

Ordinary Council Meeting

Agenda

24 June 2026

Notice is hereby given of an Ordinary Meeting of Council to be held in the Bonesia Room, John Wellard Community Centre, Wellard, 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 Sherilyn Wood 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 SPECIAL COUNCIL MEETING HELD ON 10 JUNE 2026

RECOMMENDATION

That the Minutes of the Special Council Meeting held on 10 June 2026 be confirmed as a true and correct record of the meeting.

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

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

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

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

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

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

before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before the matters to which the disclosure relates are discussed.

9 REQUESTS FOR LEAVE OF ABSENCE

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

11 ANY BUSINESS LEFT OVER FROM PREVIOUS MEETING

12 RECOMMENDATIONS OF COMMITTEES

12.1 MINUTES OF THE BOOLA MAARA ABORIGINAL CONSULTATIVE COMMITTEE MEETING HELD ON 8 JUNE 2026

SUMMARY

The City of Kwinana Aboriginal Consultative Committee is established by the City of Kwinana with the primary purpose of enhancing the relationship between the City and Committee members, while focusing on the dual objectives of environmental guardianship and the wellbeing of the Aboriginal community. This committee recognises the vital role of the Aboriginal community in Kwinana and aims to ensure their perspectives and expertise are integrated into the decision-making processes of the City.

COMMITTEE RECOMMENDATION

That Council notes the Minutes of the Boola Maara Aboriginal Consultative Committee held on 8 June 2026.

VOTING REQUIREMENT

Simple majority

DISCUSSION

The primary purpose of the Committee is to provide Council with expertise in relevant Aboriginal cultural matters to assist its decision making of the Kwinana Community. The Committee will assist the Council in making culturally appropriate, respectful, and informed decisions pertaining to community matters, particularly those affecting the Aboriginal community and the environment.

STRATEGIC IMPLICATIONS

Outcome: Quality of Life / Ngalang moorditj wirrin (Our strong spirit)
Objective: Improved health and wellbeing
Action in CBP: Review and implement the Innovate Reconciliation Action Plan

Outcome: Leadership / Boordiya Katidjin (Leader of knowledge)
Objective: Accountable and ethical governance
Action in CBP: Review and implement the Innovate Reconciliation Action Plan
Action in CBP: Facilitate the Boola Maara Aboriginal Consultative Committee Meetings
Objective: Proactive leadership

SUSTAINABILITY FRAMEWORK

Sustainability Priority Area

3 - Liveability

4 - Engagement and Social Inclusion

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

1. Minutes - Boola Maara Aboriginal Consultative Committee Meeting - 8 June 2026 [**12.1.1** - 28 pages]

13 ENBLOC REPORTS

Nil

14 REPORTS - COMMUNITY

Nil

15 REPORTS - ECONOMIC

Nil

16 REPORTS - NATURAL ENVIRONMENT

Nil

17 REPORTS - BUILT INFRASTRUCTURE

17.1 MILLAR ROAD LOCAL STRUCTURE PLAN

SUMMARY

A Local Structure Plan for Lot 89 Millar Road and Lots 62 and 1219 Woolcoot Road in Wellard has been lodged with the City of Kwinana (the City) in accordance with Schedule 2, Clause 16 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (P&D Regulations). The proposed Millar Road Local Structure Plan (MRLSP) is shown in Figure 1 and found in **Attachment 17.1.1**.

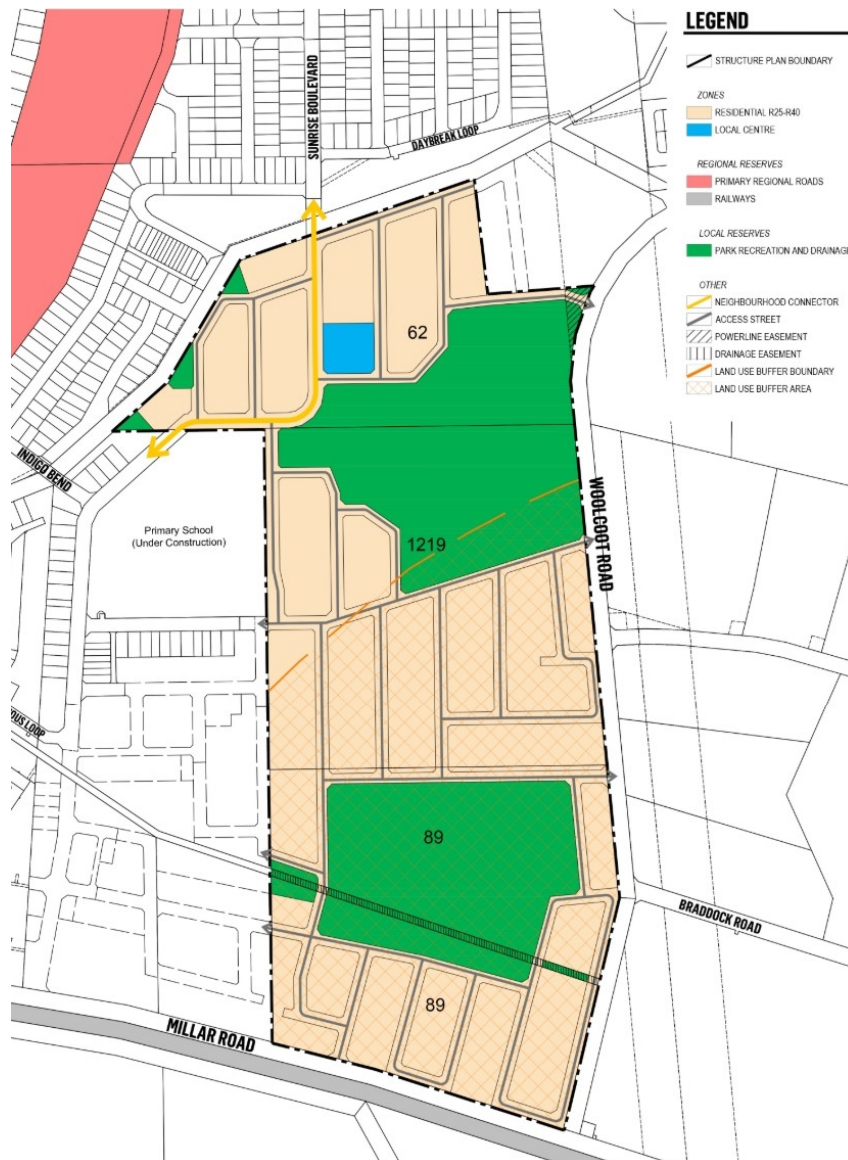


Figure 1 - MRLSP

The Western Australian Planning Commission (WAPC) is the determining authority for approval of local structure plans, including the proposed MRLSP. The City is required to provide a report to the WAPC by 31 June 2026. The report to WAPC is required to:

- List and respond to submissions received on the MRLSP;
- Provide an assessment of the MRLSP based on planning principles; and

- Provide a recommendation on whether the MRLSP should be approved or not, with or without modifications.

The City advertised the MRLSP from February 2 to March 16, 2026. 18 submissions were received during the advertising period. A Schedule of Submissions and the City's response are found in **Attachment 17.1.3**.

A key issue with the MRLSP relates to two existing Resource Enhancement Wetlands (REWs) on the site. These REW's broadly align with the POS areas shown in green on Figure 1. The extent of wetlands on the Swan coastal plain is determined by mapping undertaken and published by the Department of Biodiversity, Conservation and Attractions (DBCA). It is broadly accepted that some of DBCA's wetland mapping is based on aerial imagery and can be refined through 'ground truthing' and more detailed analysis. DBCA therefore have an established process whereby proponents can seek to amend the wetland mapping, or reclassify the wetland, through a comprehensive pro-forma assessment that is reviewed by DBCA. In this instance, the proponent for the MRLSP is seeking to reclassify and amend the wetland concurrently with the assessment of the MRLSP. In short, the applicant contends that the REWs are smaller in area and different in shape than the DBCA mapping.

This concurrent approach is highly problematic as without knowing the site characteristics and constraints, the City is unable to assess key aspects of the structure plan. The extent of the REWs affects lot yield, local water management, tree retention, public open space design, road layout and bushfire management, zoning and density codes. All of which are the basic elements that need to be clearly defined in a structure plan for it to be effective in guiding land subdivision and development.

It is primarily for this reason that the Officer Recommendation is to not support the MRLSP. Additional matters relating to wetland separation distance, bushfire management and tree retention are also included as reasons not to support the MRLSP.

It is recommended that Council resolve to advise the WAPC that the City does not support the proposed Millar Road Local Structure Plan in its current state. In the event the WAPC determines to approve the structure plan, the City has prepared a comprehensive attachment that compiles and details matters that must be resolved prior to approval.

OFFICER RECOMMENDATION

That Council:

- 1. Advise the Western Australian Planning Commission (WAPC) pursuant to Schedule 2, Clause 20 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, that the City of Kwinana does not support the proposed Millar Road Local Structure Plan (MRLSP) for the following reasons:**
 - a) The spatial extent of Resource Enhancement Wetlands shown by the applicant is inconsistent with the Department of Biodiversity, Conservation and Attractions (DBCA) published wetland mapping;**
 - b) The extent of the wetlands is a fundamental consideration for the MRLSP that affects lot yield, local water management, tree retention, public open space design, road layout and bushfire management. Without determining the classification and extent of any required buffers, the MRLSP cannot be considered with any certainty;**
 - c) The proposed 30 metre separation distance (buffer) to the (disputed) wetland boundaries, and proposed treatment within this separation area is inconsistent**

- with appropriate environmental management and the wetland requires classification to determine appropriate buffers;**
- d) The Bushfire Management Plan assumes the application of bushfire mitigation measures that are not supported by the City and are contrary to the Bushfire Guidelines. The unsupported mitigations include the City taking on obligations to implement ongoing vegetation management and fuel reduction in natural areas (Peel Sub-Drain reserve) and introduce and maintain hard surface limestone areas within the wetland buffer labelled as “trails”;**
 - e) The submitted Landscape Feature and Tree Retention Strategy does not meet the requirements of the City’s Local Planning Policy No. 1: ‘Landscape Feature and Tree Retention’, as there is insufficient information and detail to determine how trees will be retained and managed throughout the subdivision process.**
- 2. Adopt the Schedule of Submissions (Attachment 17.1.3) and advise the submitters of Council’s decision; and**
 - 3. Advise the WAPC that, in the event the WAPC considers the proposed MRLSP should be approved, the modifications and additional information detailed in Attachment 17.1.5 be undertaken and addressed.**

VOTING REQUIREMENT

Simple majority

DISCUSSION

Background

The proposed MRLSP applies to three separate landholdings being Lot 89 Millar Road, Lot 62 and Lot 1219 Woolcoot Road in Wellard. The applicant has controlling interest in all three lots. The site currently comprises remnant vegetation, informal tracks, wetlands and several dilapidated structures. Lot 89 Millar Road is bisected by an open drain under the ownership of the Water Corporation. The MRLSP proposes a largely residential neighbourhood with densities ranging from R25 to R40, delivering approximately 460 dwellings. A local commercial centre is included in the northern half of the precinct, located adjacent to the POS network and fronting the key north/south distributor road (Sunrise Boulevard). The proposed zoning and land use in the MRLSP is summarised in Table 1.

Table 1 - Land Use Summary

Item	Millar Road LSP
Total area covered by the Structure Plan	39.56ha
Residential	17.05ha
Local Centre	0.35ha
Reserves – Parks and Recreation	13.73ha
Reserves – Road Reserves	8.43ha
Estimated number of dwellings	460 dwellings
Estimated residential density	16 dwellings per gross urban hectare and 27 dwellings per residential site hectare.
Estimated population	1,242 people (2.7 people per household)
Amount of creditable POS	2.83ha (10%)

	Unrestricted – 2.26ha Restricted – 0.57ha
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Planning Framework

MRS

Under the MRS, the site is split between an 'Urban' zone in the north and 'Urban Deferred' in the south (see Figure 2 below). The 'Urban Deferred' zoning follows the boundary of an odour buffer associated with a livestock holding facility on Telegraph Lane in the City of Rockingham.

LPS2

Under the City's LPS2, the site is zoned 'Development' in the north (aligning with MRS Urban) and 'Cluster/Communal Rural Settlement' in the south (aligning with MRS Urban Deferred). To enable the entire MRLSP site to be zoned 'Development' and consequently allow implementation of a local structure plan, the MRS "Urban Deferred" zoning must be lifted in accordance with Section 126(3) of the *Planning and Development Act 2005*.

At the time of preparing this report, no request has been prepared and made to the WAPC to lift the Urban Deferred status of this land. However, the lifting of the deferral can be done as a concurrent resolution of the WAPC along with determination of the structure plan.

Draft LPS4

Under the City's draft LPS4 (advertised March 2025) the northern portion of the MRLSP area is zoned 'urban development' with the remaining southern portion (inside the buffer) zoned 'Rural'. The 'Rural' zoning applied to the southern portion of the site under draft LPS4 is a consequence of the land's 'Urban Deferred' zoning under the MRS. A local planning scheme may only apply a 'Development' zone to land that is zoned 'Urban' under the MRS, until that deferral is lifted, the local scheme is constrained accordingly. However, if the urban deferred status is lifted, the City's Planning Scheme would be automatically amended by regulation to be consistent with the MRS. In this case the Development zone would likely be applied to the area currently under deferral.

Jandakot District Structure Plan

The MRLSP falls within the Jandakot District Structure Plan area. The District Structure Plan was prepared by the WAPC in 2007 in response to pressure for development in the south-west corridor. The District Structure Plan coordinates and guides development expectations across the region. The MRLSP site falls within the medium-term urban designation. An urban transition designation runs along Woolcoot Road, delineating the boundary between the urban area and the rural residential zoning to the east.

Local Planning Strategy

The City's draft Local Planning Strategy adopted by Council in 2024 sets out the strategic directions for land use planning and development. The draft Strategy identifies the Millar Road LSP site in its entirety as future urban and includes a local centre in the north of the site.

LCACS

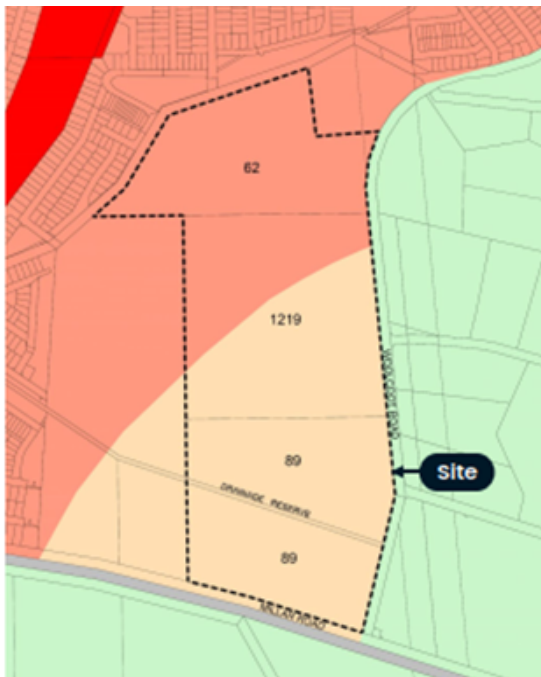
The City's Local Commercial and Activity Centre Strategy, 2023 (LCACS) seeks to develop and maintain a network of activity centres across the City to meet the evolving needs of the population. Wellard East is included within the strategy as a potential local centre located to the east of the Kwinana Freeway and within the Millar Road LSP area. This aligns with the local centre proposed in the Millar Road LSP.

Development Contribution Areas

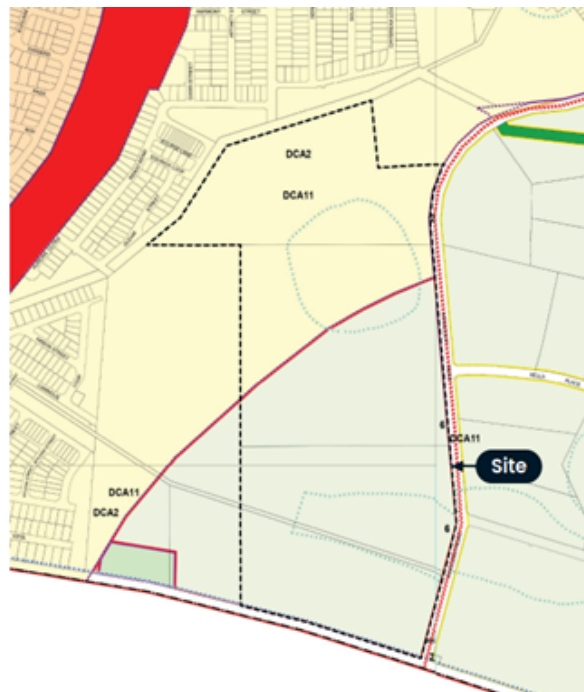
The MRLSP area zoned Development in the City’s LPS No 2 is within two Development Contribution Plan Areas; Development Contribution Area 2 and Development Contribution Area 11. The southern area, designated as Stage 2, does not fall within any Development Contribution Area as it is currently zoned ‘Cluster/Communal Rural Settlement’ in LPS2. A scheme amendment would be required to extend the existing Development Contribution Areas south to include the entirety of the LSP area.

