

Boola Maara Aboriginal Consultative Committee Meeting

5 August 2024

Agenda

Notice is hereby given of a Boola Maara Aboriginal Consultative Committee Meeting to be held in the Council Chambers, City of Kwinana Administration Centre commencing at 10.00am.

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

Presiding Member, Deputy Mayor 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.

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 koort djoorpiny nidja Noongar boodjar daadjaling waankganinyj Noongar Boodjar.

Hello and welcome my heart is happy as we are gathered on country and meeting 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. ATTENDANCE, APOLOGIES, LEAVE(S) OF ABSENCE (PREVIOUSLY APPROVED)

Apologies:

Leave(s) of Absence (previously approved):

4. PUBLIC FORUM

Any member of the public may, with the consent of the person presiding, address the Committee with a question or statement.

5. CONFIRMATION OF MINUTES

5.1 MINUTES OF THE BOOLA MAARA ABORIGINAL CONSULTATIVE COMMITTEE MEETING HELD ON 1 JULY 2024

RECOMMENDATION

That the Minutes of the Boola Maara Aboriginal Consultative Committee Meeting held on 1 July 2024 be confirmed as a true and correct record of the meeting.

6. 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 -

- a) in a written notice given to the CEO before the meeting; or
- b) 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

- a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
- b) 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.

7. PRESENTATIONS TO THE COMMITTEE

7.1 KWINANA HUB MURAL PROJECT

Presenter: Brendan Lewis, Gilmore College

SUMMARY

Brendan Lewis is a teacher at Gilmore College, he is an artist who paints murals. He has been commissioned to do the mural at the Kwinana Hub, on the exterior wall of Big W, that represents the Kwinana Industrial community. He is looking to find a Noongar mum and/or dad (with their young baby/child) who works in the Kwinana Industrial sector that is directly an employee or indirectly such as a school teacher, AIEO, education assistant, industrial area lunch bar worker etc. The portrait of the mum/dad and baby/child will be painted alongside four other portraits. Brendan would like to know if you know a Noongar mum and/or dad who fit the criteria, who you approve to have their portrait included in the mural? Attached is information about the mural project.

This presentation is a follow up action from the Boola Maara Aboriginal Consultative Committee Meeting held on 1 July 2024. Brendan will be providing additional information regarding the Kwinana Hub Mural Project.

HOPE

Kwinana Hub

Mural Project

PREPARED BY

Hope - Brendan Lewis

Mob: 0435 150 458

Email: hopeperthstudios@gmail.com

Add: 12 Miranda Cres, Coolbellup

Website: www.hope-perth.com

Kwinana Hub Mural Project

What is the project about?

Local artist and high school teacher Brendan Lewis has been engaged by the Hub to create a series of portraits to represent the Kwinana Industrial community. Brendan Lewis, otherwise known as Hope Perth is a high accomplished and respected muralist, fine-artist and school teacher from Kwinana.

His work focuses on representing groups of people in the community, people who contribute enormously to a deep, loving and rich society that offer us their unique perspectives, history and culture. Hope uses a range of techniques to bring attention to the unique beauty within peoples faces - understanding how features like the reflection in their eyes, the richness of skin and the varied textures of a portrait can convey emotion, life and intergenerational stories.

Hope was raised by a single mum in Kwinana growing up in a rough home. Because of his experiences Hope is passionate about telling his and other peoples stories through art.

Who will be painted?

Hope is looking to find a portrait of a Noongar mum that has a young child that works in the Industry. This could be directly as an employee or indirectly as a school teacher, EA, industrial area lunch bar worker.

