

# Ordinary Council Meeting

## Agenda

20 August 2025

Notice is hereby given of an Ordinary Meeting of Council to be held in Council Chambers, City of Kwinana Administration Centre commencing at 6:00pm. 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 <https://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

**Deputy Mayor Barry Winmar to present the Welcome to Country:**

*"Ngullak nyinniny kooralong koora ngullak noitj nidja Nyoongar boodjar. Nyoongar moort djoorapiny nyinniny nidja ngulla quopadok Nyoongar boodjar kooralong.*

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

*Djinanginy katatjin djoorapiny nidja weern Nyoongar boodjar ngalla mia mia boorda.*

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

*Kaya wandju ngaany koort djoorpiny nidja Nyoongar boodjar daadjaling waankganinyj Nyoongar Boodjar.*

Hello and welcome my heart is happy as we are gathered on country and meeting here on Nyoongar 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 Nyoongar people and we pay our respects to their Elders past and present."*

## 3 DEDICATION

Councillor David Acker 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:**

Unknown at the time of issuing the Agenda.

### **Leave(s) of Absence (previously approved):**

Nil

## **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, 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
- included 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 6 AUGUST 2025**

#### **RECOMMENDATION**

**That the Minutes of the Ordinary Council Meeting held on 6 August 2025 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**

Nil

## **13 ENBLOC REPORTS**



## 14 REPORTS - COMMUNITY

### 14.1 KWINANA TRAILS NETWORK MASTER PLAN

#### SUMMARY

The City with funding from Department of Creative Industries, Tourism and Sport (CITS), has developed a Trails Network Master Plan to drive the development and prioritisation of trails both within and connecting to regional recreation experiences. The Master Plan is the missing piece of the puzzle between the WA Strategic Trails Blueprint and more localised trails plan such as the Kwinana Loop Trail Master Plan. The Plan will ensure there is a co-ordinated and sustainable approach to trails planning, development and management across the City. It also provides a framework for a network of trails that can benefit the community by enhancing recreational opportunities, supporting cultural tourism opportunities and promoting environmental awareness.

#### OFFICER RECOMMENDATION

**That Council adopt the Kwinana Trails Network Master Plan, as at Attachment 14.1.1.**

#### VOTING REQUIREMENT

Simple majority

#### DISCUSSION

The Master Plan was put out to tender and awarded to Common Ground Trails in 2024. Community Consultation was conducted over an eight-week period in December 2024 and January 2025, through both online and in person engagement. In addition to this, further consultation was held with key stakeholders, including state government agencies Department of Biodiversity Conservation and Attractions, Department of Planning Lands and Heritage, neighbouring Local Government Areas, Medina Aboriginal Cultural Centre, Boola Maara Aboriginal Consultative Committee and Residents Associations.

The Plans vision is to provide an *accessible and diverse network of immersive trail experience that connect communities to each other and to the natural and cultural values of the Swan Coastal Plain. With a focus on both local and regional opportunities Kwinana will be positioned as a 'City of Trails' in the Perth metropolitan area.*

The plan highlights three key objectives including:

- 1. Develop a cohesive and diverse trail network**, which includes improving connections, trail quality and infrastructure for existing trails, establishing the Kwinana Loop Trail as the Hero experience, utilising the off-road area as a new Urban Bike Park, continue to consider the Tramway Trail as a key north south linkage.
- 2. Implement robust governance and management**, including seeing the City as the key agency to drive further discussions and trail development, clearly define the management model, support clubs, volunteers and community organisations to assist in trail maintenance and focus on trail based activities, and build partnerships.

**3. Market and promote the experiences on offer**, by developing a cohesive marketing and promotion strategy, developing packages and itineraries that link to identified target markets, supporting existing events and encourage the creation of new events.

Key to achieving the vision will be establishing trails and supporting infrastructure that will showcase these unique local values and deliver memorable experiences.

Advocacy will play a vital role in the successful implementation of the Trails Network Master Plan. By actively engaging with government agencies, community groups, and industry stakeholders, the City can champion the importance of trail development and secure funding, ongoing support and resources. This advocacy will help to ensure that trail projects remain a priority, foster collaboration, and amplify positive outcomes for recreation, culture, and the environment.

## STRATEGIC IMPLICATIONS

**Outcome:** Quality of Life / Ngalang moorditj wirrin (Our strong spirit)  
**Objective:** Enhanced public spaces  
**Action in CBP:** Implement the Kwinana Trails Network Master Plan

**Outcome:** Built Environment/ Ngalak Moort Mia Mia (Family gathering places)  
**Objective:** Accessible and connected community  
**Action in CBP:** Implement the Kwinana Trails Network Master Plan

### How does this proposal achieve the outcomes and strategic objectives?

The proposal provides a clear pathway for the achievement of sustainable trails development, with the focus on the development of a cohesive and diverse trail network detailing recommendations on how this can be achieved including implementing priority projects, developing a signage plan which will improve accessibility and a maintenance plan which will both enhance public spaces and connect the community.

