collected.
- \$46k increase for the income from property hire.
- \$13k increase in fines and penalties collection by City Assist.
- \$16k increase in waste collection fees.
- \$10k increase in pool inspection fees collected.

Interest earnings – increase \$46,619

- Increase in interest earnings relating to rates instalment interest.

Other Revenue – increase \$229,993

- \$191k increase for reimbursements and private works revenues will offset against expenditures.
- \$39k increase due to LGIS credit.

Profit on disposal of assets – increase \$61,898

- Increase in budget due to actual sales proceeds higher than anticipated.

Operating Expenditure

Employee costs – increase \$412,685

- \$223k increase for pay out of leave loading as per Enterprise Agreement.
- \$328k no vacancy rate (5% vacancies forecast in original budget).
- \$120k termination payouts / long service leave.
- \$10k increase for rapid antigen test kits.
- \$187k decrease relating to actual workers compensation insurance lower than budgeted. This saving to be transferred to Workers Compensation Reserve.

- \$90k decrease in FBT to adjust for actual expenditure incurred.

Material and contracts – increase \$1,110,932

- \$511k increase relating to Contract Salaries due to vacancies.
- \$311k increase in waste processing levy costs waste services due to changes in waste processing levy costs as per new tender.
- \$296k increase in Fire & Emergency mitigation works offset by the grant funding.

Investing Activities

Non-Operating Grants, Subsidies and Contributions – increase \$2,950,233

- \$383k increase in additional Main Roads MRRG projects.
- \$328k increase to include Stormwater Management DCA1.
- \$1.2m increase due to VBFB station extension rebuild grant.
- \$1.1m increase Phase 3 Local Roads & Community Infrastructure program.

Proceeds from disposal of assets – increase \$198,587

- Actual sales proceeds higher than anticipated.

Capital expenditure – increase \$5,234,223

- \$1.2m increase in VBFB station extension.
- \$1.1m increase in OneCouncil Implementation.
- \$270k increase for mini golf course project. Construction of new kiosk and toilets
- \$350k increase in Calista Oval Bike Track.
- \$632k increase for additional Main Roads MRRG projects at Wellard Road and Mandurah Road.
- \$1.1m increase in LRCl grant funded projects.
- \$328k increase in DCA1 Stormwater Maintenance project.

Financing Activities

Transfer from reserve – increase \$2,825,161

- \$1.1m increase in transfer from Information Technology Reserve to support OneCouncil Implementation project.

OneCouncil Budget Details

Early in the financial year, officers drew a line across implementation expenditure and determined the implementation funds available to complete the project. Against these funds, an estimate of resources required to complete the implementation from that point was undertaken by the new project manager, to confirm the efficacy of the project.

From July 1 2021, there was \$4.32m available of the agreed commitment, to complete the implementation of the project. The project manager estimated that Phase 1 would require approximately \$3.1m, with Phase 2 utilising approximately \$1.2m. Each report to the Council, however, has noted that there has been a significant increase in consulting and internal labour costs related to the current constrained IT project labour market.

Despite the escalating costs, the focus of the project team has been to on the delivery of the project within budget. This focus has ensured consideration of opportunities to shortcut the effort, particularly opportunities to work with other local authorities, and adopt other local government configurations. This focus has also dictated a minimum configuration approach, with a desire to deliver a viable product with minimal customisation (Councillors may also remember that a significant issue with the current business system is the level of customisation and the inability for the vendor to meaningfully support the product).

With the approach taken to date, the expenditure projection to go-live is an expenditure of \$2.8m, which is approximately \$0.3m under estimate. Additional Phase 1 costs will be realised after go-live, as part of hypercare, and any phasing of the go-live (e.g. turning on the Works module over a few months). The Phase 1 expenditure includes part of the Phase 2 data migration, so that some of the Phase 2 costs are being borne early. Accordingly, the project is considered to be on track to meet budget, with a minor contingency.

To ensure the project stays on track for Phase 2, as has been reported previously, the project team has been investigating the use of configurations from other local authorities, rather than building a Kwinana specific configuration. Consideration of the City of Canning and the City of Gosnells configurations has been undertaken, with internal acceptance that these configurations are suitable. Accordingly, there is a high level of confidence that the whole of the project will be delivered within budget.

Finally, it is necessary to update the 2021/22 financial year budget to recognise the project expenditure for the year. At the time of adopting the 2021/22 budget, the transition to SAAS had not been negotiated, and the details of the expenditure on the two phases had not been determined. Accordingly, the adopted budget was based on the original project expenditure estimates. As the City has a planned go-live of 1 July 2022, the majority of the project expenditure has been brought forward into the 2021/22 financial year, and the budget needs to be updated to reflect the progress on the project. Accordingly, as part of the mid-year review, reserve funds will be allocated to the project, to cover the total estimated expenditure (including software subscriptions) of \$2.97m.

- \$913k increase in transfer from Restricted Grants and Contributions Reserves to fund carried forward projects from previous financial year.
- \$340k increase in transfer from waste reserve to support higher rate of operating waste levy costs.
- \$270k increase in transfer from Strategic Property Reserve for the mini golf course project.
- \$328k increase from DCA 1 Reserve Stormwater Maintenance project.

Transfer to reserve – increase \$926,522

- \$256k increase in transfer to Family Day Care Reserve due to vacant positions resulting in increase to net profit.
- \$206k increase in restricted grants and contributions reserve transfers to adjust for actual carried forward amounts to actual end of year.
- \$270k increase in Public Art Reserve transfer as a result of new building permit application approval.
- \$187k increase in transfer to Workers Compensation Reserve. Transferring savings from budgeted value to Reserve for contingencies.

STRATEGIC IMPLICATIONS

There are no strategic implications as a result of this proposal.

SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires that;

- (1) *Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
 - (2A) *The review of an annual budget for a financial year must –*
 - (a) *Consider the local government’s financial performance in the period beginning on the 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *Consider the local government’s financial position as at the date of the review; and*
 - (c) *Review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required*

- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

FINANCIAL/BUDGET IMPLICATIONS

The financial implications related to this review are outlined in this report. No additional funds are required from these adjustments. Based on the review and the recommended allocation of the surplus, there will be balanced budget with zero budget surplus at 30 June 2022.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

There are no environmental implications associated with this report.

COMMUNITY ENGAGEMENT

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

ATTACHMENTS

A. Budget Review 2021-22



Budget Review

2021-2022



**CITY OF KWINANA
2021/2022 BUDGET REVIEW REPORT**

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

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CITY OF KWINANA
STATEMENT OF BUDGET REVIEW
BUDGET REVIEW 2021/2022

BY NATURE OR TYPE

Note	Adopted Annual Budget (a)	Revised Budget 2021/22 (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Actuals as at 31/01/2022
	\$	\$	\$	%	\$
Opening funding surplus / (deficit)	500,000	3,374,335	2,874,335	574.9%	3,374,335
Revenue from operating activities					
Rates	42,663,528	42,863,528	200,000	0.5%	42,502,274
Operating grants, subsidies and contributions	3 7,101,622	6,469,892	(631,730)	(8.9%)	3,517,548
Fees and charges	13,077,409	13,287,338	209,929	1.6%	10,262,776
Interest earnings	694,600	741,219	46,619	6.7%	444,763
Other revenue	448,580	678,573	229,993	51.3%	664,775
Profit on disposal of assets	5 1,767	63,665	61,898	3503.0%	69,529
	63,987,506	64,104,215	116,709	3554.1%	57,461,666
Expenditure from operating activities					
Employee costs	(27,892,254)	(28,304,939)	(412,685)	1.5%	(16,189,679)
Materials and contracts	(26,127,651)	(27,238,583)	(1,110,932)	4.3%	(12,379,064)
Utility charges	(2,712,312)	(2,719,541)	(7,229)	0.3%	(1,323,468)
Depreciation on non-current assets	(16,305,054)	(16,235,696)	69,358	(0.4%)	(9,193,295)
Interest expenses	(834,101)	(845,036)	(10,935)	1.3%	(446,508)
Insurance expenses	(613,769)	(593,416)	20,353	(3.3%)	(593,412)
Other expenditure	(363,550)	(424,774)	(61,224)	16.8%	(40,793)
Loss on disposal of assets	5 (37,879)	(34,152)	3,727	(9.8%)	(1,234)
	(74,886,570)	(76,396,137)	(1,509,567)	11%	(40,167,453)
Non-cash amounts excluded from operating activities	16,317,966	16,154,021	(163,945)		9,194,141
Amount attributable to operating activities	5,418,902	3,862,099	(1,556,803)	0%	26,488,353
Investing activities					
Grants, Subsidies and Contributions	3 17,515,755	20,465,988	2,950,233	16.8%	761,019
Proceeds from disposal of assets	5 943,425	1,142,012	198,587	21.0%	227,669
Self-Supporting Loan Principal Received	6 17,847	17,847	0	0.0%	11,849
Payments for property, plant and equipment	2 (26,229,317)	(31,463,540)	(5,234,223)	20.0%	(5,978,359)
	(7,752,290)	(9,837,693)	(2,085,403)	58%	(4,977,822)
Non-cash amounts excluded from investing activities	(2,880,331)	(3,258,883)	(378,552)		3,314,384
Amount attributable to investing activities	(10,632,621)	(13,096,576)	(2,463,955)	58%	(1,663,439)
Financing Activities					
Proceeds from new debentures	6 2,500,000	2,500,000	0	0.0%	2,500,000
Repayment of debentures	6 (4,601,930)	(4,601,150)	780	(0.0%)	(3,479,800)
Payments for principal portion of lease liabilities	(176,055)	(176,055)	0	0.0%	(91,134)
Transfer from reserves	4 21,810,003	24,635,164	2,825,161	13.0%	2,435,636
Transfer to reserves	4 (14,818,299)	(15,744,821)	(926,522)	6.3%	(3,525,334)
Amount attributable to financing activities	4,713,719	6,613,138	1,899,419	19%	(2,160,631)
Closing funding surplus / (deficit)	0	752,996	752,996	651.9%	26,038,616