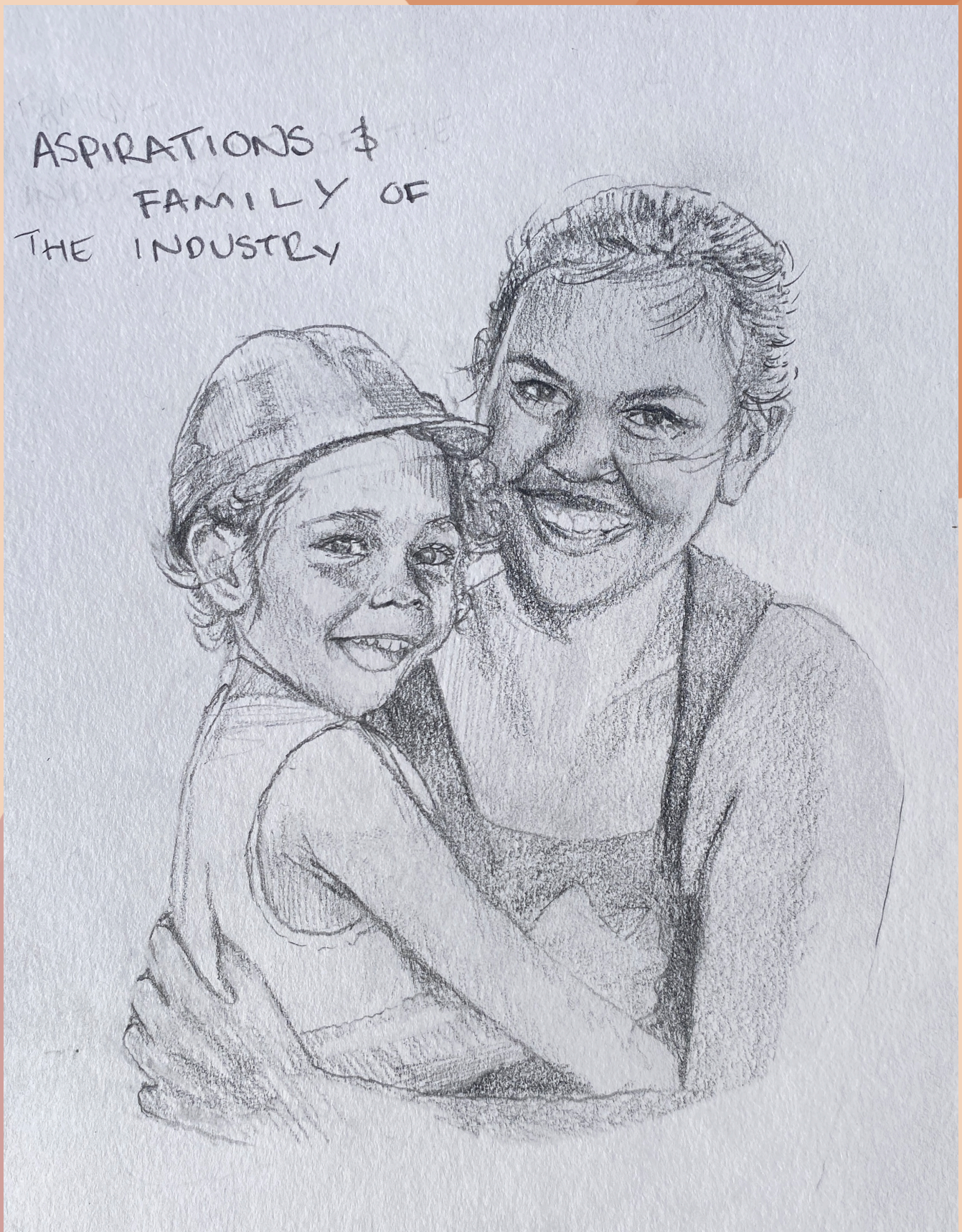
This inclusion is to highlight the significance of First Nations people in our community and their contributions and hard work to shaping the industrial identity of Kwinana. This is about portraying an true and diverse representation of our beautiful community and making sure that Noongar People are represented.

The portrait of the Mum and Bub will be painted alongside 4 other portraits including a former Gilmore College student Precious Sesay, science teacher Lisa Doomen, train driver Nelson Bettencourt and Hope's grandad Tom O'Donnell.

The mural will be located on the exterior carpark wall of Big W.

When: Hope will need to arrange a time to meet with and photograph the Mum and Bub by 12th June.

Aspirations & Family of the Industry



ASPIRATIONS &
FAMILY OF
THE INDUSTRY



The other portraits are 2 women & 2 men. So my preference is to have a Mum & young boy or a Dad & young girl so that we have equal genders for the mural. But if it's not possible to find that a Mum & daughter or Dad & son combo is okay too.

If the child is young enough to be carried in their parents arms that would be brilliant. Age roughly 3-10 yrs old.

They parent can be directly or indirectly involved in the industry as long as their a local Kwinana member.



Portraits at the heart of Kwinana's Industry



All figures are representational sketches.

Hope intends to photograph and paint real people from the Kwinana community, similar to these representations, however it was important to wait till the project is confirmed before engaging with people & community groups.

7.2 REGIONAL OPEN SPACE

Presenter: Peter De Lang, Coordinator Community Facilities Planning, City of Kwinana

SUMMARY

This presentation will provide an overview of the provision of sport and recreation facilities in the City of Kwinana beyond 2040. The presentation will include an overview of future community need and an update on potential locations for a Regional Open Space development.

Kwinana Regional Open Space

Project Update

Background

- The City's CIP sets out the priorities and details the type of facilities the City will provide in the short – medium term, to 2036.
- The CIP hasn't identified a Regional Open Space / Reserve in the plan's timeframe (to 2036) and given the expected population growth and current provision of active reserve space in the City the project was given priority to determine the need and then potential locations and way forward.
- Otium Planning Group (Leisure Consultants) were engaged to conduct the Regional Open Space Feasibility & Business Case.
- Initial research and needs assessment info / data has been gathered along with high level site identification.

