



BRIEFING PAPERS FOR COUNCIL MEMBERS' BRIEFING SESSION

Draft Only

to be held at
the Council Chambers (Level 1), Civic Centre,
23 Dundobar Road, Wanneroo
on 08 June, 2021 commencing at 6:00PM

PROCEDURE FOR FULL COUNCIL BRIEFING SESSION

COVID-19 Pandemic Situation

The City of Wanneroo is committed to ensuring the safety of all attendees at public meetings. Therefore, social distancing will be applied in the Council Chambers in accordance with State Government Regulations.

The capacity of the Council Chambers is restricted under these conditions and should the maximum capacity of the Chambers be exceeded, additional seating will be available in an alternative room to enable all public attendees to listen live to the audio (only) of the meeting (no video is available). Should the maximum capacity be exceeded, you may be asked to attend the alternative room and may not be able to enter the Chambers as required by current State Government Regulations.

Thank you for your understanding of these circumstances.

PRINCIPLES

A Council Briefing occurs a week prior to the Ordinary Council Meeting and provides an opportunity for Council Members to ask questions and clarify issues relevant to the specific agenda items before council. The Briefing is not a decision-making forum and the Council has no power to make decisions. The Briefing Session will not be used, except in an emergency, as a venue or forum through which to invoke the requirements of the *Local Government Act 1995* and call a Special Meeting of Council.

In order to ensure full transparency the meetings will be open to the public to observe the process. Where matters are of a confidential nature, they will be deferred to the conclusion of the Briefing and at that point, the Briefing Session closed to the public. The reports provided are the Officers' professional opinions. Whilst it is acknowledged that Council Members may raise issues that have not been considered in the formulation of the report and recommendation, it is a basic principle that as part of the Briefing Sessions Council Members cannot direct Officers to change their reports or recommendations.

PROCESS

The Briefing Session will commence at 6.00pm and will be chaired by the Mayor or in his/her absence the Deputy Mayor. In the absence of both, Councillors will elect a Chairperson from amongst those present. In general, the *Standing Orders Local Law 2008* will apply, EXCEPT THAT Council Members may speak more than once on any item, there is no moving or seconding items, Officer's will address the Council Members and the order of business will be as follows:

Members of the public present may observe the process and there is an opportunity at the conclusion of the Briefing for a Public Question Time where members of the public may ask questions (no statements) relating only to the business on the Agenda. The Agenda will take the form of:

- Attendance and Apologies
- Declarations of Interest
- Reports for discussion
- Tabled Items
- Public Question Time
- Closure

Where an interest is involved in relation to an item, the same procedure which applies to Ordinary Council Meetings will apply. It is a breach of the City's Code of Conduct for an interest to not be declared. The Briefing Session will consider items on the Agenda only and proceed to deal with each item as they appear. The process will be for the Mayor to call each item number in sequence and ask for questions. Where there are no questions regarding the item, the Briefing will proceed to the next item.

AGENDA CONTENTS

While every endeavour is made to ensure that all items to be presented to Council at the Ordinary Council Meeting are included in the Briefing Session papers, it should be noted that there will be occasions when, due to necessity, items will not be ready in time for the Briefing Session and will go straight to the full Council Agenda as a matter for decision. Further, there will be occasions when items are TABLED at the Briefing Session rather than the full report being provided in advance. In these instances, staff will endeavour to include the item on the Agenda as a late item, noting that a report will be tabled at the agenda Briefing Session.

AGENDA DISTRIBUTION

The Council Briefing Session Agenda will be distributed to Council Members on the FRIDAY prior to the Council Briefing Session. Copies will be made on the City's website for interested members of the public. Spare Briefing Session papers will be available at the Briefing Session for interested members of the public.

RECORD OF BRIEFING

The formal record of the Council Briefing Session will be limited to notes regarding any agreed action to be taken by staff or Council Members. No recommendations will be included and the notes will be retained for reference and are not distributed to Council Members or the public.

LOCATION

The Council Briefing Session will take place in the Council Chamber at the Civic Centre.

D E P U T A T I O N S

The procedure for Deputations has changed for 2021 to allow Deputations to be presented during the Briefing Session.

During the Briefing Session, members of the public may, by appointment, present a Deputation relating to items on the current Briefing Session Agenda. A maximum of up to ten minutes (dependent on the number of deputations received) is permitted for each deputation with up to three people to address the Council Members.

Please note that Deputation requests are to be received by no later than **9:00am** on the day of the Briefing Session, and must relate to an item on the current Briefing Session Agenda.

[Deputation online form](#)

Please note:

- Deputation requests must relate to items listed on the current Briefing Session Agenda;
- A Deputation is not to exceed three speakers in number and only those speakers may address the Council Members; and
- Speakers of a Deputation will collectively have a maximum of up to 10 minutes (dependent on the number of deputations received) to address the Council Members, unless an extension of time is granted.

Please ensure mobile phones are switched off before entering the Council Chamber.

For further information please contact Council Support on 9405 5000.



Briefing Papers for Tuesday 8 June, 2021

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A G E N D A

Good evening Councillors, staff, ladies and gentlemen, we wish to acknowledge the traditional custodians of the land we are meeting on, the Whadjuk people. We would like to pay respect to the Elders of the Nyoongar nation, past and present, who have walked and cared for the land and we acknowledge and respect their continuing culture and the contributions made to the life of this city and this region.

Item 1 Attendances

Item 2 Apologies and Leave of Absence

Item 3 Deputations

Item 4 Reports

Declarations of Interest by Council Members, including the nature and extent of the interest. Declaration of Interest forms to be completed and handed to the Chief Executive Officer.

Planning & Sustainability

Planning & Development Services

4.1 Consideration of Proposed Local Planning Policy No. 4.27: Mixed Use Zones following advertising and preparation of Amendment No. 195 to DPS2

File Ref:	40149 – 21/76702
Responsible Officer:	Director Planning and Sustainability
Disclosure of Interest:	Nil
Attachments:	3

Issue

To consider proceeding with the adoption of Local Planning Policy No. 4.27: Mixed Use Zones following public advertising.

Background

At its 14 December 2020 meeting (PS07-12/20) Council resolved to advertise Local Planning Policy No. 4.27: Mixed Use Zones (**LPP 4.27**) as included in **Attachment 1**.

Detail

The proposed LPP 4.27 was prepared under the provisions of District Planning Scheme No. 2 (DPS 2) to provide guidance and direction on the City's approach and position on the matters detailed in the policy.

Consultation

Draft LPP 4.27 was advertised for public comment between 11 January 2021 and 18 February 2021 by way of:

- An advertisement published in the 14 January 2021 edition of the Wanneroo Times newspaper;
- Display at the City's Civic Centre and on the City's website; and
- Correspondence to the Department of Planning, Lands and Heritage.

One submission was received by the closing date from a Planning consultant on behalf of a landowner and one submission was received shortly after the closing date from the Department of Planning, Lands and Heritage. Both submissions acknowledged the need for LPP 4.27 but raised concerns with aspects of the proposed provisions. These are discussed further below in the report.

Comment

Key elements of LPP 4.27 are outlined below:

LPP 4.27: Mixed Use Zones

The purpose of this proposed LPP 4.27 is to provide guidance for the consideration of development and subdivision within the City's Mixed Use Zones. The proposed Policy does not deal with land use permissibility (which is dealt with by DPS 2). The proposed Policy has been set out to achieve the objectives of the Mixed Use Zone and improve the manner in which development proposals are processed, as well as enhance the City's planning framework by setting appropriate controls and putting in place consistent measures.

The policy also sets out to manage potential impacts from non-residential uses on residents by requiring designs to address issues such as noise, light, fumes and visual privacy.

Submissions:

As noted above, two submissions have been received following consultation on the proposed policy. Both submissions acknowledged the need for LPP 4.27 but made some suggestions and raised concerns which are detailed in the Schedule of Submissions included as **Attachment 2** to this report. Administration's response and recommendation is provided to each matter raised. A summary of the matters raised is discussed below.

Submission by Department of Planning, Lands and Heritage

The DPLH submission raised three matters:

- 1) suggested clarifying the requirement for a 'designated front room' as to which type of building(s) it applies to;
- 2) the proposed provision for a minimum lot size; and
- 3) application of the policy in Urban Development zones.

With respect to the first point, it is agreed this provision can be clarified. Additional wording can be included to explain that the requirement would be applicable to all buildings that are not in the first instance proposed to be used for any non-residential purpose.

Having regard to the second point, the DPLH does not object to the proposed provision but identifies that in order for a minimum lot size requirement to have statutory weight, it will need to be included in DPS 2 through an amendment. It is recommended that Council initiates an

amendment to DPS 2 to insert a provision that states that the minimum lot size in a Mixed Use shall be 300m².

The third matter relates to clarifying how the Policy will apply to Urban Development zones where land is zoned Mixed Use. It is considered that the provisions of clauses 3.14.3 and 3.14.4 of DPS 2 deal with this issue, but in the interests of clarity further wording may be added to explain that the Policy applies to all land that is classified as Mixed Use in Urban Development zones or in any structure plan.

Submission by CLE (Town Planning Consultants)

This submission raised a number of concerns in relation to:

- 1) the proposed minimum lot size provision;
- 2) need for a designated front room;
- 3) minimum floor to ceiling height;
- 4) density, land use conflict;
- 5) higher development costs;
- 6) adaptability of buildings; and
- 7) applicability of the proposed LPP.

Detailed responses are provided in the submission table, however to further explain the recommended approach by Administration the following comments are provided.

The purpose of Mixed Use zone is to facilitate the development of a range of uses that will contribute to the economic growth of the City and activation of places while also acting as areas of transition between more intensive activity centres and quieter residential areas. The intention of the proposed policy is to support the activation of Mixed Use zones with a range of uses rather than facilitating single residential housing.

The introduction of some limited requirements to support a "change of use" to a non-residential use are considered necessary to facilitate this outcome. The provision of a designated room capable of being easily fitted out for commercial uses is considered a simple method of ensuring that the built form constructed in the Mixed Use zone will have the ability to facilitate at least a small component of commercial use.

The minimum lot size provision provides greater design flexibility for the development of sites of a range of uses and improves the ability to provide on-site parking to support the development. It is not considered likely that lots under this size can reasonably facilitate multiple uses, particularly when they include residential.

The potential for land use conflicts is acknowledged, however the specific premise of the Mixed Use zone is to enable a range of uses to co-exist in close proximity - including residential and non-residential uses and acknowledging that there would some impact on amenity as a necessary outcome to create a more vibrant urban environment.

The value of land in Mixed Use zones should reflect the wider range of uses possible. These requirements and any associated costs of developing in a Mixed Use zone should be factored into decisions to purchase land in this zone as differentiated from pure Commercial or Residential zoned land.

If no changes are introduced, there will simply be a continuation of the current outcomes the City is observing in its Mixed Use Zones. Mixed Uses zones will likely continue to be developed for purely residential single houses in the current manner and development of a more complex urban environment which is the intent of the zone will not be realised.

In regard to the matters raised in the submissions, Attachment 2 describes the modifications that are recommended to LPP 4.27. **Attachment 3** includes a revised version of LPP 4.27 that incorporates the recommended modifications highlighted in red.