CITY OF KWINANA
STATEMENT OF BUDGET REVIEW
BUDGET REVIEW 2021/2022

BY STATUTORY REPORTING PROGRAM

	Adopted Annual Budget (a)	Revised Budget 2021/22 (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Actuals as at 31/01/2022
	\$	\$	\$	%	\$
Opening funding surplus / (deficit)	500,000	3,374,335	2,874,335	0.0%	3,374,335
Revenue from operating activities					
Governance	16,368	94,158	77,790	(0.5%)	93,698
General Purpose Funding - Rates	42,663,528	42,863,528	200,000	1.7%	43,593,951
General Purpose Funding - Others	2,871,326	2,008,586	(862,740)	(74.5%)	512,582
Law, Order and Public Safety	506,788	857,718	350,930	(83.1%)	144,547
Health	166,890	171,633	4,743	1989.7%	3,586,609
Education and Welfare	6,352,795	6,369,856	17,061	(100.0%)	0
Community Amenities	6,451,590	6,447,892	(3,698)	(7.6%)	5,960,051
Recreation and Culture	3,021,907	3,161,447	139,540	(35.7%)	2,031,269
Transport	332,200	396,471	64,271	(18.1%)	324,660
Economic Services	1,419,018	1,443,654	24,636	(37.2%)	906,171
Other Property and Services	185,096	289,272	104,176	6.5%	308,129
	63,987,506	64,104,215	116,709		57,461,666
Expenditure from operating activities					
Governance	(3,477,775)	(3,664,265)	(186,490)	(39.1%)	(2,232,521)
General Purpose Funding	(919,472)	(987,208)	(67,736)	(43.4%)	(559,020)
Law, Order and Public Safety	(3,226,391)	(3,614,299)	(387,908)		(1,726,432)
Health	(1,014,273)	(1,079,834)	(65,561)		(581,952)
Education and Welfare	(10,341,993)	(10,027,955)	314,038		(5,293,416)
Community Amenities	(10,373,632)	(10,598,934)	(225,302)	(51.0%)	(5,190,306)
Recreation and Culture	(22,914,361)	(23,689,285)	(774,924)	(44.9%)	(13,045,927)
Transport	(17,224,514)	(16,845,355)	379,159	(52.2%)	(8,053,405)
Economic Services	(2,144,453)	(2,050,170)	94,283	(50.4%)	(1,016,493)
Other Property and Services	(3,249,706)	(3,838,832)	(589,126)	(35.7%)	(2,467,981)
	(74,886,570)	(76,396,137)	(1,509,567)		(40,167,453)
Non-cash amounts excluded from operating activities	16,317,966	16,154,021	(163,945)	(43.1%)	9,194,141
Amount attributable to operating activities	5,418,902	3,862,099	(1,556,803)		26,488,353
Investing activities					
Grants, Subsidies and Contributions	3 17,515,755	20,465,988	2,950,233	(96.3%)	761,019
Proceeds from disposal of assets	5 943,425	1,142,012	198,587	(80.1%)	227,669
Self-Supporting Loan Principal Received	6 17,847	17,847	0	(33.6%)	11,849
Payments for property, plant and equipment	2 (26,229,317)	(31,463,540)	(5,234,223)	(81.0%)	(5,978,359)
	(7,752,290)	(9,837,693)	(2,085,403)		(4,977,822)
Non-cash amounts excluded from investing activities	(2,880,331)	(3,258,883)	(378,552)		3,314,384
Amount attributable to investing activities	(10,632,621)	(13,096,576)	(2,463,955)	0.0%	(1,663,439)
Financing Activities					
Proceeds from new debentures	6 2,500,000	2,500,000	0	0.0%	2,500,000
Repayment of debentures	6 (4,601,930)	(4,601,150)	780	(24.4%)	(3,479,800)
Payments for principal portion of lease liabilities	(176,055)	(176,055)	0	(48.2%)	(91,134)
Transfer from reserves	4 21,810,003	24,635,164	2,825,161	(90.1%)	2,435,636
Transfer to reserves	4 (14,818,299)	(15,744,821)	(926,522)	(77.6%)	(3,525,334)
Amount attributable to financing activities	4,713,719	6,613,138	1,899,419		(2,160,631)
Closing funding surplus / (deficit)	0	752,996	752,996	0.0%	26,038,616

**CITY OF KWINANA
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
BUDGET REVIEW 2021/2022**

Capital acquisitions	Adopted Annual Budget (a)	Revised Budget 2021/22 (b)	Variance (a) - (b)	Actuals as at 31/01/2022
			\$	
Land and Buildings	6,745,168	8,148,693	(1,403,525)	1,333,777
Plant, Furniture and Equipment	1,269,300	1,573,448	(304,148)	598,976
Intangible Assets	1,407,909	2,573,660	(1,165,751)	1,302,298
Infrastructure - Roads	13,386,090	13,864,732	(478,642)	1,804,290
Infrastructure - Parks & Reserves	1,612,892	2,599,270	(986,378)	124,544
Infrastructure - Footpaths	1,265,975	1,743,094	(477,119)	637,432
Infrastructure - Car Parks	49,717	99,717	(50,000)	4,520
Infrastructure - Drainage	268,278	623,153	(354,875)	152,170
Infrastructure - Bus Shelters	29,796	29,796	0	0
Infrastructure - Street Lights	194,192	207,977	(13,785)	20,352
Payments for Capital Acquisitions	26,229,317	31,463,540	(5,234,223)	5,978,359
Right of use assets	0	0	0	0
Total Capital Acquisitions	26,229,317	31,463,540	(5,234,223)	5,978,359
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	17,515,755	20,324,238	(2,808,483)	761,019
Disposal of Assets	943,425	503,501	439,924	140,208
Cash Backed Reserves	8,684,361	6,752,691	1,931,670	1,926,539
Municipal Funds	(914,224)	3,883,110	(4,797,334)	3,150,594
Capital funding total	26,229,317	31,463,540	(5,234,223)	5,978,359

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.

**CITY OF KWINANA
NOTES TO THE STATEMENT OF BUDGET REVIEW
BUDGET REVIEW 2021/2022**

**NOTE 1
EXPLANATION OF MATERIAL VARIANCES BY NATURE & TYPE**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.
The material variance adopted by Council for the 2021-22 year is \$50,000 or 5.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Explanation of Variance
	\$	%	
Revenue from operating activities			
Rates	200,000	0% ▲	The variance relates to actual interim rates raised for the remainder of the year, plus further interim rates that are expected to be received as a result of the state government housing stimulus provided to support the building and construction sectors.
Operating Grants, Subsidies and Contributions	(631,730)	-9% ▼	Financial assistance grant \$962k received by the City in June 2021, offset against brought forward surplus. Increase in Fire & Emergency mitigation works grant \$296,250, offset against contractor costs
Fees and Charges	209,929	2% ▲	Favourable variance due to overall fees and charges collected higher than budget forecast. \$52k increase in rates instalment and direct debit administration fees. \$44k increase to accelerated depreciation fees collected. \$46k increase for the income from property hire. \$13k increase in fines and penalties collection by City Assist. \$16k increase in waste collection fees. \$10k increase in pool inspection fees collected.
Interest Earnings	46,619	7% ▲	Increase in interest earnings relating to rates instalment interest.
Other Revenue	229,993	51% ▲	\$191k increase for reimbursements and private works revenues will offset against expenditures. \$39k increase due to LGIS credit.
Profit on Disposal of Assets	61,898	3503% ▲	Actual sales proceeds higher than anticipated.
Expenditure from operating activities			
Employee Costs	(412,685)	1% ▲	\$223k increase pay out of leave loading as per Enterprise Agreement. \$328k no vacancy rate (5% in original budget). \$120k termination payouts / long service leave. \$10k increase for rapid antigen test kits. \$187k decrease relating to actual workers compensation insurance lower than budgeted. This saving to be transferred to Workers Compensation Reserve. \$90k decrease in FBT to adjust for actual expenditure incurred.
Materials and Contracts	(1,110,932)	4% ▲	Overall increase in material and contract prices due to current market conditions. \$511k increase relating to Contract Salaries due to vacancies. \$311k increase in waste processing levy costs as per new tender. \$296k increase in Fire & Emergency mitigation works offset by the grant funding .

**CITY OF KWINANA
NOTES TO THE STATEMENT OF BUDGET REVIEW
BUDGET REVIEW 2021/2022**

**NOTE 1
EXPLANATION OF MATERIAL VARIANCES BY NATURE & TYPE**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.
The material variance adopted by Council for the 2021-22 year is \$50,000 or 5.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Explanation of Variance
Utility Charges	(7,229)	0% ▲	Utilities to maintain new parks and reserves.
Depreciation on Non-Current Assets	69,358	0% ▼	Depreciation adjusted to actuals. Not a material variance.
Interest Expenses	(10,935)	1% ▲	New loan borrowings for the City Centre.
Insurance Expenses	20,353	-3% ▼	Adjusted to actuals. Not a material variance.
Other Expenditure	(61,224)	17% ▲	\$50k CCTV Subsidy Scheme. \$15k increase for SMCC repayment of grant.
Loss on Disposal of Assets	3,727	-10% ▼	Actual sales proceeding were higher than anticipated sales price.
Investing activities			
Non-Operating Grants, Subsidies and Contributions	2,950,233	17% ▲	\$383k increase in additional Main Roads annual MRRG projects. \$269k increase to include Stormwater Management DCA1. \$1.2m increase due to VBFB station extension rebuild grant. \$1.1m increase Phase 3 Local Roads & Community Infrastructure program.
Proceeds from disposal of assets	198,587	21% ▲	Actual sales proceeds higher than anticipated and adjustment to actual sales.
Payments for property, plant and equipment	(5,234,223)	20% ▲	Refer Note 2 for further details, \$1.2m increase in VBFB station extension. \$1.1m increase in OneCouncil Implementation. \$270k increase for mini golf course project. Construction of new kiosk and toilets. \$350k increase in Calista Oval Bike Track. \$632k increase for additional Main Roads MRRG projects at Wellard Road and Mandurah Road. \$1.1m increase in LRCI grant funded projects. \$328k increase in DCA1 Stormwater Maintenance project.
Financing activities			
Repayment of debentures	780	0% ▼	Not a material variance.