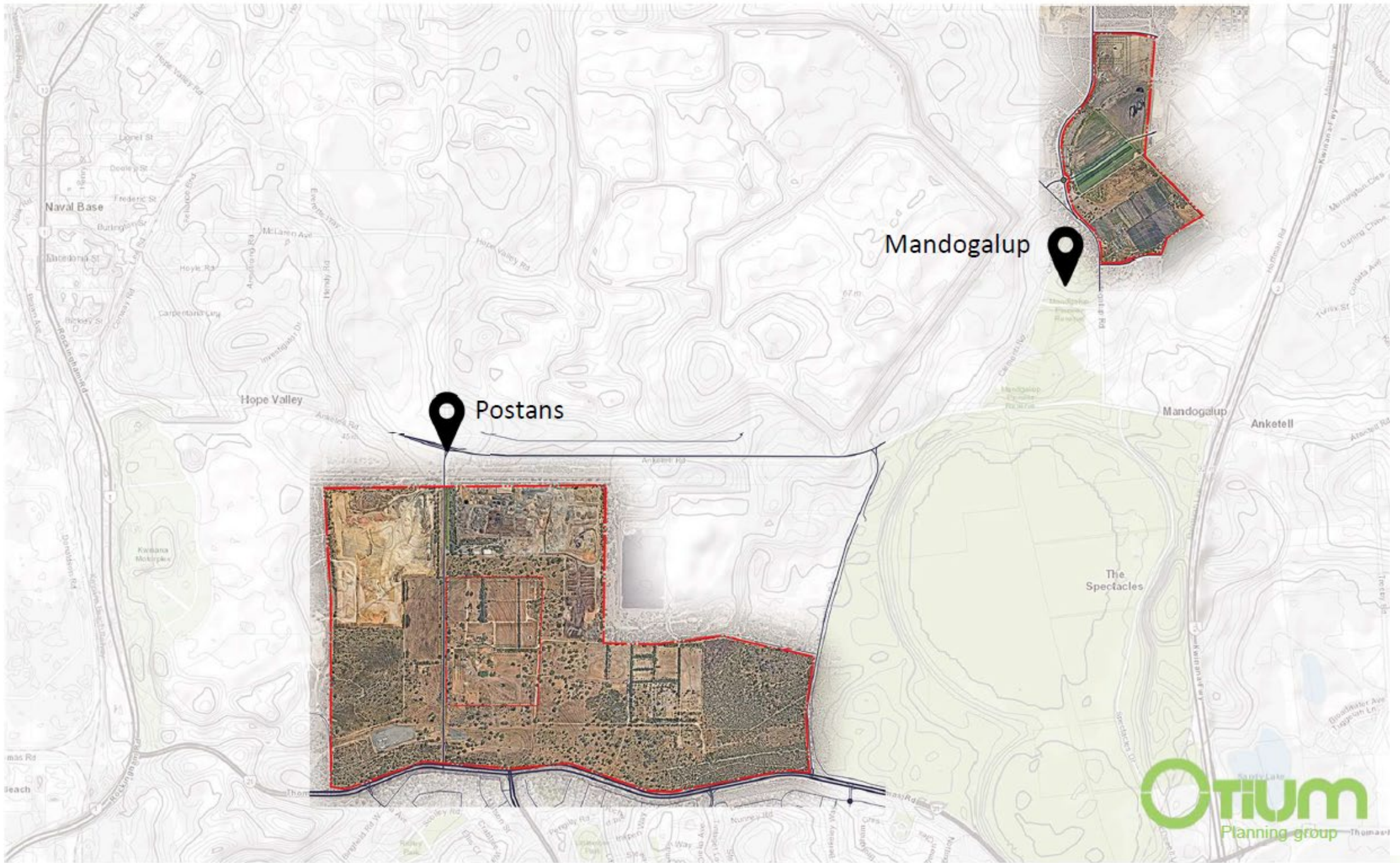


Future Sport & Recreation Needs

- CIP to 2036 – number of shared use facilities with schools, no guarantee of senior level provision
- 2040+ What will the City look like? What will the City need for sport and recreation?
- Lack of Regional Facilities in outer metropolitan regions of Perth – more travel times, higher costs to access, health impacts
- Current research suggests approx. 50+ha of land is required to accommodate for example:
 - 6 Footy Ovals
 - 10 outdoor Netball Courts
 - 6 Indoor Courts
 - 4 Soccer Pitches
 - 4 Cricket Fields
 - & Others.....



site selections



Discussion

- Thoughts and comments on potential locations.
- Any heritage related information that is relevant or specific to these areas?
- General comments on the project and the future



Where to Next?

- Briefing Update to Council
- Consultant to progress and finalise feasibility and business case
- Presentation of outcomes to Boola Maara & then to Council for decision on preferred site and next steps (long term project).