Amendment to DPS 2

As noted above, as an outcome of the review of the policy it is recommended that DPS 2 be amended by inserting a provision to limit the minimum lot size in a Mixed Use zone to 300m². Where a scheme amendment is proposed, Council must consider what type of amendment it is under Regulation 34 of the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations). In this case, Administration considers that proposed amendment No. 195 meets the following criteria for a 'Standard Amendment':

'An amendment relating to a zone or reserve that is consistent with objectives identified in the scheme for that zone or reserve.'

'Any other amendment that is not a complex or basic amendment.'

Should Council be supportive of preparing an amendment, it will need to be referred to the Environmental Protection Authority (EPA) pursuant to Sections 81 and 82 of the *Planning and Development Act 2005*. The EPA will assess the environmental impacts of the proposal to determine whether any formal environmental assessment is necessary.

Subject to no objections being received from the EPA, the amendment must be advertised for public comment for a period of at least 42 days. pursuant to Regulation 47 of the Regulations.

Statutory Compliance

The preparation of new policies is required to be prepared and processed in accordance with Clause 4 of the Deemed Provisions of DPS 2.

An amendment to DPS 2 can be processed in accordance with the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 Civic Leadership

4.2 Good Governance

4.2.2 Provide responsible resource and planning management which recognises our significant future growth”

Risk Management Considerations

There are no existing Strategic or Corporate risks within the City's existing risk registers which relate to the issues contained in this report.

Policy Implications

The proposed Local Planning Policy is intended to establish standards and direction for the City to consider, assess and determine applications for development approval.

Financial Implications

The cost of undertaking the necessary actions for Council to proceed with the proposed LPP No. 4.27 and of preparing Amendment No. 195 to DPS 2 can be met from existing operational budgets.

Voting Requirements

Simple Majority

Recommendation




That Council:-

1. **NOTES** that there were two submissions received in respect to the proposed Local Planning Policy 4.27: Mixed Use Zones, and Administration's comments on those submissions contained in Attachment 2 to this report;
2. Pursuant to Clause 4(3)(ii) of the Deemed Provisions of the City of Wanneroo's District Planning Scheme No. 2 **PROCEEDS** with Local Planning Policy 4.27: Mixed Use Zones, with modifications, as provided in Attachment 3;
3. Pursuant to Clause 4(4) of the Deemed Provisions of District Planning Scheme No. 2 **PUBLISHES** notice on the City's website of its decision to adopt Local Planning Policy 4.27: Mixed Use Zones;
4. **FORWARDS** a copy of Local Planning Policy 4.27: Mixed Use Zones, as included in Attachment 3, to the Department of Planning, Lands and Heritage for information;
5. Writes to submitters to inform them of this decision;
6. Pursuant to Section 75 of the Planning and Development Act 2005, **PREPARES** Amendment No. 195 to the City of Wanneroo District Planning Scheme No. 2, to amend the local planning scheme by inserting a new clause 3.5.3 under Part 3 – Zones as follows:-

‘3.5.3 The minimum lot size in a Mixed Use zone shall be 300m².’
7. Pursuant to Regulation 34 and Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **RESOLVES** that Amendment No. 195 to District Planning Scheme No. 2 is a standard amendment for the following reasons:
 - a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve; and
 - b) any other amendment that is not a complex or basic amendment.
8. Pursuant to Section 81 of the *Planning and Development Act 2005*, **REFERS** Amendment No. 195 to District Planning Scheme No. 2 to the Environmental Protection Authority;
9. Subject to approval from the Environmental Protection Authority, **ADVERTISES** Amendment No. 195 to District Planning Scheme No. 2 for a period of not less than 42 days pursuant to Regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and

- 10. NOTES that a further Report will be presented to a future Council Meeting, following advertising of Amendment No. 195 to District Planning Scheme No. 2, seeking resolution in respect to whether to support (with or without modification) or not support Amendment No. 195.**

Attachments:

- | | | |
|--|--|------------------|
| 1 | <i>Attachment 1 - Draft Local Planning Policy No. 4.27 Mixed Use Zones (advertised copy)</i> | <i>20/539801</i> |
| 2 | <i>Attachment 2 - Local Planning Policy No. 4.27: Mixed Use Zones - Summary of submissions</i> | <i>21/215871</i> |
| 3 | <i>Attachment 3 - Local Planning Policy No. 4.27: Mixed Use Zones - Final modified version following advertising</i> | <i>21/230825</i> |

PART 1 – POLICY OPERATION

Owner	Planning and Sustainability
Implementation	XX Month 2020
Next Review	November 2024

Policy Development and Purpose

This Local Planning Policy (Policy) has been prepared under Schedule 2, Part 2 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

This purpose of this policy is to provide guidance for the consideration of development within the City's Mixed Use zones.

Policy Objectives

The objectives of this Policy are:

1. To provide planning guidance for subdivision and built form in Mixed Use zones, in order to facilitate development that encourages the delivery of:
 - A desired built form that addresses and enhances urban streetscapes; and
 - A desired balance and compatible mixture of residential and non-residential land uses.
2. To prevent the role and function of Activity Centres being compromised by limiting the size of a range of uses in the Mixed Use zone.

Relationship to Other Policies, Guidelines and Documents

This policy is to be read in conjunction with the development standards and requirements of District Planning Scheme No. 2 and its associated policies.

PART 2 – POLICY PROVISIONS

This Policy applies to all Mixed Use zones in the City except where it is inconsistent with the provisions specified in a Structure Plan, Policy or Local Development Plan, then the provisions in that Structure Plan, Policy or Local Development Plan shall prevail.

General policy provisions

The City supports the creation of vibrant mixed use developments that are appropriately designed and scaled which contribute to the provision of housing, employment and commercial opportunities. The City recognises that certain non-residential uses can co-exist with residential development and be accommodated without adversely affecting residential amenity. In this regard consideration must be given to the objectives of the Mixed Use Zone under District Planning Scheme No. 2 which are:

Planning and Sustainability
Local Planning Policy 4.27
Mixed Use Zones



- (a) *To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.*
- (b) *To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.*

Development requirements:

The non-residential use of land within the Mixed Use zone shall not cause undue conflict through the generation of traffic, demand for parking or the emission of noise, light, fumes, odours, dust, vibration, electrical interference, waste water or any other form of pollution or activity which may be undesirable or incompatible with residential uses.

Buildings shall be of a high standard of architectural design and include additional building detail, articulation, colours and textures to enhance architectural quality.

In the interests of contributing to a desirable amenity and street level activation, development in mixed use zones should be designed and laid out with non-residential uses at the ground floor where these are proposed.

Amenity

Non-residential uses abutting or in the same building as residential development shall be designed to minimise impact on residents and shall address, noise, light, fumes, odours, dust, vibration, electrical interference, waste water, traffic, visual amenity, safety, visual privacy and any other matter that may detract from the amenity of residents and the area. Noting that the Mixed Use zone is expected to accommodate a wider range of activity than typical Residential zoned land.

Design Principles

Buildings shall address the street by way of major openings and entries so as to provide a level of passive surveillance from inside the building to adjacent streets and the public realm. For non-residential uses, the use of blank walls shall be minimised and glazing to openings shall not be obscured with signage, translucent films, paint, fittings or furniture.

Where blank walls cannot be avoided they should be designed in such a way that they contribute to a safe and attractive street environment by:

- Minimising the length and height of blank walls; and
- Articulating blank walls through the creative application of complementary materials, avoiding large continuous masses of the same finish and/or the provision of appropriately integrated structural features, lighting, street furniture, artworks and/or landscaping.

Non-residential uses must achieve a nil setback to the primary street except at areas along the building frontage providing access and where variations improve the building articulation as determined by the City.

Planning and Sustainability
Local Planning Policy 4.27

Mixed Use Zones



Buildings to be used for residential purposes only may have a nil setback from the primary street and an average setback not exceeding 3.0 metres.

Mixed use development should be designed with a degree of adaptability to allow for change of use and dwelling size over time to respond to changing needs.

All buildings must have a designated room, to be provided at the front of the building abutting the primary street on the ground floor. This room shall include:

- Direct access to the primary street and separate pedestrian access from the primary street to the balance of the building;
- A minimum gross floor area of 12m²;
- An elevation facing the primary street, glazed to a minimum of 60% or 8m² (whichever is the lesser) with a visually permeable material; and
- A minimum ceiling height of 3.2 metres.

An awning is to be provided along portions of the building with a nil setback to the street boundary, with a:

- Minimum height of 3.0 metres above the footpath; and
- Minimum depth of 2.5 metres or to the outer edge of a footpath, whichever is the lesser, as measured from the lot boundary.

Maximum floor areas

Having regard to the objectives of the Mixed Use zone and to prevent any adverse impacts and ensure that they do not detract from the function of activity centres or interfere with the activity centres hierarchy that could lead to Mixed Use zones competing with Neighbourhood or other activity centres, a maximum floor area for non-residential uses is necessary. The maximum area of Shops, Offices, Pharmacies, Restaurants, Showrooms and Take-Away Food Outlets shall not exceed a net lettable area of 300m² for each tenancy.

Minimum lot size

To prevent land in Mixed Use zones from being subdivided into small lots to be used for Single House development only, which may preclude other uses in the future, the City requires a minimum lot size of 300m². In this regard the City will not support any applications for subdivision within Mixed Use zones where lots of less than 300m² are proposed.

Conditions of approval

In its determination of any application for non-residential uses, in addition to any other powers provided for under District Planning Scheme No. 2, the City may impose conditions designed to minimise the impact on the amenity of residential uses, including limiting the scale of the development and restricting the times during which the use may operate.

Draft Local Planning Policy No. 4.27: Mixed Use Zones

Schedule of Submissions following consultation

Summary of submission			
Submission	Matter raised	Administration response	Recommendation
1. Department of Planning, Lands and Heritage	It is suggested that the policy clarifies its requirement for a 'designated front room' as to which types of building(s) it applies to.	The intent of this requirement is to require all buildings constructed in a Mixed Use zone that are not proposed to be used for non-residential purposes to designate and design one room to be capable of being used for non-residential purposes. The addition of further wording to ensure that it is clearly understood, is supported.	Additional wording be included under Part 2 – Policy Provisions in the section under the Design Principles heading that requires a designated room to be provided as follows: Following the words 'All buildings' add the words ' <i>which are in the first instance not proposed to be used for any non-residential purposes</i> ' and before the words 'must have a designated room...' The provision would read: " <i>All buildings, which are in the first instance not proposed to be used for any non-residential purposes, must have a designated room...</i> "
	The requirement for a minimum lot size in Mixed Use zones requires a relevant provision to be inserted into the City's District Planning Scheme No. 2.	The DPLH comment does not object to the proposed provision, but identifies that in order to have statutory weight in the Western Australian Planning Commission's decision making for subdivision, a provision is required in DPS 2. The importance of a minimum lot size provision to prevent lots being subdivided into small lots for single house development only, which may preclude other uses. The process for inserting a provision requires an amendment to DPS 2 which is a lengthy process, but worthy of pursuing to avoid unintended outcomes in Mixed Use zones.	It is recommended that: <ul style="list-style-type: none"> • The wording of the provision in the draft Policy be retained; and • The City initiates an amendment to DPS 2 to insert a provision in Part 3.5 that states that the minimum lot size in a Mixed Use zone shall be 300m².