**CITY OF KWINANA
NOTES TO THE STATEMENT OF BUDGET REVIEW
BUDGET REVIEW 2021/2022**

**NOTE 1
EXPLANATION OF MATERIAL VARIANCES BY NATURE & TYPE**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.
The material variance adopted by Council for the 2021-22 year is \$50,000 or 5.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Explanation of Variance
Transfer from reserves	2,825,161	13% ▲	Refer Note 4 for further details, \$1.1m increase in transfer from Information Technology Reserve to support OneCouncil Implementation project. \$913k increase in transfer from Restricted Grants and Contributions Reserves to fund carried forward projects from previous financial year. \$340k increase in transfer from Waste Reserve to support higher rate of operating waste levy costs. \$270k increase in transfer from Strategic Property Reserve for the mini golf course project. \$328k increase from DCA 1 Reserve Stormwater Maintenance project.
Transfer to reserves	(926,522)	6% ▲	Refer Note 4 for further details, \$256k increase in transfer to Family Day Care Reserve due to vacant positions resulting in increase to net profit. \$206k increase in Restricted Grants and Contributions Reserve transfers to adjust for actual carried forward amounts to actual end of year. \$270k increase in Public Art Reserve transfer as a result of new building permit application approval. \$187k increase in transfer to Workers Compensation Reserve. Transferring savings in workers compensation premium to reserve for contingencies.

CITY OF KWINANA
 NOTES TO THE STATEMENT OF BUDGET REVIEW
 BUDGET REVIEW 2021/2022

INVESTING ACTIVITIES
 NOTE 2
 CAPITAL EXPENDITURE

Capital Expenditure	Adopted Budget	Revised Budget	Variance to Original Budget	Actual as at 31/01/2022	Comments
	\$	\$	\$	\$	
Buildings					
Recquatic Front Counter - Automated Gates	90,000	90,000	0	32,442	Deposit Paid.
Kwinana South VBFB Station Extensions - Meeting/Training Room,	699,600	1,853,204	1,153,604	4,830	
Sloans Heritage (Caretaker) Cottage Accessibility Works	44,000	44,000	0	0	LRCI Round 1 funding extended to June 2022. Design has commenced.
Kwinana South VBFB - Additional work	25,000	25,000	0	0	Work to commence once Kwinana South VBFB Station Extensions (14003) is complete.
Administration Building - New / Upgrade	50,000	132,500	82,500	28,485	Additional \$165k carried forward from FY21.
Administration Building - Renewal	50,000	132,500	82,500	28,485	Additional \$165k carried forward from FY21.
Building & Parks Contingency	100,000	100,000	0	22,677	
DCA 9 - Local Sports Ground Clubroom - Honeywood	3,718,203	3,718,203	0	493,169	Site clearing has commenced.
Operations Centre Extension - New / Upgrade	578,947	578,947	0	283,717	Work commenced September 2021. Delayed by a month.
Operations Centre Extension - Renewal	578,947	578,947	0	283,717	Work commenced September 2021. Delayed by a month.
Building Renewals - 18 Maydwell Way - window screens	4,988	0	(4,988)	238	
Building Renewals - Administration Building - fire alarm sensors	12,968	12,968	0	618	
Building Renewals - asbestos removal Bright Futures	6,983	4,222	(2,761)	4,222	
Building Renewals - Administration Building - front counter window tint	5,985	5,985	0	285	
Building Renewals - asbestos removal 156 Medina Avenue	12,469	12,469	0	594	
Building Renewals - Business Incubator - security screens	14,963	14,963	0	713	
Building Renewals - Business Incubator - ablutions renovation	24,938	24,938	0	2,350	
Building Renewals - Bright Futures Family Day Care Office - AC units	7,980	7,980	0	380	
Building Renewals - John Wellard Community Centre - creche softfall	24,938	24,938	0	1,188	
Building Renewals - Recquatic Centre - stadium floor strip and seal	12,469	12,469	0	594	
Building Renewals - Recquatic Centre - mechanical	59,850	59,850	0	2,850	
Building Renewals - Recquatic Centre - emergency exit doors	13,466	13,466	0	8,522	
Building Renewals - Senior Citizens Centre	39,900	39,900	0	15,700	Works are in progress.
Building Renewals - Sloan Heritage House (1950's) - external repairs	14,963	14,963	0	713	
Building Renewals - Sloan Cottage - renewal and accessibility works	49,875	49,875	0	2,375	Work to commence December 2021.
Building Renewals - Smirks Cottage Museum - drainage	9,975	9,975	0	4,425	
Building Renewals - Tennis Club	9,975	9,975	0	12,955	
Building Renewals - Wandl Schoolrooms	14,963	14,963	0	713	Work to commence December 2021.
Building Renewals - Wheatfield Cottage	49,875	49,875	0	2,375	Work to commence March/April 2022.
Building Renewals - Koorliny Arts Centre	34,913	34,913	0	1,663	Works to commence December 2021.
Darius Wells Library and Resource Centre - Electrical Works	80,000	80,000	0	0	LRCI Grant Round 2.
Darius Wells Library and Resource Centre - Ken Jackman hall flooring	45,000	45,000	0	35,280	LRCI Grant Round 2.

CITY OF KWINANA
 NOTES TO THE STATEMENT OF BUDGET REVIEW
 BUDGET REVIEW 2021/2022

INVESTING ACTIVITIES
 NOTE 2
 CAPITAL EXPENDITURE

Capital Expenditure	Adopted Budget	Revised Budget	Variance to Original Budget	Actual as at 31/01/2022	Comments
John Wellard Community Centre - Repair solar panels connection to	10,000	10,000	0	0	LRCI Grant Round 2.
Koorliny Community Arts Centre - Air conditioner and exhaust fan	8,500	8,500	0	0	LRCI Grant Round 2.
Recquatic Centre - Front Admin east and Reception area - Air Conditioner	67,000	67,000	0	0	LRCI Grant Round 2.
Zone Youth Centre - repaint basketball court	30,000	13,950	(16,050)	13,950	LRCI Grant Round 2. Work completed September 2021.
Thomas Oval Pavilion(Old) - Roof Restoration including gutters and downpipes	20,000	20,000	0	0	LRCI Grant Round 2. Work to commence December2021.
Recquatic Centre - Stadium Floor Replacement - Insurance claim	38,065	37,785	(280)	37,785	
Animal Care Facility Refurbishment	85,470	85,470	0	5,768	Fence installed. Cattery almost complete, dog area scheduled for January 2022.
Shade Structure - Honeywood Oval - funded by Honeywood Primary School Contribution	0	50,000	50,000	0	Budget Variation 27 October 2021.
Medina Hall - Main Hall fan replacement - LRCI Round 3 - Project# 11		15,000	15,000	0	Budget Variation 27 October 2021.
Recquatic Yoga Room - Office Conversion - LRCI Round 3 - Project# 12		20,000	20,000	0	Budget Variation 27 October 2021.
Feilman Building - Level 1, 18 Darius Drive (DFES) - Lighting Upgrade		24,000	24,000	0	Budget Variation pending 15 December 2021.
Mini Golf Course Kiosk and Toilets		270,000	270,000	0	
Buildings Total	6,745,168	8,418,693	1,673,525	1,333,777	
Plant, Furniture and Equipment					
Furniture and Equipment					
Furniture and Fittings Renewal	20,000	20,000	0	17,821	
Furniture - Councillors Lounge	0	35,000	35,000	20,437	Carried forward from FY21.
Computing Equipment				0	
CFWD City Website Redevelopment	22,909	55,000	32,091	0	Additional \$23k carry forward from FY21. Budget Variation 15 December 2021.
OneCouncil Implementation	1,385,000	2,518,660	1,133,660	1,302,298	
Plant and Equipment				0	
City Assist- Animal Enclosures	12,000	14,468	2,468	14,468	
Recquatic Equipment renewal - 25m pool stairs and trolley	30,000	30,000	0	5,474	
Recquatic Plant renewal	27,300	27,300	0	16,107	
Variable Message Sign - Fire & Emergency Services	35,000	35,000	0	0	
Plant Replacement P353	4,000	0	(4,000)	0	Purchase complete. Under \$5k - has been expensed
Plant Replacement P438	5,000	5,550	550	5,486	Purchase complete.
Plant Replacement P147	4,500	4,500	0	0	
Plant Replacement P260	60,000	58,000	(2,000)	0	
Plant Replacement P263	65,000	0	(65,000)	0	
Plant Replacement P446	240,000	266,068	26,068	0	Actual RFQ amount higher than anticipated due to escalation in the cost of steel, and other components from preferred supplier.