## SUSTAINABILITY FRAMEWORK

### Sustainability Guiding Principle

4 - Environmental Stewardship

### Sustainability Priority Area

3 - Liveability

### How does this proposal achieve the guiding principle and priority area?

With the provision of this strategic approach to the development and maintenance of trails across the city, natural areas will be enhanced and protected. Important ecological corridors between significant reserves can be protected as trail connects, e.g. Tramway Trail or the East West Connection. As trail locations and trail hubs are formalised, the opportunity for degrading activities off main trails are reduced.

The trail network will provide affordable recreational opportunities for the residents of Kwinana to be active in connected, shaded and aesthetic outdoor spaces. It will also provide a direct opportunity to connect with history culture and the natural environment of the region.

**LEGAL/POLICY IMPLICATIONS**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS**

The City has funding for the delivery of Stages One and Two of the Kwinana Loop Trail project.

Any future funding of the Kwinana Trails Network will be considered through advocacy and grant funding opportunities.

No further financial implications are identified in the Master Plan.

**ASSET MANAGEMENT IMPLICATIONS**

Nil.

**ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS**

Nil.

**COMMUNITY ENGAGEMENT**

Comprehensive community engagement was conducted as part of the master plan consultative process, ensuring a broad cross-section of voices contributed to its development and outcomes. Over an eight-week consultation period in December 2024 and January 2025, the survey and interactive map received 255 responses and had over 50 conversations at drop-in sessions. Targeted discussions and workshops were held with broader consultation undertaken at Dazzle in Darius and a star gazing event.

Overall community feedback received demonstrated widespread community enthusiasm for accessible, high-quality trails that connect residents and visitors to Kwinana's unique landscapes and cultural heritage. Strong interest was noted in ensuring these recreational opportunities support local economic development and build a sense of pride and stewardship within the community.

The Master Plan was presented to the Boola Maara Aboriginal Consultative Committee (BMACC) twice during the project, at the inception and a final draft of the plan.

On Monday 11 November 2024 BMACC comments were:

*Signage, Connectivity and Accessibility*

- Recommendation from Committee to ensure clear signage and designated areas for parking as they are currently obscure and limited. To improve access through marketing and promotion to better utilise, especially for Elders who find access difficult.
- The Committee sought clarification around the bike path consultation and confirmed there was opportunity for installing wayfinding and signage.

*Cultural Significance*

- It was noted that Kelly Park holds cultural significance as historically it was an Indigenous camp.

- The Committee called for culturally significant sites to be more enhanced and cohesive.
- Committee confirmed that the Consultation Survey will have an interactive map to pinpoint areas of significance, as well as face to face consultation.
- Committee members noted the cultural significance of the Spectacles and suggest that there is opportunity to be further promoting and enhancing the area there, with suggested event celebrations of the six Noongar Seasons. Noted that it was good to see rehabilitation of the area from the Friends of the Spectacles volunteer group.

#### *Other*

- The Committee confirmed that there will be a 6–7-month timeframe from project to document, and a 10–15-month timeframe on how best to approach. Consultation will begin from now through to February.
- Committee suggested to Common Ground that Committee Member Paul Garlett would be the best point of contact to consult with other interested community members through the Medina Aboriginal Cultural Centre.
- The Boola Maara Aboriginal Consultative Committee stated their commitment to work closely with the City and Common Ground to help bring community along the journey to experience the cultural significance of the wider Kwinana area.

On Monday 4 August 2025 BMACC comments were:

- Committee members recognise the potential economic benefits that the expanded trail network can bring to the broader community. Participants identified opportunities to activate local businesses—such as cafes and specialty shops—by increasing visitor foot traffic, alongside new prospects for bike hire and related services in the area.
- Committee emphasised the importance of incorporating cultural stewardship into the trails network. There was strong support for advocating a trail ranger program rooted in Kwinana and developed in partnership with Gnaala Karla Booja, to foster employment, knowledge sharing, and the protection of cultural and natural values along the trails. Discussions also considered the potential for a marine ranger program to extend stewardship and engagement to coastal environments and marine areas.

Reinforcing these points, engagement with Aboriginal organisations—including the Medina Aboriginal Cultural Centre and Gnaala Karla Booja—has ensured that the planning process acknowledges, respects, and incorporates Noongar cultural knowledge, history, and priorities. Ongoing collaboration will further strengthen the cultural value and community ownership of the network.

A summary of all community engagement activities and outcomes is detailed in the attached Master Plan document.

## **ATTACHMENTS**

1. Kwinana Trails Network Master Plan [14.1.1 - 69 pages]

## 14.2 NAMING OF THOMAS OVAL CHANGEROOM FACILITY

### SUMMARY

The Naming of Parks, Places and Buildings Working Group is tasked with assessing and recommending new names for existing and new facilities within the City of Kwinana. The Working Group has met to assess a suitable name for the new Thomas Oval changerooms, Medina.