	It is suggested that the policy clarifies that it applies to Urban Development zones where the land is classified for Mixed Use.	It is considered that the provisions of clause 3.14.3 and 3.14.4 deal with the applicability of land that is classified for Mixed Use in Urban Development zones, but in the interests of clarity further wording may be added to the Policy.	Additional wording be included at the end of the second sentence under Part 1 of the Policy as follows 'including land classified as Mixed Use in the Urban Development zone or in any structure plan'.
2. CLE Town Planning and Design	The submission states that it acknowledges the importance of implementing appropriate development controls within Mixed Use zones, but raises some concerns on the potential implications on built form and the role and function of mixed use precincts. The specific issues are discussed below.	Noted	N/A
	<p>The submission states that a minimum lot size of 300m² will:</p> <ul style="list-style-type: none"> • Undermine density objectives; • Reduce the number of people within a walkable catchment to mixed use precincts; • Reduce frequency of social interactions and vibrancy of centres as mandated single houses will reduce number of people; • Promotes large single storey house resulting in poor built form outcomes; • Possible short-term sterilisation of land; • Residential built form does not easily facilitate all non-residential land uses. 	<p>The intention of a minimum lot size provision is to prevent lots being subdivided into small lots for single house development only, which may preclude other uses.</p> <p>Density objectives are not undermined because Mixed Use zones were always intended to have a range of uses and if some or all of those are non-residential, then it is to be expected that there would be less residential development and therefore potentially fewer residents. Social interactions are not exclusively associated with residential density.</p> <p>The provision does not mandate single houses.</p> <p>Single houses do not necessarily equate to poor built form.</p> <p>There is no evidence that a minimum lot size will sterilise land.</p> <p>Residential built form is not precluded from non-residential uses. In addition the requirement for all buildings to have a designated room to be provided facilitates non-residential uses to be incorporated.</p>	No modification to LPP 4.27.

	<p>Minimum floor-to-ceiling height of 3.2m is not considered necessary and a reduced height of 3.0m would be adequate to accommodate a range of non-residential uses.</p>	<p>The requirement for a 3.2m minimum ceiling height has been reviewed. Whilst it is possible that a reduced height of 3.0m would be adequate to accommodate a wide range of non-residential uses, it is also possible that it may restrict the ability for some uses to be accommodated and be less attractive to potential businesses to locate in a mixed use zone. It is therefore not proposed to modify this requirement.</p>	<p>No modification to LPP 4.27.</p>
	<p>The adaptability of buildings from residential to non-residential uses is questioned due to concerns that they are not easily able to be converted for other uses. The submission raises concern that a designated room with specific requirements such as minimum room size, minimum ceiling height and the need for a separate entry and glazing provisions, may not easily transfer to other uses. Other concerns relate to the ability to provide car parking spaces and potential land use conflicts as land use transitions occur.</p>	<p>The intention of the policy is to activate Mixed Use zones with a range of uses. The introduction of some limited requirements to facilitate changes of use are considered to assist in this regard. The provision of a designated room is considered a simple method of building in some ability to facilitate a change of use. The ability to provide parking is greater on lots that are larger and this is borne out through the introduction of a minimum lot size.</p> <p>The potential for land use conflicts is acknowledged, but the premise of Mixed Use zones is to enable a range of uses to co-exist including residential and non-residential uses.</p> <p>If no changes are introduced, it will be 'business as usual' and they will likely continue to be developed in the same manner and this will not facilitate development of a mixed use nature which is the intent of the zone.</p>	<p>No modification to LPP 4.27</p>
	<p>The potential for greater costs associated with additional requirements are raised as a concern.</p>	<p>The proposed additional requirements have been introduced as a means of 'future proofing' buildings to enable them to be partially or fully converted to non-residential uses in order to fulfil the objectives of Mixed</p>	<p>No modification to LPP 4.27.</p>

		Use zones. The value of land in Mixed Use zones should reflect the wider range of uses possible and the requirements and any associated costs of developing in a Mixed Use zone should be factored into decisions to purchase such land.	
	<p>Applicability of LPP 4.27</p> <p>The submission contends that the proposed LPP 4.27 is overly prescriptive and its applications may lead to an oversupply in areas where there is no demand.</p> <p>The submission also states that the retrospective application of the proposed LPP to areas already subject to structure plans will likely undermine the intent and viability of areas where there may not be a demonstrated need for commercial development.</p>	<p>The proposed LPP does not propose the introduction of Mixed Use zones and therefore will not having any bearing on supply or demand. The introduction of Mixed Use zone land is determined at the early high level planning stages.</p> <p>The need for this LPP arose because existing Mixed Use zone areas, both within and outside structure plan areas have tended to be developed only for single residential housing and have not achieved the objectives of the zone.</p> <p>The intent of Mixed Use zones is to provide a range of uses including commercial uses. The need for such uses would have been identified at the early planning stages and the introduction of the LPP does not having any bearing on the identified need or otherwise for commercial uses.</p>	No modification to LPP 4.27

Planning and Sustainability
Local Planning Policy 4.27
Mixed Use Zones



Owner	Planning and Sustainability
Implementation	15 June 2021
Next Review	June 2025

PART 1 – POLICY OPERATION

Policy Development and Purpose

This Local Planning Policy (Policy) has been prepared under Schedule 2, Part 2 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

This purpose of this policy is to provide guidance for the consideration of development within the City's Mixed Use zones **including land classified as Mixed Use in the Urban Development zone or in any structure plan.**

Policy Objectives

The objectives of this Policy are:

1. To provide planning guidance for subdivision and built form in Mixed Use zones, in order to facilitate development that encourages the delivery of:
 - A desired built form that addresses and enhances urban streetscapes; and
 - A desired balance and compatible mixture of residential and non-residential land uses.
2. To prevent the role and function of Activity Centres being compromised by limiting the size of a range of uses in the Mixed Use zone.

Relationship to Other Policies, Guidelines and Documents

This policy is to be read in conjunction with the development standards and requirements of District Planning Scheme No. 2 and its associated policies.

PART 2 – POLICY PROVISIONS

This Policy applies to all Mixed Use zones in the City except where it is inconsistent with the provisions specified in a Structure Plan, Policy or Local Development Plan, then the provisions in that Structure Plan, Policy or Local Development Plan shall prevail.

General policy provisions

The City supports the creation of vibrant mixed use developments that are appropriately designed and scaled which contribute to the provision of housing, employment and commercial opportunities. The City recognises that certain non-residential uses can co-exist with residential development and be

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Local Planning Policy 4.27

Mixed Use Zones



accommodated without adversely affecting residential amenity. In this regard consideration must be given to the objectives of the Mixed Use Zone under District Planning Scheme No. 2 which are:

- (a) To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.*
- (b) To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.*

Development requirements:

The non-residential use of land within the Mixed Use zone shall not cause undue conflict through the generation of traffic, demand for parking or the emission of noise, light, fumes, odours, dust, vibration, electrical interference, waste water or any other form of pollution or activity which may be undesirable or incompatible with residential uses.

Buildings shall be of a high standard of architectural design and include additional building detail, articulation, colours and textures to enhance architectural quality.

In the interests of contributing to a desirable amenity and street level activation, development in mixed use zones should be designed and laid out with non-residential uses at the ground floor where these are proposed.

Amenity

Non-residential uses abutting or in the same building as residential development shall be designed to minimise impact on residents and shall address, noise, light, fumes, odours, dust, vibration, electrical interference, waste water, traffic, visual amenity, safety, visual privacy and any other matter that may detract from the amenity of residents and the area. Noting that the Mixed Use zone is expected to accommodate a wider range of activity than typical Residential zoned land.

Design Principles

Buildings shall address the street by way of major openings and entries so as to provide a level of passive surveillance from inside the building to adjacent streets and the public realm. For nonresidential uses, the use of blank walls shall be minimised and glazing to openings shall not be obscured with signage, translucent films, paint, fittings or furniture.

Where blank walls cannot be avoided they should be designed in such a way that they contribute to a safe and attractive street environment by:

- Minimising the length and height of blank walls; and

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Mixed Use Zones



- Articulating blank walls through the creative application of complementary materials, avoiding large continuous masses of the same finish and/or the provision of appropriately integrated structural features, lighting, street furniture, artworks and/or landscaping.

Non-residential uses must achieve a nil setback to the primary street except at areas along the building frontage providing access and where variations improve the building articulation as determined by the City.

Buildings to be used for residential purposes only may have a nil setback from the primary street and an average setback not exceeding 3.0 metres.

Mixed use development should be designed with a degree of adaptability to allow for change of use and dwelling size over time to respond to changing needs.

All buildings, **which are in the first instance not proposed to be used for any non-residential purposes** must have a designated room, to be provided at the front of the building abutting the primary street on the ground floor. This room shall include:

- Direct access to the primary street and separate pedestrian access from the primary street to the balance of the building;
- A minimum gross floor area of 12m²;
- An elevation facing the primary street, glazed to a minimum of 60% or 8m² (whichever is the lesser) with a visually permeable material; and
- A minimum ceiling height of 3.2 metres.

An awning is to be provided along portions of the building with a nil setback to the street boundary, with a:

- Minimum height of 3.0 metres above the footpath; and
- Minimum depth of 2.5 metres or to the outer edge of a footpath, whichever is the lesser, as measured from the lot boundary.

Maximum floor areas

Having regard to the objectives of the Mixed Use zone and to prevent any adverse impacts and ensure that they do not detract from the function of activity centres or interfere with the activity centres hierarchy that could lead to Mixed Use zones competing with Neighbourhood or other activity centres, a maximum floor area for non-residential uses is necessary. The maximum area of Shops, Offices, Pharmacies, Restaurants, Showrooms and Take-Away Food Outlets shall not exceed a net lettable area of 300m² for each tenancy.

Minimum lot size

To prevent land in Mixed Use zones from being subdivided into small lots to be used for Single House development only, which may preclude other uses in the future, the City requires a minimum lot size

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of 300m². In this regard the City will not support any applications for subdivision within Mixed Use zones where lots of less than 300m² are proposed.

Conditions of approval

In its determination of any application for non-residential uses, in addition to any other powers provided for under District Planning Scheme No. 2, the City may impose conditions designed to minimise the impact on the amenity of residential uses, including limiting the scale of the development and restricting the times during which the use may operate.

Strategic Land Use Planning & Environment

4.2 Consideration of Actions Relating to Developer Contribution Arrangements

File Ref:	5734V06 – 21/197396
Responsible Officer:	Director Planning and Sustainability
Disclosure of Interest:	Nil
Attachments:	1

Issue

To consider authorising various actions associated with the management of Developer Contribution Arrangements (DCA's) under the City's District Planning Scheme No. 2 (DPS2).

Background

At the Ordinary Council Meeting on 20 April 2021 (PS03-04/21), Council supported Amendment 185 (as modified) to DPS2 and authorised execution and referral of the amendment to the Western Australian Planning Commissions for approval (pending). The amendment will facilitate a number of improvements to the provisions relating to the management of DCP's by the City.

In this regard, Administration previously identified numerous decisions relating to DCP management are not currently able to be delegated to Administration. This is due to DPS2 referring to Council in determining certain actions (which cannot be delegated) rather than the local government (that can be delegated). Previously, the interpretation was broadly interpreted as 'Council' being the same as the 'local government'; therefore, the daily decisions such as quotations, tax invoices and the deferral of contributions were carried out by Administration. As previously reported to Council, the inability to delegate certain aspects of Developer Contribution Plan (DCP) management was an unintended consequence embedded in the drafting of DPS2, but it cannot be interpreted differently until such time that DPS2 is amended to replace the term 'Council' with 'local government'.