CITY OF KWINANA
 NOTES TO THE STATEMENT OF BUDGET REVIEW
 BUDGET REVIEW 2021/2022

INVESTING ACTIVITIES
 NOTE 2
 CAPITAL EXPENDITURE

Capital Expenditure	Adopted Budget	Revised Budget	Variance to Original Budget	Actual as at 31/01/2022	Comments
Plant Replacement P332	7,500	7,500	0	0	
Plant Replacement P419	36,500	36,500	0	0	
Plant Replacement P441	29,000	29,000	0	0	
Plant Replacement P442	100,000	113,000	13,000	0	Budget Variation OCM 15 December 2021.
Plant Replacement P503	22,000	28,000	6,000	28,000	Purchase complete.
Plant Replacement P530	6,000	6,000	0	0	
Plant Replacement P531	38,000	38,000	0	0	
Plant Replacement P532	6,500	6,500	0	0	
Plant Replacement P531	0	5,440	5,440	0	Carried forward from FY21.
Plant Replacement P114	0	14,750	14,750	0	Carried forward from FY21.
Plant Replacement P557	0	99,350	99,350	99,350	Carried forward from FY21. Purchase complete. Budget Variation OCM 13 October 2021 for actuals.
Plant Replacement P351	0	135,050	135,050	134,410	Carried forward from FY21. Purchase complete.
Plant Replacement P492 (New Plant P604) - FINANCE adjustment		0	0	0	
Purchase of Weed Control Spray Unit	0	20,000	20,000	0	
Motor Vehicles				0	
Plant Replacement P495	41,500	41,500	0	0	
Plant Replacement P502	45,000	39,784	(5,216)	39,784	Purchase complete.
Plant Replacement P512	41,000	43,371	2,371	43,052	
Plant Replacement P517	41,500	44,790	3,290	0	
Plant Replacement P522	41,000	46,698	5,698	46,395	Purchase complete.
Plant Replacement P519	41,000	41,516	516	41,198	Purchase complete.
Plant Replacement P524	41,500	41,943	443	41,943	Purchase complete.
Plant Replacement P541	27,500	27,500	0	0	
Plant Replacement P543	27,500	27,500	0	0	
Plant Replacement P545	35,000	35,000	0	0	
Plant Replacement P548	27,500	27,500	0	0	
Plant Replacement P549	35,000	35,000	0	0	
Plant Replacement P550	35,000	41,000	6,000	0	
Plant Replacement P523	41,000	45,367	4,367	45,051	Purchase complete.
Plant, Furniture and Equipment Total	2,677,209	4,147,105	1,469,896	1,901,274	
Park and Reserves					
Kwinana Loop Trail Upgrade	350,000	350,000	0	0	
Parks Upgrade Strategy - Ascot Park	160,000	180,000	20,000	0	Works programed for January to March.

CITY OF KWINANA
 NOTES TO THE STATEMENT OF BUDGET REVIEW
 BUDGET REVIEW 2021/2022

INVESTING ACTIVITIES
 NOTE 2
 CAPITAL EXPENDITURE

Capital Expenditure	Adopted Budget	Revised Budget	Variance to Original Budget	Actual as at 31/01/2022	Comments
Public Open Space/Parks & Reserves Renewals	697,892	500,000	(197,892)	78,396	
Streetscape Strategy - Gilmore Ave	150,000	150,000	0	17,136	Under design/consultation.
Streetscape Strategy - Sulphur Road	70,000	70,000	0	6,364	Under design/consultation. Works programmed for June.
Urban Tree Planting - Sulphur Road	185,000	185,000	0	16,818	Under design/consultation. Works programmed for May/June.
Calista Oval Bike Track	0	350,000	350,000	0	
Bird Waterer for administration building grounds	0	5,830	5,830	5,830	Carried forward from FY21. Installation complete.
Honeywood POS - Disability Access - LRCI Round 3 - Project# 4	0	9,440	9,440	0	Budget Variation OCM 27 October 2021.
Ascot Park Playground - paths, shelter, seating, shade - LRCI Round 3 - Project# 6	0	0	0	0	Budget Variation OCM 27 October 2021.
Homestead Ridge Park Shelter - LRCI Round 3 - Project# 7	0	6,000	6,000	0	Budget Variation OCM 27 October 2021.
Softfall Replacements - various non-compliant - LRCI Round 3 - Project# 10	0	60,000	60,000	0	Budget Variation OCM 27 October 2021.
Wellard Oval Lighting Installation - LRCI Round 3 - Project# 9	0	450,000	450,000	0	Budget Variation OCM 27 October 2021.
Bertram Oval Cricket Pitch Upgrade - LRCI Round 3 - Project# 13	0	7,000	7,000	0	Budget Variation OCM 27 October 2021.
Kelly Park Soccer Goal Replacements - LRCI Round 3 - Project# 14	0	6,000	6,000	0	Budget Variation OCM 27 October 2021.
Parks and Reserves Total	1,612,892	2,329,270	716,378	124,544	
Roads					
Urban Road Grant Construction					
MRRG Road Renewals Gilmore Ave	450,836	447,332	(3,504)	42,444	Works scheduled for January.
MRRG Road Renewals Wellard Road A	514,640	510,173	(4,467)	455,919	Works completed November, awaiting outstanding invoices.
MRRG Road Renewals Hope Valley	340,684	336,198	(4,486)	327,715	Works completed November, awaiting outstanding invoices.
MRRG Road Renewals Wellard Road B	0	382,576	382,576	0	
MRRG Road Renewals Mandurah Road	0	249,902	249,902	0	
Black Spot Grant Construction					
Wellard Road & Henley Boulevard Pre-deflection	470,000	470,000	0	45,745	Under design/consultation.
Roads to Recovery Grant Construction					
Roads to Recovery Westcott Road	480,000	480,000	0	188,685	Work in progress, anticipated completion February.
DCA Funded Construction					
DCA 3,4 - Thomas Road	9,009,930	9,009,930	0	0	
LRCI Projects					
LRCI Phase 2 Sicklemore Road	760,000	599,920	(160,080)	584,176	Works completed September, awaiting outstanding invoices.
LRCI Phase 2 Joiner Place	150,000	0	(150,000)	0	
LRCI Phase 2 Summerton Rd and Gilmore Ave Intersection crossing	50,000	53,701	3,701	53,701	Works completed August.
Anketell Road - Resealing - LRCI Round 3 - Project# 1		100,000	100,000	0	Budget Variation OCM 27 October 2021.
Municipal Road Construction					
				0	

CITY OF KWINANA
 NOTES TO THE STATEMENT OF BUDGET REVIEW
 BUDGET REVIEW 2021/2022

INVESTING ACTIVITIES
 NOTE 2
 CAPITAL EXPENDITURE

Capital Expenditure	Adopted Budget	Revised Budget	Variance to Original Budget	Actual as at 31/01/2022	Comments
Road Renewals Hefron Way	275,000	275,000	0	25,000	Works programmed for March.
Road Renewals Munday Way	205,000	205,000	0	18,636	Works programmed for April.
Road Renewals Derbal St	185,000	185,000	0	16,818	Works programmed for April.
Road Renewals Powel Ct	135,000	135,000	0	12,273	Works programmed for May.
Road Renewals Inglis Ct	135,000	135,000	0	12,273	Works programmed for May.
Road Renewals Dent Court	125,000	125,000	0	11,364	Works programmed for June.
Traffic Management Projects	100,000	100,000	0	9,541	Under design/consultation.
Leath/Donaldson Rd Intersection Upgrade - Contribution from Kleenheat/Evol LNG for Road Train dri	0	65,000	65,000	0	Budget Variation 15 December 2021.
Roads Total	13,386,090	13,864,732	478,642	1,804,290	
Street Lighting					
Challenger Ave Street light construction - Warner to Bertram Road	135,000	135,000	0	3,318	Works completed January, awaiting outstanding invoices.
Street Lighting New	40,000	40,000	0	15,289	
Street Lighting Renewal per Asset Management Plan	19,192	19,192	0	1,745	
Replacement Street Light Gilmore Avenue PR0033520 - To be funded by Insurance Proceeds	0	13,784	13,784	0	Budget Variation 15 December 2021.
Street Lighting Total	194,192	207,976	13,784	20,352	
Bus Shelter Construction					
Bus Shelters - New	12,000	12,000	0	0	Under design/consultation.
Bus Shelters - Renewal	17,796	17,796	0	0	
Bus Shelter Construction Total	29,796	29,796	0	0	
Footpath Construction					
Footpath Renewals	109,669	109,669	0	72,771	
Gilmore Ave Shared path Construction - Thomas Rd to Chisham Ave	850,000	950,000	100,000	1,886	Includes Budget Variation OCM 27 October 2021. \$50k LRCI Round 3 funding.
LRCI Phase 2 - Hunt Place Footpath	35,000	18,909	(16,091)	18,720	Works completed September, awaiting outstanding invoices.
LRCI Phase 2 - Cowling Way Footpath	55,000	49,282	(5,718)	49,282	Works completed September.
LRCI phase 2 - Mulligan Way Footpath	55,000	0	(55,000)	0	Completed last financial year.
LRCI phase 2 - Napoleon Way Footpath	20,000	22,733	2,733	22,558	Works completed September.
LRCI phase 2 - Warrior Pass Footpath	25,000	26,928	1,928	26,404	Works completed September, awaiting outstanding invoices.
LRCI phase 2 - Tranby Way Footpath	30,000	39,288	9,288	28,205	Works completed September.
LRCI phase 2 - Ameer Cres Footpath	25,000	31,878	6,878	30,551	Works completed September, awaiting outstanding invoices.
LRCI phase 2 - Roach Place Footpath	25,000	60,627	35,627	45,812	Works completed November, awaiting outstanding invoices.
LRCI phase 2 - Sub N Drain Footpath	22,000	29,322	7,322	28,788	Works completed November.

