

Ordinary Council Meeting

Agenda

25 November 2026

Notice is hereby given of an Ordinary Meeting of Council to be held in the Boronia 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 ACKNOWLEDGEMENT OF 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 Matthew Rowse to read the dedication:

"May we, the Elected Members of the City of Kwinana, have the wisdom to consider all matters before us with due consideration, integrity and respect for the Council Chamber.

May the decisions made be in good faith and always in the best interest of the greater Kwinana community that we serve."

4 ATTENDANCE, APOLOGIES, LEAVE(S) OF ABSENCE (PREVIOUSLY APPROVED)

Apologies:

Unknown at the time of issuing the agenda.

Leave(s) of Absence (previously approved):

Deputy Mayor Barry Winmar

5 PUBLIC QUESTION TIME

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

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

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

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

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

6 RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

6.1 PETITIONS

A petition must –

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

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

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

6.2 PRESENTATIONS

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

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

Any person or group wishing to make a presentation to the Council shall advise the CEO in writing before 12 noon on the day of the meeting. Where the CEO receives a request in terms of the

preceding clause the CEO shall refer it to the presiding member of the Council committee who shall determine whether the presentation should be received.

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

6.3 DEPUTATIONS

In accordance with Clause 3.7 of the *Standing Orders Local Law 2019*, any person or group of the public may, during the Deputations segment of the Agenda with the consent of the person presiding, speak on any matter before the Council or Committee provided that the person has requested the right to do so in writing addressed to the Chief Executive Officer by noon on the day of the meeting:

- setting out the agenda item to which the deputation relates;
- whether the deputation is supporting or opposing the officer's or committee's recommendation; and
- included sufficient detail to enable a general understanding of the purpose of the deputation.

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

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 21 OCTOBER 2026

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 21 October 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

Nil

13 ENBLOC REPORTS

14 REPORTS - COMMUNITY

14.1 OFFICIAL NAMING OF THE PUBLIC OPEN SPACE - 'KOORT OF MEDINA'

SUMMARY

The Medina Residents Group has requested that the public open space beneath the Hill's Figs, adjacent to Green Barista and Sculptures Hair Studio at Medina Shopping Centre, be formally named *Koort of Medina*. "Koort" is the Nyoongar word for "heart", reflecting the space's role as a community focal point. The proposed name was endorsed by the Boola Maara Aboriginal Consultative Committee in June 2026 and by the Naming of Parks, Places and Buildings Working Group in November 2026.

OFFICER RECOMMENDATION

That Council adopt the recommendation of the Naming of Parks, Places and Buildings Working Group that the new public space at Medina Shopping Centre is formally named the Koort of Medina.

VOTING REQUIREMENT

Simple majority

DISCUSSION

The public space was created in 2024 as part of the Medina Shopping Centre car park upgrade. The community's vision was to establish a welcoming place that connects Medina Green with Harry McGuigan Park and provides opportunities for people to meet, connect and strengthen community life. The space was intentionally left as a blank canvas to enable the community to contribute to its development. Since its creation, the Medina Residents Group has worked with the City and local artists to activate the space. Completed projects include 12 wooden sculptures and a bicycle repair station. An Aboriginal artwork project is also underway, incorporating school and community art workshops and a sculptured story post that will link via a QR code to the Kwinana Library's collection of local historical stories.

Since the space was created, the Medina Residents Group and other residents have informally referred to it as the *Koort of Medina*. The name was first suggested by Elder Lynn Coomer, a member of the Medina Residents Group. "Koort", meaning "heart" in Nyoongar, recognises the area's strong Aboriginal heritage, an important element of Medina's National Trust recognition, and reflects the space's role as a place for community events, meetings and social connection.

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
Objective:	Enhanced public spaces

Action in CBP:	Develop, deliver and review Place Plans
Objective:	Pride in our place
Outcome:	**Built Environment/ Ngalak Moort Mia Mia (Family gathering places)**
Objective:	High-quality parks and playgrounds

How does this proposal achieve the outcomes and strategic objectives?

This proposal achieves the outcomes of the strategic objectives by recognising Aboriginal heritage, strengthening local identity and supporting the space's role as a community gathering place. In doing so, it advances health and wellbeing, fosters pride in place and contributes to building connected communities through the delivery of Place Plans and the Innovate Reconciliation Action Plan. It also reinforces the intent of the Place Plan to create places that people value and feel connected to.

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle
2 - Community Wellbeing

Sustainability Priority Area
3 - Liveability
4 - Engagement and Social Inclusion

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

This request supports community wellbeing by recognising Aboriginal heritage, strengthening local identity and reinforcing the space as a place for people to meet and connect. It also supports liveability and engagement and social inclusion by helping make the space more meaningful, welcoming and valued by the community.

