

# Ordinary Council Meeting

8 March 2023

## 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](http://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.

Presiding Member to announce that the Ordinary Council Meeting is being live streamed and recorded in accordance with the City's Live streaming and Recording Council Meetings policy.

By being present at this meeting, members of the public consent to the City recording and livestreaming their image and/or voice.

## 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 djoorpiny 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 Michael Brown 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 S Kearney from 1 March 2023 to 15 March 2023 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 22 FEBRUARY 2023**

**RECOMMENDATION**

**That the Minutes of the Ordinary Council Meeting held on 22 February 2023 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**

Nil

**11 ANY BUSINESS LEFT OVER FROM PREVIOUS MEETING**

Nil

**12 RECOMMENDATIONS OF COMMITTEES**

Nil

**13 ENBLOC REPORTS**

**14 REPORTS – COMMUNITY**

Nil

**15 REPORTS – ECONOMIC**

Nil

**16 REPORTS – NATURAL ENVIRONMENT**

Nil

**17 REPORTS – BUILT INFRASTRUCTURE**

Nil



**18 REPORTS – CIVIC LEADERSHIP****18.1 QUARTERLY PERFORMANCE REPORT - STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN - QUARTER 2, OCTOBER TO DECEMBER 2022****SUMMARY**

Council has endorsed a 'Plan for the Future' made up of the City's *Strategic Community Plan* (SCP) and a *Corporate Business Plan* (CBP). These plans set out Outcomes, Strategic Objectives and Actions that have been developed in order to achieve the community's vision. Every quarter, Council receives a report detailing the progress against the adopted actions within the Strategic Community Plan and Corporate Business Plan. The report for Quarter 2 of the 2022/2023 financial year is attached (Attachment A) for Council's information and noting.

Key Actions that were not completed as initially scheduled in the past financial year have been carried forward and noted as being behind schedule and progress details included. Those Key Actions that have been completed within the 2021/2022 financial year no longer require updates.

**OFFICER RECOMMENDATION**

**That Council note the Quarterly Performance Report (Q2 October to December 2022) detailed in Attachment A.**

**VOTING REQUIREMENT**

Simple majority.

**DISCUSSION**

The *Integrated Planning and Reporting - Framework and Guidelines 2016* (Department of Local Government and Communities) recommend implementing quarterly reporting to inform Council of the City's performance against community outcomes, enabling the City to respond to changing priorities. A Quarterly Strategic Community Plan and Corporate Business Plan Performance Report is provided to Council each quarter.

Highlights for the quarter include the progression of many important projects, such as the creation or review of important informing plans and the early stages of important community projects, such as the Kwinana Loop Trail Upgrade.

The majority of actions in the report are being progressed and on track. However, there are some actions in the report that indicate that they have not been started as they are scheduled to begin next financial year or due to an explained delay. These actions are identifiable by a comment that details their expected start date.

It is recommended that Council note the attached report.



**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.

<b>Strategic Community Plan</b>			
<b>Outcome</b>	<b>Strategic Objective</b>	<b>Action in CBP (if applicable)</b>	<b>How does this proposal achieve the outcomes and strategic objectives?</b>
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	This report allows Council to see the progress made towards implementing the Strategic Community Plan and Corporate Business Plan.

**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. Quarterly Performance Report - Strategic Community Plan and Corporate Business Plan - October to December 2022**

## 18.2 PROPOSED ANIMAL, ENVIRONMENT AND AMENITY LOCAL LAW 2023

### SUMMARY

The proposed Animal, Environment and Amenity Local Law 2023 provided at Attachment A has been prepared for consideration of adoption by Council.

The primary intention of this new local law is to combine current City of Kwinana local laws addressing animal ownership (other than dogs and cats) and amenity of the community. It also repeals a number of outdated and redundant provisions in existing local laws.

In accordance with section 3.12 of the *Local Government Act 1995*, public notice is to be given seeking public submissions for a period not less than 50 days before it can be considered by Council for adoption. Copies must also be provided to relevant State Government Ministers for consideration.

Council are recommended to resolve to give public notice of the proposal to adopt the local law.