CITY OF KWINANA
 NOTES TO THE STATEMENT OF BUDGET REVIEW
 BUDGET REVIEW 2021/2022

INVESTING ACTIVITIES
 NOTE 2
 CAPITAL EXPENDITURE

Capital Expenditure	Adopted Budget	Revised Budget	Variance to Original Budget	Actual as at 31/01/2022	Comments
LRCI phase 2 - Trusty Way West, Bertram - New 1.5m footpath construction	14,306	23,000	8,694	21,072	Works commenced December.
LRCI phase 2 - Gamble Place Footpath	0	60,000	60,000	41,599	Works completed December, awaiting outstanding invoices.
LRCI phase 2 - Waddingham Way Footpath	0	70,598	70,598	53,467	Works completed November, awaiting outstanding invoices.
LRCI phase 2 - Pudney Place Footpath	0	26,776	26,776	26,229	Works completed September.
LRCI phase 2 - Joiner Place Footpath	0	170,088	170,088	170,088	Works completed October.
Gilmore Ave Shared Path Stage 2 Design - Chisham Ave to Henley Blvd	0	54,000	54,000	0	Budget Variation OCM 13 October 2021. PBN LG Grants Program. Under design/consultation.
Footpath Construction Total	1,265,975	1,743,098	477,123	637,432	
Drainage Construction					
Tanson Road Drainage Upgrade	250,000	250,000	0	22,727	Works programmed for March.
Drainage Renewals per Asset Management Plan	18,278	18,278	0	4,811	
DCA 1 Stormwater Management Infrastructure	0	328,874	328,874	124,632	Carried forward from FY21. Project complete, awaiting outstanding invoices.
Cimbor Way - Drainage Upgrade - LRCI Round 3 - Project# 2		26,000	26,000	0	Budget Variation OCM 27 October 2021.
Drainage Construction Total	268,278	623,152	354,874	152,170	
Car Park Construction					
Car Park Renewal	49,717	99,717	50,000	4,520	Includes Budget Variation OCM 27 October 2021. \$50k LRCI Round 3 funding.
Car Park Construction Total	49,717	99,717	50,000	4,520	
Other Infrastructure					
Capital Expenditure Total	26,229,317	31,463,540	5,234,222	5,978,359	

CITY OF KWINANA
NOTES TO THE STATEMENT OF BUDGET REVIEW
BUDGET REVIEW 2021/2022

NOTE 3
GRANTS, SUBSIDIES AND CONTRIBUTIONS (continued)

Operating grants, subsidies and contributions Provider	Unspent operating grant, subsidies and contributions liability				Operating grants, subsidies and contributions revenue					Comments
	Opening Liability 1 Jul 2021	Increase in Liability	Liability Reduction (As revenue)	Liability 30 June 2022	Adopted Budget Receivable	Adopted Budget Revenue	Revised Budget 2021/22	Variance to Current Budget	Actual as at 31/01/2022	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	
General purpose funding										
Local Government General Purpose Grant					994,876	994,876	483,480	(511,396)	241,741	Grants paid in advance
Local Government General Purpose Grant - Roads					811,188	811,188	360,436	(450,752)	180,218	Grants paid in advance
Non Rateable Property - Dampier to Bunbury Natural Gas Pipeline Corridor					175,000	175,000	175,000	0	0	
Law, order, public safety										
Department Fire and Emergency Services - ESL		52,067	(52,067)	0	191,030	191,030	194,137	3,107	104,134	
Department Fire and Emergency Services - RCTI ESG 1819	52,067	15,170	(15,170)	52,067	0	0	15,170	15,170	15,170	ESL grant previously not budgeted.
Mitigation Activity Fund Grant 20/21 Round 2		188,126	(188,126)	0	80,000	80,000	376,250	296,250	188,126	Budget variation
Health										
Mosquito Management Contributions (CLAG)		12,231	(12,231)	0	21,840	21,840	21,840	0	19,251	
Department of Health - Larvicide		1,881	(1,881)	0	2,000	2,000	2,000	0	1,881	
Education and welfare										
Banksia Park Operating Cost Contribution		147,420	(147,420)	0	353,808	353,808	348,260	(5,548)	205,632	Revised forecast as per current actuals
Family Day Care - Mainstream Childcare Benefit Subsidy					2,640,000	2,640,000	2,640,000	0	1,482,089	
Family Day Care - Subsidy Other					0	0	0	0	0	
Family Day Care - Inclusion Subsidy Scheme					5,004	5,004	5,004	0	0	
In-Home Care - CCB Subsidy					900,000	900,000	900,000	0	463,364	
In-Home Care - Subsidy - Department of Communities					10,320	10,320	10,320	0	0	
Family Day Care Sustainability Grant	33,937	0	0	33,937	0	0	0	0	0	
NGALA My Time Program		6,688	(6,688)	0	10,560	10,560	10,560	0	10,032	
Operational Subsidy - Aboriginal Resource Worker					0	31,500	31,500	0	30,514	
Library Contributions and Donations					0	1,596	1,596	2,096	500	705
Childrens Bookweek - CBC of Australia					0	0	1,100	1,100	2,100	
Youth Social Justice Program		90,542	(90,542)	0	174,000	174,000	174,000	0	135,814	
Youth Leadership and Development LYRIK		20,582	(20,582)	0	30,000	30,000	30,000	0	20,617	
Youth Intervention Program					0	20,000	20,000	0	0	
Youth Spaces Activation					0	5,000	5,000	0	0	
Outdoor Adventure Group - Conservation Action Project						0	618	618	0	Contribution from containers for change which to be offset with \$5K expenditure
DLGSCI Grant - Creative Communities - Artist in Residence					0	0	25,537	25,537		
Community amenities										
PTA Bus Shelter Subsidy					10,000	10,000	10,000	0	0	
SMCC - BP Coastcare					10,000	10,000	0	(10,000)	0	Contribution will not receive
SMCC - Tronox Adopt a Beach					5,000	5,000	0	(5,000)	0	Contribution will not receive
SMCC - Suez/ProAlliance Adopt a Beach					5,000	5,000	0	(5,000)	0	C/F for Fy 2023
Greening fund	23,201	0	0	23,201	23,200	23,200	23,200	0	0	C/F for Fy 2023
Recreation and culture										
Shared Use Agreements					0	127,500	127,500	0	95,586	
Every Club Funding - Dept. Gaming and Waging					0	30,000	30,000	0	30,000	

CITY OF KWINANA
 NOTES TO THE STATEMENT OF BUDGET REVIEW
 BUDGET REVIEW 2021/2022

NOTE 3
 GRANTS, SUBSIDIES AND CONTRIBUTIONS (continued)

Operating grants, subsidies and contributions Provider	Unspent operating grant, subsidies and contributions liability				Operating grants, subsidies and contributions revenue					Comments
	Opening Liability 1 Jul 2021	Increase in Liability	Liability Reduction (As revenue)	Liability 30 June 2022	Adopted Budget Receivable	Adopted Budget Revenue	Revised Budget 2021/22	Variance to Current Budget	Actual as at 31/01/2022	
	\$	\$	\$	\$	\$				\$	
Good Things Foundation Grant - Get Online Week				0	1,000	1,000	1,000	0	0	
Event Sponsorship				0	60,000	60,000	60,000	0		
Community Development Fund - KIC				0	40,000	40,000	40,000	0	19,000	
DLGSC - Community Arts & Storytelling	0	25,537	0	25,537	0	0	0	0		
Transport										
Main Roads Annual Direct Grant					192,000	192,000	205,684	13,684	205,684	Banskia Park maintenance approved grant more than adopted budget
Main Roads Street Light Subsidy					6,200	6,200	6,200	0	0	
Main Roads Maintenance Contribution					134,000	134,000	134,000	0	65,890	
TOTALS	109,205	560,245	(534,708)	134,742	7,101,622	7,101,622	6,469,892	(631,730)	3,517,548	

CITY OF KWINANA
NOTES TO THE STATEMENT OF BUDGET REVIEW
BUDGET REVIEW 2021/2022

NOTE 3
GRANTS, SUBSIDIES AND CONTRIBUTIONS (continued)

Non-operating grants, subsidies and contributions	Non operating grants, subsidies and contributions revenue					Comments
	Adopted Budget Receivable	Adopted Budget Revenue	Revised Budget Revenue	Variance to Original Budget	Actual as at 31/01/2022	
Provider	\$			\$	\$	
Law, order, public safety						
Department Fire and Emergency Services - Kwinana South VBFB extensions	349,800	699,600	1,453,204	753,604		Additional DFES variation contract has been awarded.
Local Roads and Community Infrastructure Program - Round 3						
Kwinana South Volunteer Bushfire Brigade Station - Demolition and rebuild	0	0	400,000	400,000		Additional DFES variation contract has been awarded.
Recreation and culture						
Honeywood Oval - Sports Ground Clubroom - Dept. Local Government	400,000	400,000	400,000	0		
Honeywood Oval - Shade Structure - Honewood Primary School	0	0	50,000	50,000		Budget Variation.
Local Government Canopy Grant Program - WALGA - Sulphur Road Tree Planting	18,480	36,960	36,960	0		
Calista Oval Jnr Bike Rd Safety Track - Dept. Local Government	0	0	350,000	350,000		Budget Variation.
Cash in lieu of Public Art		0		0		
Local Roads and Community Infrastructure Program - Round 1						
Sloan House (1950s) + Balance of funds unspent	22,000	44,000	44,000	0		
Local Roads and Community Infrastructure Program - Round 2						
Darius Wells Library - electrical works	40,000	80,000	80,000	0		
Darius Wells - Ken Jackman Hall flooring	22,500	45,000	45,000	0		
John Wellard Community Centre - Repair solar panel connections	5,000	10,000	10,000	0		
Koorliny Arts Centre - air conditioner replacement	4,250	8,500	8,500	0		
Thomas Oval Pavilion (old) roof restoration	10,000	20,000	20,000	0		
Recquatic Centre - front admin east and reception area airconditioner replacement	33,500	67,000	67,000	0		
Zone Youth Centre - repaint basketball court	0	30,000	13,950	(16,050)		Project completed. Remaining fund will be reallocated to reserve for future projects.
Local Roads and Community Infrastructure Program - Round 3						
Medina Hall - Main Hall fan replacement	0		15,000	15,000		Budget Variation.
Recquatic Yoga Room - office conversion	0		20,000	20,000		Budget Variation.
Wellard Oval Lighting Installation	0		300,000	300,000		Budget Variation.
Softfall Replacements - various non-compliant	0		60,000	60,000		Budget Variation.
Ascot Park Playground - paths, shelter, seating, shade	0		20,000	20,000		Budget Variation.
Bertram Oval Cricket Pitch upgrade	0		7,000	7,000		Budget Variation.
Kelly Park Soccer Goal Replacements	0		6,000	6,000		Budget Variation.
Homestead Ridge Park Shelter	0		6,000	6,000		Budget Variation.
Honeywood POS - disability access	0		9,440	9,440		Budget Variation.
Transport						