LEGAL/POLICY IMPLICATIONS

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

FINANCIAL/BUDGET IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Extensive community engagement was carried out for the carpark upgrade to ensure it reflected the community's visions. The design chosen, included the new public space that connected Medina Green to Harry McGuigan Park. The new public space has been known informally as ‘Koort of Medina’ by the Medina Residents Group, business owners and local residents since the space was created.

Endorsement of the proposed name has been sought from both the Boola Maara Aboriginal Consultative Committee and the Naming of Parks, Places and Buildings Working Group.

ATTACHMENTS

1. Koort of Medina [**14.1.1** - 1 page]

15 REPORTS - ECONOMIC

Nil

16 REPORTS - NATURAL ENVIRONMENT

Nil

17 REPORTS - BUILT INFRASTRUCTURE

Nil

18 REPORTS - CIVIC LEADERSHIP

18.1 QUARTERLY PERFORMANCE REPORT STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN - QUARTER 1, JULY TO SEPTEMBER 2026

SUMMARY

The City of Kwinana's Plan for the Future comprises the Strategic Community Plan (SCP) and Corporate Business Plan (CBP), which establish the community's long-term vision, strategic objectives and the actions required to deliver these outcomes.

Quarterly performance reporting provides Council with an overview of progress against the adopted plans, highlighting key achievements, the status of planned actions and any areas requiring further attention.

The Quarter 1 Performance Report for the period 1 July to 30 September 2026 is provided at **Attachment 18.1.1** for Council's consideration and noting.

This is the first quarterly report against the updated Corporate Business Plan, following its annual desktop review and adoption by Council at the Ordinary Council Meeting held on 24 June 2026.

Overall, the majority of actions are progressing as planned, with explanations provided in the attachment for those experiencing delays.

OFFICER RECOMMENDATION

That Council note the Quarterly Performance Report (Quarter 1, July to September 2026) detailed in Attachment 18.1.1.

VOTING REQUIREMENT

Simple majority

DISCUSSION

The *Integrated Planning and Reporting - Framework and Guidelines 2016* (Department of Local Government and Communities) recommend quarterly reporting to support transparent governance, monitor progress against strategic objectives and enable local governments to respond to emerging issues and changing priorities.

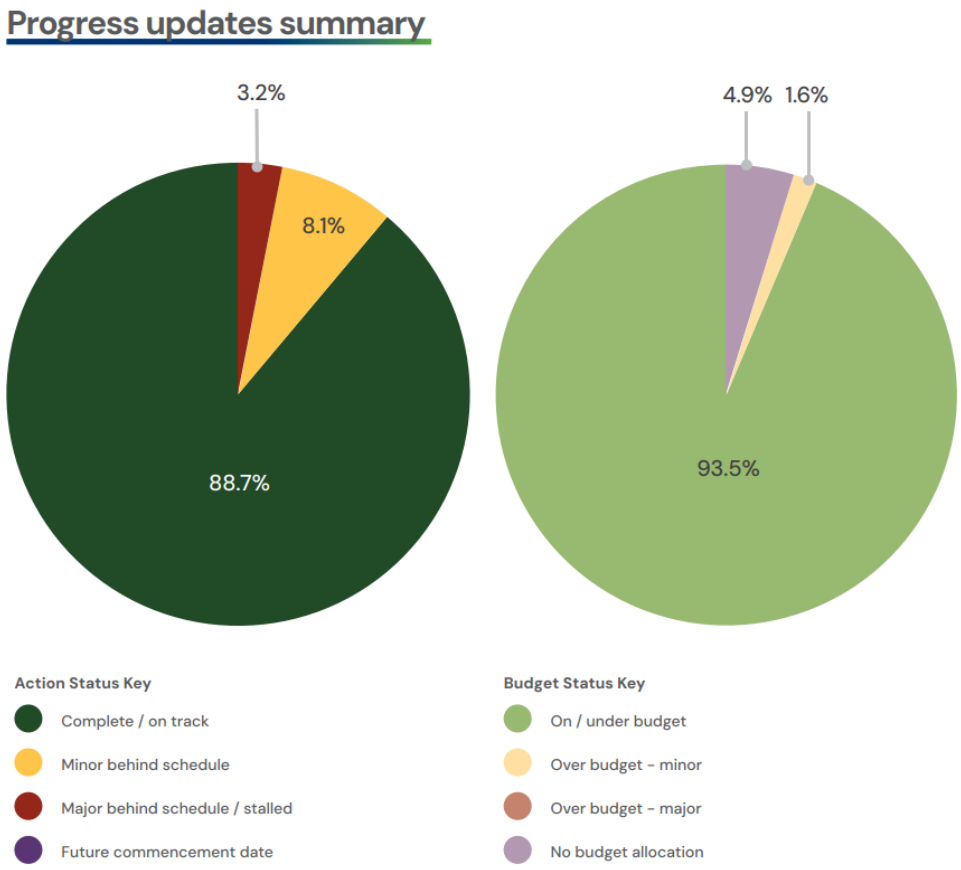
In accordance with this approach, the City provides Council with quarterly updates on the implementation of actions identified in the Strategic Community Plan and Corporate Business Plan

Quarterly Performance Overview

The Quarter 1 Performance Report demonstrates continued progress in delivering the City's strategic priorities and planned initiatives.