### OFFICER RECOMMENDATION

That Council:

1. **Approve state-wide and local public notice of its proposal to make the City of Kwinana Animal, Environment and Amenity Local Law 2023.**
2. **Read aloud the purpose and effect as follows:**

**Purpose**

  - **To protect the environment and public health, safety, and amenity within the district.**
  - **To repeal redundant local laws.**

**Effect**

  - **To provide for the elimination or reduction of threats to the environment and public health, safety and amenity through –**
    - (a) **the regulation of the keeping of animals (other than dogs and cats) in terms of types, number, how and where they can be kept;**
    - (b) **prescribing minimum standards for keeping of all animals.**
    - (c) **prescribing requirements for owners and occupiers of land to manage activities to prevent creating a nuisance including vermin control, refuse control, dust prevention, light, smoke and odour emissions; and**
  - **To repeal redundant provisions of existing City of Kwinana local laws.**
3. **Cause the CEO to send copies to the Minister for Local Government and Minister for Regional Development for comment.**

### VOTING REQUIREMENT

Simple majority

**DISCUSSION**

A review has been conducted of the City’s local laws regulating animal ownership (other than cats and dogs) as well as activities by owners and occupiers which have the potential to negatively impact community amenity via creating a nuisance or public health risk. It was identified as part of that review that there is a need for the City to implement a new local law aimed to:

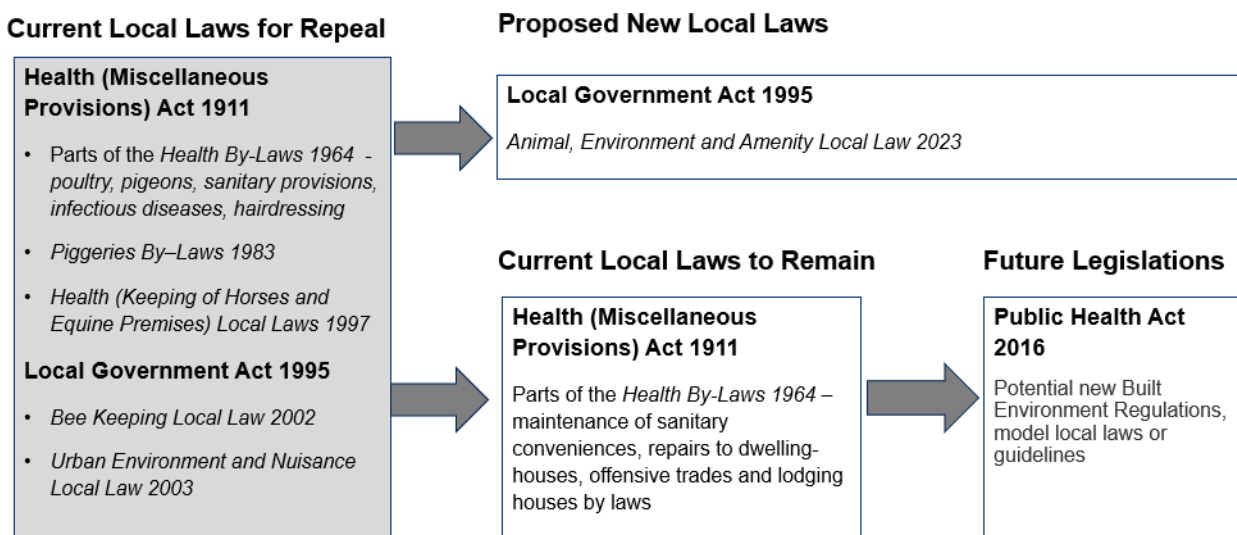
- Repealing dated or redundant local laws.
- Consolidate existing local laws to simplify enforcement processes.
- Streamline the City’s administration processes in relation to animal ownership by removing red tape where possible; and
- Introduce modified penalties over public health issues that are currently not effectively managed or controlled.

The proposed *Animal, Environment and Amenity Local Law 2023* (‘Local Law’) provided at Attachment A was developed following extensive benchmarking with other local governments and in consideration of the evolving needs of the community into the future.

The Local Law seeks to repeal a number of local laws, including provisions that duplicate standards covered under the National Construction Code of Australia (NCA) or the *Food Act 2008* (E.g., clauses that relate to construction standards of a kitchen or bathroom are already addressed in the NCA).

Provisions in the City’s *Health By-Laws 1964* relating to sanitation, housing standards, offensive trades and lodging houses will be required to remain in place pending anticipated amendments to the *Public Health Act 2016* by State Government.