Livestock Holding Facility

MRS Zoning



LPS2 Zoning



MRS ZONING

- URBAN
- URBAN DEFERRED
- RURAL
- PRIMARY REGIONAL ROAD
- RAILWAYS

LOCAL SCHEME ZONES

- | | |
|--|--|
| Cluster/communal rural settlement | Rural water resource |
| Commercial | Service commercial |
| Development | Special residential |
| General industry | Special rural |
| Kwinana town centre | APH Special use : Aged persons home |
| Light industry | CC Special use : Cultural centre |
| Mixed business 1 | SS Special use : Service station |
| Residential | V Special use : Various |
| Rural A | W Special use : Welfare |
| Rural B | |

Figure 2 - Land Use Zoning

An existing livestock holding facility is located to the southeast of the site on Telegraph Lane within the City of Rockingham. This facility is subject to a buffer that seeks to protect sensitive urban land uses from odour and dust from being located in close proximity. Considering this, it is envisaged that development will commence within the northern part of the site and progress south in two stages as shown in Figure 3. Stage 2 is entirely within the buffer and therefore will not have effect until such time as the odour buffer is removed and the land is subsequently rezoned from ‘Urban Deferred’ to ‘Urban’ under the Metropolitan Region Scheme (MRS). It is expected that a concurrent amendment to the City’s Local Planning Scheme (LPS) will then change the zoning of this buffer area from ‘Cluster/Communal Rural Settlement’ to ‘Development’.

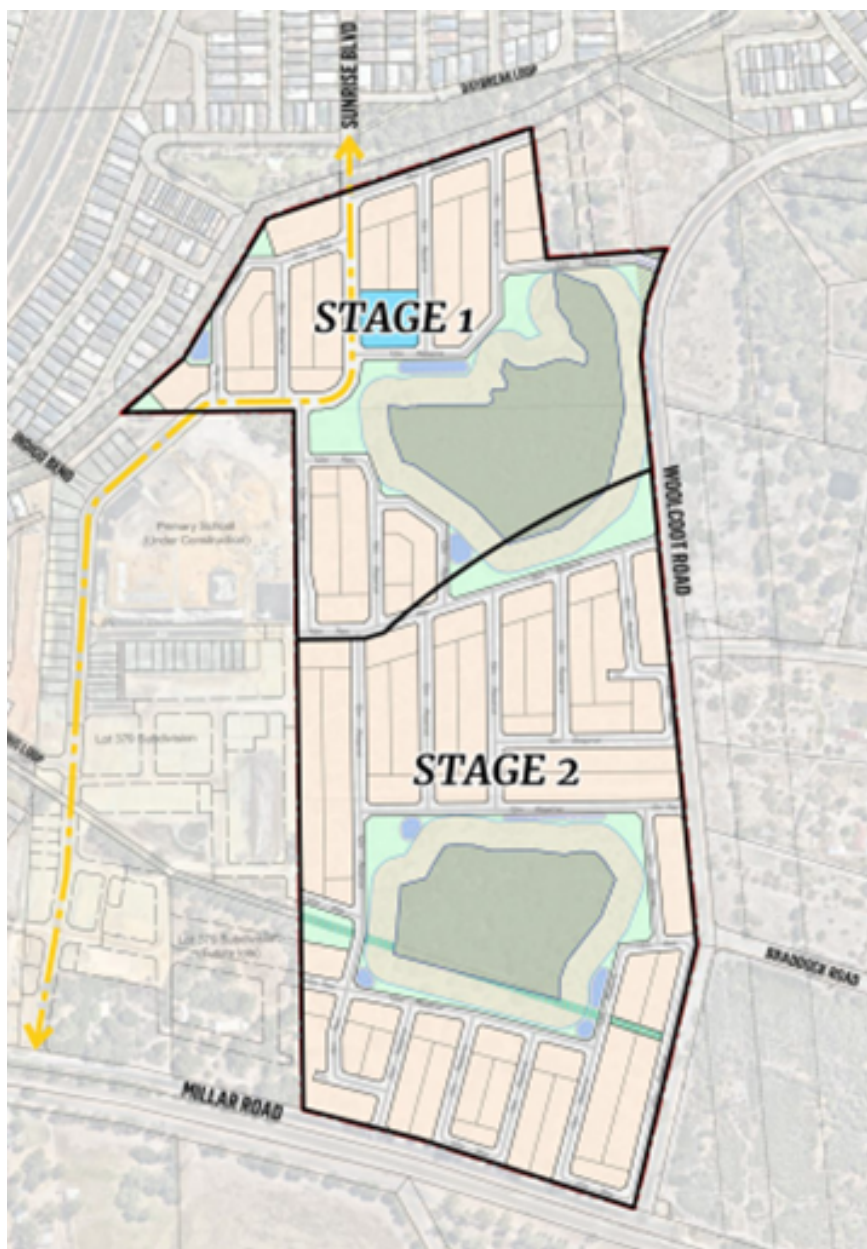


Figure 3 - Staging Plan

Planning Matters

The MRLSP completes the southern portion of Wellard East with the intention of linking the northern and southern precincts via Sunrise Boulevard. The City has considered the MRLSP against relevant statutory and strategic planning framework and consulted with public and government agencies.

A significant feature of the MRLSP is the integration of two Resource Enhancement Wetlands (REW). These wetlands are shown as open space areas with surrounding pedestrian paths and recreation spaces. However, a fundamental planning concern is regarding the proposed mapping for these wetlands. The applicant has chosen to submit the MRLSP prior to completing the wetland reclassification process with the DBCA, rather than awaiting the outcome of a reclassification request. This approach is inappropriate as it seeks to predetermine the wetland boundaries through the structure planning process without the classification having been completed by the DBCA. The impact of this is discussed in further detail below.

Several additional planning matters are outlined below. Where relevant, these matters are reflected in the recommended modifications to the MRLSP, should the WAPC determine to support the structure plan in its current form.

Resource Enhancement Wetland Mapping

As stated above, a key issue with the MRLSP is in relation to the mapping of the two REW's located in the structure plan area. The REW's are mapped as per the *Geomorphic Wetlands Swan Coastal Plain Dataset*. They represent a significant biodiversity asset, providing habitat value and ecological connectivity that must be appropriately considered in the planning of the area. However, the applicant has proposed to augment the boundaries of both REW's and suggested separate management outcomes. The applicant's environmental consultant is proposing that the values on the ground do not align with the current wetland mapping and therefore amendments to the wetland boundary are appropriate. Figure 4 shows the extent of the geomorphic wetlands as mapped by DBCA and overlaid with the proposed wetland boundaries being proposed by the applicant.

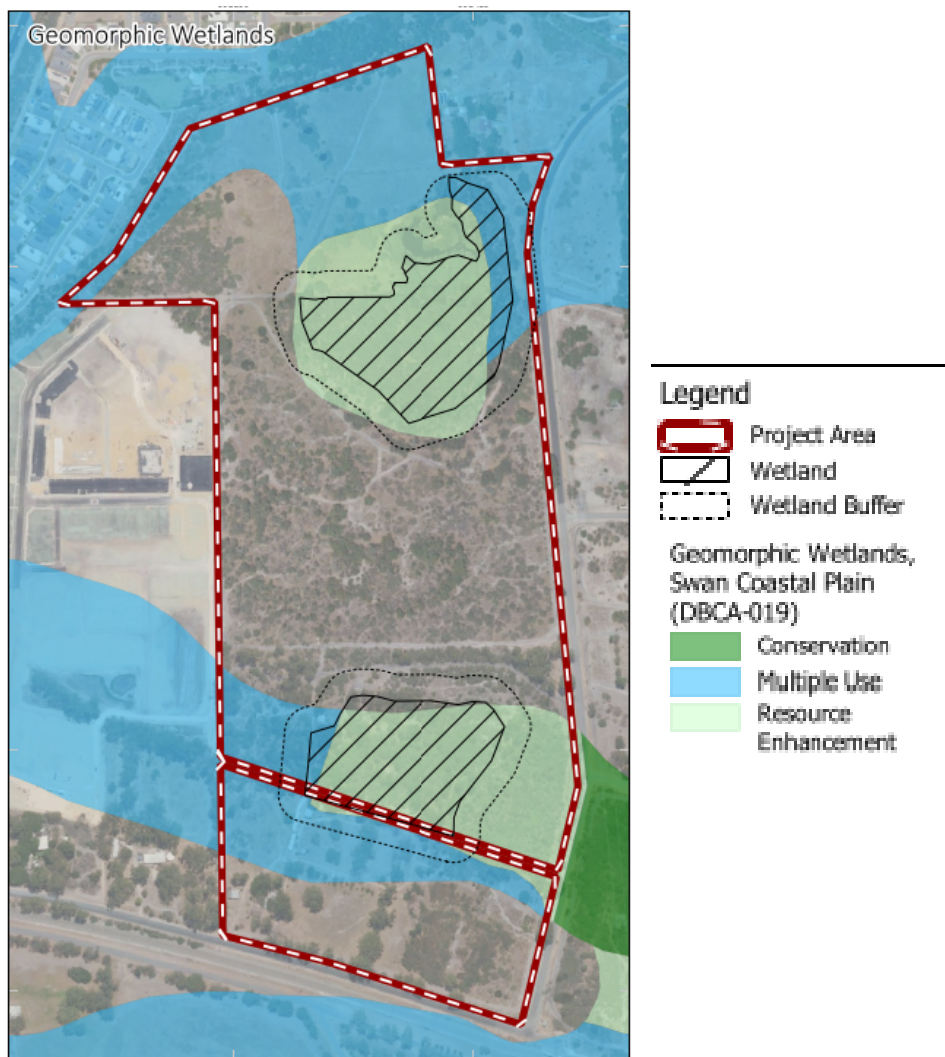


Figure 4 - Geomorphic Wetland Mapping and Proposed Wetland Concept

Neither the City nor DBCA support the approach of changing wetland boundaries and suggesting management outcomes through the structure planning process. Pre and post lodgement advice provided to the applicant by the City and DBCA outlined that a formal request to modify the wetland dataset should be submitted to DBCA (see Attachment 17.1.4). This is a separate process

that must be undertaken to modify mapped wetland boundaries. The outcome of this process should subsequently inform the final structure plan design.

This is a fundamental issue that has potential to impact the entire MRLSP area. Until the process through DBCA is finalised, the City cannot support the MRLSP in its current form and recommends that it not be supported due to the incorrect mapping of the REW's. The City considers the applicant's approach does not constitute proper and orderly planning, as the unresolved wetland mapping has direct implications on the number of dwellings that can be delivered, the location of the local centre, road layouts, the amount of public open space provided, land use zoning and density codes. Resolution of these matters will likely require significant revision of the technical documents supporting the structure plan. It is therefore premature to progress the MRLSP prior to the appropriate DBCA process being finalised which is necessarily a precursor to the structure planning process.

Zoning

The current zoning for the MRLSP is complicated by various elements. The northern part of the site (see stage 1 in Figure 3) is zoned 'Urban' under the MRS and 'Development' under LPS2. This zoning is intended to enable development under a structure plan. The southern part of the site (see Stage 2 in Figure 3) is constrained by an existing odour buffer for a nearby livestock holding facility. The southern portion is zoned 'Urban Deferred' under the MRS and 'Cluster/Communal Rural Settlement' under LPS2. An MRS amendment and subsequent LPS amendment is required prior to the land in Stage 2 being zoned 'Urban' (MRS) and 'Development' (LPS). Development cannot occur in the 'urban deferred' zoned land until it is zoned 'urban'. It is noted that for this rezoning to happen, the nearby livestock holding facility must first cease operating and have no ability to restart. The current licence for the livestock holding facility does not expire until 2033.

The Department of Water and Environmental Regulation (DWER) provided comments to the City which identified the MRLSP as premature due to the current zoning of the southern part of the site. Whilst the City acknowledges this position it agrees with the applicant's view that including stage 2 within the MRLSP boundary ensures a co-ordinated and well-integrated approach to developing the subject area. A separate structure plan for the southern area could result in a fragmented approach leading to poor outcomes in road layout, POS distribution and subdivision design. Furthermore, the WAPC has provided written correspondence prior to lodgement of the MRLSP providing a head of power for the structure plan to be prepared in accordance with the P&D Regulations. The inclusion of both MRS 'Urban' and 'Urban Deferred' zoned land in the MRLSP is consistent with planning practice and therefore supported.

Resource Enhancement Wetland Buffer

The MRLSP proposes a 30-metre buffer to the amended wetlands (See Figure 7, page 37 of **Attachment 17.1.1**). In accordance with the City's Local Biodiversity Strategy (2022), a 50-metre buffer is to be considered for all REW's. This approach aligns with that provided in the draft Guidelines for the Determination of Wetland Buffer Requirements (DPLH, 2021). This advice was provided to the applicant as seen in **Attachment 17.1.4**. The intent of the rehabilitation and restoration works for REWs is to achieve Conservation Category Wetland (CCW) status. It is widely recognised that a 50-metre buffer is necessary to protect the hydrological and ecological functions of CCWs and to mitigate impacts associated with changes in surrounding land uses.

The LSP, through the LWMP, also proposes that these wetlands form part of the overall drainage design. The City has extensive experience in the management of wetlands within greenfield urban developments and has consistently demonstrated the necessity of a 50-metre revegetated buffer for retained wetlands to achieve sustainable ecological and hydrological outcomes including wetland function, storage capacity and water quality objectives.

The effect of reducing the normal 50m buffer to the proposed 30m separation will negatively impact the amount of POS provided and will require re-assessment of bushfire risk and groundwater drainage through the LWMS.

The proposed 30 metre separation distance (buffer) is not supported. This combined with the disputed extent of the wetland is a reason for not supporting the structure plan and is listed in the recommendation accordingly.

Local Water Management Plan (LWMP)

Both the City and DWER consider that the submitted LWMP lacks the necessary detail to demonstrate effective water management across the structure plan area. Key concerns include:

- Absence of pre-development groundwater monitoring and groundwater quality assessment;
- Absence of confirmation that drainage basins have been designed to accommodate the 20% AEP critical storm duration;
- Absence of a hydrological balance study for the wetland;
- Absence of a current geo-technical report;
- Drainage infrastructure is currently located within the wetland buffer. All drainage infrastructure is to be located outside wetlands and their buffers;
- Absence of confirmation that drainage has been designed to retain stormwater up to the 1% AEP critical storm duration for the commercial development area or the design depth for residential lots being able to accommodate the 10% AEP event; and
- Absence of cross-sectional details for the proposed drainage basins.

The schedule of submissions (**Attachment 17.1.3**) provides further detail in relation to the above concerns, specifically the submission from DWER. In addition, a further information request letter was provided to the Applicant (**Attachment 17.1.4**) setting out these matters.

While the City is required to provide a recommendation to the WAPC by 31 June, it is understood from the applicant that the current LWMP is being revised to fully address and inform the drainage requirements of the LSP and to address submission comments from DWER (see **Attachment 17.1.3**). However, the City has not yet received the revised documentation, and it cannot be assumed that the matters will be addressed to the City's or DWER's satisfaction.

Attachment 17.1.5 is a list of matters to be addressed in the LWMS if the WAPC determines to approve the MRLSP.

Transport Impact Assessment TIA

Based on the 460 residential lots and 0.35ha Local Centre proposed by the MRLSP, 5,170 daily vehicle movements are expected to be generated by future development. Approximately 474 movements will occur during the morning AM peak time, and 517 during the evening PM peak time.

The majority of both inbound and outbound trips (75%) are expected to travel north via the existing Sunrise Boulevard to Mortimer Road, and then travel either further west or north on Kwinana Freeway. The Mortimer Road / Kwinana Freeway intersection already experiences 'loss of service' to some extent due to regional traffic and is projected to reach maximum loss of service rating 'F' by 2037 due to regional growth. This is a known factor to Main Roads Western Australia (MRWA) and plans are underway to upgrade and improve Mortimer Road's capacity and function. Planning Control Area 193 – Mortimer Road was declared on 7 November 2025 to protect land for this purpose.

Given this context, the traffic generated by the MRLSP is not expected to present a fundamental challenge to the regional network on its own.

Notwithstanding, there is considerable further information and modification required to the TIA to satisfy the requirements of MRWA and the City. The required information is detailed in **Attachment 17.1.3 and 17.1.5**, and although largely technical, there may need to be modifications made to the MRLSP indicative lot layout and road reservation widths to satisfy relevant requirements.