The consequence of this is that until the Scheme Amendment is gazetted, Council is required to make these decisions. Until this occurs, all discretionary decisions relating to DCP's in DPS2 that refer to 'Council', will need to be reported to Council for approval.

Subsequent to the finalisation of Amendment 185, Council will have the ability to determine which aspects of DCP management to delegate to the Chief Executive Officer.

Detail

Administration is required to refer a range of DCP decisions to Council in the form of a summary report to authorise various actions, including:

- Tax Invoice/ Quotations for Contributions required by conditions of subdivision or development approval;
- Deferral of contributions requests and lodgement of a Caveat;
- Offsetting of Cell Works credits against Infrastructure Contributions Payable (land or works); and
- Prefunding of Cell Works.

In relation to the above, the actions normally occur through the subdivision process and therefore require a timely determination. Subdividers frequently require quotations on DCP, offsetting of Cell Works Credits and payment of compensation in accordance with the

requirements of DPS2 to satisfy conditions of subdivision. If these requests are not processed in a timely manner, then this could lead to delays in the creation of new lots.

In addition, certain actions required as part of the annual review of DCP's may require an earlier determination by Council to inform the annual review process. These decisions may be included into the DCP report to enable the timely consideration of factors affecting the annual review.

Consultation

Nil

Comment

Attachment 1 includes the details of the various aspects of DCP management that require a Council determination as follows:

Tax Invoices/ Quotations

In accordance with the relevant sections of DPS2, Council may, upon receiving a written request from an owner of land in a Cell, provide the landowners with a Tax Invoice or Quotation to enable the subdivider to pay their infrastructure Costs. The estimates are valid for a period of six months and calculated using the Infrastructure Cost per Lot (ICPL) or contribution rate approved by Council at the last annual review of costs.

The preparation of a Tax Invoice is the preferred manner to provide landowners with an estimate of their Infrastructure Costs, which provides a mechanism to inform and capture the contribution liability for both the landowner and the City.

In most cases, a landowner will request a Tax Invoice or Quotation to facilitate the contribution payment necessary to comply with the conditions of planning approval. These conditions are most commonly associated with subdivision conditions and payment is required to enable the new lots to be created.

All Cells and DCP areas have well defined methodologies in DPS2 for calculating landowner's contribution liabilities, thereby ensuring clarity in the calculation of individual landowner's obligations, as reported in **Attachment 1**.

Cell Works – Payment for Credits

Cell works may be prefunded by the landowner through the provision of land and or construction works. Land acquisition is compensated at the 'assessed' value adopted by Council as part of the last Annual Review and in accordance with Clause 9.10.6 of DPS2.

The vesting or transfer of land for Public Open Space and/or road purposes to the crown occurs through the subdivision process in accordance with an approval issued by the WAPC. Where this land is a Cell Work, the landowner receives a credit or compensation for the works (where funds are available). Further, DPS2 provides that compensation is payable at the 'Assessed' Value for the relevant Cell (unless compulsorily acquired), which is annually approved by Councils as part of the Annual Review process. In subdivisions that also include proposed residential lots, the contribution liability will be off-set against the credit payable for Cell Works in accordance with DPS2, with any residual payment being made to the landowner.

Credits for individual landowners are listed in **Attachment 1** for Councils consideration; and will only be recommended where adequate funding exists within the relevant DCP account.

Statutory Compliance

The completion of the annual review ensures that contribution payments, compensation and estimated costs are compliant with Council's statutory obligations in accordance with DPS 2.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 Civic Leadership

4.2 Good Governance

4.2.1 Provide transparent and accountable governance and leadership”

Risk Management Considerations

Risk Title	Risk Rating
ST-G09 Long Term Financial Plan	Moderate
Accountability	Action Planning Option
Director Corporate Strategy & Performance	Manage

Risk Title	Risk Rating
ST-S23 Stakeholder Relationships	Moderate
Accountability	Action Planning Option
CEO	Manage

Risk Title	Risk Rating
CO-O17 Financial Management	Moderate
Accountability	Action Planning Option
Director Corporate Strategy and Performance	Manage

The above risks relating to the issue contained within this report have been identified and considered within the City's Strategic and Corporate Risk Registers. The annual review of the DCP assists in addressing the impacts of the strategic risk relating to Long Term Financial Planning as it ensures that appropriate budget monitoring, timing and provisions are considered. The strategic risk relating to stakeholder relationships applies as a key element in the DCP review process to maintain effective engagement with relevant stakeholders. In addition, the Corporate Risk relating to financial management would apply as awareness of financial policies and financial management at unit level will be maintained to promote accountability by business owners and an integrated approach to risk assurance.

Policy Implications

Nil

Financial Implications

Nil


Voting Requirements

Simple Majority

Recommendation

That Council APPROVES the actions in relation to the management of Developer Contribution Arrangements under District Planning Scheme No. 2, as contained in Attachment 1.

Attachments:

1  Attachment 1 - DCP Action Attachment 21/216564

Tax Invoice/Quotation or Credit Note Request									Recommendation
Item	Landowner	Cell or DCP Area	Address	Approval	Credits	Contributions	Payable/ Receivable	Comment	It is Recommended that Council:
1	Lend Lease Communities (Alkimos) Pty Ltd	Alkimos Eglinton DCP	Attn: Scott Vanson Podium Level, Central Park 152-158 St Georges Tce PERTH WA 6000	156346	\$ -	\$ 18,811.41	Tax Invoice	WAPC subdivision approval (WAPC156346) Stage 12A. Deposited Plan 421585 Condition of subdivision approval requiring payment on a square metre basis over 1,857m2 of residential lots at the rate of \$10.13 per square metre	1. Approves the preparation of a Tax Invoice to Lend Lease Communities (Alkimos) Pty Ltd for the amount of \$18,811.41
Net Total					\$ -	\$ 18,811.41			
Payment for Cell Work									Recommendation
Item	Landowner	Cell/DCP	Address	Approval	Credits	Contributions	Payable	Comment	It is Recommended that Council:
1	JPJ Landzone Pty Ltd	Cell 9	42 Landsdale Rd DARCH WA 6065	157870	-52355.7375		Payment	WAPC subdivision approval (WAPC157870). Deposited Plan 419820. Previously the applicant depicted 573.9m2 for buffer land, which was approved by Council on 20 April 2021 and offset against the landowners contribution obligations. However, a revised aea was subsequently depicted showing 805.4m2 (increase of 231.5 m2) to comply with the buffer requirements of the Cell 9 Agreed Structure Plan and the DCP. In addition, it was identified that the assessed value of \$2,213,750 per hectare was incorrectly applied to the calculation, which should have been \$2,227,500 per hectare. This has resulted in an additional payment to the landowner for the difference of 231.5m2 and a minor increase in the total amount payable for the buffer land, which equates to a total payment of \$52,355.74	1. Approves the payment to JPJ Landzone Pty Ltd for the amount of \$52,355.74
Total					-\$ 52,355.74	\$ -	-\$ 52,355.74		

4.3 Close of Advertising - Annual Review of Cell Costs for Cells 1-9 (2020-2021)

File Ref: 5734V06 – 21/1378
Responsible Officer: Director Planning and Sustainability
Disclosure of Interest: Nil
Attachments: 5

Issue

To consider Administration's recommended response to public submissions received in response to the advertising of the Annual Review of Cell Costs for the East Wanneroo Cells 1-9 Developer Contributions Arrangements.

Background

The East Wanneroo Cells include the areas of Wanneroo, Ashby, Tapping, Hocking, Pearsall, Landsdale, Darch, Madeley and Wangara (refer **Attachment 1**).

The City's District Planning Scheme No. 2 (DPS 2) provides the statutory basis for the administration and management of Developer Contributions Plans (DCP), including provisions that describe the nature and extent of Cell Works that could be charged to the Cells.

DPS 2 requires the City to review the East Wanneroo Cell costs at least annually and in any event, prior to the commencement of each new financial year. This includes the review of Estimated Lot Yields (ELY) for Cells 1-6 and 9 (residential Cells), the remaining area of the industrial Cells 7 and 8 to be developed, actual expenditure in the previous financial year and the costs associated with completing the remaining Cell Works.

On 14 December 2020 (PS02-12/20), Council considered the draft Annual Review of Costs for 2020-2021, which reflected the recommendations of a second Internal Transactional Review (refer **Attachment 2**), including a recommendation that a further \$3,818,197.43 (including \$970k interest adjustments) be transferred from the DCP Cell Accounts to the municipal accounts for Cell Works for the following:

- All pathways greater than 2.1 metres wide (previously only 2.1 metre Dual Use Paths were included), including 3.0 metre wide Principle Shared Use Paths;
- All Cells Works, including rebuilding, resurfacing, replacement and improvement; and
- Preliminary and general costs (e.g. design, traffic management) relating to the simultaneous construction, repair, removal, replacement or improvement of both the first and second carriageway pavement have been shared between the City and Developer Contributions Plans.

Council resolved to advertise the Annual Review of Costs for the East Wanneroo Cells 1-9 for a period of 56 days from 23 December 2020 to 17 February 2021. The Annual Review included revised cost estimates and land valuations and recommended Infrastructure Cost Per Lot (ICPL) and the assessed land valuation for each cell as listed below:

- Cell 1 - ICPL of \$18,019 and Land Valuation of \$1,868,750 per hectare;
- Cell 2 - ICPL of \$25,476 and Land Valuation of \$1,868,750 per hectare;
- Cell 3 - ICPL of \$17,457 and Land Valuation of \$1,887,500 per hectare;
- Cell 4 - ICPL of \$23,328 and Land Valuation of \$1,937,500 per hectare;
- Cell 5 - ICPL of \$30,909 and Land Valuation of \$2,012,500 per hectare;
- Cell 6 - ICPL of \$24,678 and Land Valuation of \$2,087,500 per hectare;
- Cell 7 - \$11.37 per square metre and Land Valuation of \$2,125,000 per hectare;
- Cell 8 - \$18.94 per square metre and Land Valuation of \$2,037,500 per hectare; and

- Cell 9 - ICPL of \$29,947 and Land Valuation of \$2,012,500 per hectare.

Detail

The City received 8 submissions during advertising, which raised a number of issues regarding the Annual Review. Issues were also raised in relation to the City's operational management of DCPs.

A summary of the submissions and Administration's response is included as **Attachment 3**. The salient issues raised relate to the following:

- The City's interpretation and scope of Cell Works - second Internal Transactional Review.
- Calculation of ICPL rates and return of excess funds.
- Detailed Cost Information and Cell Valuation.
- Estimated Lot Yields and prioritisation of Cell Works
- Inconsistency with and implications of State Planning Policy 3.6 (SPP3.6) – Infrastructure Contributions

1. Submission – Scope of Cell Works recommended by second Internal Transactional Review

A number of objections have been received in relation to the inclusion of rebuilding, resurfacing, replacement and improvement of Cell Works after the initial construction of the infrastructure, which are paid for by a DCP, as a result of the second Internal Transactional Review, as summarised below:

- Objectors state that the interpretation of Cell Works by the City to include maintenance, replacement, renewal and refurbishment costs is not clearly specified in DPS 2 or consistent with the original intent of the scheme.
- The DPS 2 terminology only refers to single carriageway works and if these works were intended then DPS 2 would have specifically defined these works by reference to a second carriageway, similar to the reference to the ultimate road reserve, which includes land for the second carriageway.
- Shared use paths and rebuilding, repair or replacement is not an error or omission as it was never contemplated or conceived as Cell Works and should not be interpreted or included as a Cell Work.
- The City's interpretation of Cell Works is considered by objectors to be a direct contravention of clause 5.1 of the current SPP 3.6, which states that 'the contributions are for the initial capital requirements only and not for ongoing maintenance and/or operating costs'.
- Landowners should not be charged for the rebuilding, upgrading or replacement of infrastructure that was initially funded by the DCP, as asset management and maintenance is funded by Council charges and rates as well as State grants.
- If the funds proposed to be recovered were previously derived from rates, objectors question whether the City is intending to refund the equivalent rates revenue to its ratepayers from the years that those rates were levied.
- Objectors state that if the City intends to apply a new interpretation based on an ambiguous wording of DPS2 then a proper planning process should be applied by amending the Scheme to specify the works proposed under the interpretation.
- A second 'phase' to second Internal Transactional Review translates into a third Transactional Review and further charges to DCPs (potentially including Cell 6) for infrastructure maintenance, upgrade, renewal, and replacement items that are the City's responsibility to fund instead.