The majority of actions are progressing in accordance with their planned timeframes. Where delays have occurred, explanations are provided in **Attachment 18.1.1**, together with relevant commentary on progress.

A summary of the overall status of actions for the quarter is provided below:



Key Achievements - Quarter 1

Significant achievements and activities during the reporting period include:

Environmental Stewardship

- Completed the 2026 revegetation and street tree planting programs.
- Adopted the Waste Plan 2026–2036 at the July 2026 Ordinary Council Meeting.
- Received two awards at the 2026 WasteSorted Awards:
  - Waste Team Award for the AWARE Bin Compliance Program.
  - Community Events and Engagement Award for the *In the Zone Circular Fashion and Pop-up Op Shop*.
- Secured approval of the updated Bushfire Risk Management Plan from the Office of Bushfire Risk Management.

Quality of Life

- Continued delivery of the Youthrive program, with 134 young people participating in up to 31 courses during the quarter.
- Submitted the City's 2025/2026 Disability Access and Inclusion Plan (DAIP) Progress Report to the Department of Communities. Two City initiatives were selected for inclusion in the Minister's Report:
    - The relaxed performance of *Billy Elliot* at Koorliny Arts Centre.
    - Accredited *Getting Started with Key Word Sign* training undertaken by Library staff.
- Established a new partnership with the Minderoo Foundation to strengthen the City's capacity to address childhood vulnerability and improve coordination of services.

Built Environment

- Commenced a major review of the Community Infrastructure Plan to establish a long-term, evidence-based framework for the provision of community infrastructure through to 2050.
- received correspondence that it was successful in relation to the heritage grant application for the Heritage Recognition of Medina within the Local Planning Framework project.

Leadership

- Continued the *Your City Services* campaign, with additional videos in development for the following quarter, including guidance for residents on updating their personal and contact information.
- A comprehensive review of the Elected Members Training and Development Policy was undertaken and adopted by Council at the Ordinary Council Meeting held in July 2026.

STRATEGIC IMPLICATIONS

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

How does this proposal achieve the outcomes and strategic objectives?

The report provides Council with regular, transparent reporting on progress against the SCP and CBP, supporting informed decision-making, accountability and proactive leadership in responding to emerging issues and priorities.

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle
2 - Community Wellbeing
8 - Integrated and Transparent Decision-making

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. C P 0062 - Quarterly Performance Report JU L- SEP 26 V 2 [**18.1.1** - 51 pages]

18.2 CITY OF KWINANA LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2027

SUMMARY

At its Ordinary Council Meeting held 27 May 2026, Council adopted the *City of Kwinana Local Government Property Local Law 2026* (Local Law) in accordance with section 3.12 of the *Local Government Act 1995* (Act). The Local Law was published in the Government Gazette on 16 June 2026 and subsequently referred for parliamentary scrutiny.

Following its review, the Joint Standing Committee on Delegated Legislation (Committee) identified two provisions requiring amendment due to the reference of superseded legislation. On 23 September 2026, Council resolved (OCM163) to provide formal undertakings to complete the amendment within 12 months, not enforce the affected provisions contrary to the undertakings while the amendment is outstanding, and ensure the undertakings accompany publicly available copies of the Local Law. The Mayor signed and provided the undertakings on 30 September 2026.

This report seeks Council approval to commence the statutory process for making the proposed *City of Kwinana Local Government Property Amendment Local Law 2027* (Amendment Local Law), as shown at **Attachment 18.2.1**. The proposed Amendment Local Law is limited to implementing the undertakings and, if endorsed, will be advertised for public submissions for a period of not less than six weeks.

OFFICER RECOMMENDATION

That Council:

1. **Notes that the Presiding Member is to give notice of the purpose and effect of the proposed *City of Kwinana Local Government Property Amendment Local Law 2027*, as follows:**

   Purpose:

   To amend the *City of Kwinana Local Government Property Local Law 2026.*

   Effect:

   a) **replace the reference to the *Firearms Act 1973* in clause 2.7(1)(i)(ii) with the *Firearms Act 2024;* and**
   b) **delete clause 3.14(4).**

2. **Endorses the proposed *City of Kwinana Local Government Property Amendment Local Law 2027*, as shown in Attachment 18.2.1, for the purpose of public consultation, and authorises the Chief Executive Officer to give local public notice inviting submissions for a period of not less than six weeks in accordance with section 3.12 of the *Local Government Act 1995*.**

3. **Authorises the Chief Executive Officer to give a copy of the proposed *City of Kwinana Local Government Property Amendment Local Law 2027* and the public notice to the Departmental Chief Executive Officer, in accordance with section 3.12(3)(b)(i) of the *Local Government Act 1995.***

VOTING REQUIREMENT

Simple Majority

DISCUSSION

The Committee examines local laws and other delegated legislation to assess whether they are authorised by the enabling legislation and meet parliamentary scrutiny requirements. Following publication of the Local Law in the Government Gazette, the Committee reviewed the Local Law and identified two matters requiring correction.