7.3 WELCOME TO COUNTRY VIDEO

Presenter: Alexi Peacock, Coordinator Engagement and Place

SUMMARY

This Welcome to Country video was initially developed to be played at the City of Kwinana's Citizenship Ceremonies, in Deputy Mayor Barry Winmar's absence. The Digital Content Officer and Communications Officer worked with Deputy Mayor Winmar and Ngalak Nidja to film the Welcome to Country at The Spectacles in an artistic manner that conveys the significance of Country, connection to land, and culture.

Upon Deputy Mayor Winmar's request a second version, that excludes the spoken Welcome to Country, was also created to be played at each Citizenship Ceremony that Barry Winmar is attending to provide a visual support and insight into the local celebration of culture here in Kwinana. The shorter second version of the video can be viewed, then the formal Welcome to Country can be completed in person by Deputy Mayor Winmar.

It has been discussed with Deputy Mayor Winmar that these videos are not to be used externally but are intended to be used for Citizenships and may be considered by staff for high level internally hosted meetings like AUKUS.

An abridged version of the video, about a minute in length, will be added to new content that is being prepared for the Aboriginal and Torres Strait Islander page on the City's website in the Acknowledgement/Welcome to Country section, re-enforcing the strength of the relationship between the City and the Aboriginal community and adding dynamic visual interest to the webpage.

Full length video:

<https://youtu.be/1i5Gf3OhwB4>

Shortened video:

<https://youtu.be/RID6uVOmfRs>

8. REPORTS

8.1 CITY OF KWINANA ENVIRONMENT STRATEGY 2024 - 2034

SUMMARY

Background

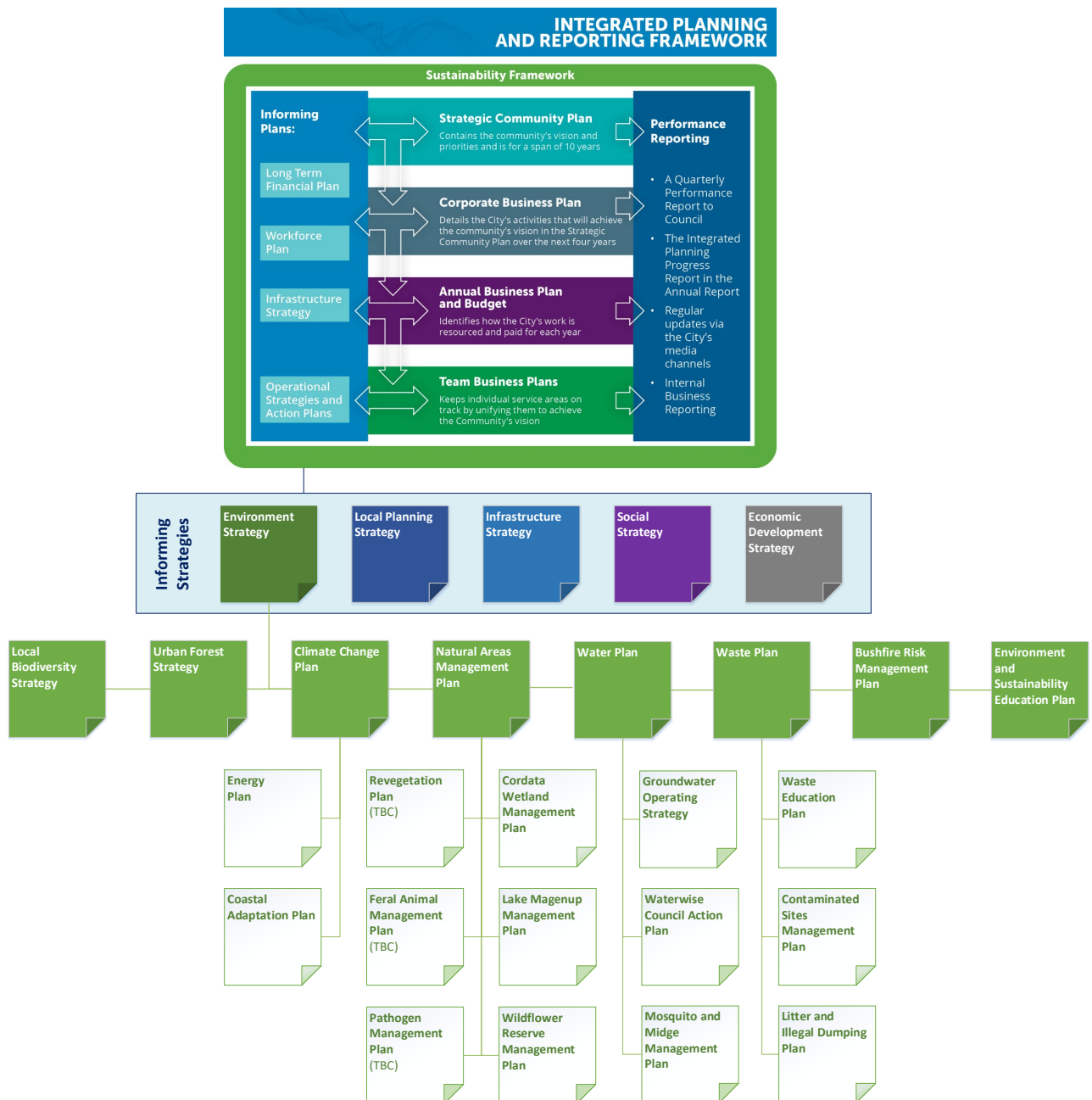
The Kwinana community considers its natural environment to be a key priority. This has been consistently communicated by residents through various engagement activities for decades. The abundance of trees and bushland in our community is considered a core aspect of Kwinana's identity. Our natural environment also plays a critical role in providing biodiversity and habitat for animals within our urban area. Through the City's increasing maturity in its strategic management practices and the ongoing implementation of its Sustainability Framework, it became increasingly evident that, when compared to best practice, a gap existed between the City's Strategic Community Plan and its operational strategies and plans in the environmental management area.