The following chart highlights the existing local laws proposed to be repealed and to remain:



The following is a summary of the proposed changes resulting from the Local Law:

- Creates new offences for burning rubbish, smoke, fumes and odours not being managed effectively under current local laws.
- Introduces minimal standards of cleaning and maintenance for the keeping of all animals.
- Removes registration requirements for keeping of horses (with limitations through planning approval stocking rate guidelines).
- Removes registration requirements for low number of poultry, pigeons and bees.
- Set limitations on aviary birds and the keeping of roosters to assist with reducing the noise and nuisance impacts.
- New provisions for vermin control including mosquitoes, rodents, and cockroaches.
- Removes existing provisions relating to graffiti, truck and vehicle nuisance, private works (on, over or under public places), and disposal of disused refrigerators under the existing *Urban Environment and Nuisance Local Law 2003*:
  - *Graffiti Vandalism Act 2016* does not allow the City to remove graffiti on private land.
  - Truck and vehicle nuisance are now dealt with under the Commercial Vehicle Parking Local Planning Policy No. 10.
  - Existing private works provisions are already managed through the *Activities on Thoroughfares and Public Places and Trading Local Law 2011*.
  - *Disposal of disused refrigerators is dealt with under the Waste Local Law 2022*.
- Consolidates laws relating to poultry, pigeons, bees, horses, and pigs in the one local law with the following requirements:

ANIMAL	POSITION UNDER CURRENT LOCAL LAWS	PROPOSED POSITION UNDER NEW LOCAL LAW
Poultry	<ul style="list-style-type: none"> <li>• Current limits: 20 with a permit (residential) and 150 with a permit (rural)</li> <li>• Current setbacks: at least 9m setback from any house, 18 m from any street boundary</li> <li>• Roosters, geese, turkeys or peafowl not permitted except on rural zones</li> </ul>	<ul style="list-style-type: none"> <li>• Proposed limits: 10 (residential) and 25 (rural), &gt;25 requires a permit (rural)</li> <li>• Proposed setbacks: at least 1m from lot boundary, 9m setback from a house on another lot (residential) and at least 1m from lot boundary and at least 18m from street boundary (rural)</li> <li>• Roosters, geese, turkeys or peafowl not permitted except on rural zones</li> </ul>
Pigeons	<ul style="list-style-type: none"> <li>• Current limits: 20 with annual permit (residential) and 150 with a pigeon club affiliation and annual permit (residential/rural)</li> <li>• Current setbacks: at least 1.2 from lot boundary, at least 9m setback from any house, 18 m from any street boundary.</li> <li>• Current specifications: Compliance with DPIRD's Code of Practice – Pigeon Keeping and Pigeon Racing in WA</li> </ul>	<ul style="list-style-type: none"> <li>• Proposed limits: 20 (residential) and &gt;50 requires a permit and affiliation (rural)</li> <li>• Proposed setbacks: at least 1m from lot boundary, at least 9m setback from any house, 18 m from any street boundary.</li> <li>• Proposed specifications: Compliance with DPIRD's Code of Practice – Pigeon Keeping and Pigeon Racing in WA</li> </ul>