The first matter concerns clause 2.7(1)(i)(ii), which allows a determination to set aside specified local government property for pistol or rifle shooting, subject to the person complying with the *Firearms Act 1973*. The *Firearms Act 1973* has been repealed and replaced by the *Firearms Act 2024*. The Amendment Local Law therefore updates the statutory reference, so the clause refers to the current legislation.

The second matter concerns clause 3.14(4), which limits the period for which the City of Kwinana (City) may approve a camping permit by reference to regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*. Regulation 11(2) was deleted by regulation 6(2) of the *Caravan Parks and Camping Grounds Amendment Regulations 2024*. The reference in clause 3.14(4) is therefore to a provision that no longer exists. The Committee advised that clause 3.14(4) is inoperable and should be deleted.

At its Ordinary Council Meeting on 23 September 2026, Council resolved to provide the undertakings requested by the Committee. The undertakings commit the City to make the required amendments within 12 months, make any consequential amendments, refrain from enforcing the Local Law contrary to the proposed corrections while the amendment process is underway, and ensure the undertakings are made publicly available accompanying copies of the Local Law.

The proposed Amendment Local Law gives effect to those undertakings by making only two targeted textual amendments. It does not change the wider permit framework, introduce new controls or prohibitions, alter existing modified penalties, or otherwise change the substantive operation of the Local Law.

Although Council has already agreed to provide the undertakings, the amendments can only be completed by making an amendment local law in accordance with section 3.12 of the Act. This requires the Presiding Member to give notice of the purpose and effect of the proposal, local public notice to be given, copies to be provided to the relevant departmental chief executive officer or officers, and a submission period of at least six weeks.

After the submission period closes, all submissions must be considered before the Amendment Local Law is presented to Council for making. Under section 3.12(4) of the Act, Council may make the Amendment Local Law as proposed or with changes that are not significantly different from the advertised proposal.

Subject to Council endorsement, the proposed Amendment Local Law will now proceed to statutory public consultation. A further report will be presented to Council after consultation, setting out any submissions received and seeking a decision on whether to make the Amendment Local Law.

STRATEGIC IMPLICATIONS

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

How does this proposal achieve the outcomes and strategic objectives?

The proposed Amendment Local Law demonstrates the City's commitment to accountable and ethical governance by addressing the matters raised by the Joint Standing Committee on Delegated Legislation, fulfilling Council's formal undertakings and ensuring the City's local law framework remains legally compliant and up to date.

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle
8 - Integrated and Transparent Decision-making

Sustainability Priority Area
3 - Liveability

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

Providing statutory public notice allows the proposed corrections to be considered transparently.

LEGAL/POLICY IMPLICATIONS

Local Government Act 1995:

3.12. Procedure for making local laws

(1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

(2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.

(2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

(3) Subject to subsection (3A), the local government is to —

(a) give local public notice stating that —

(i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and

(ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and

(b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to —

(i) the Departmental CEO; and

(ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department; and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

(3A) The local government may, at the council meeting referred to in subsection (2), determine to proceed under subsection (3C) instead of subsection (3) if all the proposed local law would do is adopt, wholly and without modification —

(a) a model local law; or

(b) a model local law except certain provisions that the local government determines, at the council meeting referred to in subsection (2), are not relevant to the local government and the district.

(3B) In subsection (3A)(a) and (b), references to a model local law include an amendment of a model local law.

(3C) If the local government determines to proceed under this subsection, the local government must —

(a) publish a notice on the local government's official website stating that —

(i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and

(ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 3 weeks after the notice is published; and

(b) as soon as the notice is published, give a copy of the notice to —

(i) the Departmental CEO; and

(ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department; and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

(4) After the last day for submissions under subsection (3) or (3C) (as the case requires), the local government is to consider any submissions made and may make the local law as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

(5) After making a local law, the local government must —

(a) publish the local law in the Gazette; and

(b) give a copy of the local law to —

(i) the Departmental CEO; and

(ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is made — the chief executive officer of that other department.

(6) After the local law has been published in the Gazette the local government is to give notice in the required way —

(a) stating the title of the local law; and

(b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and

(c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.

*(6A) For the purposes of subsection (6), the **required way** for giving a notice is as follows —*

(a) if the local government proceeded under subsection (3) — by local public notice;

(b) if the local government proceeded under subsection (3C) — by notice published on the local government's official website.