Key matters include:

- Intersection treatments adjacent to the primary school.
- Sightlines and safety information.
- Road cross sections and the capacity of the section to cater for all the required improvements (road pavement, verge, lighting, footpath).
- Designation of safe pedestrian routes from within the LSP area to the primary school.
- Some discrepancies with the traffic modelling data.
- Conformance with the WAPC TIA checklist.

What is the implication of this? - could the road design change if the volumes are x or y?

Road and Rail Noise

A freight rail line is located to the south of the site, adjacent to Millar Road. Additionally, the Kwinana Freeway is approximately 500 metres west of the MRLSP. As such the site is subject to the provisions of State Planning Policy 5.4 - Road and Rail Noise (SPP 5.4). Under SPP 5.4, lots in the south of the site require noise attenuation packages and notifications on titles for all noise affected lots.

Additionally, the MRLSP intends to continue the existing noise protection wall, provided as part of the adjoining Wellard Glen Estate (fronting Millar Road) for an additional 70 metres to an assumed height of at least 2 metres. Where the wall ends, it is proposed to protect the residential lots from noise by using quiet home packages in accordance with SPP 5.4. The applicant has explained that the noise wall is proposed to be continued adjacent to Millar Road to provide continuation and integration between the Wellard Glen Estate and the MRLSP. It should be noted that this wall is not proposed to extend along the full extent of the southern boundary for design and amenity reasons. Where the noise protection wall ends, road design and quiet home packages are relied upon (see Figure 25 of **Attachment 17.1.1**). This is considered an appropriate planning outcome. A continuous wall does not promote good amenity or an appropriate streetscape outcome for Millar Road. The small portion of noise protection wall within the MRLSP is to be provided using the same materials and finish as the existing wall for continuity and is supported.

Bushfire Management

Mitigation measures required to achieve acceptable Bushfire Attack Level (BAL) ratings for urban development are to be accommodated wholly within the development footprint in accordance with State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP 3.7).

The Department of Fire and Emergency Services (DFES) has advised the City that the BMP has not demonstrated the MRLSP complies with the requirements of SPP 3.7 and the associated Guidelines in terms of siting and design and vehicular access. DFES recommends that the BMP be modified to ensure it is accurate and the bushfire risk management /mitigation measures are effective and can be implemented in perpetuity to manage bushfire risk to people, property and infrastructure. The specific requirements are set out in the Schedule of Submissions (**Attachment 17.1.3**). The applicant has advised they disagree with the comments provided by DFES and has not addressed them in a revised BMP.

The BMP does not demonstrate whether BAL-29 or lower, can be achieved with the proposed concept subdivision design. Residential zoned land in the MRLSP is impacted by BAL-40/BAL-FZ ratings in the post development scenario. This is specifically in the north and south of the MRLSP area that abuts Peel Sub-Drain reserves that are, or are to be, managed by the City. To achieve appropriate risk mitigation, the BMP imposes an ongoing management obligation, and vegetation reduction requirement on the City to manage these reserves. This is contrary to the natural state of the reserve and is objected to by the City.

To facilitate a living stream outcome for the sub drain reserve an appropriate separation distance, or Asset Protection Zone (APZ) to the adjoining lots is required. This is not possible with the current design as the adjoining lots would not have the required separation to achieve BAL 29 or

lower. This is a known issue for the City in other locations where lots have been established directly adjoining the sub drain where the intent was to revegetate and restore the sub drain environment. This has resulted in the City being obligated to in perpetuity manage the bushfire risk within the sub drain reserve for the adjoining properties. This is an undesirable outcome and should not be repeated in this proposed structure plan.

Additionally, the BMP assumes that the smaller POS areas located to the north and west (See Figure 1 Local Structure Plan) are active POS areas with reticulated lawn and therefore do not have any BAL implications. The landscaping plans, which set out this information, will not be approved until subdivision stage and therefore this assumption cannot be made at the structure planning stage. The City recommends that the BMP be amended to clarify that the vegetation assumptions are indicative only, and that the BMP must be updated upon approval of the landscaping plans.

Lastly, SPP 3.7 states that cul-de-sac designs should be avoided where possible. The MRLSP proposes two cul-de-sacs as seen in Figure 5.

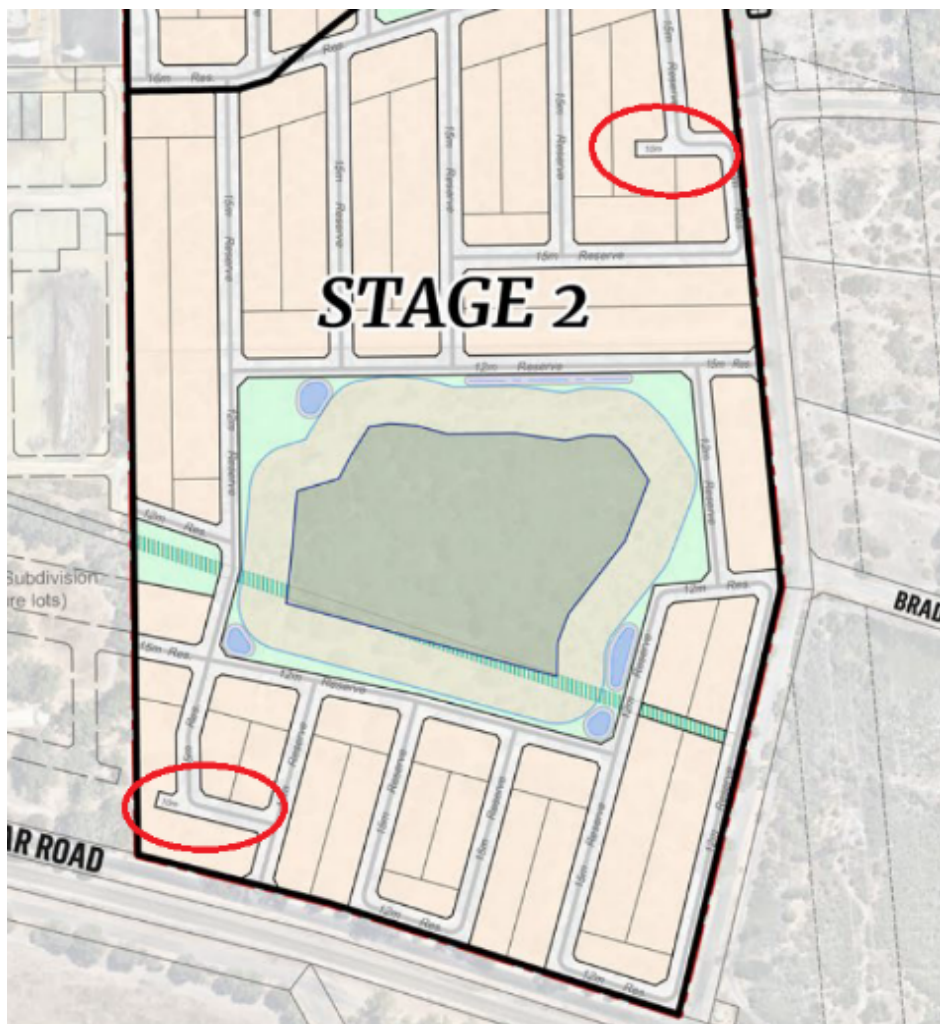


Figure 5 - Location of Proposed Cul-de-Sacs

The MRLSP should be amended to comply with SPP 3.7 by providing through-road connections, including into adjoining and future local structure plan areas. This is necessary to satisfy both bushfire access requirements and broader neighbourhood access and amenity outcomes for the future community. Providing through-roads in place of the cul-de-sacs also aligns with the

principles of Liveable Neighbourhoods. The lack of access to adjoining development is objectionable and an unnecessary impost on the future residents and their neighbours.

Matters of Natural Environmental Significance (MNES)

The City is one of the fastest growing local governments for greenfield urban development within Metropolitan Perth. Contemporary experience with LSPs containing significant matters under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) has demonstrated an increasing reliance on local offsets, consistent with recent changes to offset requirements administered by the Department of Climate Change, Energy, the Environment and Water (DCCEEW) to mitigate impacts on MNES.

Offsets required under the EPBC Act are typically achieved through the delivery of conservation outcomes within the LSP area. The Environmental Assessment Report (EAR), provided as **Attachment 17.1.2**, identifies that the proposal is likely to result in significant impacts on MNES. However, it is unclear whether the proposal has been referred to DCCEEW for assessment under the EPBC Act.

The City's pre and post-lodgement advice to the applicant has been regarding their obligation to refer the proposal to the Commonwealth Government and notes that DBCA has provided advice to the same effect in their submission (see the Schedule of Submissions provided as **Attachment 17.1.3** and the Further Information Request letter provided as **Attachment 17.1.4**. It is recommended that should the MRLSP be supported, the applicant should be required to refer the structure plan to DCCEEW for assessment under the EPBC Act.

Local Centre

The Millar Road LSP proposes the inclusion of a local commercial centre, consistent with the City's Local Commercial and Activity Centre Strategy (2022) (LCACS). The purpose of this Local Centre is to provide future residents with convenient access to daily goods and services.

LCACS supports a Local Centre with up to 1,500 sqm of shop/retail floorspace. The provision of the Local Centre is supported; however, the City recommends a Local Development Plan (LDP) be prepared for the site. An LDP will assist in providing for better built form outcomes and ensure it is appropriately integrated and impacts are considered. This is particularly in response to the proposed location of the Local Centre being surrounded by POS and residential zoned land.

It is recommended that a provision be inserted into Part One of the MRLSP requiring a LDP to be prepared and approved for the Local Centre site.

Residential Density

The Structure Plan Map (Page 22 – **Attachment 17.1.1**) proposes development of approximately 460 dwellings with residential densities ranging from R25 to R40. This density range typically supports traditional, low density housing typologies. The MRLSP proposes that R25 apply as the base density coding across the LSP area with opportunities for densities up to R40 located in proximity to the Local Centre and key movement routes. A medium density code of R80 is proposed to apply to the Local Centre zoned land. The MRLSP sets out a density of 16 dwellings per gross urban hectare and 27 dwellings per residential site hectare. This is just over the minimum requirements of 26 dwellings per residential site hectare set out in draft Liveable Neighbourhoods (WAPC, 2015).

Transition Lots

The City considers that given the LPS2 zoned land east of the MRLSP area is 'Special Rural', a sympathetic transition to larger, low density, residential lots on the eastern boundary of the structure plan area is an effective outcome that would reduce the amenity impact of urban development. This is referred to as a 'compatible use transition' in Draft Liveable Neighbourhoods 2015. Also, as previously outlined in this report, the Jandakot District Structure Plan designates the urban land abutting Woolcoot Road as an urban transition area. Larger residential lots have wider

frontage and deeper setbacks to the dwelling enabling a vegetated interface between the urban and rural land.



Figure 6 - Lyon Road Transition Lots

A suggested density for this transition is R10 density coded lots which provides for residential lots of around 1000m² (or approximately the old quarter acre). This approach has been successfully implemented along a portion of Lyon Road within the Wandi North Local Structure Plan area as shown in Figure 6 below. Although this created a good transitional outcome, the WAPC recently did not support the City's position that R10 coded land be provided further south along Lyon Road (Amendment No. 4 to Wandi North Local Structure Plan). It is also noted that land north on Woolcoot Road (formerly Lot 64 Woolcoot Road) has been developed to the R25 density. Regardless, it remains the City's view that should the MRLSP be supported, it be modified to

provide an R10 density coding along Woolcoot Road consistent with the intent of the Jandakot District Structure Plan.

Density around the Local Centre

To offset any slight overall reduction in nett density across the structure plan area caused by the ‘compatible use transition’, and in accordance with Liveable Neighbourhoods, the City suggests that the residential density of lots adjacent to the Local Centre (at minimum) should be increased from R40 to R50 as a minimum. This will provide greater housing diversity and recognise the higher amenity of the centre. It is recommended that, should the MRLSP be supported, a minimum

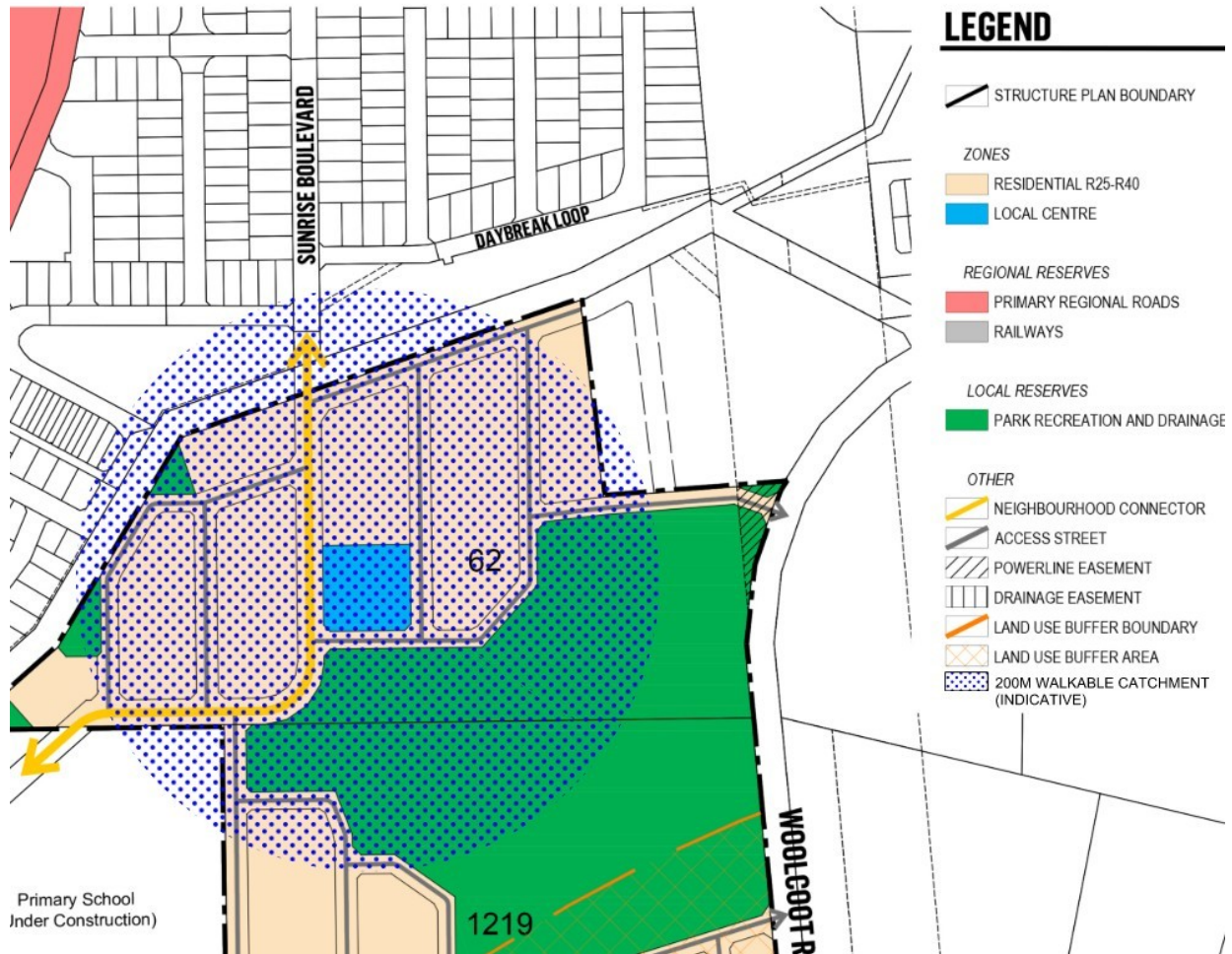


Figure 7 - 200m Local Centre Catchment

R50 density coding be applied to land within 200 metres of the Local Centre (refer to Figure 7). This will ensure the local centre serves the convenience and incidental needs of surrounding communities within walkable catchments, consistent with Liveable Neighbourhoods and State Planning Policy 4.2 – Activity Centres.

Density Range

Where density ranges are proposed, they should accord with the limitation on ranges specified in the Structure Plan Guidelines (see Table 2). R-Code ranges provide a limited amount of flexibility for subdivision design to respond to slight changes in market demand by allowing small adjustments to the lot/housing product as development in the structure plan area progresses. The current proposed range of R25 – R40 is very broad and creates a high degree of uncertainty about the lot profile, nett density of development and street design. It is recommended that, should the MRLSP be supported, it is modified to have density ranges that are consistent with the applicable guidelines, as shown in Table 2 below as taken from the WAPC’s Structure Plan Guidelines.

Low density range	Medium density range	High density range
R2-R10	R30-R40	R80-R100-SL
R12.5-R25	R50-R60	

Table 2 - Density Ranges

Public Open Space

The MRLSP POS schedule (Page 67 - **Attachment 17.1.1**), states a total of 2.83 ha of creditable POS will be provided, equating to 10% of the gross subdivisible area. This is consistent with the requirements of Liveable Neighbourhoods. While the applicant states 2% of the credited POS is restricted and 8% is unrestricted, there is no figure provided to show where or how these POS are located or required. This is a fundamental requirement of a structure plan to demonstrate the distribution and application of POS.