One landowner also wrote to the Chair of the Western Australian Planning Commission (WAPC) and to the Minister for Planning, objecting to the City's approach and requesting

the Minister to intervene. The WAPC Chair and the Urban Development Institute of Australia (UDIA) have also subsequently written to the City to advise that the revised interpretation is not in line with the intent of State Planning Policy 3.6 – Development contributions for infrastructure (SPP 3.6) (**Attachment 3** and **Attachment 5**).

Administration Response

The City's scheme provisions for Cell 1-9 were initially prepared in the early 1990's and are in some instances ambiguous and require interpretation as to what constitutes a Cell Work. The City undertook an Internal Transactional Review and applied an interpretation to the scope of Cell Works under DPS 2 as part of the Annual Review approved by Council in December 2019. Additional expenditure was subsequently identified and included into the second Internal Transactional Review findings, as below:

Works not previously identified in the first Internal Transactional Review for second carriageway (four lanes) structures and environmental offset costs in accordance with Councils proper interpretation of Cell Works (December 2019);

In addition, the second Internal Transactional Review recommends that Council clarifies and agrees that the following works be included as Cell Works.

- *All pathways greater than 2.1 metres wide (previously only 2.1 metre Dual Use Paths were included), including 3.0 metre wide Principle Shared Use Paths;*
- *All Cells Works, including rebuilding, resurfacing, replacement and improvement; and*
- *Preliminary and general costs (e.g. design, traffic management) relating to the simultaneous construction, repair, removal, replacement or improvement of both the first and second carriageway pavement have been shared between the City and Developer Contributions Plans;*

The total net transference for these works equates to \$3,818,197 (including \$970,000 in interest) from the DCP Cell accounts to the municipal accounts.

The provisions of DPS 2 are drafted sufficiently broadly to provide for the inclusion of all pathways greater than 2.1 metres wide, including 3.0 metre wide Principle Shared Use Paths as Cell Works. Schedule 6 of DPS 2 refers to the term 'structures' as including dual use paths. Previously the City had applied a narrow meaning to dual use paths only included to 2.1 metre dual use pathways along one side of the road. However, in contemporary engineering definitions, dual use paths may be considered any pathways that serves a dual purpose (walking, cycling etc.), including 3.0 metre wide Principle Shared Use Paths, which were not previously included.

In relation to the removal, rebuilding, resurfacing, replacement or improvement of the initial capital works (DCP-funded) the applied interpretation is not definitive and whilst this work aligns with the description of Cell Works in DPS 2, the provisions are silent on this issue. Administration therefore took a view that works relating to the removal, rebuilding, resurfacing, replacement or improvement of the initial capital works (DCP-funded) could be included for the purposes of public advertising the Annual Reviews, in order to obtain landowner views on the inclusion of these as Cell Works, prior to formalising this through the final consideration of annual reviews.

The development industry and affected landowners have raised significant concern that the rebuilding, resurfacing, replacement or improvement are not reasonable costs and will introduce new and uncertain future costs that cannot be reasonably quantified, estimated or applied to the Cells and are inconsistent with the intended scope of works under DPS 2; and those defined in SPP3.6.

In this regard, Administration notes that DCPs are only one funding source for the provisions of public infrastructure and that road rebuilding, resurfacing, replacement and improvement costs are typically funded through state government taxes, local government property rates, federal assistance grants, user and access charges and fees and charges as part of the City's asset management obligations.

In terms of the recently gazetted SPP 3.6 (and previous version – 2009), this states that *“the contributions are for the initial capital requirements only and not for ongoing maintenance or operating costs of the infrastructure, beyond that required of developers through the subdivision and development process”*. As outlined in SPP 3.6, the intent of DCPs is to facilitate development in areas of fragmented land ownership by sharing the cost of providing any necessary infrastructure, including roads and POS and specifies that the scope of items of infrastructure in a DCP should not be expanded, to ensure the principle of certainty is upheld, unless any changes have been included in an amendment to the Scheme, and the required public consultation has been undertaken.

SPP 3.6 specifies that the extent of infrastructure that may be included into a DCP is justified on the principle of 'need and nexus', with the infrastructure costs being apportioned between existing residents' needs (or external demand) and the need generated by the landowners within the DCP or structure plan area.

Consistent with the submissions the letter from the WAPC Chair (refer **Attachment 4**) confirms that contributions should only be sought for the initial capital requirements and not for ongoing maintenance or operating costs or the replacement of DCP funded works. In this regard, the intent of DCP's is to fund the initial construction of the infrastructure but then the City is expected to pay for ongoing maintenance and replacement etc. through alternative funding sources (e.g. rates or grants).

Due to the age of Part 9 of DPS 2, the provisions do not align with the SPP3.6, and is not explicit in its wording for works undertaken beyond the initial capital works. Therefore, Council is required to determine whether these works are Cell Works and whether costs associated with these should be transferred from the DCP Cell accounts to the municipal accounts (as the City funded these). In this regard, it is recommended that any Cell Works associated with rebuilding, resurfacing, replacement and improvement be excluded from the definition of Cell Works. Further consideration should also be given to improve the provisions of DPS 2 to provide clarity and resolve these inconsistencies through an amendment to DPS 2. As part of this, public consultation will be undertaken to provide landowners with the opportunity to make submissions.

Administration considers that the initial capital works/infrastructure are those set out in Schedule 6 Section 3 of DPS, which varies between Cells but typically includes a percentage of the total cost of constructing the full earthworks, one carriageway and all structures. What constitutes structures has been determined as part of the first internal transactional review, which has been finalised and endorsed by Council. Any works after that would be considered to be 'rebuilding, resurfacing, replacement and improvement' and if Council agrees with this position then these costs would not be a DCP cost and would be paid for by another funding source (either municipal or possible grant funding).

It is noted that a second phase to the second Internal Transactional Review is required to investigate the Cell transactions for the pre-2006 expenditures, which has not been previously undertaken; and to ensure that Cell Works have been correctly charged in accordance with DPS 2.

Recommended Action

Administration has reviewed the submissions and is recommending that the objections raised by landowners in relation to the removal, rebuilding, resurfacing, replacement or improvement of the initial capital works (DCP-funded) be agreed.

Based on this, the proposed transference of an estimated value of works of \$737,623.32 (including interest of \$55,718.98) should be excluded as a Cell Work and these funds should not be transferred from the DCP Cell accounts to the municipal accounts. This adjustment will be reviewed for accuracy and included into the 2020-2021 financial year as a correction.

2. Submission – Calculation of ICPL rates and return of excess funds

A number of objections have been received in relation to the City's calculation of ICPL rates and about the return of excess funds. Landowners requests that significant excess funds are being generated in some cells and that these excess funds should be returned. Landowners also stated that excess funds should be utilised to reduce the Infrastructure Cost Per Lot (ICPL rates).

Administration Response

As demonstrated in the auditor reports, some Cells (1, 4, 5, 6 and 9) could generate excess funds (at differing levels) upon full development. In these cells, the City has retained the ICPL to avoid an inequitable and significant reduction in the ICPL rates. In Cells 1 and 9, the City has previously agreed to identify and apportion estimated excess funds to minimise inequity between contributing landowners. This balances the contributions of previous contributors and future contributors and enabled the City to:

- Determine appropriate contribution rates (ICPL) for those cells (e.g. reduction in rate rather than keeping it the same); and
- Identify an estimated (potential) excess return to previous contributors.

In Cell 1, a pre-payment of estimated excess funds was made to landowners that contributed prior to June 2019 with subsequent subdividers receiving a portion of the estimated excess as a reduction in the ICPL rate. This was possible due to the Cell accounts holding significantly more funds than required to complete the Cell Works and a contingency amount being retained by the City pending the completion of Cell Works. In Cell 9, the excess funds were estimated for the purposes of calculating an appropriate contribution rate for remaining landowners, however a return of excess was not recommended, pending greater certainty on remaining income and costs. In both Cells, the calculation was premised on a distribution of excess funds methodology that would otherwise occur at full development in accordance with clause 9.13.3 of DPS 2.

It is noted that SPP 3.6 now includes provisions that recommends that the local governments should reconcile significant cost variations as soon as possible, rather than awaiting full development, as currently required by DPS 2. In this regard, the current provisions of DPS 2 specifies that excess funds should only be returned when all the land in the cell has been developed.

The retention of ICPL rates is not adequately defined in DPS 2, and in some cells, could result in additional excess funds being generated, pending full development. Whilst SPP 3.6 suggests a reconciling payment be made as soon as possible, there are relevant factors that apply in each Cell that will require specific consideration in relation to financial and operational risk.

To address the submissions in relation to the return of excess funds, DPS 2 could be amended to introduce appropriate criteria for reconciling payments to previous contributors in line with SPP 3.6, as this is not appropriate to be dealt with through an Annual Review process. The Scheme provisions would need to define the circumstances and methodology for determining a reconciling payment with consideration for relevant factors such as timing, development constraints, remaining contribution payments, remaining cell works and reasonable administration and contingency costs.

Recommended Action

It is recommended that the current DPS 2 provisions be amended in line with the requirements of SPP 3.6, to include appropriate provisions to deal with potential excess funds in a fair, transparent and equitable way. In the interim, it is recommended that Council approves the ICPL rates as advertised as part of this Annual Review.

3. Detailed cost information and Cell valuation:

Objections have also been received in relation to the lack of cost information and Cell valuation. Objectors state that inadequate information is being provided by the City to enable a detailed review and scrutiny of the estimated costs, including the findings from the second Internal Transactional Review. These also state that the Cell valuation is outdated and does not reflect current market increases after COVID-19 economic stimulus initiatives.

Administration Response

Administration has engaged with submitters and provided additional detailed information when requested. The information provided in the Annual Review is relatively high-level due to the format of the cost reviews and to enable cost estimates to be legible and easily considered. The second Internal Transactional Review included a summary breakdown of the relevant project expenditure and a detailed breakdown of costs, which was provided to submitters on request. This has highlighted the need for greater transparency of administration costs, charges and transferances as part of the Annual Review process.

Consideration for the cell valuation follows the provisions of DPS 2. In accordance with DPS 2, the City is required to appoint a valuation panel to arrive at a consensus value, which is then advertised as part of the Annual Review process. The valuation panel recommendations were provided to the City in June 2020 to inform the Annual Review and facilitate the external auditing timeframes. In this regard, it is recognised that the valuation can become outdated if the Annual Review is delayed, however the assessed value will remain current until Council determines a new value. Administration has already initiated the next Annual Review valuation process and a revised valuation will be obtained and included into the next Annual Review.