(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

(8) In this section —

***making** in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.*

FINANCIAL/BUDGET IMPLICATIONS

Costs of advertising, administration, and gazettal are expected to be met by existing operational budgets.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications are identified.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

No direct environmental or public health implications are identified.

COMMUNITY ENGAGEMENT

In accordance with section 3.12(3) of the *Local Government Act 1995*, local public notice will invite submissions on the proposed Amendment Local Law for a period of not less than six weeks. The notice will provide the purpose and effect of the proposal and identify where the proposed Amendment Local Law may be inspected or obtained. Any submissions received will be considered and reported to Council.

ATTACHMENTS

1. Draft - City of Kwinana Local Government Property Amendment Local Law 2027 [**18.2.1** - 1 page]

18.3 PROPOSED DISPOSITION BY WAY OF LEASE - THOMAS OVAL PAVILION - KWINANA TITANS RUGBY LEAGUE AND SPORTING CLUB INCORPORATED

SUMMARY

The Thomas Oval Pavilion (the Premises) is located within Thomas Oval, Medina, on Reserve 24302 (the Land). The City of Kwinana (the City) has care, control and management of the Land under a Management Order issued pursuant to section 46 of the *Land Administration Act 1997* (WA). The Management Order authorises the City to grant leases for recreational purposes for terms not exceeding twenty-one (21) years, subject to any required Ministerial approval.

ARLC WA Limited, trading as NRL WA (NRL WA), has leased the Premises since 2020, using the facility as a base for NRL activities and the development of rugby league within the district. Their lease is due to expire 30 November 2026.

As outlined in the supporting documentation attached to this report, NRL WA has assisted in the development and growth of Kwinana Titans Rugby League and Sporting Club Incorporated (Kwinana Titans) and supports the club's continued operation from the Premises.

With NRL WA's existing lease coming to an end and the organisation not seeking a further term, Kwinana Titans has applied to lease the Premises to ensure the continued delivery of rugby league programs, training and community sporting activities from the facility.

The proposed lease comprises an initial term of three (3) years, with two (2) further options of two (2) years each, providing a maximum potential lease term of seven (7) years.

This report recommends that Council authorise the Chief Executive Officer to enter into a lease with Kwinana Titans, subject to the necessary Ministerial approval and other applicable requirements.

OFFICER RECOMMENDATION

That Council authorise the Chief Executive Officer to:

1. **Seek the written approval of the Minister for Lands pursuant to section 18(2) of the *Land Administration Act 1997* (WA) to grant a lease over part of Reserve 24302 for an initial term of three (3) years; and**

2. **Subject to receipt of the Minister's written approval, negotiate and execute a new lease between the City and Kwinana Titans Rugby League and Sporting Club Incorporated, including making any variations that are not significant in nature.**

VOTING REQUIREMENT

Absolute majority

DISCUSSION

Kwinana Titans Rugby League and Sporting Club Incorporated is a community-based sporting organisation with more than 600 members participating across junior, senior, girls' and women's rugby league programs. The club is supported by volunteers, coaches and committee members and provides opportunities for people of all ages and backgrounds to participate in organised sport, community activities and player development programs.

The club is a not-for-profit organisation that delivers sporting and recreational opportunities for the local community and contributes to participation in active and healthy lifestyles.

Kwinana Titans funds its ongoing operations, equipment purchases, facility-related costs, sporting programs and player development initiatives through player registration fees, merchandise sales, canteen operations, fundraising activities, sponsorships and grant funding. The club maintains annual and multi-year sponsorship arrangements. It may also seek grant funding for specific projects as opportunities arise.

Under the proposed lease, Kwinana Titans Rugby League and Sporting Club Incorporated will be responsible for all utilities, cleaning, maintenance, repair and replacement costs associated with the Premises, excluding structural repairs. The City will continue to maintain building insurance and remain responsible for structural repairs and replacements.

As a not-for-profit community sporting organisation, Kwinana Titans Rugby League and Sporting Club Incorporated meets the eligibility criteria of the City's Lease Policy for a community lease. The lease administration fee will be charged in accordance with the City's adopted Fees and Charges Schedule, with the current administration fee being $585. All applicable fees and charges are subject to annual review by Council.

The proposed lease is for an initial term of three (3) years, with two further options of two (2) years each, subject to Council approval.

Pursuant to regulation 30(2)(b)(i) of the *Local Government (Functions and General) Regulations 1996* (WA), the proposed lease is exempt from the requirement to give public notice as Kwinana Titans are a not-for-profit community sporting organisation. Ministerial consent is required in accordance with the provisions of the *Land Administration Act 1997* (WA).

STRATEGIC IMPLICATIONS

Outcome:	**Quality of Life / Ngalang moorditj wirrin (Our strong spirit)**
Objective:	Improved health and wellbeing
Outcome:	**Built Environment/ Ngalak Moort Mia Mia (Family gathering places)**
Objective:	Accessible and connected community

How does this proposal achieve the outcomes and strategic objectives?