A detailed POS plan showing locations and total areas is required to be provided as part of the MRLSP. Notwithstanding, the POS calculations will be required to be reviewed should the DBCA wetland reclassification process result in a revised wetland boundary outcome.

Additionally, POS No. 3 (Page 66 - **Attachment 17.1.1**) is near a Conservation Category Wetland (CCW) located directly east of Woolcoat Road and the structure plan area. The City considers that the POS should be redesigned so as to provide a green link between these two wetlands as part of the overall POS network. The MRLSP proposes a link via a small open drain (as shown in Figure 8 below). The current arrangement, with residential lots directly abutting either side of the drain, represents a very poor planning and design outcome which will lead to negative social and amenity outcomes for the adjoining residents.

It is recommended that the design be revised to create an effective, safe and attractive interface between the adjoining drain, the residential zoned land, Woolcoat Road and the wider POS and wetland network.

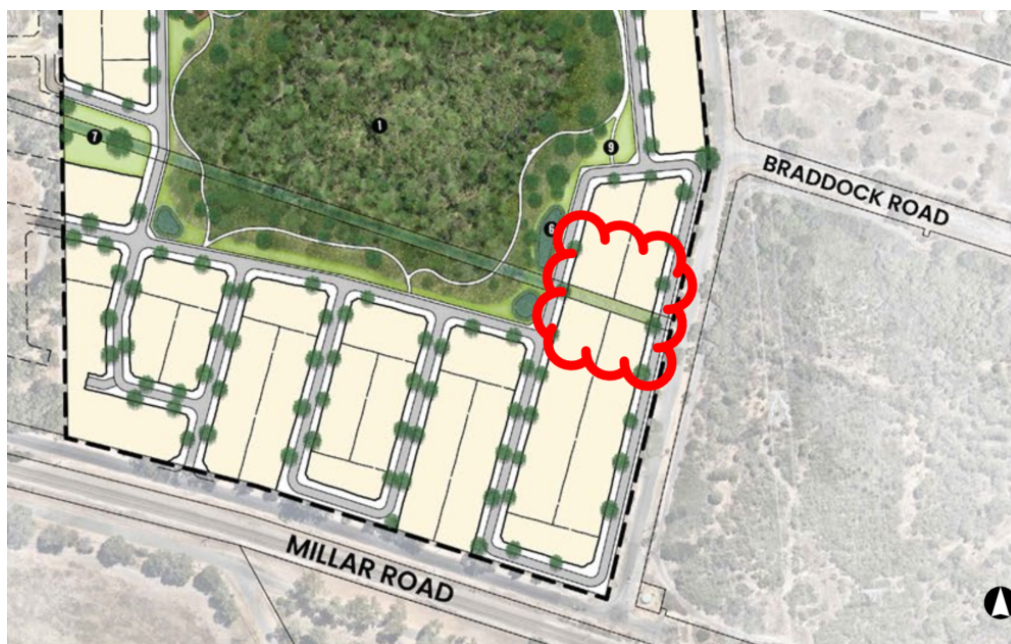


Figure 8 - Proposed Open Drain Design

Conclusion

While the proposed MRLSP has strategic merit in completing the Wellard East urban area, providing for future housing, a local centre and an integrated POS network, the City cannot support the LSP in its current form. A key unresolved issue is the inadequate and unresolved mapping and treatment of the REW. This has consequential implications for wetland buffers, POS provision, local water management, bushfire management and the overall land use design, lot layout zoning and densities. In addition, further work is required to satisfactorily address key planning matters in relation to transport, noise, water management and environmental approvals. For these reasons, it is recommended that Council resolve to advise the WAPC that it does not support the proposed MRLSP, and that any future consideration of the plan be informed by the outcome of the wetland reclassification process and the resolution of the many outstanding technical issues identified in this report.

STRATEGIC IMPLICATIONS

Outcome:	Environmental Stewardship / Ngalla djoorapiny ngank boodjar (Looking after mothers' beautiful country)
Objective:	Support biodiversity and natural landscape conservation
Action in CBP:	Implement the Local Biodiversity Strategy
Action in CBP:	Review and implement the Bushfire Risk Management Plan
Objective:	Support a low-waste, circular economy
Action in CBP:	Integrate the Sustainability Framework
Objective:	Retain and improve our streetscapes and open spaces
Action in CBP:	Implement the Local Planning Strategy
Outcome:	Quality of Life / Ngalang moorditj wirrin (Our strong spirit)
Objective:	Creating a safer City
Objective:	Improved health and wellbeing
Objective:	Enhanced public spaces
Action in CBP:	Implement the Local Planning Strategy
Objective:	Thriving local economy
Action in CBP:	Implement the Local Economic Development Strategy
Objective:	Enhance job readiness
Outcome:	Built Environment/ Ngalak Moort Mia Mia (Family gathering places)
Objective:	Building communities
Action in CBP:	Implement the Local Planning Strategy
Objective:	Accessible and connected community
Action in CBP:	Implement the Local Planning Strategy
Objective:	High-quality parks and playgrounds
Outcome:	Leadership / Boordiya Katidjin (Leader of knowledge)
Objective:	Customer experience
Objective:	Accountable and ethical governance
Action in CBP:	Review and implement the Bushfire Risk Management Plan
Objective:	Continuous improvement and efficiency
Action in CBP:	Implement the Local Planning Strategy
Objective:	Proactive leadership

How does this proposal achieve the outcomes and strategic objectives?

Subject to the resolution of the wetland mapping and reclassification process, this proposal is for a new community to the north of Millar Road to include 460 residential lots, a Local Centre and POS. The LSP is generally consistent with the City's Local Planning Scheme No2, Draft Local Planning Scheme No 4 and Draft Local Planning Strategy. It has been prepared with supporting technical reports including an Environmental Assessment Report and Bushfire Management Plan. However, the proposal raises a number of design concerns that need to be resolved before it fully aligns with the City's strategic objectives, particularly Environmental Stewardship and Quality of Life.

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle

- 2 - Community Wellbeing
- 3 - Thriving Local Economy
- 6 - Resilient and Adaptable Communities

Sustainability Priority Area

- 2 - Environment and Biodiversity
- 3 - Liveability

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

The proposed development requires further development and improvement to be considered a well-designed community. The recommendation is for Council to recommend the Structure Plan not be supported.

LEGAL/POLICY IMPLICATIONS

For the purposes of Elected Members considering a financial impartiality interest only, the applicant is Urbis acting on behalf of the Woolcoot Development Pty Ltd.

Woolcoot Development Pty Ltd are the landowners of all the land in the LSP area.

The Millar Road LSP has been lodged with the city in accordance with Schedule 2, Part 4 of the Planning and Development Regulations 2015.

The Millar Road LSP has been assessed in accordance with the following policies and strategies:

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Draft Liveable Neighbourhoods (WAPC, 2015)
- Draft Local Planning Strategy (City of Kwinana, 2023)
- Local Commercial and Activity Centre Strategy (City of Kwinana, 2023)
- Local Biodiversity Strategy (City of Kwinana, 2023)
- Separation Distances between Industrial and Sensitive Land Uses (EPA, 2025)
- Draft guideline for the Determination of Wetland Buffer Requirements (DPLH, 2022)
- State Planning Policy 5.4 Road and Rail Noise (DPLH, 2025)
- Environmental Protection and Biodiversity and Conservation Act (1999)
- State Planning Policy 3.7 Planning in Bushfire Prone Areas (WAPC, 2024)
- Jandakot District Structure Plan (WAPC; 2007)
- State Planning Policy 4.1- Industrial Interface (WAPC, 2022)
- The Environmental Protection Authority Guidance No.3
- Transport Impact Assessment Guidelines (WAPC; 2021)
- State Planning Policy 2.9 Water (WAPC; 2025)

- Local Government Guidelines for Subdivisional Development (WAPC, October 2017)

FINANCIAL/BUDGET IMPLICATIONS

The cost of preparing the Millar Road LSP has been borne by the applicant.

Regulation 48 of the P&D Regulations enables the City to charge a fee to the applicant for the assessment of a structure plan based upon an hourly rate prescribed. In addition, the City can seek reimbursement for costs incurred advertising the structure plan. Following Council's consideration of this matter, the City will charge the applicant an assessment fee in accordance with these Regulations.

ASSET MANAGEMENT IMPLICATIONS

The MRLSP establishes a framework for subdivision and development of the area. The City will be financially responsible for maintaining POS, roads, verge trees, and footpaths within the MRLSP once the area has been developed.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

Environmental and public health implications have been identified and discussed within this report.

COMMUNITY ENGAGEMENT

The City advertised the MRLSP for 42 days between February 2 and March 16, 2026, in accordance with the *Planning and Development Regulations 2015* and involved:

- Notifying nearby landowners and State Government agencies in writing and invited comment on the proposal;
- Information signs posted on site providing advice of the proposal; and
- Utilising 'Love My Kwinana' community engagement page.

19 submissions were received comprising:

- 10 government agency submissions – Department of Biodiversity, Conservation and Attractions, Main Roads Western Australia, Department of Water and Environmental Regulation, Water Corporation, Western Power, Department of Fire and Emergency Services, Department of Housing and Works, Department of Education, Department of Health, Public Transport Authority; and
- 9 nearby residents.

Attachment 17.1.3 provides a summary of all the comments raised in the submissions as well as the applicant's and the City's response to them.

ATTACHMENTS

1. Millar Road Local Structure Plan Report [17.1.1 - 90 pages]
2. Environmental Assessment Report [17.1.2 - 91 pages]
3. Schedule of submissions [17.1.3 - 18 pages]
4. Request for further information [17.1.4 - 5 pages]
5. Schedule of Proposed Modifications and Advice from the City [17.1.5 - 5 pages]

17.2 KWINANA CITY CENTRE PRECINCT PLAN

SUMMARY

The Kwinana City Centre (KCC) is the premium commercial activity centre in Kwinana. The Kwinana City Centre Precinct Structure Plan (KCCPSP) has been prepared to facilitate ongoing development and growth of the Kwinana City Centre (see **Attachments 17.2.1 and 17.2.2**).



Figure 2 - Structure Plan Map

The KCCPSP has been prepared in consultation with City staff, landowners, residents, businesses and relevant community groups. It applies to the land indicated in Figure 1. The KCC totals an area of approximately 31.05 ha.

The purpose of the KCCPSP is to:

- Facilitate the creation of highly activated 'main streets' throughout the KCC, primarily Chisham Avenue.
- Provide opportunities for diverse and complementary land uses within the KCC, enhancing the centres establishing Precincts.
- Retain the residential function to the northeast of the KCC and support a variety of housing types in this area.
- Encourage increased building height and density toward the middle of the KCC, specifically on the main streets.
- Provide increased greening and landscaped areas within both public and private land.
- Provide actions and guidance for public realm and infrastructure improvements to support growth and development of the KCC.

Once adopted the KCCPSP will supersede the existing 2019 City Centre Masterplan. The KCCPSP has been prepared by the City with consultants Hames Sharley developing the draft from which further work was done by the City. This new precinct plan aligns with the current planning framework, specifically State Planning Policy 7.2 - Precinct Design (SPP 7.2) and associated guidelines in addition to State Planning Policy 4.2 - Activity Centres (SPP 4.2). A scheme amendment to Local Planning Scheme 3 (LPS3) is also required to enable the new KCCPSP to be implemented (see separate item on this agenda).

This report seeks to adopt the draft KCCPSP for the purposes of public advertising.

OFFICER RECOMMENDATION

That Council adopt the Kwinana City Centre Precinct Structure Plan (as per Attachments 17.2.1 and 17.2.2) for the purposes of public consultation in accordance with Regulation 18 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

VOTING REQUIREMENT

Simple majority

DISCUSSION

Background

In 2009, Council adopted the Kwinana Town Centre Master Plan and Design Guidelines. The 2009 Master Plan was supplemented by Local Planning Scheme No. 3 (LPS3). LPS3 provides the statutory mechanism to apply the Masterplan and its associated Design Guidelines in the assessment of development applications.

LPS3 also sets out development controls for the KCC by implementing zones, land use permissibility and a separate set of development standards. The 2009 Masterplan and LPS3 each addressed land use and built form requirements differently, creating confusion in how they apply to development. As a result, Council resolved in 2016 to review the 2009 Masterplan. The City engaged a consultant (Hames Sharley) to undertake the review and focus on the following:

- Alignment of the vision with the City's current Strategic Community Plan;
- Updates to reflect recent developments;
- Resolve issues and inconsistencies between the current Masterplan and LPS3; and
- Ensure the vision for the KCC considers changes to State government policy.

The revised Masterplan was adopted in 2019.

Since 2019, the City of Kwinana has experienced significant population growth. Additionally, a new State planning framework on precinct design became operational in February 2021 through the adoption of SPP 7.2. These factors have necessitated the preparation of a Precinct Structure Plan to replace the 2019 Masterplan. Once adopted, the KCCPSP will supersede the current 2019 City Centre Masterplan and guide future planning and development across the KCC.

The KCCPSP

The KCCPSP will inform development of the KCC for the next 20 years. It seeks to build on the previous work undertaken as part of the 2019 Masterplan. The KCCPSP has been prepared based on the vision and objectives found below.

Vision:

A vibrant, safe, sustainable and inclusive urban hub that fosters a strong sense of community and celebrates the unique qualities of Kwinana.

Objectives:

Facilitate ongoing development and growth of the Centre into an area that:

- *Creates streets as attractive, safe and permeable pedestrian environments.*
- *Improves integration of the Centre with Calista Oval and surrounding areas.*
- *Has improved connectivity, safety and a high level of activity within the pedestrian movement network and broader public realm.*
- *Reduces the prominence of car parking areas with a preference for active and engaging built form, whilst still ensuring sufficient parking options within the Centre.*
- *Provides land use diversity and flexibility through the Centre whilst ensuring land uses and built form is appropriate to its location.*
- *Integrates residential development into the Centre.*
- *Has activated and interesting buildings at street level along key pedestrian routes and spaces.*
- *Has buildings that are of an appropriate height to create a sense of enclosure and definition to the street.*

A key distinction of the KCCPSP is its consistency with SPP 7.2 and its associated guidelines, which the 2019 Masterplan predates. In this regard, the KCCPSP incorporates the following:

- Part One - Implementation: The 'rule book', it sets out the structure plans purpose/objectives, staging considerations, and includes provisions to help guide preparation and assessment of future subdivision and development applications.
- Part Two - Explanatory Section: Includes detailed background investigations, this includes a thorough analysis of the community, governance, and physical context. These findings inform the design approach, framed around six key elements of precinct design: Urban Ecology, Urban Structure, Public Realm, Movement, Land Use, and Built form

The preparation of the KCCPSP has been influenced by a robust consultation process. The City engaged widely with the community, local businesses, landowners and government agencies over two phases of consultation. Phase one of the consultation occurred between June and November

2023 and included a site and context analysis. Phase Two occurred between February and March 2024, focussing on design concepts for the KCC. Elected Member Briefings took place in August 2023, February 2024, and February 2026. Engagement with Boola Maara occurred in November 2023 and March 2024. A summary of the engagement process and feedback received is provided in Part Two of the KCCPSP (Section Two: Community Engagement).

Precincts

The KCCPSP is bounded by Sulphur Road to the North, Meares Avenue to the East, Challenger Avenue to the South and Gilmore Avenue to the West. The boundary remains unchanged from the 2019 Masterplan.

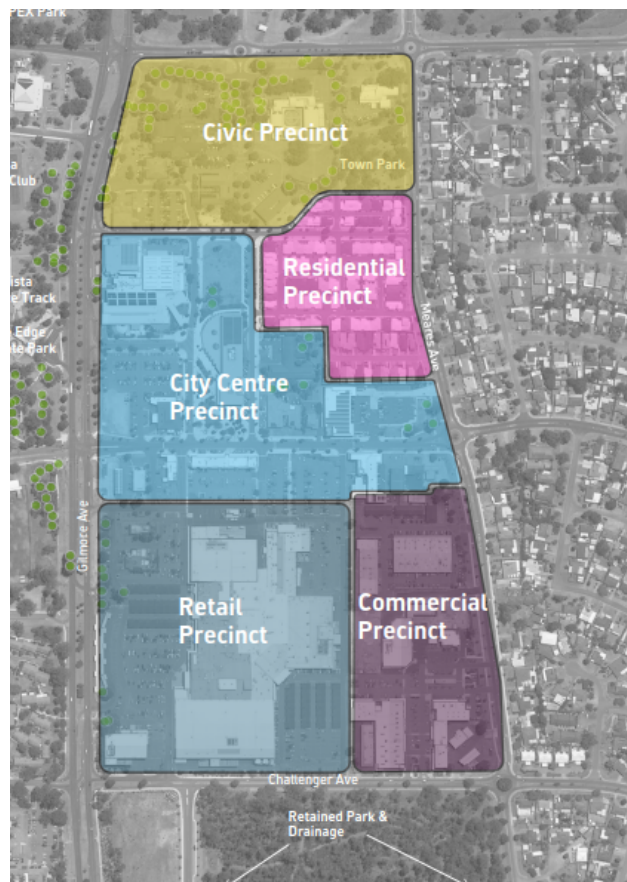


Figure 3 - KCCPSP sub-precincts

The KCCPSP is divided into five sub-precincts, each reflecting existing and future character and land use, as shown in Figure 2.