It is noted that market values for lots and dwellings can fluctuate by increasing or decreasing, depending on factors such as interest rates, grants and COVID-19, however, the specific implications on engloblo land values cannot be established without valuation evidence. It is likely that sustained increases in house prices and demand may have flow-on affects to the engloblo value for the cells, which will be updated in the next Annual Review process.

Recommended Action

Administration recommends that the current cell valuation be accepted and that Council notes that updated valuations will form part of the next Annual Review for the 2021-2022 period, which is currently underway. In order to facilitate greater transparency of

estimated costs, it is also recommended that improvements be made to the City's approach to the Annual Review reporting information.

4. Estimated Lot Yields (ELY) and prioritisation of Cell Works

Objections have been received in relation to the estimated lot yields (ELY) in Cells as well as the prioritisation of Cell Works to be funded by DCPs. Objections state that the current DPS 2 estimated lot yields of 9 per hectare is understated resulting in significant excess funds being generated and landowners being effectively over-charged, and that these should be increased to reflect lot yield trends within a Cell. Objectors also request that Cell works be prioritised and completed to ensure contributing landowners benefit from the infrastructure.

A number of submissions provided estimates for remaining lot yields in order to demonstrate that additional income will be received within a particular cell and therefore generate additional excess funds.

Administration Response

The ELY of DPS 2 specifies 9 lots per hectare for Cells 1-6 and 13 lots per hectare for Cell 9. It is noted that the ELY for Cells 1-6 is relatively conservative and has contributed towards the creation of excess funds in some cells due to the actual yields exceeding the estimated lot yields. This is as a result of the fact that contemporary lot sizes are much smaller than what was originally the case when the DCP provisions were prepared, resulting in more lots being created which in turn leads to more contributions and thus excess funds.

In order to address the submissions, DPS 2 can be amended to reflect an updated ELY in line with contemporary lot yields, which will assist in achieving greater accuracy in estimating future lot yields, setting ICPL rates and estimating potential excess funds in some cells. It is not considered to be appropriate to address this through the Annual Review process and should be through an amendment of the Scheme.

In terms of the prioritisation of Cell Works, the East Wannon Cells have completed funding for numerous road construction projects, including the acquisition and construction of Pinjar Road, Ocean Reef Road, Lenore/Hartman Road, Mirrabooka Avenue and Hepburn Avenue.

The remaining major projects include Dundobar Road (between Civic Drive and Griffith Road) and Gngara Road (between Wannon and Mirrabooka Avenue), which require finalisation of the detailed design and remaining land acquisition. The prioritisation of these remaining Cell Works is supported and necessary to finalise the outstanding works for the affected Cells.

Recommended Action

In order to address the submissions, it is recommended that the current DPS 2 provisions be amended to include an estimated lot yield which reflects more realistic yields for the Cells. It is also recommended that Administration works proactively to deliver the outstanding Cell Works including the Dundobar Road and Gngara Road designs and construction to ensure that these are delivered in a timely manner.

5. Inconsistency and implications of State Planning Policy 3.6 – Infrastructure Contributions

Submissions have raised various inconsistencies between the current provisions of DPS 2 and the updated SPP 3.6 released in April 2021. Objectors state that the interpretation

of Cell Works is in direct contravention of Clause 5.1 of the current State Planning Policy 3.6, which states that the contributions are for the initial capital requirements only and not for ongoing maintenance and/or operating costs. They also request that in order to ensure alignment with the principles of SPP 3.6, the City should adopt a purposive approach to its statutory interpretation and adopt an ICPL based on the information and evidence it now has available. Objectors also request that the City should update DPS 2 to reflect SPP 3.6 in relation to the closure of DCPs and the return of excess funds.

Administration Response

The matter of rebuilding, resurfacing, replacement and improvement has been discussed earlier in the report.

The updated SPP 3.6 gazetted in April 2021 requires that local governments ensure that all existing DCPs are aligned with the SPP within 3 years of the gazettal of the Policy. Existing DCPs are anticipated to continue to remain valid for the lifespan of the DCP, however, all DCPs regardless of the approval dates, must adhere to all operational, monitoring and reporting requirements of the Policy. Existing DCPs that do not have a lifespan or review period (as in the case of the East Wannon Cells 1-9) must also be amended to include the anticipated lifespan of the DCP and priority and timing for delivery of infrastructure. In addition, SPP 3.6 provides some guidance on reconciling excess funds and closure of Cells, which is not currently defined in DPS 2.

The non-alignment of the City's current provisions in DPS 2 with the updated SPP 3.6 is acknowledged, however it should be noted that the current scheme provisions were drafted prior to the gazettal of the first SPP in 2009. The City's DPS 2 include statutory provisions, whilst the provisions of SPP 3.6 are 'due regard' only.

As the updated SPP 3.6 requires the City to update DPS 2 to align with the operational, monitoring and reporting requirements of SPP 3.6, it is necessary for the City to update DPS 2 to align this with the updated SPP 3.6. This would include provisions to address the closure of DCPs and the return of excess funds.

In relation to closure of DCPs, the current provisions of DPS 2 do not include a methodology to close a Cell until all the land within the Cell develops, which means that every landholding must be subdivided. Due to 'hold-out' landowners, there may be delays in completing the Cell Works or returning excess funds (in some cells). The period of delay could be decades and there is a possibility that this may never eventuate, meaning the Cell would continue operating indefinitely. As part of a future scheme amendment, provisions could be included to provide Council with the ability to consider closing a Cell prior to full development subject to a number of informing criteria.

In relation to the return of excess funds, the current DPS 2 provisions specify that upon full development of all the land within a Cell any excess funds should be returned to contributing landowners as a proportion of the total number of lots produced in the Cell. In this regard, a future amendment to DPS 2 could consider the return of excess funds on the basis of the value of contributions actually paid by a particular landowner. This could potentially enable all contributing landowners to receive a portion of the excess funds, including those that paid additional contributions for group housing and commercial sites.

Recommended Action

In order to align the City's DPS 2 with the updated SPP 3.6 as required by the State Government, it is recommended that the Council considers the amendment of the scheme provisions to align with SPP 3.6. This amendment could also potentially cover the other issues raised by objectors as outlined in this report.

Consultation

In accordance with the provisions of DPS 2, the City advertised the proposed land value for a period of 28 days and the revised Cell Costs for a period of 42 days as per the following. The advertising dates were extended by 14 days due to the Christmas holiday period. In this regard, the Annual Review was advertised in the Wanneroo Times from 23 December 2020 to 17 February 2021; and the revised valuation was advertised in the West Australian from 19 December 2020 to 1 February 2021. Letters were also sent to affected landowners and the Annual Review was advertised on the City's website.

Comment

The City's DPS 2 requires that the East Wanneroo Cell 1-9 developer contribution arrangements are subject to an Annual Review process to ensure that the cost contribution amount is correctly set to ensure the collection of sufficient funds to cover the cost of infrastructure items.

The submissions raise a number of issues, including:

- Operation periods to be introduced for the East Wanneroo Cost Sharing Arrangements.
- Scope of works to be clearly defined and costed.
- Define and reconcile (return) potential excess funds.
- Revise the estimated lot yield of 9 lots per hectare for Cells 1-6, as currently defined in in DPS 2 to minimise the extent of excess funds.
- Prioritisation of remaining projects, including the finalisation of the detailed design for Gngangara Road and Dundobar Road, completion of land acquisitions for cell works (road widening and POS).
- Consideration for mechanisms to enable cells to be finalised or closed.

The ability for the City to address the issues raised in the submissions through the Annual Review process is limited, as these require fundamental changes which can only be facilitated through an amendment to DPS 2. As the City is required to amend its Scheme to align with the updated SPP 3.6, such an amendment can also include other changes to the scheme provisions to address some of the other issues raised by landowners.

Based on this, Administration recommends the following actions in relation to the submissions made through the Annual Review:

- The City's position in respect to the provisions of DPS 2 as advertised is that the current provisions continue to apply to the Cell Areas until Council has considered a fundamental review of the DCP provisions as part of a future amendment to DSP 2 to align the scheme provisions with the updated SPP 3.6.
- That the removal, rebuilding, resurfacing, replacement or improvement of DCP-funded infrastructure beyond the initial capital works required by a DCP, not be considered a Cell Work and that the costs associated with these works not be transferred from the DCP Cell Accounts to the municipal accounts.
- That improvements be made City's approach to the Annual Review reporting information to facilitate greater transparency of estimated costs, including a Capital Expenditure Plan (CEP) for each Cell to clearly define and prioritise remaining cell works. As part of the next Annual Review process, this information is recommended to be made available to landowners and is published as part of the consultation requirements for each Cell. In this regard, the publication and transparency on administration costs, charges and transferances should be made available as part of the Annual Reviews to enable landowners to access the detailed information that informs the revision of costs as standard procedure.

Statutory Compliance

In line with DPS 2, the completion of the Annual Review as outlined in this report will satisfy the City's statutory obligations to complete Annual Reviews for the 2020/2021 financial year. External auditing of the DCP accounts has been completed in line with the provisions of the *Local Government (Financial Management) Regulations 1996*. If the objections are not addressed to the satisfaction of the objectors, Council will be required to refer the objection for commercial arbitration in accordance with the provisions of DPS 2.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 Civic Leadership

4.2 Good Governance

4.2.1 Provide transparent and accountable governance and leadership”

Risk Management Considerations

Risk Title	Risk Rating
ST-G09 Long Term Financial Plan	Moderate
Accountability	Action Planning Option
Director Corporate Strategy & Performance	manage

Risk Title	Risk Rating
ST-S23 Stakeholder Relationships	Moderate
Accountability	Action Planning Option
CEO	Manage

The above risks have been identified and considered within the City's existing Strategic Risk Register.

The Annual Review has been undertaken to ensure that adequate contingency is held to fund the remaining Cell Works and recognises factors that may affect a particular Cells income and expenditure estimates.

The work undertaken by the City in relation to the Internal Transactional Review and proper interpretation of the provisions of DPS 2 along with the completion of the Annual Review for all Cells reduces the City's risk of impacts on trust, probity and accountability as it will bring the City to a level of compliance.

Policy Implications

Nil

Financial Implications

To support the Annual Review (Cells 1-9), William Buck was engaged to perform audit to ensure the accuracies of the calculated ICPL rate. The relevant audit reports finalised and delivered to the City in October 2020.

The audit reports have confirmed that the adjusted contribution rates associated with Cell 2, 3, 7 and 8 are fairly stated and in compliance with DPS 2. In relation to Cells 1, 4, 5, 6 and 9 the audit reports have highlighted that the methodology of DPS 2 cannot be utilised to establish an ICPL rate for charging remaining (undeveloped) landowners, where adequate funds exist

(or are likely to exist) to complete the estimated remaining Cell Works. Administration recommends that the ICPL rates should be retained until consideration has been given to the improvements recommended by SPP3.6 can be considered by Council.

The City's recent Annual Review for Cells 4, 5, 6 and 9 have demonstrated that there are major challenges in applying the current methodology of DPS2 to calculate the Infrastructure Cost Per Lot (ICPL) rate, where excess funds are likely to occur. The ICPL rate is revised annually to ensure that the contributions will cover the cost of infrastructure. Where a Cell is nearing full development and adequate funds already received the ICPL rate can vary significantly. Where this occurs, it can create inequity between landowners that have already contributed and those yet to contribute. In this regard, contribution rates will naturally fluctuate through the annual review due to variations in land value, construction cost estimates and remaining income and are not usually significant variations. In order to deal with significant variation. Administration recommends that the ICPL rates should be retained to ensure a level of consistency by charging the remaining landowners the same as previous contributors, until consideration has been given to the improvements recommended by SPP3.6 can be considered by Council.