Purpose

The City of Kwinana Environment Strategy is intended as an overarching strategy that draws together various council initiatives to deliver our Strategic Community Plan's key outcome of:

"A naturally beautiful environment that is enhanced and protected."

This Environment Strategy sits above and coordinates a range of existing plans and strategies with the aim to ensure that our environmental work is delivered in a coordinated and effective manner. A diagram of the strategic context and the documents captured under the Environment Strategy is shown below.



Strategy development

Meiklejohn Consulting was engaged in November 2023 to undertake the Environment Strategy development in partnership with key internal staff. The following key steps were undertaken ahead of the draft strategy completion in June 2024:

- Review and benchmarking of the City's existing strategies, plans and activities against national best practice;
- Interviews with all applicable internal business units;
- Collation of key findings and recommendations in a background report outlining focus areas for the development of the Strategy;

- Targeted engagement with key external and internal stakeholders to explore the identified strategic options and help determine the final directions and goals of the Strategy; and
- Review of the draft Strategy by key internal staff.

Community Engagement

As part of the Environment Strategy development, a range of previous mass-engagements undertaken by the City, including that of the most-recent Strategic Community Plan update, were analysed. Over the period of March to April 2024, the following key external stakeholders were engaged by Meiklejohn Consulting through meetings and interviews in order to gain insights into previous mass-engagement results and obtain input into the focus areas, key directions and goals of the Environment Strategy:

- ALCOA Australia
- Apsey Town Team
- Boola Maara
- City of Rockingham
- Department of Biodiversity Conservation and Attractions
- Department of Fire and Emergency Services
- Department of Mines, Industry Regulation and Safety
- Department of Planning Lands and Heritage
- Department of Transport
- Friends of the Spectacles
- Homestead Ridge Progress Association
- Kwinana in Transition
- Kwinana Industries Council
- Kwinana Youth Advisory Council
- Main Roads WA
- Media Residents Association
- Perth South West Metropolitan Alliance
- South East Regional Centre for Urban Landcare
- Wandí Progress Association
- Wellard Village People Town Team
- West Cycle
- Western Australian Naturalists Club
- Wetlands Conservation Society of WA

Key directions and goals

To provide clear direction and intent to the City's environmental management efforts, the activities captured in the Strategy have been grouped into four Key Directions, each with its own set of goals, as outlined in the table below. It should be noted that climate change is not its own Key Direction, instead, it has been integrated across all Key Directions.

Key Directions	Goals
1. Liveability Having convenient access to everything our community needs	<ul style="list-style-type: none"> • Strengthen our communities' resilience to the projected impacts of climate change • Create a greener city • Protect the cultural heritage of Kwinana • Increase active transport access for all our community

2. Decarbonisation Transitioning to sustainable energy sources and encouraging responsible consumption to reduce emissions	<ul style="list-style-type: none"> • Net Zero corporate emissions by 2035 • Become a Net Zero City by 2050
3. Biodiversity Ensuring we have self-sustaining vegetation communities, supportive habitats for our local fauna, soils, clean water and fresh air	<ul style="list-style-type: none"> • Protect, enhance and restore our regions biodiversity • Manage water systems in an environmentally responsible manner
4. Circularity How we avoid and manage waste resources	<ul style="list-style-type: none"> • Drive the creation of a circular economy for our community

For each Key Direction, the Strategy details the alignment with the City's Sustainability Framework Priority Areas, the context of the Key Direction's importance, what key activities the City is already performing, and the key focus areas and initiatives to be progressed into the future.

Implementation and review

The Environment Strategy will be delivered through a rolling Implementation Plan that reflects the activities undertaken in the supporting work plans and strategies, The Implementation Plan will be updated annually and the Environment Strategy will undergo a minor review every two years and a major review after six years, to align with the next Strategic Community Plan.