<p>All other birds</p>	<ul style="list-style-type: none"> <li>• Current limits: no limit</li> <li>• Current setbacks: no requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Proposed limits: not limit, but birds may not create a nuisance or unreasonable noise.</li> <li>• Proposed setbacks: At least 1m from lot boundary and 5m from a house on another lot.</li> </ul>
<p>Bees</p>	<ul style="list-style-type: none"> <li>• Current limits: 2 on land size &lt;2000m<sup>2</sup> with a permit and 15 hives on land size 2000-20,000m<sup>2</sup> with a permit</li> <li>• Current setbacks: at a distance specified on case-by-case basis</li> </ul>	<ul style="list-style-type: none"> <li>• Proposed limits: 2 on any land, &gt;2 requires a permit.</li> <li>• Proposed setbacks: at least 5m from lot boundary, at least 9m setback from any building on any other lot, footpath, street or public place</li> </ul>
<p>Horses</p>	<ul style="list-style-type: none"> <li>• Current limits:                         <ul style="list-style-type: none"> <li>○ On land size between 1500-2500m<sup>2</sup> up to 4 horses with annual permit</li> <li>○ On land size between 2500m<sup>2</sup> and up to 5 hectares – up to 8 horses with annual permit</li> <li>○ On land size between 4000m<sup>2</sup> and up to 5 hectares – at discretion and with annual permit, taking into consideration of land capability.</li> <li>○ Planning approval required and reference to Stocking Rate Guidelines for Rural Small Holdings – Swan Coastal Plain and Darling Scarp 2000</li> </ul> </li> <li>• Current setbacks: at least 9m from any street (corner site), at least 900mm from lot boundary, at least 18m from any house, at least 30m from underground source of water</li> </ul>	<ul style="list-style-type: none"> <li>• Proposed limits: in accordance with planning approval and reference to Stocking Rate Guidelines for Rural Small Holdings – Swan Coastal Plain and Darling Scarp 2000</li> <li>• Proposed setbacks: at least 9m from any street (corner site), at least 1m from lot boundary, at least 18m from any house, at least 30m from underground source of water</li> </ul>
<p>Pigs</p>	<ul style="list-style-type: none"> <li>• Current limits: not permitted in residential area, permitted in rural area if registered as a piggery and offensive trade</li> <li>• Current setbacks: none, piggeries are managed through planning approval with buffers to protect water quality and emissions are regulated by Department of Water and Environmental Regulation (DWER) as a prescribed premises</li> </ul>	<ul style="list-style-type: none"> <li>• Proposed limits: not permitted in residential area, more than 1 pig requires registration as a piggery and offensive trade</li> <li>• Proposed setbacks: At least 18m from any other premises, piggeries are managed through planning approval with buffers to protect water quality and emissions are regulated by DWER as a prescribed premises</li> </ul>

<p>Farm animals (Includes cow, sheep, alpaca, goat, pig, or other hoofed animal, excluding a horse.)</p>	<ul style="list-style-type: none"> <li>• Current limits: no limit, complies with Town Planning Scheme</li> <li>• Current setbacks: no requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Proposed limits: not permitted in residential areas, comply with Town Planning Scheme</li> <li>• Proposed setbacks: At least 18m from any house and 1m from lot boundary</li> </ul>
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The following cleaning and maintenance standards are proposed with respect to keeping of animals:

**Keeping of animals generally**

- Keep the premises free from excrement, filth, food waste and all other matter which is likely to cause a nuisance, become offensive or injurious to health or to attract vermin
- Issue an order by an authorised officer, to clean and disinfect the premises
- Keep the premises, so far as possible free from flies or other vermin, by spraying with a residual insecticide or other effective means.
- Modified penalty: \$150 (first offence) and \$300 (subsequent)

**Keeping of horses**

- Maintenance requirements for stable, stable shelters and associated facilities, fences, railing, gates, paddocks, and yards
- Waste and manure management requirements
- Modified penalty: \$150 (first offence) and \$300 (subsequent)

**Keeping of poultry, pigeons, and aviary birds**

- Enclosures to be kept in clean condition and good repair.
- Effective measures to control vermin and eradicate offensive odours (poultry and pigeons)
- Aviary birds must not cause a nuisance or unreasonable noise.
- Issue an order to take adequate steps to prevent pigeons from nesting or perching on premises.
- Modified penalty: \$150 (first offence) and \$300 (subsequent)

In relation to bird feeding, it will be an offence to feed or permit the feeding of any uncaged bird unless otherwise approved by the local government (excludes provision of water supply). Where approval has been given to feed or permit the feeding of any uncaged bird, the approval can be withdrawn in the event that:

- (a) the holder does not comply or cause compliance with the conditions.
- (b) there is a change in the circumstances upon which the approval was granted; or
- (c) the feeding or permission to feed any uncaged bird causes a nuisance.



The Local Law will emulate requirements within existing local laws in relation to the following matters:

- Amusement nuisance
- Light emission or reflection nuisance and use of exterior lighting onto adjoining properties
- Removal of refuse, disused materials, and unsightly overgrowth of vegetation
- Storage of vehicles and machinery
- Containment of stormwater, rainwater, swimming pool water and wastewater
- Hazardous plants and trees
- Measures to prevent or minimise danger or hazard to the public or property from cyclonic activities (or severe weather conditions)
- Containment of dust and liquid waste

The Local Law is intended to mandate new requirements in relation to the following matters:

- Fencing unsightly land
- Creating a new offence for burning rubbish, refuse or other materials (excluding barbeque, solid fuel water heater, space heater or ovens fired with dry paper, dry wood, synthetic charcoal or charcoal type fuel)
- Creating a new offence for failing to take reasonable steps to prevent the escape of smoke, fumes or odours from the land or premises in such quantity or of such a nature as to cause or to be a nuisance to any person (unless approved)

In accordance with the *Local Government Act 1995*, the local law will be open for comment for a period of not less than 50 days. All submissions will be presented to a future meeting of Council for consideration prior to adoption of the Local Law (with or without amendment).