Land Use

The land use intent for the KCC has been driven by demographic analysis which reveals a high proportion of younger age groups in the City of Kwinana in comparison to greater Perth. The City has seen a growing influx of younger families, and the KCCPSP has been designed with this demographic in mind, while continuing to serve the wider community. This includes provision of retail options that appeal to younger families as well as amenities such as playgrounds and family-friendly hospitality uses.

As these younger families grow and establish themselves in the area, demand will increase for entry-level employment opportunities, community services, and facilities that support individual

wellbeing. The KCCPSP anticipates these needs, ensuring the City Centre is equipped to support the employment prospects and quality of life of this growing demographic.

A core principle of the KCCPSP is flexibility. This principle enables developers and landowners to adapt to evolving retail trends and maximise expenditure capture within the City Centre. Flexibility in land use and floor space allocation is a vital requirement, allowing adjustments as commercial viability changes over time. The preferred land use approach has been developed through a review of existing land uses in LPS3, the Kwinana City Centre Master Plan (2019) and stakeholder engagement. While the KCCPSP follows the general intent of the 2019 Masterplan and current LPS3 (regarding land use), it is more streamlined and provides clearer direction for each precinct. In this regard, the KCCPSP is also consistent with contemporary land uses and zones as per the Model Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (P&D Regs). The new proposed planning framework for the KCC is as follows:

1. Zones and Reserves: LPS3
2. Precincts: KCCPSP
3. Land Use permissibility (for each zone): LPS3
4. Land Use guidance (for each precinct): KCCPSP

The proposed zones/reserves and the rationale for each change in the KCCPSP is set out in Table 1.

KCCPSP Precinct (as per Figure 2)	Proposed Zone/Reserve and Change from Kwinana City Centre Masterplan (2019)	Rational for Changes	KCCPSP Preferred Uses
Civic Precinct (P1)	<p>This precinct will transition from General Town Centre Zone to Centre Zone.</p> <p>A density code of RAC-0 is proposed. This is the Activity Centre density code which supports mixed use and high-density development.</p>	<p>This change will allow for a range of civic buildings to be developed over time.</p> <p>It also considers potential for higher density residential development to occur on selected lots.</p> <p>Aligns with the Model Provisions of the Planning and Development (Local Planning Scheme) Regulations 2015</p>	<ul style="list-style-type: none"> • Civic Use • Community Purpose • Restaurant / Cafe • Offices • Multiple Dwellings
	<p>Lot 104 (7) Hutchins Way (bounded by Hutchins Way and Meares Avenue) will change to 'Public Open Space' reserve.</p>	<p>This reflects its current and future use as public green open space.</p>	

<p>Residential Precinct (P2)</p>	<p>This precinct will transition from 'Town Centre Residential' to 'Residential' zone.</p> <p>A density of R60 is proposed.</p>	<p>This sub-precinct has been built out as medium density residential development. This zone will continue to ensure this land remains residential to support the KCC.</p> <p>This change is more administrative and Aligns with the Model Provisions of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i></p>	<ul style="list-style-type: none"> • Grouped Dwelling • Multiple Dwelling
<p>City Centre Precinct (P3)</p>	<p>This precinct will transition from 'General Town Centre' and 'Market Square' to a 'Centre' zone.</p> <p>A density code of RAC-0 is proposed. This is the Activity Centre density code which supports mixed use and high-density development.</p>	<p>This is the core of the KCC and will continue to serve as the primary activity area, supporting a diverse mix of street-oriented land uses and medium to high density residential development above ground floor. This will collectively contribute to a vibrant and economically sustainable City Centre.</p>	<ul style="list-style-type: none"> • Multiple Dwellings • Restaurant / Cafe • Shop • Small bar • Civic use • Offices • Community Purpose • Medical centre • Consulting Rooms
<p>Retail Precinct (P4)</p>	<p>This precinct will transition from Shopping/Business to a 'Centre Zone'.</p> <p>A density Code of RAC-0 is proposed.</p>	<p>This precinct will continue to support its primary large retail store function.</p> <p>There is also capacity for additional complimentary and compatible land uses including higher density residential.</p>	<ul style="list-style-type: none"> • Shop • Small bar • Restaurant /Cafe • Multiple dwellings • Child Care premises • Fast food outlet/lunch bar
<p>Commercial Precinct (P5)</p>	<p>This precinct will transition from 'Shopping/Business' to 'Centre' zone.</p>	<p>Continue to allow for predominantly non-residential, larger format shops.</p>	<ul style="list-style-type: none"> • Bulky Good Showroom • Shop • Consulting Rooms • Fast food outlet/lunch bar • Office • Medical Centre • Veterinary centre

Table 3 - KCCPSP Zone/Reserve & Land Use

Residential and Employment Growth Scenarios

The City's Local Commercial and Activity Centre Strategy identifies the KCC as underserved in commercial floorspace across all retail types. The total commercial floorspace across the KCC is currently at approximately 33,000m2 and the draft KCCPSP proposes an increase of 17,000m2 (a

total of 50,000m²). This will result in approximately 500 additional jobs. The KCCPSP seeks to achieve the additional floorspace through more intensive and higher density development. The KCCPSP establishes two residential growth scenarios alongside projections for commercial floorspace and employment to understand the potential increase of dwellings in the KCC:

Scenario 1 (Moderate Growth)

Business as usual approach to development and current feasibility environment. Based on the maximum yield that can be achieved with no basement parking typically resulting in three storeys. This scenario is based on a 50% take-up rate and is anticipated to be the most likely scenario. Under this scenario it is proposed there would be an additional 517 dwellings over the life of the PSP with 258 delivered within the first 10 years of the plan.

Scenario 2 (Aspirational Growth)

This scenario is aspirational, based on an improved feasibility environment. It accounts for the maximum yield that can be achieved with one level of basement parking, typically resulting in five to six storey development. This scenario assumes a 100% take-up rate. Under this scenario an additional 933 dwellings would be delivered over the life of the plan with 466 being delivered over the first ten years.

It should be noted that key development sites which could accommodate future residential or mixed-use development are set in Section 4.2.4 in Part Two of the draft KCCPSP (Page 119). This includes land located to the north of Darius Wells Library and Resource Centre and to the south of the Kwinana Recquatic at the junction of Gilmore Avenue and Chisham Avenue. Proposed residential yields have been informed by the Land Use and Density Plan in Part Two Figure 48 (Page 175) and a development potential assessment undertaken as part of the preparation of the KCCPSP.

Development Provisions

Part one Section 2.3 of the draft PSP provides the 'rules' for development across the KCC and ensures that new development adheres to the precinct vision and objectives. These provisions will be given statutory weight through proposed LPS3 Amendment No. 7 which is subject to a separate report on this agenda.

Precinct Built Form Intent

Any development application within the KCC must demonstrate how it satisfies the Precinct Built Form Objectives which are set out in Part One, Table 5 (Page 22). Part one section 2.3 also sets out requirements for subdivision applications to have regard to the following:

- The intended function of the land and the activities carried out on it;
- The objectives of the KCCPSP;
- Built form implications of the subdivision;
- Any development improvement that applies to the land; and
- Implications on vehicle access and parking.

Primary controls

An overview of the primary controls can be found in Part One Figure 3: KCCPSP Building Heights and Streetscape Interface Plan (Part One, page 23) showing building heights, street interface types and important corners. The KCCPSP is generally less prescriptive than the 2019 Masterplan in terms of setbacks and building orientation. The provisions are more objective based to enable greater flexibility and outcomes that primarily seek to facilitate well designed development. The KCCPSP also simplifies the street interface hierarchy and includes much clearer direction

regarding building heights. In this regard, the KCCPSP provides much clearer direction and certainty for developers when compared to the 2019 Masterplan.

Street Interfaces

The draft KCCPSP provides two street interface types. The street interface refers to the physical boundary and functional connection between a building frontage and the public street. An effective street interface will have a positive impact upon activity and walkability. The two street interface types in the KCCPSP are as follows:

- 1) The main street edge ensures that ground level activity contributes to activity and interest to the adjacent public realm. Typically, such uses will be retail, entertainment or active civic use. Importantly, dwellings and on-site vehicle parking will not be supported unless sleeved by more active uses. Main street edges are proposed along Chisham Avenue, Robbos Way, Peel Row and along the main frontage of the Kwinana Marketplace.
- 2) Other street edges are less restrictive, and frontages may incorporate a mix of land uses, including residential dwellings. Passive surveillance will contribute to an interesting, safe and diverse public realm. Other street edges are proposed in the more peripheral areas of the KCC including Darius Drive, Challenger Avenue, Sulphur Road and Mears Avenue.

Building height

The planning framework applicable to precinct plans requires that height controls are set for commercial precincts. Careful consideration of transitions to sensitive uses and to surrounding residential areas is critical.

The draft KCCPSP sets a minimum building height of two storeys along Robbos Way and Chisholm Avenue, reflective of the intention to create a main street environment in the heart of the KCC. On the periphery of the KCC a minimum of one storey is permitted allowing a sensitive transition out of the KCC precinct and towards residential uses.

The KCCPSP sets maximum height limits of between four and six storeys across the precinct (see Part One, Figure 3, Page 23). While the City considers this a realistic target, it remains open to greater building heights where deemed appropriate. Part One, Section 2.3.3 Primary Controls (Page 21) provides the criteria where additional height can be considered.

This approach allows the City to consider additional height on a discretionary basis, ensuring any such increase meets the objectives of the KCCPSP while protecting amenity, privacy and overshadowing. This approach will also achieve a sympathetic transition to adjoining residential and lower density areas. While the prospect of buildings exceeding four storeys may be of concern to some, current market conditions, parking requirements, and land values make high-density development above eight storeys unlikely in the short term. Nonetheless, maintaining a flexible approach to building height indicates to the market that the KCC is open for investment. As land values increase over time, Part One Section 2.3.3 of the KCCPSP ensures that any additional height remains subject to the City's discretion and aligned with the broader objectives of the KCCPSP.

Parking

There is no shortage of parking across the KCC against the relevant standards. However, the location and distribution of the parking available in the City Centre is important to consider. The planning framework under SPP 7.2 states that parking should be well distributed across an activity centre and located strategically to draw pedestrians past shop fronts and key public spaces.

Parking across the KCC rarely reaches capacity, with analysis conducted in both 2016 and 2026 confirming consistently low overall occupancy rates. Key findings include:

- 2015–2016: Maximum off-street occupancy of 57% and an average occupancy rate of 42%;
- 2025–2026: Maximum occupancy of 52% and an average occupancy rate of 42%.

In both studies, the highest parking pressure was recorded around the Darius Wells Library and Resource Centre, Kwinana Recquatic Centre and the commercial precinct. The Civic precinct recorded the lowest occupancy. While overall supply is adequate, these findings reinforce that the primary challenge is the distribution of parking across the KCC rather than the total number of bays.

The parking ratio applicable across the KCC are set out in LPS3. The current provisions are outdated, complex and differ based on individual land uses. The KCCPSP seeks to simplify and standardise parking ratios to have a standard ratio that is defined by residential or non-residential uses. The ratios are taken from Section 3.1 of the WA Planning Manual Non-Residential Car Parking Rates in Perth and Peel (November 2024):

- Residential development: as per the R-Codes
- Non-residential development:
 - a) Minimum car parking 1 bay per 100 sqm of floor area
 - b) Maximum car parking 1 bay per 25 sqm of floor area.

Delivering the Vision

The Kwinana City Centre Precinct Structure Plan establishes the statutory planning framework required to guide future development and investment within the City Centre over the next 20 years. While adoption of the Structure Plan is an important first step, implementation of the vision will occur progressively over time through a combination of public and private sector investment.

Key implementation actions are anticipated to include:

- Amendments to Local Planning Scheme No. 3 (and ultimately Local Planning Scheme No. 4) to align the statutory planning framework with the Structure Plan.
- Preparation of detailed public realm, streetscape and infrastructure improvement projects, particularly along Chisham Avenue and other key pedestrian corridors.
- Identification and promotion of catalyst redevelopment opportunities within the City Centre.
- Ongoing advocacy to State Government agencies and private sector investors to attract commercial, residential, community and employment-generating development.
- Coordination of future capital works programs to support activation, connectivity and public realm improvements.

The Structure Plan provides the framework to facilitate redevelopment; however, achievement of the long-term vision will be dependent on market conditions, investment decisions and future partnership opportunities

Next Steps

Should Council adopt the KCCPSP for public advertising (as per the recommendation), it will be advertised for 42 days in accordance with the P&D Regs. It should be noted that to ensure proper implementation of the KCCPSP, Amendment 7 to LPS3 (a separate item on this agenda) must also be progressed in accordance with the recommendation. Both the KCCPSP and Amendment 7 are required to be publicly advertised. Considering Amendment 7 requires consent from the WAPC to advertise (and the KCCPSP does not), it is likely that public advertising may not occur simultaneously. This is not considered an issue.

Advertising of the KCCPSP will likely include:

- Publishing on Love My Kwinana;
- An informal information session at the Kwinana Marketplace;
- An information stand in the Darius Wells Library and Resource Centre; and
- Targeted letter and leaflet drop to all residents, landowners and businesses across the KCC.

Following advertising, the City will consider all submissions and make modifications where appropriate before presenting the KCCPSP to Council for adoption. Following adoption by Council the City will submit the final adopted KCCPSP for determination by the WAPC. The KCCPSP will then supersede the existing 2019 Masterplan.

Conclusion

The draft KCCPSP provides a strategic framework to guide the long-term growth, development, and revitalisation of the KCC. It responds to the City's evolving demographic profile, aligns with current State Planning Policy, and resolves inconsistencies within the existing planning framework.

Through a clear vision, defined precincts, and streamlined land use and built form controls, the draft KCCPSP establishes a cohesive approach to creating a vibrant, accessible, and economically sustainable centre. The extensive consultation process has ensured that community, stakeholder, and government perspectives have informed the plan, strengthening its relevance and implementation potential.

Adopting the draft KCCPSP for public consultation represents a critical step toward delivering a revitalised and future-ready City Centre. Subject to community feedback and subsequent refinement, the plan will provide the statutory and strategic foundation required to guide development over the next 20 years and position the KCC as a vibrant urban hub for residents, businesses, and visitors alike.

STRATEGIC IMPLICATIONS

Outcome: Quality of Life / Ngalang moorditj wirrin (Our strong spirit)
Objective: Enhanced public spaces
Action in CBP: Finalise City Centre Precinct Structure Plan

Outcome: Built Environment/ Ngalak Moort Mia Mia (Family gathering places)
Objective: Building communities
Action in CBP: Finalise City Centre Precinct Structure Plan
Objective: Accessible and connected community
Action in CBP: Finalise City Centre Precinct Structure Plan

Outcome: Leadership / Boordiya Katidjin (Leader of knowledge)
Objective: Continuous improvement and efficiency
Action in CBP: Finalise City Centre Precinct Structure Plan

How does this proposal achieve the outcomes and strategic objectives?

The KCCPSP proposes to improve the KCC streetscape by adding interest and vibrancy.

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle

- 1 - Social Inclusion
- 2 - Community Wellbeing
- 3 - Thriving Local Economy
- 4 - Environmental Stewardship
- 6 - Resilient and Adaptable Communities

Sustainability Priority Area

- 3 - Liveability

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

The KCCPSP proposes to improve vibrancy within the KCC, providing spaces for social inclusion and community wellbeing as well as opportunities for economic growth through a more flexible planning framework.

LEGAL/POLICY IMPLICATIONS

The KCCPSP has been prepared in accordance with the following and will be implemented through proposed scheme Amendment No. 7 to Local Planning Scheme No. 3. The proposed scheme amendment is the subject of a separate Council Report:

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- State Planning Policy 4.2 Activity Centres for Perth and Peel 2023
- State Planning Policy 7.0 Design of the Built Environment 2019
- State Planning Policy 7.2 Precinct Design 2021 and Precinct Design Guidelines
- City of Kwinana Local Planning Scheme No. 2
- City of Kwinana Local Planning Scheme No. 3
- City of Kwinana Draft Local Planning Strategy
- City of Kwinana Local Commercial and Activity Centre Strategy 2024

FINANCIAL/BUDGET IMPLICATIONS

Costs associated with advertising the draft KCCPSP will be drawn from the Strategic Planning operating budget.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

There are no environmental/public health implications associated with this report.