CITY OF KWINANA
 NOTES TO THE STATEMENT OF BUDGET REVIEW
 BUDGET REVIEW 2021/2022

NOTE 3
 GRANTS, SUBSIDIES AND CONTRIBUTIONS (continued)

Non-operating grants, subsidies and contributions	Non operating grants, subsidies and contributions revenue					Comments
	Adopted Budget Receivable	Adopted Budget Revenue	Revised Budget Revenue	Variance to Original Budget	Actual as at 31/01/2022	
Perth Bicycle Network LG Grant - Gilmore Avenue Shared Path Stage 1 Design	325,000	425,000	475,000	50,000		Budget Variation.
Perth Bicycle Network LG Grant - Gilmore Avenue Shared Path Stage 2 Design	325,000	0	27,000	27,000		Budget Variation.
Kwinana Loop Trail	175,000	175,000	175,000	0		
Leath/Donaldson Rd Intersection Upgrade - Contribution from Kleenheat/Evol LNG	0		65,000	65,000	65,000	Budget Variation.
Local Roads and Community Infrastructure Program - Round 2						
Footpaths - Gamble Place, Orelia	30,000	30,000	60,000	30,000		Adjusted as per actuals. Work in progress.
Footpaths - Joiner Place, Parmelia	180,000	180,000	167,891	(12,109)		Project completed. Adjusted to actuals.
Footpaths - Hunt Place (with Cowling Way), Parmelia	20,000	20,000	18,547	(1,453)		Budget Variation and Adjusted to actuals. Project completed.
Footpaths - Cowling Way (with Hunt Place), Parmelia	50,000	50,000	49,026	(974)		Budget Variation and Adjusted to actuals, Project completed.
Footpaths - Mulligan Way, Orelia	0	0	0	0		
Footpaths - Waddingham Way (formerly Porter Garden, Leda)	60,000	60,000	70,598	10,598		Project completed. Adjusted to actuals.
Footpaths - Pudney Place, Orelia	20,000	20,000	26,776	6,776		Project completed. Adjusted to actuals.
Footpaths - Napoleon Way, Bertram	16,000	16,000	22,732	6,732		Budget Variation and Adjusted to actuals. Project completed.
Footpaths - Warrior Pass, Bertram	18,000	18,000	26,927	8,927		Budget Variation and Adjusted to actuals. Project completed.
Footpaths - Tranby Way, Bertram	25,000	25,000	39,287	14,287		Budget Variation and Adjusted to actuals. Project completed.
Footpaths - Ameer Cres, Bertram	23,000	23,000	31,758	8,758		Budget Variation and Adjusted to actuals. Project completed.
Footpaths - Trusty Way West, Bertram	14,306	14,306	23,000	8,694		Adjusted as per actuals. Work in progress.
Footpaths - Roach Place	0	0	60,625	60,625		Budget Variation and Adjusted to actuals. Project completed.
Footpaths - Sub N Drain	0	0	25,463	25,463		Budget Variation and Adjusted to actuals. Project completed.
Roads - Sicklemore Road, Parmelia	760,000	760,000	599,920	(160,080)		Budget Variation and Adjusted to actuals. Project completed.
Roads - Summerton Road, Calista	50,000	50,000	53,701	3,701		Project completed. Adjusted to actuals.
Local Roads and Community Infrastructure Program - Round 3						
Carpark - Pace Road Carpark reconstruction	0		50,000	50,000		Works in progress.
Drainage - Cimbor Way Parmelia - Drainage Upgrade	0		26,000	26,000		Budget Variation.
Footpaths - Gilmore Ave Shared Path Stage 1 - Bike Path Construction	0		50,000	50,000		Budget Variation.
Roads - Anketell Road - Resealing	0		100,000	100,000		Project at planning stage.

CITY OF KWINANA
 NOTES TO THE STATEMENT OF BUDGET REVIEW
 BUDGET REVIEW 2021/2022

NOTE 3
 GRANTS, SUBSIDIES AND CONTRIBUTIONS (continued)

Non-operating grants, subsidies and contributions	Non operating grants, subsidies and contributions revenue					Comments
	Adopted Budget Receivable	Adopted Budget Revenue	Revised Budget Revenue	Variance to Original Budget	Actual as at 31/01/2022	
Provider						
Main Roads MRRG Funding						
MRRG Road Renewals Gilmore Ave	300,557	300,557	300,557	0	119,288	
MRRG Road Renewals Wellard Road A	343,093	343,093	343,093	0	272,092	
MRRG Road Renewals Hope Valley	227,123	227,123	227,123	0	179,306	
MRRG Road Renewals Wellard Road B			231,864	231,864		New Project approved.
MRRG Road Renewals Mandurah Road			151,456	151,456		New Project approved.
Roads to Recovery						
Roads to Recovery Westcott Road	480,000	480,000	480,000	0		
Blackspot						
Blackspot -Wellard Road & Henley Boulevard Pre-Deflection	313,333	313,333	313,333	0	125,333	
Community amenities						
DCA 1 - Hard Infrastructure - Bertram	500,000	14,410	291,824	277,414		
DCA 2 - Hard Infrastructure - Wellard	50,000	14,410	9,450	(4,960)		
DCA 3 - Hard Infrastructure - Casuarina	6,000,000	5,535,695	5,530,735	(4,960)		
DCA 4 - Hard Infrastructure - Anketell	3,200,000	3,503,055	3,498,095	(4,960)		
DCA 5 - Hard Infrastructure - Wandl	500,000	14,410	9,450	(4,960)		
DCA 6 - Hard Infrastructure - Mandogalup	400,000	14,410	9,450	(4,960)		
DCA 7 - Hard Infrastructure - Mandogalup (west)	5,000	14,410	9,450	(4,960)		
DCA 8 - Soft Infrastructure - Mandogalup	200,000	14,410	9,450	(4,960)		
DCA 9 - Soft Infrastructure - Wandl / Anketell	5,000	3,332,613	3,327,653	(4,960)		
DCA 10 - Soft Infrastructure - Casuarina/Anketell	5,000	14,410	9,450	(4,960)		
DCA 11 - Soft Infrastructure - Wellard East	5,000	14,410	9,450	(4,960)		
DCA 12 - Soft Infrastructure - Wellard West	5,000	14,410	9,450	(4,960)		
DCA 13 - Soft Infrastructure - Bertram	5,000	14,410	9,450	(4,960)		
DCA 14 - Soft Infrastructure - Wellard / Leda	5,000	14,410	9,450	(4,960)		
DCA 15 - Soft Infrastructure - Townsite	5,000	14,410	9,450	(4,960)		
TOTALS	15,550,942	17,515,755	20,465,988	2,950,233	761,019	