This report seeks Council endorsement of the Nyoongar name, Djandoo Mia, meaning Home of the Whistling Kite for the new changeroom facility at Thomas Oval, Medina. The Boola Maara Aboriginal Consultative Committee (BMACC) recommended this name given the environmental and spiritual significance of the Whistling Kite to the Medina area.

The proposal complies with:

- Council Policy – Naming of Streets, Parks, Places and Buildings
- Landgate Policies and Standards for Geographical Naming in WA
- Innovate Reconciliation Action Plan 2020-2022 (Respect – Action 8)

### OFFICER RECOMMENDATION

**That Council adopt the recommendation of the Naming of Parks, Places and Buildings Working Group that the new changerooms located on Thomas Oval, Tucker Street, Medina, be named Djandoo Mia.**

### VOTING REQUIREMENT

Simple majority

### DISCUSSION

The Naming of Parks, Places and Buildings Working Group met on Monday 4 August 2025 to discuss and recommendation a name for the new changeroom facilities located on Tucker Street, adjacent to Thomas Pavilion and the Netball Courts (blue pin below):





Architectural Render of facility under construction



The Working Group considered the importance of adopting a location-centric name to provide a clear and logical geographical reference for the new changeroom facility. It was noted that the existing names of places/buildings on site all contain 'Thomas':

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

Community feedback indicates that these similar names cause confusion for visitors and emergency services. The Working Group acknowledged that further duplication of the 'Thomas' name would exacerbate this issue.

The changeroom is located within a registered Aboriginal Cultural Heritage Site of significant cultural and environmental importance. In recognition of this significance, it was agreed that a Nyoongar name, as recommended by the BMACC, should be recommended for adoption. *Djandoo Mia*, meaning 'Home of the Whistling Kite' holds both spiritual and environmental significance to the Medina area, and the recommended name appropriately acknowledges and respects these connections.

In accordance with Council's Naming Policy and Landgate guidelines which discourage the repetition of existing facility names and prioritise names of local or cultural relevance, the Naming of Parks, Places and Buildings Working Group resolved not to include the Thomas name in the new facility's title. Instead, the adoption of *Djandoo Mia* will ensure the facility is culturally appropriate, uniquely identifiable, and readily distinguishable from other buildings on the reserve.

## **STRATEGIC IMPLICATIONS**

**Outcome:** Quality of Life / Ngalang moorditj wirrin (Our strong spirit)  
**Objective:** Enhanced public spaces

N/A - There is no specific action in the CBP, yet this report will help achieve the indicated outcomes and strategic objectives.

### **How does this proposal achieve the outcomes and strategic objectives?**

The name Djandoo Mia celebrates local Aboriginal heritage and strengthens cultural recognition within the community. This act also fosters social inclusion by ensuring Aboriginal voices and identity are woven into the fabric of public spaces.

## **SUSTAINABILITY FRAMEWORK**

### **Sustainability Guiding Principle**

1 - Social Inclusion

### **Sustainability Priority Area**

4 - Engagement and Social Inclusion

## **LEGAL/POLICY IMPLICATIONS**

Council approval for the naming of facilities is not a legislative requirement; however, under the City's adopted *Naming of Streets, Parks, Places and Buildings Policy*, the naming of all streets, parks, places, and buildings within the City of Kwinana is to be determined by Council resolution.

## **FINANCIAL/BUDGET IMPLICATIONS**

Signage construction and installation is incorporated in the project costs.

## **ASSET MANAGEMENT IMPLICATIONS**

Nil

**ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS**

Nil

**COMMUNITY ENGAGEMENT**

Community engagement was undertaken with the BMAAC at their monthly meetings on 5 August and 11 November 2024. BMAAC representatives consulted with Elders and community representatives at the Medina Aboriginal Cultural Centre prior to the second meeting to recommend flora or fauna significant names for the changeroom.

**ATTACHMENTS**

Nil

**15 REPORTS - ECONOMIC**

Nil

**16 REPORTS - NATURAL ENVIRONMENT**

Nil

## 17 REPORTS - BUILT INFRASTRUCTURE

### 17.1 UNDERGROUND POWER PROGRAM - MEMORANDUM OF UNDERSTANDING

#### SUMMARY

Western Power, like local government, are responsible for a number of public assets. As part of the management of their assets, Western Power has identified a number of existing overhead power lines, within the older suburbs of Kwinana, that are nearing end of life and will require replacement. As part of the process of replacing the overhead lines, there is an opportunity to convert the network to underground power, with the shortfall between the cost of overhead and underground power being partially funded by a grant, with the remainder by the property owner receiving the benefit. At the point of end-of-life of the overhead network, the cost to the resident is at its lowest.