COMMUNITY ENGAGEMENT

The preparation of the KCCPSP has been supported and informed through a comprehensive program of community engagement as set out in Attachment 17.2.2. If Council resolves to adopt the KCCPSP for advertising, the following community engagement will likely include:

- Publishing on Love my Kwinana;
- An informal information session at the Kwinana Marketplace;
- An information stand in the Darius Wells Library and Resource Centre; and
- Targeted letter and leaflet drop to all residents, landowners and businesses across the KCC.

Following advertising, the City will consider all submissions and make modifications where appropriate before presenting the KCCPSP to Council for adoption.

ATTACHMENTS

1. KCCPSP - Part 1 [17.2.1 - 35 pages]
2. KCCPSP - Part 2 [17.2.2 - 215 pages]

17.3 LOCAL PLANNING SCHEME NO. 3 - AMENDMENT 7

SUMMARY

This report outlines a set of consequential amendments to LPS3 to ensure the Scheme facilitates introduction of the Kwinana City Centre Precinct Structure Plan (KCCPSP). It should be noted that while these changes to LPS3 appear significant (see tracked changes in **Attachment 17.3.1**), this amendment primarily seeks to achieve the following:

1. Align LPS3 with the model provisions for local planning schemes as per the *Planning and Development (Local Planning Schemes) Regulations 2015* (P&D Regs); and
2. Align LPS3 with the provisions and zoning of the KCCPSP.

A Local Planning Scheme is a statutory planning document that guides land use and development across a Local Government area. The City of Kwinana currently operates under two Local Planning Schemes:

- Local Planning Scheme No. 2 (LPS2)
- Local Planning Scheme No. 3 (LPS3)

LPS2 applies to majority of land within the City of Kwinana, but excludes the Kwinana Town Centre area.

LPS3 applies only to the Kwinana Town Centre area (see **Attachment 17.3.3**).

The City is progressing the KCCPSP for public consultation and final approval – refer to separate item on this agenda. Subject to Council's determination, it is expected that the KCCPSP will be publicly advertised and receive final approval in mid-2027. The KCCPSP applies to the same land area covered by LPS3 being the Kwinana Town Centre.

To ensure consistency and appropriate statutory weight to provisions in the KCCPSP, LPS3 must be amended. The KCCPSP will be incorporated into the broader planning framework and LPS3 is therefore required to be amended. It is appropriate that this report is presented at the same meeting as the adoption of the KCCPSP for public consultation. The final draft version of Amendment 7 is seen in **Attachment 17.3.2**. **Attachment 17.3.4** provides answers to several frequently asked questions in relation to Amendment 7.

OFFICER RECOMMENDATION

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, resolves to prepare Amendment 7 to the City of Kwinana Local Planning Scheme No. 3 (LPS3) by:
 - a. Replacing the term 'town' with 'City' throughout the text;
 - b. Replacing the pre-amble (page 3) with text as per the model provisions;
 - c. Replacing the text under Part 1, CI 1 with text as per the model provisions;
 - d. Deleting Part 1, CI 2 Responsible Authority and replacing with CI 2 Commencement, as per the model provisions;
 - e. Deleting Part 1, CI 3 Scheme Area and replacing with CI 3 Scheme Revoked, as per the model provisions;
 - f. Deleting Part 1, CI 4 Contents of Scheme and replacing with CI 4 Notes do not form part of this Scheme, as per the model provisions;
 - g. Deleting Part 1, CI 5 Arrangement of Scheme Text and replacing with CI 5 Responsibility for Scheme, as per the model provisions;

- h. Deleting Part 1, CI 6 Scheme Objectives and replacing with CI 6 Scheme Area, as per the model provisions;
 - i. Deleting Part 1, CI 7 Relationship to the Operative Town Planning Scheme and replacing with CI 7 Contents of Scheme, as per the model provisions;
 - j. Inserting a new CI 7 (c)(i) Kwinana City Centre Precinct Structure Plan;
 - k. Deleting Part 1, CI 8 Interpretations and replacing with model provisions CI 8 – 12, as follows:
 - i. Inserting CI 8 Purposes of Scheme as per the model provisions;
 - ii. Inserting CI 9 Aims of Scheme as per the model provisions;
 - iii. Inserting CI 10 Relationship with Local Laws as per the model provisions;
 - iv. Inserting CI 11 Relationship with other Local Planning schemes and reference to relevant scheme and policy under CI 11 (1) and (2)
 - v. Inserting CI 12 Relationship with Region Planning Scheme;
 - l. Renaming Part II – Zone and Policies to Part 2 – Reserves and insert model provisions cl 13 – 15;
 - m. Insert Table 1 Reserve Objectives under CI 14 with two reserves (Public Open Space and Local Distributor Road) and relevant objectives as per the model provisions;
 - n. Inserting Part 3 – Zones and Use of Land as per model provisions;
 - o. Inserting model provisions CI 16 – 24;
 - p. Inserting Table 1 Zone Objective
 - q. Inserting two zones (Centre and Residential) under CI 16 Zones as per the model provisions;
 - r. Inserting Table 3 – Zoning Table with land uses as per the model provisions and relevant land use permissibility;
 - s. Deleting CI 2.1 – 2.4;
 - t. Inserting Part 4 – Development Requirements as per the model provisions;
 - u. Inserting model provisions CI 25 – 35;
 - v. Inserting Part 5 - Special Control Areas as per the model provisions;
 - w. Inserting model provision CI 36;
 - x. Deleting Part III – Scheme Development Requirements;
 - y. Deleting Part IV – Precinct Use and Development Requirements;
 - z. Inserting Part 6 – Terms Referred to in Scheme as per the model provisions
 - aa. Inserting model provisions CI 37 – 38;
 - bb. Amending the Scheme Map by:
 - i. replacing the Town Centre Residential zone with the Residential zone;
 - ii. Reserving all existing roads in the scheme area as Local Road;
 - iii. Reserving Lot 104 (7) Hutchins Way, Kwinana Town Centre as Public Open Space;
 - iv. Zoning the remainder of the Scheme area as Centre zone with a density coding of R-AC0;
 - v. Deleting Additional Use; and
 - vi. Deleting Precincts.
2. Subject to the Western Australian Planning Commission's advice that it considers the amendment suitable for advertising, with or without any modification, and the Environmental Protection Authority determining that an environmental review is not required, resolves to proceed to advertise the amendment in accordance with Regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations).
3. In accordance with Regulation 35(2) of the Regulations, determines that Amendment No. 7 is a standard amendment for the following reasons:
- a. The amendment aligns with the model provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*;

- b. The amendment incorporates zones and reserves that area consistent with the model provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- c. The amendment is consistent with the City of Kwinana draft local planning strategy;
- d. The amendment is consistent with the Kwinana City Centre Precinct Structure Plan (KCCPSP);
- e. The amendment is to enable the KCCPSP to replace the existing masterplan and therefore has minimal impact on surrounding land and does not result in any significant environmental, social, economic or governance impacts on the scheme area.

VOTING REQUIREMENT

Simple majority

DISCUSSION

Context

Masterplan

The Kwinana City Centre Masterplan was adopted in 2009 and subsequently amended in 2019, providing the strategic planning framework to guide development in the Kwinana City Centre. The Masterplan has established a long-term vision for the City Centre and has assisted in shaping development outcomes across the City's primary commercial and activity centre.

LPS3

LPS3 was initially gazetted in 1998 and later amended to apply specifically to the Kwinana City Centre masterplan area. LPS3 operates in conjunction with the existing masterplan. The masterplan provides the strategic vision and guidance, and LPS3 provides the statutory mechanism to implement the masterplan and assess development outcomes within the City Centre. The KCCPSP will replace the masterplan and applies to the same land area covered by LPS3.

LPS4 (DRAFT)

In March 2025, Council resolved to adopt draft Local Planning Scheme No.4 (LPS4) and refer it to the Western Australian Planning Commission (WAPC) for consent to advertise. Officers at the DPLH are currently in the process of preparing a report to the WAPC for consent to advertise LPS4. The recommendation will likely include several modifications to be made by the City prior to public consultation.

LPS4 will ultimately replace both LPS2 and LPS3. Forward planning indicates that LPS4 will receive final approval and minister sign-off circa mid-2028. In the meantime, the City is progressing the Kwinana City Centre Precinct Structure Plan (KCCPSP) for advertising and final approval – as a separate item on this agenda. It is expected that the KCCPSP will be approved (following advertising) by mid-2027. This amendment to LPS3 is entirely consistent with draft LPS4. When gazetted, LPS4 will simply supersede LPS3.

Planning Framework

Regulations/Model provisions

The P&D Regs include model provisions for local planning schemes, which establish a standardised structure and format for scheme texts. Any new or amended schemes are required to align with these model provisions. The model provisions prescribe matters such as headings, terminology, administrative processes, zones and core objectives, with the intent of improving consistency and clarity. A key component of Amendment 7 is to align LPS3 with the model

provisions. This also ensures it will seamlessly align with draft LPS4. Several of the key changes in this regard are explained in Table 1 below.

KCCPSP

Since the preparation of the existing Masterplan and initial gazettal of LPS3, the planning framework in Western Australia has evolved significantly through amendments to the P&D Regs and statewide planning reform. The P&D Regs now provide a contemporary statutory framework for local planning schemes and introduce provisions specifically relating to Precinct Structure Plans (PSPs). PSPs are a modern planning tool replacing masterplans. They are particularly suited to guiding land use, built form and redevelopment outcomes within activity/commercial centres and associated residential areas. The intent of a PSP is to provide a more integrated and place-based approach to planning and development.

For the KCCPSP to have effect, LPS3 must be amended to incorporate zones, objectives and development provisions that are consistent with those set out in the KCCPSP. An obvious change in Amendment 7 is referencing the KCCPSP rather than the masterplan and incorporating zones and reserves that are consistent with the KCCPSP. Best practice planning minimises duplication in the scheme and relies on the KCCPSP as the primary document to guide development. The primary aim for the scheme is to act as the head of power for the PSP. For this reason, Amendment 7 significantly consolidates the existing provisions currently within LPS3.

Scheme Text: Key changes

As previously stated in this report, the tracked changes (**Attachment 17.3.1**) appear complex and comprehensive. However, the primary reason for this is to align LPS3 with the model provisions of the P&D Regs making the Scheme consistent with contemporary practice. Table 1 below outlines several key changes to LPS3 under Amendment 7.

Current LPS3	Amendment 7 to LPS3	Rationale
6. Scheme Objectives	8. Purposes of Scheme 9. Aims of Scheme	Scheme objectives have been replaced by purposes and aims in the Model Provisions. The intent is largely unchanged. The purposes and aims are more detailed and reflect the vision and objectives outlined in the KCCPSP.
7. Relationship to the Operative Town Planning Scheme	11. Relationship with other Local Planning Schemes	This is an administrative change to align with the Model Provisions.
4. Contents of Scheme	7. Contents of Scheme	These clauses reference the applicable masterplan/precinct structure plan. Amendment 7 will replace the 'Town Centre Strategy Plan and Report' (masterplan) with the new KCCPSP.
Part II – Zone and Policies	Part 2 – Reserves Part 3 – Zones and Use of Land	Part II is simply proposed to be split into two separate parts (Part 2 and Part 3). This is consistent with the model provisions. The new Part 2 considers Reserves while the new Part 3 considers Zones and the use of land.
Part III – 2.1 Scheme Area Policies	N/A	The current LPS3 includes a series of policy statements under CI 2.1. These statements cover a wide range and are largely administrative and are no longer required. The model provisions in addition to several deemed provisions are more streamlined and make these policy statements redundant.

Part III – 2.2	16. Zones	<p>The current LPS3 has four zones. The zones are non-standard (they are not found in the model provisions) and work more like precincts. Amendment 7 proposes two standardised zones being ‘Centre’ and ‘Residential’. These zones are consistent with the KCCPSP.</p>
8. Interpretations	Part 6 – Terms Referred to in Scheme	<p>Amendment 7 replaces the existing ‘interpretations’ section of LPS3 with Part 6. Additional terms and definitions are listed in Part 6 as appropriate. This change is to align with the model provisions.</p>
Table 1 – Zoning and Use Classes	Table 3 – Zoning Table	<p>The zoning table is updated to reflect the new zones (Centre and Residential).</p> <p>Land use permissibility in Table 3 is guided by the provisions of the KCCPSP in addition to contemporary recommendations for the zone.</p>
Part III: Scheme Development Requirements	N/A	<p>LPS3 currently has an extensive list of broad development requirements under Part III. This is proposed to be removed under Amendment 7 as it is considered redundant.</p> <p>The KCCPSP includes development requirements that are fit for purpose and guide development much more effectively.</p> <p>It should be noted that the development requirements in Part III of LPS3 are broad and have been difficult to effectively implement. The provisions under Part 1 of the KCCPSP will guide development much more effectively.</p> <p>For example, current cl 3.2 – Site Coverage and Setbacks is now addressed under part 1 of the KCCPSP. The KCCPSP incorporates provisions that are much clearer and easier to implement. It is unnecessary to duplicate these provisions in LPS3.</p>

Table 4 - Scheme Text

Scheme Map: Key changes

Attachment 17.3.3 compares the current scheme and proposed Amendment No. 7 mapping. The key changes are summarised in Table 2 below.

Current LPS3	Amendment 7 to LPS3	Rationale
N/A	Showing Local Roads	LPS3 clearly delineates existing local roads in the Kwinana City Centre. Reserving the existing roads on the scheme map is consistent with the use and future use of the land.
General Town Centre Market Square Shopping Business	N/A	<p>The General Town Centre, Market Square and Shopping/Business zones are proposed to be replaced by one zone: Centre.</p> <p>The Centre zone is consistent with the zones listed in the model provisions.</p> <p>The KCCPSP guides development in different areas across the City Centre using a precinct approach. It is a duplication and unnecessary to show precincts in the scheme.</p>
N/A	Public Open Space	Amendment No. 7 reserves Lot 104 (7) Hutchins Way as public open space. This land is currently used for and planned to continue to be used as public open space into the future.
Town Centre Residential	Residential	<p>The Town Centre Residential zone will be replaced by the Residential zone.</p> <p>The proposed Residential zone does not extend as far south as the Town Centre Residential zone. The Residential zone will be aligned with cadastre boundaries and is consistent with the KCCPSP. Notably this addresses an inconsistency with the Aldi site.</p>

Table 5 - Scheme Map

Standard Amendment

For the purposes of regulation 35(2) of the P&D Regs, Amendment 7 is a standard amendment for the following reasons:

- The amendment aligns with the model provisions of the P&D Regs;
- The amendment incorporates zones and reserves consistent with the model provisions in the P&D Regs;
- The amendment is consistent with the City of Kwinana draft local planning strategy;
- The amendment is consistent with the KCCPSP structure plan;
- The amendment is to enable the KCCPSP to replace the existing masterplan and therefore has minimal impact on surrounding land and does not result in any significant environmental, social, economic or governance impacts on the scheme area.

It should be noted that as per process, an amendment report is seen in **Attachment 17.3.5**. The attached report essentially mimics this Council report and is required to be signed by the Chief Executive Officer and Mayor. The report will then be sent to the WAPC for their consideration.

Conclusion

Amendment No. 7 to LPS3 represents a necessary and timely update to the City's planning framework. The amendment modernises LPS3 by aligning it with the model provisions of the P&D Regs and ensures the new KCCPSP will have the statutory provisions required to effectively guide land use and development within the Kwinana City Centre. While the tracked changes appear extensive, the amendment is largely administrative in nature and brings consistency with contemporary planning practice. Subject to adopting the KCCPSP for consultation, it is recommended that Council adopt Amendment 7 (as per **Attachment 17.3.2**) for the purposes of progressing the amendment to the WAPC for approval.

STRATEGIC IMPLICATIONS

Outcome: Environmental Stewardship / Ngalla djoorapiny ngank boodjar (Looking after mothers' beautiful country)

Objective: Retain and improve our streetscapes and open spaces

Action in CBP: Finalise City Centre Precinct Structure Plan

Outcome: Quality of Life / Ngalang moorditj wirrin (Our strong spirit)

Objective: Enhanced public spaces

Outcome: Built Environment/ Ngalak Moort Mia Mia (Family gathering places)

Objective: Building communities

Objective: Accessible and connected community

Outcome: Leadership / Boordiya Katidjin (Leader of knowledge)

Objective: Continuous improvement and efficiency

How does this proposal achieve the outcomes and strategic objectives?

Amendment 7 to LPS3 enables the KCCPSP to be finalised and implemented – a key action in the CBP.