CITY OF KWINANA
NOTES TO THE STATEMENT OF BUDGET REVIEW
BUDGET REVIEW 2021/2022

OPERATING ACTIVITIES
NOTE 4
CASH RESERVES

Cash backed reserve	Adopted Budget				2021/2022 Revised Budget				Variance Closing Balance	Actual as at 31 January 2022			
	Budget Opening Balance	Budget Transfers In (+)	Budget Transfers Out (-)	Budget Closing Balance	Revised Opening Balance	Revised Transfers In (+)	Revised Transfers Out (-)	Revised Closing Balance		Actual Opening Balance	Actual Transfers In (+)	Actual Transfers Out (-)	Actual Closing Balance
Municipal Reserves	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Aged Persons Units Reserve	750,755	192,961	(190,000)	753,716	772,745	200,954	(190,000)	783,699	29,983	772,744	962	0	773,706
Asset Management Reserve	5,076,987	1,888,517	(3,741,911)	3,223,593	5,190,293	1,895,040	(3,539,031)	3,546,302	322,709	5,190,293	4,807	0	5,195,101
Banksia Park Reserve	109,993	129,074	(90,000)	149,067	209,270	88,571	(90,000)	207,841	58,774	209,270	278	0	209,547
City Infrastructure Reserve	1,360,527	5,064	(425,000)	940,591	1,360,526	5,064	(425,000)	940,590	(1)	1,360,526	1,677	0	1,362,204
Community Services & Emergency Relief Reserve	249,266	1,720	(200,000)	50,986	334,163	1,720	(200,000)	135,883	84,897	334,163	328	0	334,491
Contiguous Local Authorities Group Reserve	346,951	25,196	(38,800)	333,347	278,785	25,196	(38,800)	265,181	(68,166)	278,785	400	0	279,184
Employee Leave Reserve	2,946,683	0	0	2,946,683	2,946,683	0	0	2,946,683	0	2,946,683	6,273	0	2,952,956
Employee Vacancy Reserve	502,649	2,544	0	505,193	502,648	2,544	0	505,192	(1)	502,648	0	0	502,648
Family Day Care Reserve	1,185,048	6,020	(64,186)	1,126,882	1,040,526	262,355	(12,202)	1,290,679	163,797	1,040,525	1,460	0	1,041,985
Golf Course Cottage Reserve	29,558	148	0	29,706	29,557	148	0	29,705	(1)	29,557	0	0	29,557
Golf Club Maintenance Reserve	8,895	5,048	(5,004)	8,939	17,145	5,048	(5,004)	17,189	8,250	17,145	0	0	17,145
Information Technology Reserve	2,470,844	90,680	(1,385,000)	1,176,524	2,546,175	90,680	(2,518,660)	118,195	(1,058,329)	2,546,176	83,046	(1,125,413)	1,503,809
Plant and Equipment Replacement Reserve	235,952	795,880	(768,875)	262,957	378,327	828,547	(984,456)	222,418	(40,539)	378,327	312,625	(205,516)	485,435
Public Art Reserve	29,900	152	0	30,052	29,900	270,152	0	300,052	270,000	29,900	270,045	0	299,945
Public Open Space Reserve	320,613	0	0	320,613	320,613	0	0	320,613	0	320,613	683	0	321,296
Refuse Reserve	5,557,961	0	(184,178)	5,373,783	5,524,521	0	(523,879)	5,000,642	(373,141)	5,524,521	6,523	0	5,531,044
Renewable Energy Efficiency Reserve	34,354	16,707	(9,035)	42,026	34,354	16,707	(9,035)	42,026	0	34,354	42	0	34,397
Restricted Grants & Contributions Reserve	2,563,731	85,000	(2,163,731)	485,000	3,157,387	291,520	(3,076,840)	372,067	(112,933)	3,157,387	231,520	(611,539)	2,777,368
Settlement Agreement Reserve	168,698	856	0	169,554	168,670	856	0	169,526	(28)	168,670	252	0	168,922
Strategic Property Reserve	0	512,000	0	512,000	0	512,000	(270,000)	242,000	(270,000)	0	0	0	0
Workers Compensation Reserve	324,723	732	0	325,455	324,699	187,719	0	512,418	186,963	324,699	486	0	325,185
Sub-Total Municipal Reserves	24,274,088	3,758,299	(9,265,720)	18,766,667	25,166,987	4,684,821	(11,882,907)	17,968,901	(797,766)	25,166,985	921,407	(1,942,468)	24,145,924
Developer Contribution Reserves													
DCA 1 - Hard Infrastructure - Bertram	1,224,445	505,652	(14,410)	1,715,687	738,950	505,652	(278,324)	966,278	(749,409)	738,950	318,735	0	1,057,685
DCA 2 - Hard Infrastructure - Wellard	1,803,911	59,012	(14,410)	1,848,513	1,720,913	59,012	(22,950)	1,756,975	(91,538)	1,720,913	110,430	0	1,831,343
DCA 3 - Hard Infrastructure - Casuarina	0	6,000,000	(5,535,695)	464,305	0	6,000,000	(5,530,735)	469,265	4,960	0	0	0	0
DCA 4 - Hard Infrastructure - Anketell	1,201,705	3,205,420	(3,503,055)	904,070	1,194,025	3,205,420	(3,498,095)	901,350	(2,720)	1,194,025	468,187	0	1,662,212
DCA 5 - Hard Infrastructure - Wandii	981,945	504,436	(14,410)	1,471,971	972,058	504,436	(9,450)	1,467,044	(4,927)	972,057	223	0	972,280
DCA 6 - Hard Infrastructure - Mandogalup	563,066	402,564	(14,410)	951,220	753,954	402,564	(9,450)	1,147,068	195,848	753,955	263,004	0	1,016,959
DCA 7 - Hard Infra Wellard (West)/Ber	40,416	5,224	(14,410)	31,230	52,702	5,224	(9,450)	48,476	17,246	52,703	26,874	0	79,577
DCA 8 - Soft Infrastructure - Mandogalup	1,303,484	205,876	(14,410)	1,494,950	1,418,989	205,876	(9,450)	1,615,415	120,465	1,418,990	246,973	0	1,665,963
DCA 9 - Soft Infrastructure - Wandii/Anketell	12,900,763	63,108	(3,332,613)	9,631,258	12,810,629	63,108	(3,327,653)	9,546,084	(85,174)	12,810,629	731,886	(493,168)	13,049,347
DCA 10 - Soft Infrastructure - Casuarina/Anketell	195,571	5,920	(14,410)	187,081	197,222	5,920	(9,450)	193,692	6,611	197,221	69	0	197,291
DCA 11 - Soft Infrastructure - Wellard East	6,489,265	34,020	(14,410)	6,508,875	6,478,479	34,020	(9,450)	6,503,049	(5,826)	6,478,479	17,137	0	6,495,616
DCA 12 - Soft Infrastructure - Wellard West	9,486,283	47,468	(14,410)	9,519,341	9,488,144	47,468	(9,450)	9,526,162	6,821	9,488,144	337,026	0	9,825,170
DCA 13 - Soft Infrastructure - Bertram	255,068	6,184	(14,410)	246,842	269,075	6,184	(9,450)	265,809	18,967	269,075	89	0	269,164
DCA 14 - Soft Infrastructure - Wellard/Leda	819,500	8,708	(14,410)	813,798	813,783	8,708	(9,450)	813,041	(757)	813,783	54,748	0	868,531
DCA 15 - Soft Infrastructure - City Site	300,090	6,408	(14,410)	292,088	306,909	6,408	(9,450)	303,867	11,779	306,909	28,546	0	335,455
Sub-Total Developer Contribution Reserves	37,565,512	11,060,000	(12,544,283)	36,081,229	37,215,832	11,060,000	(12,752,257)	35,523,575	(557,654)	37,215,834	2,603,927	(493,168)	39,326,593
Total Reserves	61,839,600	14,818,299	(21,810,003)	54,847,896	62,382,819	15,744,821	(24,635,164)	53,492,476	(1,355,420)	62,382,819	3,525,334	(2,435,636)	63,472,517

CITY OF KWINANA
NOTES TO THE STATEMENT OF BUDGET REVIEW
BUDGET REVIEW 2021/2022

OPERATING ACTIVITIES
NOTE 5
DISPOSAL OF ASSETS

Asset Ref.	Asset description	Adopted Budget				Revised Budget				Actuals as at 31 January 2022			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
	Motor Vehicles												
6036	Plant Replacement P495	22,825	20,000	0	(2,825)	22,825	20,000	0	(2,825)	0	0	0	0
6038	Plant Replacement P502	19,800	20,000	200	0	19,800	20,000	200	0	0	0	0	0
6164	Plant Replacement P512	20,000	20,000	0	0	20,000	20,000	0	0	0	0	0	0
6156	Plant Replacement P517	22,825	22,825	0	0	22,825	22,825	0	0	0	0	0	0
6147	Plant Replacement P522	20,000	20,000	0	0	20,000	20,000	0	0	0	0	0	0
6159	Plant Replacement P519	20,000	20,000	0	0	20,000	20,000	0	0	0	0	0	0
6146	Plant Replacement P524	22,825	22,825	0	0	22,825	22,825	0	0	0	0	0	0
6150	Plant Replacement P541	15,822	14,850	0	(972)	15,822	14,850	0	(972)	0	0	0	0
6176	Plant Replacement P543	16,164	14,850	0	(1,314)	16,164	14,850	0	(1,314)	0	0	0	0
6188	Plant Replacement P545	23,937	22,825	0	(1,112)	23,937	22,825	0	(1,112)	0	0	0	0
6180	Plant Replacement P548	18,161	14,850	0	(3,311)	18,161	14,850	0	(3,311)	0	0	0	0
6185	Plant Replacement P549	26,211	22,825	0	(3,386)	26,211	22,825	0	(3,386)	0	0	0	0
6186	Plant Replacement P550	24,910	22,825	0	(2,085)	24,910	22,825	0	(2,085)	0	0	0	0
6183	Plant Replacement P523	20,000	20,000	0	0	20,000	20,000	0	0	20,000	32,632	12,632	0
6184	Plant Replacement P553	25,975	23,000	0	(2,975)	26,152	29,905	3,753	0	26,152	29,905	3,753	0
	Plant Replacement P492	0	0	0	0	22,050	22,050	0	0	0	0	0	0
	Plant & Equipment												
3381	Plant Replacement P260	16,250	13,000	0	(3,250)	16,250	13,000	0	(3,250)	0	0	0	0
3407	Plant Replacement P263	20,560	16,250	0	(4,310)	20,560	16,250	0	(4,310)	0	0	0	0
5807	Plant Replacement P446	40,000	40,000	0	0	40,000	40,000	0	0	0	0	0	0
3802	Plant Replacement P332	433	2,000	1,567	0	433	2,000	1,567	0	0	0	0	0
5174	Plant Replacement P419	3,080	1,000	0	(2,080)	3,080	1,000	0	(2,080)	0	0	0	0
5624	Plant Replacement P441	10,000	10,000	0	0	10,000	10,000	0	0	0	0	0	0
5665	Plant Replacement P442	33,273	25,000	0	(8,273)	33,273	25,000	0	(8,273)	0	0	0	0
6026	Plant Replacement P503	9,486	7,500	0	(1,986)	9,934	8,700	0	(1,234)	9,934	8,700	0	(1,234)
6155	Plant Replacement P531	10,000	10,000	0	0	10,000	10,000	0	0	0	0	0	0
2490	Plant Replacement P114 - Tandem Axle Tilt Trailer	0	0	0	0	2,000	3,521	1,521	0	2,000	3,521	1,521	0
4066	Plant Replacement P351 Mitsubishi Canter Tip Trailer	0	0	0	0	25,000	29,639	4,639	0	25,000	29,639	4,639	0
3075	Plant Replacement P223 Volvo Loader L70	0	0	0	0	50,000	87,462	37,462	0	50,000	87,462	37,462	0
4667	Plant Replacement P557	0	0	0	0	26,288	35,810	9,523	0	26,288	35,810	9,523	0
	Sale only Plant P228	0	0	0	0	3,000	6,000	3,000	0	0	0	0	0
	Sale only Plant P331	0	0	0	0	4,000	6,000	2,000	0	0	0	0	0
	Land												
	Moombaki Avenue	517,000	517,000	0	0	517,000	517,000	0	0	0	0	0	0
		979,537	943,425	1,767	(37,879)	1,112,499	1,142,012	63,665	(34,152)	159,373	227,669	69,529	(1,234)
				Net Profit/(Loss)	(36,112)			Net Profit/(Loss)	29,513			Net Profit/(Loss)	68,295