As part of the Strategic Community Plan, the City undertook broad consultation and specific consultation that demonstrated support for pursuing underground power. With community support for the concept demonstrated, it is now necessary to work with Western Power to progress the project to the planning phase. In order to take the next step, Western Power require the signing of a non-binding memorandum of understanding (MOU). Council is asked to endorse the signing of the MOU by the Chief Executive Officer.

#### OFFICER RECOMMENDATION

**That Council endorse the Chief Executive Officer signing a Memorandum of Understanding with Western Power, to progress a partnership approach to delivering underground power to older suburbs of the City under the State Government Targeted Underground Power Program, as per Attachment 17.1.1.**

#### VOTING REQUIREMENT

Simple majority

#### DISCUSSION

The Western Power underground power program has been around for many years, in various forms. Previous versions of the program have allowed communities to bring forward the replacement of the overhead power network, provided the community has been prepared to compensate Western Power for retiring their overhead assets early. Under the current program (TUPP), early retirement of the overhead network is not supported, with the program targeted to end of life assets. With the City having a number of older suburbs with overhead power lines approach end-of-life, there is an opportunity to be part of the program and get the maximum financial benefit.

Under the TUPP program, the cost of the undergrounding is split between Western Power, the State Government, and the property owners (through the local government) getting the benefit. The Western Power contribution is the cost of replacing like-for-like, plus the maintenance and operating savings that will be realised over the life of the new asset (i.e. Western Power have substantially fewer line faults, and do not need to inspect lines for tree infringements etc). The State Government, under the TUPP, offer a grant to contribute towards the shortfall between the



Western Power contribution and the total project cost. The grant is a scaled grant, with communities with lower value properties having a greater contribution (the grant is determined by comparing the median property value for an area, against the Perth median). Based on the grant calculation, the first suburb in the program, Calista (along with Medina and Leda), is eligible for the full available contribution under the grant. The final part of the project cost is met by the property owner. The private contribution is made up of two parts: network cost (this portion is subject to the State Government grant) and the pillar to house connection (the private component of the project, that connects the metre to the green dome – this cost only applies to properties that still have overhead connections). The estimated cost per power meter, for Calista and Medina, is \$3,867, with the estimate for an individual property with an existing underground connection being \$1,411 and for properties with an overhead connection being \$5,190.

To progress the project, the City needs to enter into an MOU with Western Power. The MOU is a non-binding agreement that sets out the roles of each party and acknowledges that the intent of the partnership is to deliver a high-quality project under the TUPP. Entering into the MOU is expected to be on the basis that the City will not pull out of the project, unless there is a substantial change to the underlying assumptions (such as significant price escalation of the cessation of the grant program).

There are a number of community benefits from underground power, that are consistent with the priorities of the Kwinana community. These include:

- Improved safety and security, the program includes upgrading the streetlight network to Australian Standards, resulting in safer roads and footpaths, and less dark “hiding places”;
- Fewer outages from storms and removal of outages and fire risk from tree contact with lines;
- Improved visual amenity, including the opportunity to have full height and large canopy trees lining street without having the tops removed on one side, to avoid powerlines;
- Reduction in pruning of private and public trees; and
- Increased opportunities for smart features, when they become available.

In addition, the visual amenity benefits of underground power is expected to lift the property value of adjacent property.

Relevantly, the TUPP program is a once-in-a-lifetime opportunity. If the network is replaced by overhead lines, the next opportunity to underground the power at the lowest possible cost, is not likely to present again for another 60 to 100 years. In addition, any early undergrounding of the network, if this opportunity is missed, will not have access to the TUPP grant.

In support of the program, as part of the Strategic Community Plan (SCP) review, the City asked the community if they supported the program, on the understanding that there is a requirement that the adjacent property owner to contribute towards the project. As part of the consultation, it was noted that the private contribution would be supported by a prefunding arrangement, where an owner could pay the cost over a number of years (5 to 10 years – to be determined). Of the responses received, 71% supported undergrounding the power. In addition, antidotally, the City often responds to residents asking about undergrounding power, particularly if they have received a Western Power notice, requiring the pruning of trees.

The impetus for including the underground power project in the list of SCP projects, is the alignment with key community outcomes and priorities. Underground power supports the Quality of Life and Built Environment outcomes, through improved streetscapes, higher quality power, increased tree canopy and significantly improved streetlighting. The program also targets the

community's top two priorities, being Community Safety and Crime Prevention (improved streetlighting) and Streetscape Trees and Verges.