## **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**

Section 3.12 of the *Local Government Act 1995* sets out the procedure to be followed to make a local law as follows:

- The purpose and effect of the proposed local law needs to be included in the agenda and minutes of this meeting.
- State-wide and local public notice that the City intends to make a local law and its purpose and effect. Also, that copies are available for public comment over a six-week period;
- Provide a copy to the Minister for Local Government.
- Consider any submissions made before making the local law.
- Publish the local law in the Government Gazette.
- Give local public notice of when the local law comes into operation and that copies are available;
- Provide an explanatory memorandum of the process used to the Minister for Local Government

**FINANCIAL/BUDGET IMPLICATIONS**

Cost of advertising of the proposed local law in state-wide and local newspapers is estimated to be \$1,000.

Upon adoption by Council, a further public notice will be required at an estimated cost of \$1,000, in addition to publication in the WA Gazette at an estimated \$3,000.

**ASSET MANAGEMENT IMPLICATIONS**

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

**ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS**

The local law will provide the City greater ability to regulate the causing of nuisances and environmental issues by owners and occupiers of private land throughout the district, including through issuing notices, infringements and undertaking prosecution action.

## **COMMUNITY ENGAGEMENT**

Community engagement is proposed to take place in the form required by section 3.12(3) of the *Local Government Act 1995* – Procedure for making local laws and includes the requirement to give state-wide public notice that the local government proposes to make a local law the purpose and effect of which is summarised in the notice.

In order to facilitate community engagement with respect to the proposed local law, the City also intends on utilising *Love My Kwinana*. In addition to compiling the submissions, *Love My Kwinana* will be able to provide a platform for the community to ask questions and increase their understanding of the impacts and changes.

Part of the engagement process will include identifying key stakeholders and ensuring they are appropriately communicated to regarding the proposed law, potential impacts and opportunities for them to make submissions.

## **ATTACHMENTS**

### **A. Proposed Animal Environment and Amenity Local Law 2023**

### 18.3 MONTHLY FINANCIAL REPORT JANUARY 2023

#### SUMMARY

The Monthly Financial Reports, which includes the Monthly Statement of Financial Activity and explanation of material variances, for the period ending 31 January 2023 has been prepared for Council acceptance.

#### OFFICER RECOMMENDATION

That Council:

1. **Accepts the Monthly Statements of Financial Activity for the period ended 31 January 2023, as detailed in Attachment A; and**
2. **Accepts the explanations for material variances for the period ended 31 January 2023, as detailed in Attachment A.**

#### VOTING REQUIREMENT

Simple majority

#### DISCUSSION

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

This report is a summary of the financial activities of the City at the reporting date 31 January 2023.

The 2021/2022 Annual Financial Statements have been finalised and audited by the City's auditors and presented to the Audit Committee in December 2022 as a result the opening municipal surplus has now been finalised and updated.

The current closing municipal surplus for January is \$28,993,272 compared to a budget position of \$17,302,690. This favourable result is predominantly due to timing of expenditure and will be reviewed during the March budget review.

Income for January period year to date is \$60,139,635 and is broken up as follows:

- \$59,557,598 in operating revenues; and
- \$582,037 in non-operating grants, contributions and subsidies received.

The current budget estimated for income is \$60,052,670 and varies to the budget by \$86,965.

Expenditure for January period year to date is \$36,766,934 and is made up of \$31,903,650 in operating expenditure and \$4,863,284 in capital expenditure. The budget estimated is \$57,229,069 resulting in a variance to budget of \$20,462,135.

Details of all significant variances against the current budget for the January 2023 Monthly Financial Reports is provided in the note 1 to the Monthly Financial Report contained within Attachments A.

### **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**

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

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

### **FINANCIAL/BUDGET IMPLICATIONS**

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

### **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with 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.

### **ATTACHMENTS**

#### **A. Monthly Financial Report January 2023**

**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**