Subject to the agreement of Council to the recommendations of this report on submissions, Administration will make the necessary adjustments to the Long Term Financial Plan to reflect the revised DCP funding allocations and agreed transferences.

Due to the actioning of the second Internal Transactional Review findings in the prior year for \$3,818,197.43, the costs associated with rebuilding, resurfacing, replacement and improvement of Cell Works (estimated to be \$737,623.32) be transferred from municipal to the relevant DCP accounts.

In relation to Cell 3, it is advised that \$756,952.79 (including interest) was recouped from this Cell in the 2018/19 financial period in line with the First Internal Transactional Review recommendations and has been reflected in the Cell 3 Annual Review as expenditure.

Voting Requirements

Simple Majority

Recommendation

That Council:-

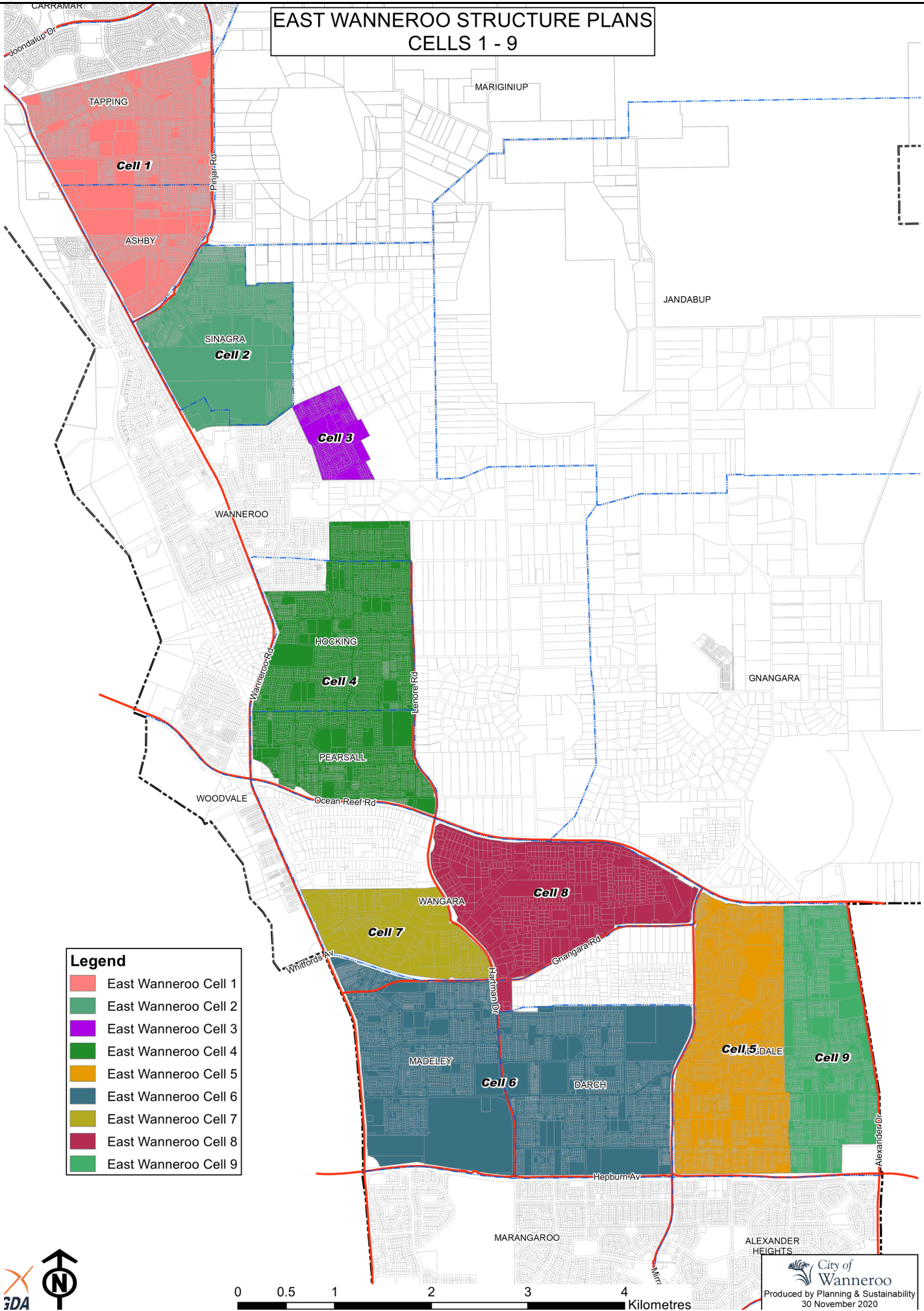
- 1. NOTES the public submissions received during the public consultation period for the East Wannon Cells 1-9 Annual Review of costs, as depicted in Attachment 3 to this report;**
- 2. ENDORSES the recommended response made by Administration as described in the comments section and as referenced in Attachment 3 to this report;**
- 3. APPROVES that Cell Works do not include the rebuilding, resurfacing, replacement and improvement of initial Cell Work capital infrastructure.**
- 4. NOTES that there will be a financial adjustments and reimbursement from municipal to the relevant Cell accounts by removing Cell Works costs for rebuilding, resurfacing, replacement and improvement.**
- 5. APPROVES the Annual Review of Cell Costs for Cells 1-9 in accordance with Clause 9.14.3 and 9.11.5 of District Planning Scheme No. 2, as defined in the below table;**
 - Cell 1 - ICPL of \$18,019 and Land Valuation of \$1,868,750 per hectare;**

- Cell 2 - ICPL of \$25,476 and Land Valuation of \$1,868,750 per hectare;
 - Cell 3 - ICPL of \$17,457 and Land Valuation of \$1,887,500 per hectare;
 - Cell 4 - ICPL of \$23,328 and Land Valuation of \$1,937,500 per hectare;
 - Cell 5 - ICPL of \$30,909 and Land Valuation of \$2,012,500 per hectare;
 - Cell 6 - ICPL of \$24,678 and Land Valuation of \$2,087,500 per hectare;
 - Cell 7 - \$11.37 per m2 and Land Valuation of \$2,125,000 per hectare;
 - Cell 8 - \$18.94 per m2 and Land Valuation of \$2,037,500 per hectare; and
 - Cell 9 - ICPL of \$29,947 and Land Valuation of \$2,012,500 per hectare.
6. **REQUESTS** Administration to consider an Amendment to DPS 2 to align with SPP 3.6 to address the following improvements:
- Operational monitoring and reporting requirements;
 - Scope of works under the DPS 2 terminology for Cell Works.
 - Define and reconcile (return) potential excess funds to contributors, prior to all the land in the Cell being developed;
 - Increase the estimated lot yield to reflect current average lot density; and
 - Consider options to enable cells to be finalised or closed
7. **REQUESTS** Administration to prioritise the remaining Cell Works, including the finalisation of detailed design and remaining land acquisition for Dundobar Road and Gnangara Road; and.
8. **NOTES** that a further Internal Transactional Review is underway to investigate the Cell transactions for the pre-2006 expenditures, which has not been previously undertaken; and to ensure that Cell Works have been correctly charged in accordance with DPS 2.

Attachments:

<u>1</u>	Attachment 1 - Cells 1-9 Consolidated Location Plan	19/162679
<u>2</u>	Attachment 2 - Second Transactional Internal Review	20/517309
<u>3</u>	Attachment 3 -Submissions Table (Annual Review 2020-2021)	21/215775
<u>4</u>	Attachment 4 - Letter from the Chair to Director Planning and Sustainability	21/148222
<u>5</u>	Attachment 5 - UDIA Submission Annual Review of DCP Cells	21/154133

EAST WANNEROO STRUCTURE PLANS
CELLS 1 - 9



Second Transactional Internal Review Identified Adjustments (Adjustments Actioned into current year Financials - 2019/20 – Excluding Cell 3* which was actioned in 2018/19 – Refer Cell 3 annual review section of this report)				
Cell	Interpretation of Schedule 6 of DPS 2	Interest Adjustments	Total net recoupment to Municipal	Details of adjustments
2	103,790.57	23,313.93	127,104.50	Construct traffic treatments Wanneroo Rd to Civic Drive
4	259,783.49	23,226.25	283,009.74	Pavement line marking - Lenore Road, Street lighting Elliot Road, Lenore Road - Construct carriageway
5	-9,341.25	35,151.03*	25,809.78	Pathway Landsdale, Traffic Treatments-Mirraboooka/Southmead Dr, Mirraboooka Ave dual carriageway, Modification to existing dual use path - Landsdale, Design Costs Mirraboooka Ave, Hepburn Ave dual carriageway
6	890,009.72	92,128.75	982,138.47	Hepburn Ave roundabout, Mirraboooka Ave dual carriageway, Pathway Hartman Dr Madeley, Pathway Hartman Dr Wangara, Hartman Dr Survey Costs, Traffic treatments Hartman Dr Darch, Design Costs Mirraboooka Ave, Hepburn Ave dual carriageway
7	102,752.01	28,047.52	130,799.53	Hartman Dr Sump, Traffic treatments Hartman Dr roundabout, Hartman Dr rehabilitation - Luisini to Ocean Reef Rd, Hartman Dr dual carriageway
8	358,050.92	124,333.25	482,384.17	Hartman Dr Sump, Traffic treatments Hartman Dr roundabout, Hartman Dr rehabilitation - Luisini to Ocean Reef Rd, Hartman Dr dual carriageway
9	1,140,192.66	646,758.58	1,786,951.24	Gnangara Rd - Alexander Dr Intersection, Street Lighting Alexander Dr/Gnangara Rd, Acquire road reserve land Alexander Drive, Alexander Drive dual carriageway, Hepburn Ave dual carriageway
Total	2,845,238.12	972,959.31	3,818,197.43	

* Note –Cell 5 has negative adjustment in the above table (payment from municipal to the cell), however due an interest adjustments on project errors a net recoupment is required from Cell 5 to the municipal.