The proposed lease supports the City's strategic outcomes by providing a community sporting organisation with access to local recreation facilities and accessible sporting infrastructure. This access encourages participation in sport, promotes health and wellbeing, and fosters community connection.

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle
1 - Social Inclusion
2 - Community Wellbeing

Sustainability Priority Area
4 - Engagement and Social Inclusion

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

The proposed lease supports social inclusion by providing a community sporting organisation with access to facilities that promote participation in sport and community connection. It supports community wellbeing by providing access to facilities that promote active lifestyles.

LEGAL/POLICY IMPLICATIONS

The subject land forms part of Reserve 24302 and is vested in the City pursuant to a Management Order issued under section 46 of the *Land Administration Act 1997* (WA). The Management Order authorises the City to grant leases for the purpose of recreation, provided the term of the lease does not exceed twenty-one (21) years.

Pursuant to regulation 30(2) of the *Local Government (Functions and General) Regulations 1996* (WA), the City is not required to publicly advertise the proposed lease, as the proposed tenant is a not-for-profit community sporting organisation and the disposition falls within an exemption to the public advertising requirements.

The proposal is consistent with section 3.58 of the *Local Government Act 1995* (WA), which governs the disposal of local government property.

The proposal has also been assessed against the City's Lease Policy and is considered consistent with the policy objectives of supporting community sporting and recreation activities and facilitating access to local government facilities.

FINANCIAL/BUDGET IMPLICATIONS

Kwinana Titans Rugby League and Sporting Club Incorporated meets the eligibility criteria of the City's Lease Policy for a community lease as a not-for-profit community sporting organisation. The lease administration fee will be charged in accordance with the City's adopted Fees and Charges Schedule; the current administration fee is $585. All applicable fees and charges are subject to annual review by Council.

The tenant will be responsible for all utility charges, cleaning, maintenance and other operating costs associated with the premises.

ASSET MANAGEMENT IMPLICATIONS

Ongoing management and structural maintenance of the facility.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

There are no environmental implications identified as a result of this report.

COMMUNITY ENGAGEMENT

The City's Facilities Bookings team have advised, through internal consultation, that a condition of the proposed lease should require the removal of all storage items currently located within the Djandoo Mia changerooms facility. This advice reflects the fact that Kwinana Titans Rugby Club will have full use of the Thomas Oval Pavilion. Removing the items will enable other user groups and sporting clubs to access and utilise the available storage space.

ATTACHMENTS

1. 2026 - NRL WA Letterhead - Kwinana Titans - Thomas Oval [**18.3.1** - 1 page]

18.4 PROPOSED DISPOSITION BY WAY OF LEASE - CHILD & ADOLESCENT HEALTH SERVICE - CONSULTANT ROOMS 1 & 2 - WILLIAM BERTRAM COMMUNITY CENTRE

SUMMARY

The William Bertram Community Centre (the Centre) is located at 1 Hero Crescent, Bertram, and is owned by the City of Kwinana (the City). The City constructed the facility on Reserve 47032, being Crown reserve land over which the City holds a Management Order issued under section 46 of the *Land Administration Act 1997* (WA). The Management Order confers the City with power to lease for terms of up to twenty-one (21) years, subject to the reserve purpose, the conditions of the Management Order and any required Ministerial approval.

Child & Adolescent Health Service (CAHS) has leased Consultant Rooms 1 and 2 at the Centre since 2015, providing child and adolescent health services to the local community. The current lease is due to expire on 22 April 2027.

CAHS has requested a new lease comprising an initial term of five (5) years, with a further five (5) year option. The request also includes a provision allowing early termination of the lease on six months' notice.

This report recommends that Council approve the lease to Child & Adolescent Health Service (CAHS) for Consultant Rooms 1 and 2 at the Centre, 1 Hero Crescent, Bertram, for the purpose of delivering child and adolescent health services to the local community.

The proposal will facilitate the continued delivery of government-funded health services from a City-owned facility, supporting improved access to health and wellbeing services for children, young people and families within the City.

OFFICER RECOMMENDATION

That Council authorise the Chief Executive Officer to:

1. **Seek the written approval of the Minister for Lands pursuant to section 18(2) of the *Land Administration Act 1997* (WA) to grant a lease over part of Reserve 47032 for an initial term of five (5) years; and**

2. **Subject to receipt of the Minister's written approval, negotiate and execute a new lease between the City and Child and Adolescent Health Services, including making any variations not significant in nature.**

VOTING REQUIREMENT

Absolute Majority

DISCUSSION

The Child & Adolescent Health Service (CAHS) has requested a renewal of their lease over Consultant Rooms 1 and 2 at the Centre, located at 1 Hero Crescent, Bertram. Their existing lease is due to expire on 22 April 2027. CAHS proposes to continue to utilise the premises to deliver child and adolescent health services to the local community.