OFFICER RECOMMENDATION

That the Boola Maara Aboriginal Consultative Committee note and provide comment where necessary on the City of Kwinana Environment Strategy 2024 – 2034 key direction and goals.

City of Kwinana Environment Strategy

Development of Strategy

- Development of Background Report
 - Reviewed existing environmental activities
 - Interviews with staff from relevant business units
- External stakeholder engagement
- Consultation with ELT and Elected Members
- Production of Strategy

Purpose

Strategic Community Plan:

“A naturally beautiful environment that is enhanced and protected.”

Key Directions

- Liveability
- Decarbonisation
- Biodiversity
- Circularity

Liveability

Context

- Growing population
- Increasing environmental pressures
- Alignment with other overarching strategies
- Bushfire management



Liveability

Goals

- Strengthen our communities' resilience to the projected impacts of climate change
- Create a greener city
- Protect the cultural heritage of Kwinana
- Increase active transport access for all our community



Decarbonisation

Context

- Most emissions from industrial sources
- Switching away from gas
- Council leadership despite small emissions profile



Decarbonisation

Goals

- Net zero corporate emissions by 2035
- Net zero community emissions by 2050



Biodiversity

Context

- Kwinana is a global biodiversity hotspot
- Pressures: land clearing, increasing fire frequency, drying climate, pathogens, weed invasion, illegal dumping.



Biodiversity

Goals

- Protect, enhance and restore our regions biodiversity
- Manage water systems in an environmentally responsible manner



Circularity

Context

- Waste management a key issue for residents
- Increasing population pressures
- Shift to more complex bin service



Circularity

Goal

- Drive the creation of a circular economy for our community
 - Reduce unnecessary waste
 - Three-bin service successfully deployed
 - Use of recycled materials in infrastructure
 - Reduce illegal dumping



Next Steps

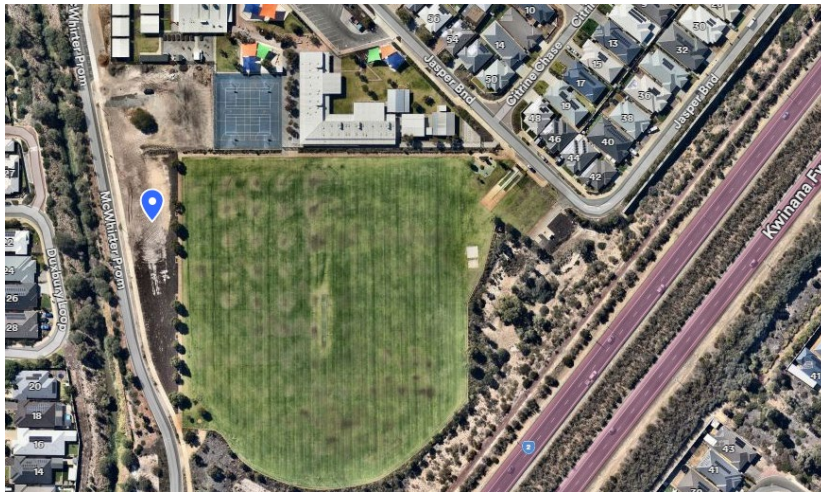
- Planned adoption 28 August 2024 OCM
- Implementation

8.2 NAMING OF NEW COMMUNITY FACILITIES

SUMMARY

As per the City's Community Infrastructure Plan (CIP), two new community facilities will commence construction later in 2024. The new facilities/buildings are:

1. Community and Sporting Facility at McWhirter Oval, Wellard (Wellard West)



2. Change Room Facility at Thomas Oval, Medina.



The purpose of this report is to provide the Boola Maara with background information of both projects and places and to seek feedback and suggestions on preferred names. All suggestions and potential name options will be presented to the Council's 'Naming of Parks, Places and Buildings Working Group' for consideration. The working group will recommend preferred names for each of the facilities for Council's endorsement.

Naming of the new Community and Sporting Facility at McWhirter Oval, Wellard. (Wellard West)

- Considerations for dual naming or an Aboriginal / Nyoongar language name
- Construction will commence in late 2024 and take approx. 12 months.

The City of Kwinana engaged Tredwell Management in 2018 to undertake a feasibility study and business case including development of concept designs for the provision of local level community infrastructure to be located at the *Wellard West Sportsground (McWhirter Oval)* in the City's rapidly growing residential community of Wellard. McWhirter Oval is located adjacent the Wellard Primary School just to the west of the Kwinana Freeway in Wellard. The Oval has been designed as a full-size senior AFL and cricket oval with the ability to overlay two full size soccer/rugby/hockey pitches. Two multi-purpose outdoor sports courts are already available for public use at the site. An Expression of Interest process will be undertaken to determine which clubs will be located at the site.