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle

- 1 - Social Inclusion
- 2 - Community Wellbeing
- 3 - Thriving Local Economy

Sustainability Priority Area

- 2 - Environment and Biodiversity
- 3 - Liveability
- 4 - Engagement and Social Inclusion

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

Amendment 7 will enable the KCCPSP to be implemented. The KCCPSP promotes sustainable development outcomes across the City Centre.

LEGAL/POLICY IMPLICATIONS

Amendment 7 will provide the statutory mechanism to implement the KCCPSP.

FINANCIAL/BUDGET IMPLICATIONS

Amendment 7 has been prepared by the City within its Operating Budget.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

There are no direct environment/public health implications associated with this report.

COMMUNITY ENGAGEMENT

Advertising of Amendment 7 will be undertaken once the Western Australian Planning Commission has reviewed the proposed amendment and the Minister for Planning has provided consent to advertise in accordance with the P&D Regs. A standard amendment is to be advertised for a minimum of 42 calendar days

Public advertising will consist of the following:

- Letters to service providers, government agencies and authorities;
- Letters to landowners, occupiers and business owners within the Kwinana City Centre;
- Letters to community groups, if applicable; and
- Promotion of Amendment 7 on the City's Facebook and engagement portal - Love My Kwinana.

ATTACHMENTS

1. Amendment 7 to Local Planning Scheme 3 - Tracked Changes June 2026 V 3 [17.3.1 - 45 pages]
2. Amendment 7 to Local Planning Scheme 3 - Clean Version June 2026 V 4 [17.3.2 - 26 pages]
3. LPS3 & Amendment 7 - Zoning Map [17.3.3 - 1 page]
4. FAQ's [17.3.4 - 1 page]
5. Amendment 7 - WAPC Amendment Report [17.3.5 - 11 pages]

18 REPORTS - CIVIC LEADERSHIP

18.1 REGISTER OF DELEGATED AUTHORITY 2026/27

SUMMARY

The *Local Government Act 1995* (the Act), together with various other Acts, regulations and local laws, enables Council to delegate the exercise of certain powers and the discharge of duties to the Chief Executive Officer (the CEO). As such, in accordance with section 5.46 of the Act, the City of Kwinana (the City) is required to maintain a register of delegated authority and to review that register at least once each financial year.

A comprehensive review of all Council delegations has now been completed to ensure the City's Register of Delegated Authority 2026/27 (the Register) is current, compliant, and aligned with contemporary governance and legislative requirements. The Register is presented at **Attachment 18.1.1** for adoption, with a tracked change version at **Attachment 18.1.2**.

The review has resulted in a series of targeted amendments aimed at improving legislative accuracy, governance clarity, and usability. These amendments broadly fall into the following categories:

- removal of delegations that are administrative, operational or not supported by a valid legislative head of power;
- consolidation of delegations to remove duplication and better align with the relevant statutory provisions;
- strengthening of legislative references, and conditions;
- minor text, formatting and structural amendments to improve clarity and consistency; and
- updates required as a result of legislative reform, new local laws, or changes to operational practice.

A key outcome of the review is a clearer distinction between statutory delegations (where discretion is exercised under legislation) and administrative functions (which are more appropriately managed through policy, procedures or operational authorisation).

This has resulted in the revocation of a number of delegations relating to administrative activities such as cash advances, execution of documents, corporate agreements, community funding arrangements, and application signing. These functions are managed through existing policy frameworks, financial controls, or the City's Execution of Documents Policy.

Additionally, several delegations have been consolidated to improve alignment with legislation. Functions relating to leases, licences, and management agreements have been incorporated into the broader delegation for the disposal of property under section 3.58 of the Act, ensuring a more streamlined and legally robust structure.

The review has also removed delegations where no head of power to delegate exists (for example under external legislation such as the *Firearms Act 1973*), or where the delegation created governance risks or duplicated authority already conferred elsewhere within the Register.

Overall, the updated Register provides a more accurate, streamlined and audit defensible framework for the exercise of delegated authority, while maintaining appropriate Council oversight of significant and strategic decision-making functions.

OFFICER RECOMMENDATION**That Council adopt:**

- 1) The City of Kwinana Register of Delegated Authority 2026/27, as detailed in Attachment 18.1.1; and**
- 2) The Execution of Documents Policy, as detailed in Attachment 18.1.3.**

VOTING REQUIREMENT

Absolute majority

DISCUSSION

Delegations are a fundamental component of the local government decision-making framework and play a critical role in enabling the efficient and effective operation of the organisation.

The appropriate use of delegation supports efficient service delivery and enables Council to focus on its primary role of strategic leadership, policy setting and oversight. Consistent with best practice, Council retains responsibility for decisions of a strategic or significant nature, while operational and administrative matters are delegated where appropriate.

Certain powers and duties cannot be delegated, including those requiring an absolute majority of Council or those expressly prohibited under legislation. These limitations ensure that matters of significant governance, financial or strategic importance remain subject to direct Council determination.

The City is responsible for exercising a wide range of statutory powers and duties across numerous pieces of legislation. It is neither practical nor efficient for Council or the Chief Executive Officer (CEO) to personally exercise every function conferred by law.

Delegations therefore provide a structured governance mechanism to allocate decision-making authority to appropriate levels within the organisation, ensuring that decisions are made in a timely, informed and operationally effective manner.

Under section 5.44 of the *Local Government Act 1995* (the Act), the CEO may further delegate powers or duties to employees of the City. This establishes a cascading framework of authority that supports efficient internal decision-making and operational responsiveness.

Importantly, these sub-delegations are not subject to Council adoption. Sub-delegations are made by the CEO under their statutory authority and are administered internally, in accordance with organisational structures, role responsibilities and operational requirements.

This distinction ensures that:

- Council retains control and oversight of primary delegations;
- the CEO retains responsibility for the day-to-day management of the organisation; and
- internal decision-making processes remain flexible, efficient and responsive to operational needs.

In addition to delegation, the organisation utilises policies and procedures as governance tools to guide decision-making. Policies provide a clear framework for consistent and transparent administrative practices, particularly in areas that do not require the exercise of statutory discretion.

The review of the City's Register has been undertaken with reference to these governance principles and supporting guidance. The key focus of the review has been to ensure that:

- all delegations are supported by a clear legislative basis
- delegations are limited to appropriate discretionary functions
- administrative and operational matters are removed where they can be more effectively managed through policy or procedure
- delegations are expressed clearly, consistently and in a user-friendly format
- obsolete or redundant delegations are removed

A significant outcome of the review is the separation of statutory delegations from administrative processes. In particular, delegations relating to the execution of documents have been removed from the Register and incorporated into the Execution of Documents Policy as detailed in **Attachment 18.1.3**, a tracked change version of the Execution of Documents Policy can be located at **Attachment 18.1.4**.

This approach aligns with best practice guidance, which recognises that policy is the appropriate mechanism for managing administrative decision-making frameworks and ensuring consistency in operational processes.

The Execution of Documents Policy establishes clear procedures for the execution of documents on behalf of the City, including the application of the common seal and authorisation requirements. By managing these matters through policy, the City achieves greater flexibility, clarity, and administrative efficiency, while maintaining compliance with the Act.

A detailed summary of the specific changes to individual delegations is provided in the table below, this table provides a description of the major changes to the Register, however minor text and formatting amendments can be found within the tracked change version at **Attachment 18.1.2**.

Delegation	Amended	Description of Amendment
1.1.1 Appoint Authorised Person to Perform Specified Functions under the <i>Local Government Act 1995</i>	Yes	Section 9.10 of the Act provides that a local government CEO may appoint in writing persons or a class of persons as authorised persons for one or more of the laws detailed in section 9.10(1) of the Act and may specify conditions or limitations. As such this delegation has been amended to remove reference to section 9.10.
1.1.3 Approval of cash advance for reimbursement of expenses	Revoke	This function is an administrative financial function exercised under the CEO's operational authority. Controls are maintained through financial authorisation limits and relevant Council policies, rather than formal delegation under section 5.42 of the Act.
1.1.4 Legal action, notice, proceedings, prosecutions and withdrawals	Yes	Amended to expand on 'Any other written law'
1.1.6 Appointment of proxies	Revoke	The appointment of proxies under section 124 of the <i>Strata Titles Act 1985</i> is an administrative function relating to representation of the City's interests and does not constitute a statutory power requiring delegation under section 5.42 of the Act.
1.1.7 Agreements for Community Funding	Revoke	Sponsorship or grants are not provided for specifically in the Act. It is also not normally considered procurement. Typically, these matters are dealt with in Council policy (City of Kwinana Community Funding Policy), which can provide an approval mechanism for the giving of sponsorship and grants. While there is a legislative power to make payments from the local government bank account, this does not deal particularly with sponsorship. Like consultants, it is possible to place conditions on a delegation relating to the procurement of consultants, however this cannot be a delegated function in and of itself.
1.1.8 Administration of Leases, licences and management agreements over City property	Merge and Revoke	It is recommended that Delegation 1.1.8 be revoked and consolidated into Delegation 1.1.18 (Disposal of Property under section 3.58 of the Act). The current delegation includes a combination of: <ul style="list-style-type: none"> • statutory powers relating to the disposal of property; and • administrative and operational functions relating to the execution and management of lease and licence arrangements. Upon review, it has been determined that: <ul style="list-style-type: none"> • The approval of leases, licences and management agreements constitutes a disposal of property under section

		<p>3.58, and is therefore appropriately captured within Delegation 1.1.18;</p> <ul style="list-style-type: none"> • The execution of documents arising from these arrangements is an administrative function governed by section 9.49A of the Act and the City’s Execution of Documents Policy, and does not require formal delegation; and • Ongoing administration of leases, including minor amendments, assignments and consents, is operational in nature and should be managed through internal procedures rather than statutory delegation. <p>Accordingly, Delegation 1.1.8 is proposed to be removed, with relevant delegable functions consolidated into Delegation 1.1.18, and operational functions managed through policy and procedure.</p>
<p>1.1.9 Administration of a Corporate Discount Agreement</p>	<p>Revoke</p>	<p>Delegation 1.1.9 relies on section 9.49A of the Act, which relates only to the execution of documents and does not provide authority to enter into or vary agreements. Execution is an administrative step that gives effect to a prior authorised decision and is appropriately governed by the City’s Execution of Documents Policy.</p> <p>Accordingly, this function does not require a formal delegation and should be removed from the Register of Delegated Authority and managed through the Execution of Documents framework.</p>
<p>1.1.11 Appointment of Acting Chief Executive Officer</p>	<p>Revoke</p>	<p>Delegation 1.1.11 is recommended to be revoked.</p> <p>The current delegation relies on section 9.49A(4) of the Act as the express head of power. However, section 9.49A relates solely to the execution of documents and does not provide authority to appoint or employ a person in the role of Chief Executive Officer, whether in a permanent or acting capacity. Execution of documents is an administrative step and does not constitute the underlying decision to appoint an Acting Chief Executive Officer.</p> <p>The appointment of an Acting Chief Executive Officer is intrinsically linked to section 5.36 of the Act, which provides that a local government is to employ a Chief Executive Officer and that Council must be satisfied that the person appointed is suitably qualified. This is a governance and employment function of Council and does not constitute a routine administrative or operational function capable of delegation under section 5.42.</p> <p>In addition, sector guidance and good governance practice recognise that local governments are required to adopt a policy framework governing the temporary employment or appointment of a Chief Executive Officer. This ensures that:</p> <ul style="list-style-type: none"> • Council retains oversight of CEO appointment arrangements; • suitably qualified officers are identified and endorsed by Council; and • transparent and consistent processes are applied when appointing an Acting Chief Executive Officer. <p>The Act, as amended, reinforces Council’s responsibility for CEO employment matters, including the requirement to establish policies and procedures dealing with CEO employment and performance.</p>

		Within this framework, the appointment of an Acting Chief Executive Officer is more appropriately governed through the City's Council adopted Temporary Employment or Appointment of CEO Policy, rather than a delegation.
1.1.15 Payments from municipal and trust funds	Yes	Minor amendment, structure of the Express power or duty delegated, point 2 of the conditions amended to ensure clarity.
1.1.18 Disposing of property	Yes	Amended to include sections from 1.1.8, the disposal of property by way of leases, licences and management agreements.
1.1.22 Amendment to Rate Record	Yes	Amendment made to correctly reference the Express power or duty delegated.
1.1.24 Planning, building and other development related applications where the City is the applicant	Revoke	<p>It is recommended that Delegation 1.1.24 be removed from the Register of Delegated Authority, as it relates to the signing of planning, building and other development applications where the City is the applicant, which is an administrative function rather than the exercise of a statutory power. While the delegation relies on s.9.49A(4) of the Act (execution of documents), the act of signing and lodging applications does not involve the exercise of discretion and therefore does not require formal delegation under s.5.42 of the Act.</p> <p>It is considered more appropriate for this function to be managed through the City's Execution of Documents Policy and associated administrative authorisations. This approach will ensure a clear distinction between statutory delegations and administrative processes, reduce duplication, and improve the clarity and audit defensibility of the Register of Delegated Authority.</p>
1.1.26 Particular things local government can do on land that is not local government property	Yes	The delegation has been strengthened to improve legislative accuracy, governance clarity and audit defensibility by clearly aligning it with section 3.27 and Schedule 3.2 of the Act, confirming its status as a statutory delegation under section 5.42, distinguishing delegation from officer authorisation under section 3.24, strengthening compliance conditions and safeguards for higher-risk powers.
1.1.31 <i>Road Traffic (Administration) Act 2008</i> – Damage to road infrastructure	Yes	The delegation has been revised to improve legal accuracy, governance clarity, and consistency with the statutory framework established under the Act and the <i>Road Traffic (Administration) Act 2008</i> .
1.1.34 Commencement of legal proceedings or prosecutions under the <i>Local</i>	Revoke	Under section 9.24 of the Act, a local government may delegate to the CEO the power to authorise a person to commence prosecutions for offences against the Act. It is recommended that this delegation be revoked, as that authority is already conferred on the CEO through Delegation 1.1.1, Appoint Authorised Person to Perform Specified Functions under the Act.

<i>Government Act 1995</i>		
1.1.35 Destruction of local government election parcels	Yes	Minor text amendments, in relation to legislative reference.
1.1.39 Close Thoroughfares to Vehicles	Yes	Additional condition included to clearly highlight that the delegation is limited to temporary road closures only.
Local Laws		
1.3.3 Bush Fire Brigades Local Law 2025	Yes	Amended to reflect the City's new Bush Fire Brigades Local Law 2025
1.3.6 Local Government Property Local Law	Yes	Major review of the delegation has been undertaken, this was required due to the amendments of the Local Government Property Local Law.
Building Act 2011		
2.1.1 Building Act 2011 – Powers and duties	Yes	Amendment made to include condition.
Cat Act 2011		
4.1.1 Cat Act 2011 – Administration and enforcement	Under review	With the Manager Essential Services for review
Dog Act 1974		
5.1.1 Dog Act 1976 – Appointment of registration officers	Yes	Amended to remove redundant legislation and clearly clarify the delegation functions. Also, with the Manager Essential Services for review
5.1.2 Dog Act 1976 – Power or duty of the local	Under review	With the Manager Essential Services for review

government under any provision of the Act		
5.1.3 Dogs Local Law 2010	Under review	With the Manager Essential Services for review
Firearms Act 1973		
6.6.1 <i>Firearms Act 1973</i>	Revoke	<p>Revoked due to fundamental governance and legal deficiencies that create an unacceptable compliance risk. The delegation lacks a valid head of power, as the Act does not enable the delegation of functions arising under external legislation unless expressly authorised within that legislation, which the <i>Firearms Act 2024</i> does not provide.</p> <p>Further, the functions described are administrative and operational in nature, undertaken by the City as a licensed entity, rather than statutory powers requiring formal delegation. Retaining the instrument also creates a significant practical risk through the prohibition on sub-delegation, effectively requiring the CEO to personally perform routine compliance tasks, which is neither feasible nor consistent with sound governance practice. Accordingly, the delegation should be removed from the statutory register and transitioned to a CEO-led operational or policy framework, ensuring appropriate internal authorisations are maintained without creating an invalid or unworkable delegation structure.</p>
Food Act 2008.		
7.1.2 <i>Food Act 2008 – Functions of enforcement agency</i>	Yes	Amended to removed duplicated information within the conditions section and to include additional condition and officer.
Public Health Act 2016		
10.1.1 Designated Authorised Officers – <i>Public Health Act 2016</i>	Yes	Amendment made to remove historical delegated position from the function and removed reference to a redundant local law.
Planning and Development Act 2005		

<p>11.1.1 Subdivision and development control.</p>	<p>Yes</p>	<p>The proposed amendments to Delegation 11.1.1 are intended to update the delegation so that it more accurately reflects the planning frameworks currently operating within the City and the way planning decisions are administered in practice. The changes expand the delegation to capture all relevant planning schemes and associated legislative instruments, remove outdated or unnecessary references, and update terminology to align with contemporary planning language. In several cases, existing provisions have been simplified or consolidated where the same outcome is already achieved through broader delegated powers.</p> <p>The amendments also clarify the respective decision-making roles of Council, the Chief Executive Officer, and sub-delegated officers. New and revised conditions are proposed to ensure that significant or strategic matters remain with Council, while routine and operational matters can continue to be determined under delegation in an efficient and transparent manner. Overall, the amendments do not materially alter Council’s governance role, but improve clarity, transparency, and consistency with current business practice.</p> <p>Please refer to Attachment 18.1.5 for a more detailed description of the changes.</p>
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STRATEGIC IMPLICATIONS

Outcome: Leadership / Boordiya Katidjin (Leader of knowledge)
Objective: Customer experience
 Accountable and ethical governance
 Continuous improvement and efficiency
 Proactive leadership

How does this proposal achieve the outcomes and strategic objectives?