CAHS is a State Government Health Service Provider established under the *Health Services Act 2016* (WA) and forms part of Western Australia's public health system. The organisation is funded by the State Government and delivers a range of health and wellbeing services to children, adolescents and families throughout Western Australia. As a government agency, CAHS is eligible for subsidised rent under the City's Fees and Charges Schedule, subject to annual review. Its statutory functions include the provision of community-based health services to children and families through community clinics.

The proposed use is compatible with the intended purpose of the consultant rooms and the community-focused function of the Centre. Continued occupation by CAHS would activate the rooms for community benefit and provide local children, young people and families with convenient access to government-funded specialist health programs, including preventative health, developmental and wellbeing services, supporting broader community wellbeing.

CAHS has established governance, operational and financial frameworks that provide confidence in its capacity to meet the obligations associated with a lease.

The requested six-month early termination clause is intended to provide flexibility for CAHS in managing its service delivery requirements and reflects standard operational requirements associated with government service delivery.

CAHS propose an initial five-year lease term with one further five-year option, resulting in a maximum potential term of ten years. This is within the twenty-one-year maximum term contemplated by the City's Management Order.

Under regulation 30(2)(c)(ii) of the *Local Government (Functions and General) Regulations 1996* (WA), a disposition of land to a department, agency or instrumentality of the Crown in right of the State is an exempt disposition. As CAHS is a statutory health service provider and an agent of the State under section 33 of the Health Services Act 2016, the proposed lease is considered to fall within this exemption. Accordingly, the City is not required to give local public notice of the proposed disposition under section 3.58 of the *Local Government Act 1995* (WA).

The City must nevertheless obtain the Minister for Lands' written approval under section 18 of the *Land Administration Act 1997* before executing the lease.

STRATEGIC IMPLICATIONS

Outcome:	**Quality of Life / Ngalang moorditj wirrin (Our strong spirit)**
Objective:	Improved health and wellbeing
	Thriving local economy
Outcome:	**Built Environment/ Ngalak Moort Mia Mia (Family gathering places)**
Objective:	Accessible and connected community

How does this proposal achieve the outcomes and strategic objectives?

The proposal supports improved health and wellbeing through the delivery of accessible child and adolescent health services within the community. The occupation of the premises by Child & Adolescent Health Service (CAHS) will contribute to a thriving local community by providing essential government-funded services and will ensure the effective utilisation of a City-owned facility, supporting an accessible and connected community.

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle
2 - Community Wellbeing

Sustainability Priority Area
4 - Engagement and Social Inclusion

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

The proposal supports community wellbeing by facilitating the delivery of accessible child and adolescent health services and promotes social inclusion through improved access to essential health services for local children, young people and families.

LEGAL/POLICY IMPLICATIONS

The subject land forms part of Reserve 47032 and is vested in the City pursuant to a Management Order issued under section 46 of the *Land Administration Act 1997* (WA). The Management Order authorises the City to grant leases for the purpose of recreation, provided the term of the lease does not exceed twenty-one (21) years.

Pursuant to regulation 30(2) of the *Local Government (Functions and General) Regulations 1996* (WA), the City is not required to publicly advertise the proposed lease, as the proposed tenant is a not-for-profit community sporting organisation and the disposition falls within an exemption to the public advertising requirements.

The proposal is consistent with section 3.58 of the *Local Government Act 1995* (WA), which governs the disposal of local government property.

The proposal has been assessed against the City's Lease Policy and is considered consistent with the policy objectives of supporting the delivery of community services, promoting positive community outcomes and facilitating access to appropriately managed local government facilities.

FINANCIAL/BUDGET IMPLICATIONS

Child & Adolescent Health Service (CAHS) satisfies the eligibility criteria for a community lease under the City's Lease Policy as a government-funded health service provider. A lease administration fee will apply in accordance with the City's adopted Fees and Charges Schedule, with the current fee being $585. All fees and charges are subject to annual review and amendment by Council.

As the premises form part of a shared-use facility, the tenant will be responsible for the payment of outgoings apportioned on the basis of the net lettable area occupied. This methodology provides a fair and equitable allocation of operating costs and ensures that each tenant contributes

proportionately to the ongoing costs associated with the management, maintenance and operation of the facility.

ASSET MANAGEMENT IMPLICATIONS

Ongoing management and structural maintenance of the facility.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

The proposed lease will continue to support positive public health and community wellbeing outcomes by facilitating the delivery of accessible child and adolescent health services from a City-owned facility. The proposal will improve access to health services for local children, young people and families and supports the City's broader objectives of fostering a healthy, connected and resilient community. The proposal aligns with the City's strategic commitment to promoting health and wellbeing through service delivery, partnerships and the provision of community infrastructure.