### **STRATEGIC IMPLICATIONS**

**Outcome:** Quality of Life / Ngalang moorditj wirrin (Our strong spirit)  
**Objective:** Creating a safer City  
**Action in CBP:** Deliver community safety and crime prevention initiatives

### **SUSTAINABILITY FRAMEWORK**

#### **Sustainability Guiding Principle**

4 - Environmental Stewardship

#### **Sustainability Priority Area**

3 - Liveability

### **LEGAL/POLICY IMPLICATIONS**

Nil. The MOU is non-binding. Ultimately, the private funding will be supported by a loan and reserve mechanism, under the Local Government Act, with the liability being a charge against the land.

### **FINANCIAL/BUDGET IMPLICATIONS**

The program should not cost the general ratepayer, as the benefits are targeted (noting that residents in new areas have funded underground power in the cost to purchase their land). It will be necessary to employ an internal project officer, which is a cost that will be recovered as part of the landowner charge.

The City will have other officer time involved in the project, which will be absorbed in the normal day-to-day of the business.

The project includes improving streetlighting to meet the Australian Standards so that there will be an increase in the total number of lights and luminescence. This will be partially offset though the power savings of LED streetlights (it is expected that there will be an overall increase in the annual bill).

### **ASSET MANAGEMENT IMPLICATIONS**

Underground power will reduce the need to maintain powerline clearances for street trees, reducing the annual pruning obligation of the City.

### **ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS**

Underground power will remove the need to prune trees around powerlines, allowing for greater canopy and allowing trees to achieve full height.

Improved streetlighting will increase usability of footpaths at night and during winter, improving the walk and rideability of the City, proving improved infrastructure to encourage the community to be active.

### **COMMUNITY ENGAGEMENT**

As noted, in the body of the report.

Additional consultation will be undertaken as each program of works approaches. The consultation will cover specific site details, such as green dome locations, streetlight pole locations, access to metres and transformer locations. Other specific consultation will include the mechanics of funding, such as the length of time the pre-funding is in place, and applying a discount to properties that accommodate a transformer.

### **ATTACHMENTS**

1. City of Kwinana Memorandum of Understanding TUPP 2 - Kwinana Calista P 70 [17.1.1 - 8 pages]

## 18 REPORTS - CIVIC LEADERSHIP

### 18.1 COUNCIL MEMBERS, COMMITTEE MEMBERS AND CHIEF EXECUTIVE OFFICER COMMUNICATION AGREEMENT

#### SUMMARY

As part of the State Government's impending reform of the *Local Government Act 1995* (the Act), it is mandatory for each council to establish a communications agreement with their Chief Executive Officer (CEO). This initiative aims to standardise communication protocols between councils and their administration, thereby reinforcing the appropriate separation of roles while ensuring that local government administrations provide responsive and professional advice.

If the Council and the CEO do not reach an agreement on a communications arrangement, the *Local Government (Default Communication Agreement) Order 2025* will apply. Additionally, should the Council adopt an agreement between Council and the CEO, the City's communication agreement will terminate at the conclusion of the City's caretaker period following an ordinary election, or at the end of the employment of the CEO who entered into that agreement. In either case, the *Local Government (Default Communication Agreement) Order 2025* will take effect, until such time that a new communications agreement can be adopted with the newly appointed Council or CEO.

Accordingly, the proposed *City of Kwinana Council Members, Committee Members and Chief Executive Officer Communications Agreement*, as detailed in **Attachment 18.1.1**, is recommended for adoption by Council. This agreement is intended to supersede the existing Access to Information and Staff by Elected Members Policy as detailed in **Attachment 18.1.2**.

In addition to the adoption of the *City of Kwinana Council Members, Committee Members and Chief Executive Officer Communication Agreement*, it is also recommended that Council adopt the amended *City of Kwinana Elected Members, Committee Members and Candidates – Code of Conduct* (Code of Conduct), as detailed at **Attachment 18.1.3** the amendments made to the Code of Conduct are have been undertaken to incorporate the draft amendments to the *Local Government (Model Code of Conduct) Regulations 2021*.

#### OFFICER RECOMMENDATION

##### That Council:

1. **Adopt the City of Kwinana Council Members, Committee Members and Chief Executive Officer Communication Agreement, as detailed in Attachment 18.1.1;**
2. **Revoke the Access to Information and Staff by Elected Members Policy, as detailed in Attachment 18.1.2;**
3. **Adopt the amended Elected Members, Committee Members and Candidates Code of Conduct, as detailed at Attachment 18.1.3; and**
4. **Note the *Local Government (Default Communication Agreement) Order 2025*, as detailed in Attachment 18.1.4.**

## VOTING REQUIREMENT

Absolute majority

## DISCUSSION

On 5 June 2025, the Department of Local Government, Industry Regulation and Safety (the Department) published the draft *Local Government Regulations Amendment Regulations 2025* (the Draft Regulations) and the draft *Local Government (Default Communication Agreement) Order 2025* (the Draft Order).