The key objectives for the delivery of the *Wellard West Community Facility* included:

- Sporting clubrooms, changeroom and kiosk facilities;
- Veranda/spectator shaded area
- Community function, meeting room and kitchen facilities;
- Car parking and access road/pathways;
- Publicly accessible toilets;
- CCTV and security compatible with the City's systems
- Solar power
- Nyoongar translation on all statutory signage
- Complete disability access and inclusive friendly venue

An onsite meeting was held with Local Elder Michael Indich 21 September 2023, with Coordinator Community Facilities Planning & the Project Architect. The following is a summary of discussions;

Location #3 McWhirter Promenade, Wellard

- According to Mick, this site has no known significance although with its proximity to Walley Bridge and the dairy farms on Telephone Lane, he's sure it was visited and used.
- Mick would love to see a local artist engaged who is willing to engage with the history and significance of the stories of this area and reflect that in the public art. He doesn't want to see an Aboriginal person from outside of the area be involved in the artists designs.
- Mick also said "that his mob do not want to see the building named after a black fella or white fella because that can create conflict between groups". He agreed that the idea of having a bunch of names that reflect the areas flora and fauna would be best for both the naming of the building and the naming of specific rooms.
- Mick was delighted that the students at Wellard Primary participate in Nyoongar language classes and sees benefit with them being involved in the project where possible.

Officers will be recommending that the name Wellard not be used in the naming of this new facility due to wanting to honour and recognise the indigenous history of the place, should the Boola Maara identify suitable options and the fact that 'Wellard' has been used for several other names in the immediate area and therefore may cause confusion if used again.

- Wellard Complex
 - Wellard Oval
 - Wellard Pavilion
- Wellard Primary School
- Wellard Village Primary School
- Wellard East Primary School (future, 2026)

Naming of the new Changeroom facility at Thomas Oval, Medina.

- Construction of the new building will commence in late 2024 and take approx. 12 months to complete.
- Considerations for dual naming or an Aboriginal / Nyoongar language name.

Thomas Oval Complex, and therefore the new building, is within a registered Aboriginal Cultural Heritage site as per the Dept. Planning, Lands & Heritage (DPLH), site ID number 3710, extracts below:

Department of Planning,
Lands and Heritage

Aboriginal Cultural Heritage Inquiry System

For further important information on using this information
please see the WA.gov.au website's Terms of Use at
<https://www.wa.gov.au/terms-of-use>

List of Aboriginal Cultural Heritage (ACH) Register

ID	Name	Boundary Restricted	Boundary Reliable	Culturally Sensitive	Culturally Sensitive Nature	Status	Place Type	Knowledge Holders	Legacy ID
3710	THOMAS OVAL.	No	Yes	No	No Gender / Initiation Restrictions	Register	Camp	*Registered Knowledge Holder names available from DPLH	S02210



Medina is recognised as an ancient camping ground for Aboriginals and is significant in more recent Aboriginal History.

The City of Kwinana is located in the traditional lands of the Nyoongar people. Important Nyoongar camping, hunting and gathering sites include Sloan's Reserve, Chalk Hill and The Spectacles. The area surrounding Chalk Hill is part of a trail of fresh water lakes and natural springs running along the greater metropolitan coastal strip. Nyoongar people used the Chalk Hill as a way of signalling their location to others, through the lighting of fires. According to Dreamtime stories, the white chalk found on the hill represents the beards of the elders.

Simon Gentle, a Ballardong man, was the first ever Aboriginal employee of the Kwinana Road Board in the early 1950s. Several Aboriginal families camped at Chalk Hill and Thomas Oval in the 1950s and 1960s.

The key objectives for the delivery of the *Thomas Oval Change Room facility* include:

- 4 Change rooms and treatment rooms
- Umpires Rooms
- Public Universally Accessible Toilets (UAT's)
- Kiosk with serveries
- Verandah and spectator areas
- Sports Storerooms

Officers will be recommending that the word 'Thomas' not be used in the naming of this new facility due to wanting to honour and recognise the significant indigenous history of the place and the fact that Thomas has been used for several other names in the immediate area and therefore may cause confusion if used again for the new building.

Existing names of places/buildings on site:

- Thomas Oval Complex (entire reserve including all buildings, playing fields, netball courts)
- Thomas Oval (Sporting Reserve / public open space)
- Thomas Hall also called Thomas Pavilion (small building close to Tucker St)
- Thomas Kelly Pavilion (large building on Rowson PI)

Given the significant cultural value and history of the place officers are eager to see an Aboriginal name given to the new building.