The Register of Delegated Authority (the Register) supports the City’s strategic direction by providing a clear and compliant framework for decision-making. It promotes accountable and ethical governance by ensuring delegations are current, accurate and aligned with legislative requirements. The Register also supports customer experience and organisational efficiency by enabling timely operational decisions, reducing duplication and maintaining appropriate Council oversight of strategic matters. Its annual review demonstrates proactive leadership and a commitment to continuous improvement in the City’s governance framework.

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle
 8 - Integrated and Transparent Decision-making

Sustainability Priority Area
 7 - Innovation

LEGAL/POLICY IMPLICATIONS

Local Government Act 1995

2.7. Role of council

- (1) *The council governs the local government's affairs and, as the local government's governing body, is responsible for the performance of the local government's functions.*
- (2) *The council's governing role includes the following —*
 - (a) *overseeing the allocation of the local government's finances and resources;*
 - (b) *determining the local government's policies;*
 - (c) *planning strategically for the future of the district;*
 - (d) *determining the services and facilities to be provided by the local government in the district;*
 - (e) *selecting the CEO and reviewing the CEO's performance;*
 - (f) *providing strategic direction to the CEO*

5.42. Delegation of some powers and duties to CEO

- (3) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
 - (a) *this Act other than those referred to in section 5.43; or*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

- (4) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

5.43. Limits on delegations to CEO²⁸

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) *any power or duty that requires a decision of an absolute majority of the council;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *[(c)deleted]*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.129;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*

5.44. CEO may delegate powers and duties to other employees

- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

- (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —*
 - (a) *the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*
 - (b) *the exercise of that power or the discharge of that duty by the CEO's delegate,*
are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) *Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
- (5) *In subsections (3) and (4) —*
conditions *includes qualifications, limitations or exceptions.*

5.45. Other matters relevant to delegations under this Division

- (1) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*
 - (a) *a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*
 - (b) *any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*
- (2) *Nothing in this Division is to be read as preventing —*
 - (a) *a local government from performing any of its functions by acting through a person other than the CEO; or*
 - (b) *a CEO from performing any of the CEO's functions by acting through another person.*

5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) *The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

9.49A. Execution of documents

- (1) *A document is duly executed by a local government if —*
 - (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
 - (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
 - (a) *the mayor or president; and*

- (b) the CEO,
- each of whom is to sign the document to attest that the common seal was so affixed.
- (4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.
- (5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.
- (6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.
- (7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

Building Act 2011

127. Delegation: special permit authorities and local governments

- (1) A special permit authority or a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.
- (2) A delegation of a special permit authority's powers or duties may be only to an employee of the special permit authority, or to an employee of one of the legal entities that comprise the special permit authority.
- (3) A delegation of a local government's powers or duties may be only to a local government employee.
- (4) The delegation must be in writing executed by or on behalf of the delegator.
- (5) Except as provided for in subsection (6A), a person to whom a power or duty is delegated under this section cannot delegate that power or duty.
- (6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section but in the case of such a power or duty —
- (a) the CEO's power under this subsection to delegate the exercise of that power or the discharge of that duty; and
- (b) the exercise of that power or the discharge of that duty by the CEO's delegate,
- are subject to any conditions, qualifications, limitations or exceptions imposed by the local government on its delegation to the CEO.
- (6) A person exercising or performing a power or duty that has been delegated to the person under this section is to be taken to do so in accordance with the terms of the delegation unless the contrary is shown.
- (7) Nothing in this section limits the ability of the delegator to perform a function through an officer or agent.
- (8) In subsections (3) and (6A) —
- CEO** means chief executive officer;

local government employee, in relation to a local government, means a person employed by the local government under the Local Government Act 1995 section 5.36.

Bush Fire Act 1954

48. Delegation by local governments

- (1) A local government may, in writing, delegate to its chief executive officer the performance of any of its functions under this Act.
- (2) Performance by the chief executive officer of a local government of a function delegated under subsection (1) —
 - (a) is taken to be in accordance with the terms of a delegation under this section, unless the contrary is shown; and
 - (b) is to be *treated* as performance by the local government.
- (3) A delegation under this section does not include the power to subdelegate.
- (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.

Cat Act 2011

44. Delegation by local government

- (1) The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) A decision to delegate under this section is to be made by an absolute majority.

Dog Act 1976

10AA. Delegation of local government powers and duties

- (1) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, delegate to its chief executive officer any power or duty of the local government under another provision of this Act.
- (2) The delegation must be in writing.
- (3) The delegation may expressly authorise the delegate to further delegate the power or duty.
- (4) A local government's chief executive officer who is exercising or performing a power or duty that has been delegated as authorised under this section, is to be taken to do so in accordance with the terms of the delegation unless the contrary is shown.
- (5) Nothing in this section limits the ability of a local government's chief executive officer to perform a function through an officer or agent.

Food Act 2008

118. Functions of enforcement agencies and delegation

- (1) *An enforcement agency has the functions in relation to the administration of this Act that are conferred or imposed on the agency by or under this Act or are delegated to the agency under this Act.*
- (2) *A function conferred or imposed on an enforcement agency may be delegated —*
 - (a) *if the enforcement agency is the CEO — in accordance with section 117; or*
 - (b) *if the enforcement agency is a local government or a person or body, or a person or body within a class of persons or bodies, prescribed by the regulations — subject to subsections (3) and (4), in accordance with the regulations.*
- (3) *Without limiting the Interpretation Act 1984 section 59, the performance by a delegate of an enforcement agency of a function delegated under subsection (2)(b) is subject to —*
 - (a) *any condition or limitation imposed under section 119 on the performance by the enforcement agency of the function; and*
 - (b) *any guidelines that the enforcement agency is required to adopt under section 120 in performing the function.*
- (4) *If —*
 - (a) *regulations referred to in subsection (2)(b) expressly authorise a delegated function of an enforcement agency to be further delegated; and*
 - (b) *the delegated function is further delegated to a person or body in accordance with those regulations,*

subsection (3) applies to the performance by the person or body of that function as if the function were performed and delegated as described in that subsection.

Graffiti Vandalism Act 2016

16. Delegation by local government

- (1) *The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Part.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) *A decision to delegate under this section is to be made by an absolute majority.*

Planning and Development (Local Planning Schemes) Regulations 2015

82. Delegations by local government

- (1) *The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under this Scheme other than this power of delegation.*
- (2) *A resolution referred to in subclause (1) must be by absolute majority of the council of the local government.*
- (3) *The delegation must be in writing and may be general or as otherwise provided in the instrument of delegation.*

Public Health Act 2016

17. Appointment of environmental health officers

- (1) *A local government may appoint one or more persons as environmental health officers.*
- (2) *An appointee may be —*
 - (a) *a person employed by the local government under the Local Government Act 1995 section 5.36; or*
 - (b) *a person engaged by the local government under a contract for services.*
- (3) *A local government must not appoint a person as an environmental health officer unless the person has the qualifications and experience approved by the Chief Health Officer under section 18.*
- (4) *Two or more local governments may enter into arrangements for one or more persons to be appointed as environmental health officers for each of those local governments.*
- (5) *This section does not limit the Local Government Act 1995 section 5.36.*

FINANCIAL/BUDGET IMPLICATIONS

There are no financial/budget implications in relation to this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications in relation to this report.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

There are no environmental/public health implications in relation to this report.

COMMUNITY ENGAGEMENT

There are no community engagement expectations in relation to this report. However, to ensure transparency the City's Register of Delegated Authority 2026/27 will be made available on the City's website.

ATTACHMENTS

1. Clean Version Delegated Authority Register 2026 27 Council to CEO [**18.1.1** - 120 pages]
2. Tracked Changes Delegated Authority Register 2026 27 Council to CEO [**18.1.2** - 153 pages]
3. Execution of Documents Policy [**18.1.3** - 8 pages]
4. Tracked Change Execution of Documents Policy [**18.1.4** - 10 pages]
5. Attachment Explanation of Planning Delegations changes 17 June 2026 [**18.1.5** - 9 pages]

18.2 MONTHLY FINANCIAL REPORT APRIL 2026

SUMMARY

The Monthly Financial Reports has been prepared and includes the monthly financial variance between actual and budget for the period ending 30 April 2026.

OFFICER RECOMMENDATION

That Council:

1. **Accepts the Monthly Statements of Financial Activity for the period ended 30 April 2026, as detailed at Attachment 18.2.1; and**
2. **Accepts the explanations for material variances for the period ended 30 April 2026, as detailed at Attachment 18.2.1.**

VOTING REQUIREMENT

Simple majority

DISCUSSION

The purpose of this report is to provide a monthly financial report 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 30 April 2026 and includes the following key reporting data:

- Statement of Financial Activity by Nature or Type
- Statement of Financial Position
- Net Current Funding Position
- Outstanding debtors (Rates and Sundry Debtors)
- Capital Acquisitions
- Borrowings
- Cash Reserves
- Operating and Non-Operating Grants and Contribution

Closing Surplus Position

As of April 2026, the municipal surplus is \$18,904,534, while the budgeted position is \$331,939. The variance is mainly affected by timing of expenditure and revenue items and adjustments that will be processed at end of the year.

Revenue Summary for April 2026

Year-to-date income for the period ending April 2026 is \$84,856,752 compared to the current budgeted income of \$85,918,409 resulting in an unfavourable variance of \$1,061,657. This is mainly due to timing variance of capital grants.

Expenditure Summary for April 2026

The total expenditure for April 2026 was \$95,334,355 which is \$5,983,460 less than the current budget of \$101,317,815. This amount includes both operating and capital expenses, detailed as follows:

- Operating expenses: \$75,900,897
- Capital acquisitions: \$19,433,457

For detailed information on significant variances on operating and capital expenditure against the current budget, refer to Note 1 and Note 5 in the Monthly Financial Report attached as **Attachment 18.2.1**.

Rates Receivables

The outstanding rate balance for April as per note 4 of the Monthly Financial Report is 11.87%, representing a slight increase from 11.61% in the previous year. Active follow-up and ongoing review of outstanding rate balances are being conducted.

Investment Summary

The City currently has \$104,847,553 in its investment portfolio, managed in accordance with the City's Investment Policy. A primary objective is to ensure these funds are invested in sustainable and ethical instruments that align with the City's Sustainability Framework initiatives. As of April 2026, 26.28% of the total portfolio is allocated to fossil fuel-free investments. For further information on the City's investment portfolio, please refer to Note 3 in the Monthly Financial Report.

STRATEGIC IMPLICATIONS

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

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle

3 - Thriving Local Economy

Sustainability Priority Area

3 - Liveability

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 at **Attachment 18.2.1**.

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

1. Monthly Financial Report April 2026 [**18.2.1** - 31 pages]

18.3 CORPORATE BUSINESS PLAN ANNUAL REVIEW

SUMMARY

As part of planning for the future, all local governments in Western Australia are required to develop and adopt a Strategic Community Plan (SCP) and a Corporate Business Plan (CBP). Together, these documents form the City's *Plan for the Future – Kwinana 2030*.

The SCP outlines the community's long-term vision and aspirations for the district, while the CBP details how that vision will be delivered by linking the City's day-to-day operations to those aspirations.

In accordance with the *Local Government (Administration) Regulations 1996*, a review of the CBP has been undertaken, with the amended CBP provided for Council's consideration at **Attachment 18.3.1**.

OFFICER RECOMMENDATION

That Council adopt the revised Corporate Business Plan 2025 – 2029 as detailed in Attachment 18.3.1.

VOTING REQUIREMENT

Absolute majority.

DISCUSSION

Integrated planning and reporting ensures the City has a clear vision for the community and a strategic direction for the organisation, aligning priorities and resources over the medium to long term.

The CBP is an internal business planning tool that translates Council priorities into operational delivery within available resources. It outlines the services, operations, projects and initiatives the City will deliver over a defined period.

The CBP is informed by a range of key informing strategies, including the:

- Long Term Financial Plan
- Workforce Plan
- Infrastructure Strategy
- Operational strategies and action plans

The proposed updates to ensure the CBP reflects current information and continues to be improved as a clear and informative document for the community, include:

- Minor updates, including graphic, layout, wording and grammatical improvements;
- Inclusion of three new Key Actions and removal of one previous Key Action, with details outlined within the CBP;
- Updated reporting for each Key Action, outlining progress achieved over the past year and planned delivery for the upcoming year; and

- Inclusion of a 'snapshot' summary highlighting key achievements from the past year and what is hoped to be achieved for the year ahead.

In line with the *Local Government (Administration) Regulations 1996*, local governments are required to review their CBP annually, with a strategic review undertaken every two years. This review represents a minor update and satisfies the annual review requirement.

City Officers have undertaken a detailed review of the 2025–2029 CBP and recommend these minor updates to ensure continued alignment between the City's operations and the community's vision for the future.

Performance Reports are also provided to Council on a quarterly basis, outlining progress against all key actions within the CBP.

STRATEGIC IMPLICATIONS

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

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle

7 - Generational Value Creation

8 - Integrated and Transparent Decision-making

Sustainability Priority Area

3 - Liveability

4 - Engagement and Social Inclusion

LEGAL/POLICY IMPLICATIONS

Local Government Act 1995:

5.56 Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

The Integrated Planning and Reporting Framework is governed by the *Local Government (Administration) Regulations 1996*, which sets out the minimum requirements for both the Strategic Community Plan and the Corporate Business Plan.

Local Government (Administration) Regulations 1996:**19DA. Corporate business plans, requirements for (Act s. 5.56)**

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

FINANCIAL/BUDGET IMPLICATIONS

The CBP informs the City's budget over the next four years, ensuring that delivery of key community outcomes is supported through the Long Term Financial Plan.

An estimated cost of \$1,000 has been allocated for printing of the CBP document.

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 specific requirements to undertake community engagement as part of this CBP review.

Following adoption, the CBP will be made available to the community via the City's website, as well as in hard copy at the Kwinana Library and Administration Centre.

ATTACHMENTS

1. Corporate Business Plan - 2026 Review [**18.3.1** - 72 pages]

18.4 ACCOUNTS FOR PAYMENT FOR THE MONTH ENDED 31 MAY 2026

SUMMARY

The purpose of this report is to present to Council a list of accounts paid under delegated authority for the month ended 31 May 2026 as required by the *Local Government (Financial Management) Regulations 1996*.

OFFICER RECOMMENDATION

That Council:

1. **Accepts the list of accounts, totalling 8,866,482.31 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 May 2026, as detailed at Attachment 18.4.1**
2. **Accepts the detailed transaction listing of credit card expenditure of \$31,912.43 for the period ended 04 May 2026, as detailed at Attachment 18.4.2**

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 18.4.1**.

Payment Type	Amount (\$)
Automatic Payment Deductions *	\$ 75,839.60
Cheque	\$ 1,493.60
EFT Payments	\$ 7,041,981.05
Payroll Payments	\$ 1,747,168.06
Total Attachment 18.4.1	\$ 8,866,482.31

*Automatic Payment deductions include a payment of **\$31,912.43** for credit card payments. A detailed transaction listing of credit card expenditure paid for the period ended 04 May 2026, is included at **Attachment 18.4.2**.

A detailed listing of May 2026 payments, including short descriptions for each payment, is provided in **Attachment 18.4.1**.

STRATEGIC IMPLICATIONS

Outcome: Quality of Life / Ngalang moorditj wirrin (Our strong spirit)

Objective: Thriving local economy

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.

1. *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 —*
 - a. *the payee's name; and*
 - b. *the amount of the payment; and*
 - c. *the date of the payment; and*
 - d. *sufficient information to identify the transaction.*

2. *A list of accounts for approval to be paid is to be prepared each month showing*
 - a. *for each account which requires council authorisation in that month —*
 - i. *the payee's name; and*
 - ii. *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 —*
 - a. *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 in the payment list is consistent with the City's annual budget.

Any expenditure related to the Perth South West Metropolitan Alliance (PSWMA) is paid 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 May 26 [**18.4.1** - 8 pages]
2. Credit Card Transactions Report May 26 [**18.4.2** - 3 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