The Draft Regulations prescribe the minimum requirements for all communication agreements and provide the mechanism to require compliance by City Officers, Council Members and Committee Members. These Draft Regulations also address the requirement in relation to the adoption of the City's communication agreement; local governments are required to either adopt their own communication agreement ensuring compliance with the Draft Regulation or the City will be required to adhere to the Draft Order.

The Draft Order sets out what is proposed to be the default communications agreement in Schedule 1 of the Draft Regulation, as detailed in **Attachment 18.1.5**. As all local governments will be subject to the default agreement on a regular basis, at least every two years after each caretaker period and after the CEO's employment ends, as well as at any time an agreement cannot be reached between Council and the CEO and as such the draft *Local Government (Default Communication Agreement) Order 2025* has been provided for noting at **Attachment 18.1.4**.

The proposed City of Kwinana Council Members, Committee Member and Chief Executive Officer Communication Agreement (Agreement) offers a structured framework for interactions between Members, the Chief Executive Officer (CEO), and City Officers.

The Agreement outlines the procedures for requesting and responding to information, protocols for interactions outside of formal meetings, and expectations regarding professional conduct, aligned with the *City of Kwinana Elected Members, Committee Members and Candidates - Code of Conduct* and the *City of Kwinana Employees Code of Conduct* and all relevant policies and procedures.

In addition to the requirements mentioned above, the State Government's reform of the Act includes amendments to the *Local Government (Model Code of Conduct) Regulations 2021*. These changes introduce definitions related to administrative matters, communication agreement, and requests for information. The amendments also require the insertion of clause 5.5 concerning Council Members, Committee Members, and CEO Communication Agreements, as well as an amendment to clause 6.5(3). As such, the amended *City of Kwinana Elected Members, Committee Members and Candidates – Code of Conduct (Code of Conduct)*, as detailed in **Attachment 18.1.3**, is recommended for adoption by Council.

Note, the *City of Kwinana Elected Members, Committee Members and Candidates – Code of Conduct* has only been amended to reflect the impending changes to the *Local Government (Model Code of Conduct) Regulations 2021*, the Code of Conduct will still undergo further review upon its original review period.

## STRATEGIC IMPLICATIONS

**Outcome:** Leadership / Boordiya Katidjin (Leader of knowledge)  
**Objective:** Accountable and ethical governance



N/A - There is no specific action in the CBP, yet this report will help achieve the indicated outcomes and strategic objectives.

**How does this proposal achieve the outcomes and strategic objectives?**

While this recommendation is not specifically linked to any requirements within the City Corporate Business Plan, it supports the objective of promoting accountable and ethical governance. This report ensures that Council Members, Committee Members, and the Chief Executive Officer comply with relevant regulations and meet the community's expectations.

**SUSTAINABILITY FRAMEWORK**

**Sustainability Guiding Principle**

8 - Integrated and Transparent Decision-making

**Sustainability Priority Area**

4 - Engagement and Social Inclusion

**How does this proposal achieve the guiding principle and priority area?**

This report supports the Sustainability Priority Area of Engagement and Social Inclusion by promoting open channels of communication between Council Members, Committee Members, and the CEO.

**LEGAL/POLICY IMPLICATIONS**

The draft *Local Government Regulation Amendment Regulation 2025* is provided in **Attachment 18.3.5** for reference.

**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**

1. City of Kwinana - Draft Communications Agreement - Clean Version [**18.1.1** - 18 pages]
2. City of Kwinana - Access to Information and Staff by Elected Members 2016 - Policy [**18.1.2** - 5 pages]
3. City of Kwinana - Elected Members Committee Members and Candidates - Code of Conduct [**18.1.3** - 31 pages]
4. Local Government (Default Communications Agreement) Order 2025 - Consultation Draft [**18.1.4** - 17 pages]
5. Local Government Regulation Amendment Regulations 2025 - Consultation Draft [**18.1.5** - 11 pages]

**18.2 COUNCIL POLICY REVIEW**

**SUMMARY**

Council policies are high-level statements articulating the intent of the City’s strategic objectives as well as guiding the City’s operations. These policies serve as essential frameworks, outlining principles and expectations that direct how the City manages its responsibilities, interacts with the community, and aligns its services with long-term vision and values. Appropriate policies help strengthen the City’s governance by ensuring a clear, shared understanding of priorities, and also support consistency in decision-making and outcomes across different departments and leadership terms.

To maintain the relevance and effectiveness of these policies, a structured review process is in place. High-risk policies, those that address critical areas or have significant legal or operational implications are to be reviewed every two years to ensure they remain current with best practices, legislative changes, and emerging risks. In contrast, lower-risk policies may be reviewed every four years, balancing the need for oversight with operational efficiency. However, policies are required to be updated outside of these scheduled intervals if circumstances demand it, such as changes in legislation, organisation procedures, or other relevant factors that could affect the policy's intent or application. This proactive approach ensures that the City’s policies not only comply with regulatory requirements but also continue to reflect the evolving needs and expectations of the community it serves.