COMMUNITY ENGAGEMENT

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

ATTACHMENTS

Nil

18.5 ACCOUNTS FOR PAYMENT FOR THE MONTH ENDED 31 OCTOBER 2026

SUMMARY

This report presents the list of accounts paid under delegated authority for the month ended 31 October 2026, as required by the *Local Government (Financial Management) Regulations 1996.*

OFFICER RECOMMENDATION

That Council:

1. **Accepts the list of accounts paid under delegated authority, totalling $13,788,346.44 in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 for the period ended 31 October 2026, as detailed at Attachment 18.5.1; and**

2. **Accepts the detailed transaction listing of credit card expenditure, totalling $28,048.80 for the period ended 02 October 2026, as detailed at Attachment 18.5.2**

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. This regulatory safeguard supports statutory oversight, municipal transparency and financial accountability across local government operations.

The payment summary below provides Council with a consolidated view of payment types for the reporting period, while the attachments provide the detailed transaction-level information required under the Financial Management Regulations:

Payment Type	**Amount ($)**
Automatic Payment Deductions *	$ 76,466.92
Cheque	$ 536.00
EFT Payments	$ 11,885,519.77
Payroll Payments	$ 1,825,823.75
Total Attachment 18.5.1	**$ 13,788,346.44**

*Automatic Payment deductions include a payment of **$28,048.80** for credit card payments. A detailed transaction listing of credit card expenditure paid for the period ended 02 October 2026**,** is included at **Attachment 18.5.2.**

A detailed listing of October 2026 payments, including a description for each payment, is provided at **Attachment 18.5.1.**

STRATEGIC IMPLICATIONS

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

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

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle
3 - Thriving Local Economy

Sustainability Priority Area
3 - Liveability

LEGAL/POLICY IMPLICATIONS

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

13. Payments from municipal fund or trust fund by CEO, the CEO's duties include:

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.*

13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —

(a) the payee's name;

(b) the amount of the payment;

(c) the date of the payment;
(d) sufficient information to identify the payment.

(2) A list prepared under subregulation must 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.

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

Nil

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

Various payments identified in this report have environmental and public health implications.

COMMUNITY ENGAGEMENT

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

ATTACHMENTS

1. AP Payment Listing Summary Oct 26 [**18.5.1** - 9 pages]
2. Credit Card Transactions - Oct 26 [**18.5.2** - 6 pages]

18.6 MONTHLY FINANCIAL REPORT SEPTEMBER 2026

SUMMARY

The Monthly Financial Report has been prepared for the period ending 30 September 2026 and provides Council with a comparison between actual and budgeted financial performance.

OFFICER RECOMMENDATION

That Council:

1. **Accepts the Monthly Statements of Financial Activity for the period ended 30 September 2026, as detailed at Attachment 18.6.1; and**

2. **Accepts the explanations for material variances for the period ended 30 September 2026, as detailed at Attachment 18.6.1.**

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 September 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

Financial Snapshot – 30 September 2026

Key Measure	Actual	Budget	Variance/Position
Municipal surplus	$71.66m	$54.21m	$17.45m favourable
Year-to-date income	$74.17m	$75.74m	$1.57m favourable
September expenditure	$19.71m	$26.81m	$7.1m favourable
Investment portfolio	$133.33m	–	24.93% fossil fuel-free investment
Rates outstanding	50.22%	–	46.35% at same time last year

The variances reported at 30 September are predominantly timing related and do not, at this stage, indicate a material deterioration in the City's overall budget position.

Closing Surplus Position
As at 30 September 2026, the municipal surplus is $71,655,046 compared with a budgeted position of $54,205,662. The variance is mainly attributable to timing differences in income and expenditure, including reserve transfers, and adjustments to be processed as part of the end-of-year process. The opening financial position will be updated and reported to Council following completion of the year-end audit in November 2026.

Revenue Summary for September 2026
Year-to-date income for the period ending September 2026 is $75,741,251 (including proceeds from capital grants, subsidies and contributions) compared to the current budgeted income of $74,176,865 resulting in a favourable variance of $1,564,386. This is mainly due to increase in fees and charges, interest revenue and rates income.

Expenditure Summary for September 2026
The total expenditure for September 2026 was $19,707,810, which is $7,102,265 less than the current budget of $26,810,265. The $10,915,944 total comprises operating and capital expenditure, as detailed below:

- Operating expenses: $15,111,657
- Capital acquisitions: $4,596,153

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 18.6.1.**

Rates Receivables
The outstanding rates balance for September, as reported in Note 4 of the Monthly Financial Report, is 50.22%, a slight increase from 46.35 % in the previous year, mainly due to a large volume of interim rates issued in September. Final notices have been issued in October 2027.

Investment Summary
The City currently has $133,326,878 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 September 2026, 24.93% 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

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

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

SUSTAINABILITY FRAMEWORK

Sustainability Guiding Principle
3 - Thriving Local Economy

Sustainability Priority Area
3 - Liveability

LEGAL/POLICY IMPLICATIONS

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 18.6.1**.

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 September 2026 [**18.6.1** - 30 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