OFFICER RECOMMENDATION

That the Boola Maara Aboriginal Consultative Committee:

- 1. Notes the background information contained in this report**
- 2. Discuss and nominate options and suggestions of names for the new facilities, namely;**
 - a. New Community and Sporting Facility at McWhirter Oval, Wellard**
 - b. New Change Room Facility at Thomas Oval, Medina**
- 3. Notes that any recommended and suggested names will be captured in the minutes of this meeting and presented to the Naming of Parks, Places and Buildings Working Group for their consideration.**

8.3 ANIMAL, ENVIRONMENT AND AMENITY LOCAL LAW

SUMMARY

The City of Kwinana is developing a new Animal, Environment and Amenity Local Law (Local Law) to replace outdated regulations and enhance community wellbeing. This comprehensive law aims to protect public health, safety, and amenity by addressing a range of issues, including:

- Standards of animal ownership (excluding dogs and cats);
- Rubbish and vermin control;
- Untidy properties; and
- Dust and smoke nuisance.

The Local Law was developed following extensive benchmarking with other local governments and in consideration of the evolving needs of the community into the future.

In accordance with the procedure for establishing local laws set out in the *Local Government Act 1995*, in March 2023 Council resolved to seek public comments on the proposed Local Law. Notices were published in the West Australian and Sound Telegraph newspapers inviting submissions. In addition, copies of the Local Law were submitted to the following State Government Department's for comment:

- Department of Local Government, Sport and Cultural Industries (DLGSC);
- Department of Water and Environmental Regulations (DWER);
- Department of Biodiversity, Conservation and Attractions (DBCA);
- Department of Primary Industries and Regional Development (DPIRD); and
- Department of Health (DoH).

Two submissions were received from community members. DPIRD, DLGSC and DWER also provided extensive submissions. Based on these submissions, significant changes were made to the proposed Local Law in order to better meet the needs of the City and the community.

Subsequently on 22 May 2024, Council resolved to undertake community consultation on the proposed Local Law as amended. On 5 June 2024, public notices requested feedback public submissions. Copies were also sent to relevant State Departments. To date, no public submissions have been received on the Local Law as amended. The City has yet to receive feedback from all State Government Departments.

The Local Law will streamline administration processes in relation to animal ownership through the removal of registration requirements for keeping of horses and low number of poultry, pigeons and bees. Minimal separation distances and standards of cleaning and maintenance for the keeping of all animals are proposed, which also includes keeping of pigs, birds and farm animals.

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:

- Vermin control including mosquitoes, rodents, and cockroaches
- Fencing unsightly land
- Burning rubbish, refuse or other hazardous materials
- Nuisances relating to smoke, fumes or odours emission

OFFICER RECOMMENDATION

That the Boola Maara Aboriginal Consultative Committee note and provide comments where necessary on the key aspects of the Animal, Environment and Amenity Local Law.

A large, abstract graphic consisting of multiple overlapping, wavy lines in various colors including blue, green, yellow, orange, and red, flowing across the middle of the slide.

Animal, Environment & Amenity Local Law

Vicky Chui, Coordinator Environmental Health

Purpose

- To protect the environment and public health, safety, and amenity in Kwinana.
- To remove dated local laws under the *Health (Miscellaneous Provisions) Act 1911*.
- To combine local laws to simplify administration and enforcement.

Summary of the new Local Law

Animal ownership and standards

- covers poultry, bees, horses, pigeons and birds
- provide suitable separation distances
- nuisance control
- cleaning and maintenance standards
- protect drinking water areas
- restrict feeding of wild birds



Summary of the new Local Law

Untidy properties

- Mosquitoes, rodents and cockroaches
- Accumulation of rubbish materials
- Control of rubbish on building and development sites

Environment and land care management

- Dust and wastewater management
- Light emission pollution
- Air pollution control
 - Burning rubbish, refuse or other hazardous materials
 - Smoke and odour nuisance



Summary of the new Local Law

- Infringement penalties:
range from \$150 - \$250 (first offence) to \$250 - \$500 (subsequent offences)
- Education first approach
- Investigations initiated by complaints

Implementation Process

Preparation:

- Review similar local laws by other Local Governments
- Legal review of the draft local law

Following Local Government Act 1995 local law-making process:

- Council adoption for public comment on 8 March 2023
- Updated draft local law based on feedback
- Council adoption on 22 May for second round public consultation

Consultation Findings

- Love My Kwinana 6 June - 26 July and no further public feedback was received.
- Dept of Water and Environmental Regulations (DWER) and Dept of Primary Industries and Regional Development (DPIRD) – protection of drinking water areas and keeping of animals during first consultation
- Waiting on feedback from Dept of LG, Sport and Cultural Industries, Dept of Health and Dept of Biodiversity, Conservation and Attractions



What next?

- Bring back to Council to resolve to adopt the law.
- Public notice, gazetted and sent to Joint Standing Committee for approval.
- Guidelines and resources are currently being developed to assist with the local law implementation.

Questions?

Vicky.Chui@kwinana.wa.gov.au

9. REPORTS OF COMMITTEE MEMBERS

10. LATE AND URGENT BUSINESS

11. CLOSE OF MEETING