The following existing Council policies have been subject to review and are now recommended for adoption by Council:

- Use of Recquatic Facilities Emergency Services Personnel (**Attachment 18.2.1**);
- Fireworks Management (**Attachment 18.2.3**).
- Community Funding Policy (**Attachment 18.2.5**)
- Civic, Social, Business Functions and Recognition (**Attachment 18.2.7**)

For ease of reference, both a version highlighting tracked changes and a clean version of each policy have been provided.

**OFFICER RECOMMENDATION**

**That Council:**

**1. Adopt the following Council policies as amended:**

- **Use of Recquatic Facilities Emergency Services Personnel (Attachment 18.2.1);**
- **Fireworks Management (Attachment 18.2.3).**
- **Community Funding Policy (Attachment 18.2.5)**
- **Civic, Social, Business Functions and Recognition (Attachment 18.2.7)**

**VOTING REQUIREMENT**

Simple majority

**DISCUSSION**

The report submitted to Council not only recommends the adoption of the revised policies but also provides both tracked changes and clean versions of each document to ensure clarity and transparency. This enables Council members and relevant stakeholders to readily identify the specific amendments proposed and to fully comprehend the rationale underlying each modification.

A comprehensive table is presented below, offering a detailed summary of the amendments associated with each policy.

**Amended Policies for Adoption**

The following policies have been reviewed and are recommended for adoption (as amended):

| Policy Name  | Comment  |
|--|--|
| Use of Recquatic Facilities Emergency Services Personnel | <p>The Use of Recquatic Facilities Emergency Services Personnel policy has been updated to clarify its requirements and ensure alignment with the City’s internal procedures. This revision guarantees that memberships are allocated appropriately. The policy has also been moved to the City’s latest policy template, which now includes clear Introduction and Objective sections for consistency with other revised policies in this report.</p> <p>A tracked change version of this policy is located at <b>Attachment 18.2.2.</b></p>  |
| Fireworks Management                                     | <p>The Fireworks Management Policy has been reviewed in line with the City’s standard policy update process. No substantive amendments were identified as necessary at this time; however, the policy has been transitioned to the City’s updated policy template. This transition includes the addition of the Introduction and Objective sections to ensure consistency with the format of other revised policies throughout this report.</p> <p>A tracked change version of this policy is located at <b>Attachment 18.2.4.</b></p>   |
| Community Funding Policy                                 | <p>This policy provides the framework to guide the distribution of Grant Funds across the City’s various funding programs. The Minor Capitol Works Grant has been removed from this policy, as the process for considering and budgeting for facility upgrades has changed in recent years. The Educational Scholarships section has been updated to reflect the new LYRIK Scholarship program (a direct replacement of the old scholarships).</p> <p>As part of the review, the policy has also been transitioned to the City’s updated policy template, with these changes reflected in the recommended ‘Clean Version’ for Council adoption.</p> <p>A tracked change version of this policy is located at <b>Attachment 18.2.6.</b></p> |
| Civic Social Business Functions and Recognition          | <p>This Policy is designed to recognise the contributions of local organisations, volunteers, Elected Members, former Elected Members, Members of Parliament, and employees who support the overall wellbeing of the Kwinana community. By honouring these</p>   |

|  |  |
|--|--|
|  | <p>individuals and groups, the City aims to foster positive relationships with key stakeholders. The policy now includes a clearer distinction between the Local Organisations Thank You Event and the Stakeholder Function and updates the Youth Awards section to align with current LYRiK Awards processes.</p> <p>As part of the review, the policy has also been transitioned to the City’s updated policy template, with these changes reflected in the recommended ‘Clean Version’ for Council adoption.</p> <p>A tracked change version of this policy is located at <b>Attachment 18.2.8.</b></p> |
|--|--|

**STRATEGIC IMPLICATIONS**

**Outcome:** Leadership / Boordiya Katidjin (Leader of knowledge)  
**Objective:** Proactive leadership

N/A - There is no specific action in the CBP, yet this report will help achieve the indicated outcomes and strategic objectives.

**How does this proposal achieve the outcomes and strategic objectives?**

Although there is no specific action to the City’s SCP or CBP the review, adoption and revoking of Council Policies should reflect the City desired achievements of the outcomes and objective of the visionary leadership of the City.

**SUSTAINABILITY FRAMEWORK**

**Sustainability Guiding Principle**  
 8 - Integrated and Transparent Decision-making

**Sustainability Priority Area**  
 3 - Liveability

**How does this proposal achieve the guiding principle and priority area?**

Through these policies, the City of Kwinana demonstrates visionary leadership dedicated to acting for its community, modelling accountable and ethical governance, and strengthening trust with the community. The City’s approach to policy development and review ensures that sustainability principles are embedded in its operations, promoting a healthier, more resilient, and sustainable community.