CITY OF KWINANA
NOTES TO THE STATEMENT OF BUDGET REVIEW
BUDGET REVIEW 2021/2022

FINANCING ACTIVITIES
NOTE 6
BORROWINGS

Particulars	Opening Balance 1 July 2021	New Loans			Principal Repayments			Principal Outstanding			Interest Repayments			
		Adopted Budget	Revised Budget	Actuals	Adopted Budget	Revised Budget	Actuals	Adopted Budget	Revised Budget	Actuals	Adopted Budget	Revised Budget	Actuals	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Governance														
Loan 99 - Administration Building Renovations	474,796	0	0	0	(107,976)	(107,976)	(53,158)	366,820	366,820	421,638	(31,413)	(31,413)	(16,632)	
Education and welfare														
Loan 96 - Youth Specific Space	65,755	0	0	0	(31,663)	(31,663)	(15,539)	34,092	34,092	50,216	(4,855)	(4,855)	(2,745)	
Loan 100 - Youth Specific Space	1,136,128	0	0	0	(140,713)	(140,713)	(69,545)	995,415	995,415	1,066,583	(59,110)	(59,110)	(30,505)	
Recreation and culture														
Loan 94 - Wellard Sports Pavilion	56,126	0	0	0	(56,126)	(56,126)	(27,620)	0	0	28,506	(2,841)	(2,841)	(2,059)	
Loan 95 - Orelia Oval Pavilion	157,813	0	0	0	(75,991)	(75,991)	(37,294)	81,822	81,822	120,519	(11,652)	(11,652)	(6,589)	
Loan 97 - Orelia Oval Pavilion Extension	1,050,587	0	0	0	(238,920)	(238,920)	(117,622)	811,667	811,667	932,965	(69,508)	(69,512)	(36,802)	
Loan 102 - Library & Resource Centre	6,191,172	0	0	0	(657,885)	(657,885)	(325,251)	5,533,287	5,533,287	5,865,921	(315,089)	(315,089)	(161,897)	
Loan 104 - Recquatic Refurbishment	3,072,151	0	0	0	(289,216)	(289,216)	(143,159)	2,782,935	2,782,935	2,928,992	(142,512)	(142,512)	(73,044)	
Loan 105 - Bertram Community Centre	1,156,743	0	0	0	(116,232)	(116,232)	(57,646)	1,040,511	1,040,511	1,099,097	(43,760)	(43,760)	(22,469)	
Loan 106 - Destination Park - Calista	1,218,976	0	0	0	(105,528)	(105,528)	(52,353)	1,113,448	1,113,448	1,166,623	(45,790)	(45,790)	(23,431)	
Transport														
Loan 98 - Streetscape Beautification	640,975	0	0	0	(145,768)	(145,768)	(71,763)	495,207	495,207	569,212	(42,417)	(42,420)	(22,453)	
Loan 101 - City Centre Redevelopment	2,500,000	0	0	0	(2,500,000)	(2,500,000)	(2,500,000)	0	0	0	(35,094)	(35,142)	0	
Loan 101B - City Centre Redevelopment	0	2,500,000	2,500,000	2,500,000	(118,065)	(117,285)	0	2,381,935	2,382,715	2,500,000	(14,911)	(25,738)	(39,697)	
B/Fwd Balance	17,721,222	2,500,000	2,500,000	2,500,000	(4,584,083)	(4,583,303)	(3,470,950)	15,637,139	15,637,919	16,750,272	0	(818,952)	(829,834)	(438,323)
Self supporting loans														
Recreation and culture														
Loan 103B - Golf Club Refurbishment	232,703	0	0	0	(17,847)	(17,847)	(8,850)	214,856	214,856	223,853	(9,169)	(9,169)	(4,680)	
	232,703	0	0	0	(17,847)	(17,847)	(8,850)	214,856	214,856	223,853	(9,169)	(9,169)	(4,680)	
**Share of SMRC Loan	435,600	0	0	0	0	0	0	0	435,600	435,600	0	0	0	
Total	18,389,525	2,500,000	2,500,000	2,500,000	(4,601,930)	(4,601,150)	(3,479,800)	15,851,995	16,288,375	17,409,725	(828,121)	(839,003)	(443,003)	
Current borrowings	4,601,930									2,537,530				
Non-current borrowings	13,787,596									14,872,195				
	18,389,526									17,409,725				

18.2 DONATION TO THE AUSTRALIAN RED CROSS - QUEENSLAND AND NSW FLOODS APPEAL 2022

SUMMARY

Intense storms and rainfall across Queensland (Qld) and Northern NSW have caused flash flooding across both states. Tens of thousands of homes and businesses are without power or have been damaged by floodwaters. People and families have been evacuated, and don't know when they will be able to return home. The flooding has also caused road closures, making it difficult for people to access support services, or for relief to reach them.

An appeal for the Qld and NSW floods has been launched and City Officers recommend a donation to the Australian Red Cross (Red Cross) be made towards the disaster relief effort underway. The Red Cross is a non-governmental organisation but it is deemed appropriate that a donation is made to this appeal in order for the City to assist the states currently in crisis.

As a result of the donation a budget variation is required to the City's current 2021/2022 Budget to transfer the required funds from Community Services and Emergency Relief Reserve.

OFFICER RECOMMENDATION

That Council:

1. Approves the donation of \$5,000 to the Qld and NSW Floods Appeal 2022 through the Red Cross to assist the people and communities affected by the floods.
2. Approves the required budget variations to the Current Budget for 2021/2022 as follows:

ITEM #	DESCRIPTION	CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
1	Operating Expense – Other Welfare – Sundry Donations	Nil	(5,000)	(5,000)
	Reserve Transfer - Community Services & Emergency Relief Reserve	Nil	5,000	5,000

A variation to the budget is required to transfer the required funds from Community Services and Emergency Relief Reserve to make this donation.

NOTE: AN ABSOLUTE MAJORITY OF COUNCIL IS REQUIRED

DISCUSSION

The Red Cross purpose is bringing people and communities together in times of need and building on community strengths. They do this by mobilising the power of humanity. The Red Cross has provided financial assistance to individuals for the alleviation and relief of distress, suffering and personal hardships, brought about by disaster and/or emergency.

The appeal has been set up through the Red Cross, donations to the Qld and NSW Floods Appeal 2022 will help the Red Cross to provide vital humanitarian support to the people and communities affected by the floods. Based on ongoing needs assessment in Queensland and NSW and amount raised, that support may include:

- Enabling volunteers and staff to help with evacuation and relief centres and outreach service
- Supporting people and communities to recover and to build resilience to disasters

It is recommended that the City donates \$5,000 towards the Qld and NSW Floods Appeal 2022 through the Red Cross. Given the donation has not been budgeted for (being an unforeseeable event), the resolution requires an absolute majority decision of Council to allocate the funds.

STRATEGIC IMPLICATIONS

There are no strategic implications as a result of this proposal.

SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

City of Kwinana Community Funding Policy

*5.2.3 Emergency Relief Reserve Fund
Council by resolution may consider making a donation to disaster relief appeals upon being given approval by the Ministerial body at the time. Such donations are to be drawn from the Emergency Relief Reserve Fund.*

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**

“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 Council donation of \$5,000 to the Qld and NSW Flood Appeal 2022 through the Red Cross is proposed to be funded from the Community Services and Emergency Relief Reserve. A Budget Variation is required to transfer the required funds from Community Services and Emergency Relief Reserve to make this donation.

ASSET MANAGEMENT IMPLICATIONS

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

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

The recommendation has the potential to assist with the recovery effort of those affected individuals and communities in the flood affected areas.

COMMUNITY ENGAGEMENT

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

ATTACHMENTS

Nil

19 NOTICES OF MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

20 NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING IF GIVEN DURING THE MEETING

21 LATE AND URGENT BUSINESS

Note: In accordance with Clauses 3.13 and 3.14 of Council's Standing Orders, only items resolved by Council to be Urgent Business will be considered.

22 REPORTS OF ELECTED MEMBERS

23 ANSWERS TO QUESTIONS WHICH WERE TAKEN ON NOTICE

Nil

24 MAYORAL ANNOUNCEMENTS

25 CONFIDENTIAL ITEMS

Nil

26 CLOSE OF MEETING