**LEGAL/POLICY IMPLICATIONS**

*Local Government Act 1995*

*2.7. Role of council*

- (2) Without limiting subsection (1), the council is to —
  - (a) oversee the allocation of the local government’s finances and resources; and
  - (b) determine the local government’s policies.



**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**

1. Council Policy Use of Recquatic Facilities Emergency Services Personnel - Clean Version [18.2.1 - 3 pages]
2. Council Policy Use of Recquatic Facilities Emergency Services Personnel - Track Changed [18.2.2 - 5 pages]
3. Council Policy Fireworks Management Policy - Clean Version [18.2.3 - 5 pages]
4. Council Policy Fireworks Management - Track Changed [18.2.4 - 8 pages]
5. Council Policy Community Funding - Clean Version [18.2.5 - 9 pages]
6. Council Policy Community Funding - Tracked Changed [18.2.6 - 10 pages]
7. Council Policy Civic Social Business Functions and Recognition - Clean Version [18.2.7 - 5 pages]
8. Council Policy Civic Social Business Functions and Recognition - Track Changed [18.2.8 - 7 pages]

### 18.3 ACCOUNTS FOR PAYMENT FOR THE MONTH ENDED 31 JULY 2025

#### SUMMARY

The purpose of this report is to present to Council a list of accounts paid under delegated authority for the month ended 31 July 2025 as required by the *Local Government (Financial Management) Regulations 1996*.

#### OFFICER RECOMMENDATION

That Council:

1. **Accepts the list of accounts, totalling \$9,343,639.12 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 July 2025, as detailed at Attachment 18.3.1**
2. **Accepts the detailed transaction listing of credit card expenditure paid for the period ended 31 July 2025, as detailed at Attachment 18.3.2**

#### VOTING REQUIREMENT

Simple majority

#### DISCUSSION

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the City's Municipal and Trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996* a list of accounts paid is to be provided to Council, where such delegation is made.

The following table summarises the payments for the period by payment type, with full details of the accounts paid contained within **Attachment 18.3.1**.

| <b>Payment Type</b>            | <b>Amount (\$)</b>     |
|--------------------------------|------------------------|
| Automatic Payment Deductions * | \$ 106,837.83          |
| Cheque                         | \$ 39,774.55           |
| EFT Payments                   | \$ 7,504,970.51        |
| Payroll Payments               | \$ 1,692,056.23        |
| <b>Total Attachment 18.3.1</b> | <b>\$ 9,343,639.12</b> |

\*Automatic Payment deductions include a payment of **\$41,356.43** for credit card payments. A detailed transaction listing of credit card expenditure paid for the period ended 31 July 2025, is included at **Attachment 18.3.2**.

A detailed listing of July 2025 payments, including short descriptions for each payment, is provided in **Attachment 18.3.1**.

## STRATEGIC IMPLICATIONS

**Outcome:** Quality of Life / Ngalang moorditj wirrin (Our strong spirit)  
**Objective:** Thriving local economy

N/A - There is no specific action in the CBP, yet this report will help achieve the indicated outcomes and strategic objectives.

## SUSTAINABILITY FRAMEWORK

### Sustainability Guiding Principle

3 - Thriving Local Economy

### Sustainability Priority Area

3 - Liveability

## LEGAL/POLICY IMPLICATIONS

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states:

- 13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.**
- (3) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared*
- 
- (b) *the payee's name; and*  
(b) *the amount of the payment; and*  
(b) *the date of the payment; and*  
(b) *sufficient information to identify the transaction.*
- (3) *A list of accounts for approval to be paid is to be prepared each month showing*
- (b) *for each account which requires council authorisation in that month —*
- (iii) *the payee's name; and*  
(iii) *the amount of the payment; and*  
(iii) *sufficient information to identify the transaction, and*  
(b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub-regulation (1) or (2) is to be —*
- (b) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*  
(b) *recorded in the minutes of that meeting.*

## FINANCIAL/BUDGET IMPLICATIONS

All expenditure included in the list of payments is in accordance with City's annual budget. Any expenditure in relation to Perth South West Metropolitan Alliance (PSWMA) are made by the City and reimbursed by the Alliance.

### **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications that have been identified as a result of this report.

### **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.

### **ATTACHMENTS**

1. AP Payment Listing Summary - July 2025 [**18.3.1** - 6 pages]
2. Credit card transactions - July 2025 [**18.3.2** - 6 pages]

**19 NOTICES OF MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**20 NOTICES OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING IF GIVEN DURING THE MEETING**

**21 LATE AND URGENT BUSINESS**

**22 REPORTS OF ELECTED MEMBERS**

**23 ANSWERS TO QUESTIONS WHICH WERE TAKEN ON NOTICE**

**24 MAYORAL ANNOUNCEMENTS**

**25 CONFIDENTIAL ITEMS**

Nil

**26 CLOSE OF MEETING**