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No	Company/Owner	Cell	Issue	Administration Response
1	Goss Developments Pty Ltd	9	1. Request for reimbursement of excess funds contributed towards the Cell 9 DCP.	1. The provisions of DPS 2 currently refer to excess funds being returned when all the land in the Cell has been developed. The recently gazetted SPP 3.6 refers to a potential reconciling of DCP accounts, however this process is not well defined or contemplated in DPS 2 and will require consideration through an amendment to DPS 2. Administration is recommending that a further report be prepared to consider aligning various requirements in SPP 3.6 to DPS 2, including reconciling excess funds.
2	MRWA	1-9	1. No comment regarding revised Cell Values and Infrastructure Cost Per Lot for the East Wannonroo Cells.	1. Noted.
3	Parcel Property	6	<p>1. Parcel objects to Council endorsing a new interpretation of Cell Works to recoup more than \$3.8 million from the East Wannonroo Cells, including shared use paths; and Rebuilding, resurfacing, replacement and improvement is not an error or omission and should not be interpreted/included as a Cell Work.</p> <p>2. The 2020 annual review does not display the 2019 Internal Transactional Review findings as a separate line item in the expenditure to date section of the Cell 6 – Income and Expenditure Summary Table. Therefore, please explain how the 2020 annual review reflects the \$4,171,853 in “Transactional Review Adjustments” from 2019, which included a municipal recoupment of \$1.8 million?</p> <p>3. Related to the preceding point, why has the remaining expenditure on administration costs increased from \$280,000 in 2019 (\$40,000 per annum for seven years) to \$461,524 for eight years (\$57,690.50 per annum)? Furthermore, the total expenditure to date and expenditure remaining on administration costs has increased from \$1,235,979 in 2019 to \$1,548,315 in 2020. This is a substantial increase of \$312,336, without any explanation, cost breakdown, or confirmation of assumptions relied upon by the City in arriving at this amount. This information must be provided to allow an independent and transparent review of the City's administration costs.</p> <p>4. The Cell 6 Audit Report from William Buck (included as Attachment 18 to the Council Report) states – “We have performed an audit of the Annual Cost Review ... and reviewed the methodology ... to establish the accuracy of the Annual Cost Review ... as per the District Planning Scheme No. 2 (“DPS 2”). ... Our Annual Review for</p>	<p>1. The provisions of DPS 2 are drafted sufficiently broadly to provide for the inclusion of all pathways greater than 2.1 metres wide (previously only 2.1 metre Dual Use Paths were included), including 3.0 metre wide Principle Shared Use Paths. Administration has applied a proper interpretation to the definition of Cell Works. Schedule 6 of DPS 2 refers to the term ‘structures’ as including dual use paths. Previously the City had applied a narrow meaning to dual use paths only included to 2.1metre dual use pathways along one side of the road. Contemporary engineering definitions suggest that dual use paths may be considered ‘any’ pathways that serves a dual purpose (walking, cycling etc), including 3.0 metre wide Principle Shared Use Paths, which were not previously included.</p> <p>Administration is recommending that any Cell Works associated with rebuilding, resurfacing, replacement and improvement be excluded from the definition of Cell Works. Further, it recommended that consideration be given to improving the provisions of DPS 2 to provide clarity and resolve these inconsistencies through an amendment to DPS 2.</p> <p>2. The Internal Transactional Review adjustments for Cell 6 from 2019 were reflected as income reduced, which includes interest adjustment (total reduction estimated to be \$961,890.87). The balance of the Internal Transactional Review expenditure (\$3,209,962.20) was included into the District Distributor Road total expenditure (including road construction and environmental offset costs).</p> <p>3. The Administration costs increased from \$40k per year to \$57,690, to reflect actual expenditures from previous years. The Administration cost includes a proportion of total staff salaries (\$48,490), consulting costs, auditing fees, valuation fees and advertising costs (\$9,200). The total increase of \$312,336 relates to the higher administration cost estimate of \$57,690 calculated over the operational period of the DCP from 7 to 8 years to complete remaining Cell Works. This cost may reduce if the Cell is closed/finalised earlier.</p> <p>4. As per the Cell 6 Audit Report, the Auditor's responsibilities was to express an opinion on the reasonability of the methodology used by the City of Wannonroo, in calculating and estimating cell costs for the remaining cell works, and assessed the documentation provided by the City of Wannonroo to certify that the cell costs were incurred and estimated as per the DPS2. The Auditors conducted their audit procedures in accordance with Australian Auditing Standards.</p>

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		<p>2020/21 covered ... prior year adjustments affecting cell costs ... while ascertaining that the actual expenditure incurred gives a true and fair view and ensure that the assumptions used ... are in accordance with the DPS 2." Given the concerns we have raised regarding Council's proposed recoupment in accordance with its Resolution 3 from 14 December 2020, please explain how the City's auditor, has formed the opinion that the "actual expenditure incurred" (which includes the disputed recoupment) is "in accordance with the DPS 2"?</p> <p>5. We are concerned with the following scope limitations of the Audit Report: <i>'The provisions of SPP 3.6 have not been applied as there is no requirement to do so stated in DPS 2'</i>. While we accept that the more specific provisions of DPS 2 will prevail over any equivalent, conflicting or generic provisions of SPP 3.6, this does not mean the City and its auditor can ignore SPP 3.6 in its entirety. Rather, the City must still have due regard to SPP 3.6; particularly in the case of the disputed recoupment, where the SPP clearly and specifically prohibits the City's proposed approach, whilst DPS 2 does not contemplate or condone that approach. 'The City has included a discretionary 20% charge of \$140,927 for district distributor road acquisition, although no basis or explanation for this charge has been provided'. What does this arbitrary charge relate to? Why did the City not provide any evidence or explanation of this charge to its auditor? Why did the City not provide any management response or discussion on this audit limitation in its report to Council? • The Audit Opinion states "In our opinion ... the calculated ICPL rate of negative \$1,831.98 from its current ICPL rate of \$24,679 were fairly stated and in compliance to DPS 2". We interpret this to mean that the ICPL rate should be reduced by \$1,832 per lot from \$24,679 to \$22,847. Concerning, however, there is no discussion of this matter in the Auditor's Report and no explanation in the Report to Council as to why the City is proposing to retain the current ICPL, despite the auditor's opinion confirming a reduction of almost \$2,000/lot. By not passing on this ICPL reduction, the City will collect an excess of \$1,773,376 in contributions beyond what the audit opinion has certified (\$1,832/lot multiplied by our calculated remaining yield of 968 lots).</p> <p>6. The Income and Expenditure Summary Table for Cell 6 identifies that the City has collected a total of \$78,518,709 in contributions to date. However, this is \$201,407 less than the stated total contributions reported in the 2019 Cell 6 review. When compared to the previous annual review, there have been 32 additional contributions paid to the City since 2019. Therefore, at the current ICPL rate, income to date should have increased by \$789,728, plus interest. Why is this not reflected in the Income and Expenditure Summary Table?</p> <p>7. It is unclear what has happened to the pre-2007/2008 Developers Balances of \$230,331 noted in the 2019 review?</p>	<p>For further details, please refer to the Cell 6 Audit Report; in particular, refer to the sections under the heading of "The City's Responsibilities", "Auditor's Responsibilities" and "Limitation on the scope".</p> <p>5. The scheme provisions in DPS 2 do not align with the provisions of SPP 3.6, as the scheme provisions were drafted prior to the gazettal of the first SPP (gazetted on 20 November 2009). It is noted that the scheme provisions within DPS 2 are statutory provisions and were drafted prior to the release of the first SPP 3.6 and there was no requirement (at that time) to align existing DCPs with the newly released Policy. An additional 20% was added to the assessed value for the Cell to reflect the potential increases and costs associated with compulsory taking. Clause 9.11.3 of DPS2 refers <i>"The Council may also apply a further amount above the Assessed Value to recognize any compulsory taking of land and/or acquisition of structures"</i>. In this regard, it is particularly difficult to predict whether compulsory acquisition will be required. Administration has considered particular landowner circumstances and allowed for such an eventuality to ensure the DCP has adequate funds. The 20% amount was estimated based on previous compulsory acquisition costs, however it is acknowledged that the legal costs to the DCP (and the landowner) associated with this process can have significant cost variation. The auditors was engaged to perform audit to ensure the accuracies of the cell cost incurred, estimated for remaining cell development works and the calculated ICPL rate in compliance to Clause 9.6 of DPS2. The calculated ICPL rate is different to the proposed ICPL rate as advertised.</p> <p>6. The reason the income has reduced is due to the interest taken from the cell for the 1st transactional review - \$961,891 as disclosed in the 2019 annual review. The contribution income is for 13 lots (\$320,825) which differs to the number of lots mentioned. The balance is the interest received since the last annual review.</p> <p>7. The developer balances are included into the contributions and interest figure (total Income). This figure will be revised when the outstanding balances have been resolved and the total income adjusted to reflect this outcome.</p>
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		<p>8. The estimated lot yield is based on the estimated yield of 9 lots/ha nominated in DPS 2, which is known to be flawed (refer to item PS02-06/19 of the Ordinary Council Meeting of 4 June 2019). This projected yield also does not align with the Cell 6 Structure Plan's forecast development yield of around 18 lots/ha, meaning the estimated Cell 6 excess at full development will be significantly higher than stated by the City.</p> <p>9. We note the land valuation is proposed to be reduced by 1.7% or \$37,500/ha from \$2,125,000/ha to \$2,087,500/ha. However, the methodology used to calculate this figure uses out-dated sales data from 1 April 2019 to 30 June 2020, which incorporates a period of unprecedented uncertainty resulting from the COVID-19 global health crisis.</p> <p>10. Parcel is due to provide a significant 4.8142 ha portion of the remaining POS to be acquired by the DCP. As stated in our previous submission dated 22 July 2019 on the 2019 DCP review, and subject to an updated and more accurate land valuation, Parcel would be willing to create and cede this land to the City as soon as possible to fulfil latent demand for community sporting facilities in the area.</p> <p>11. Given the City already holds significant surplus funds; we request that the City provide cash payment for this POS upon transfer, rather than offsetting this credit against our future DCP contribution obligations.</p> <p>12. Parcel understands the City cannot charge the construction of this POS to the DCP in the absence of establishing suitable need and nexus by way of an amendment to DPS 2. However, we would welcome an opportunity to meaningfully engage with Council staff to facilitate this critical community sporting facility's development as soon as possible.</p> <p>13. We object to the City's recoupment of almost \$1 million from the Cell 6 DCP in the complete absence of any details or evidence to justify that approach.</p>	<p>8. DPS2 provides a fixed rate of 9 Lots Per Hectare for estimating remaining lot yields. The City has previously acknowledged that higher densities may result in some cells generating excess funds. The City is considering appropriate options to address potential excess funds, including the implications of SPP3.6 and potential amendments to DPS2 to normalize the provisions. Currently, DPS2 does not require the excess funds to be returned until all the land in a cell has been developed. Refer to the Comments section of this report.</p> <p>9. The City is required to engage a valuation panel to inform the Cell valuation process. Consideration for the valuation is required to follow the procedures of DPS2, including public consultation. The submission was not accompanied by expert valuation advice. The implications of COVID-19 and other factor will be included into the next annual review process. In this regard, Administration intends progressing the next annual review as soon as possible after 30 June 2021 for the 2021-2022 period; and will update the valuations as part of this process.</p> <p>10. The City will apply the value that is current at the time the POS is vesting through the subdivision process in accordance with DPS2.</p> <p>11. The Cell 6 account currently holds adequate funds to acquire the POS. In accordance with DPS2, the City would normally encourage the offsetting of contributions to minimise expenditure from the Cell accounts and to retain funds to prioritise the completion of Cell Works in a timely manner. Given the POS acquisition represents a significant portion of the remaining costs, the acquisition would enable the City to finalise the expenditure and provide greater certainty for Council and landowners. The acquisition of the POS and payment will require further consideration by Council as part of a DCP Actions report and will require geotechnical and environmental approval due to the previous landfill operations on the site.</p> <p>12. Noted. Discussions are occurring between the City and Parcel Property on potential POS development requirements.</p> <p>13. Administration has identified municipal recoupments for works associated with dual use pathways and rebuilding, resurfacing, replacement and improvement of Cell Works and for works that were excluded from the first Internal Transactional Review. Administration is recommending that any Cell Works associated with rebuilding, resurfacing, replacement and improvement be excluded from the definition of Cell Works. Further, it recommended that consideration be given to improving the provisions of DPS 2 to provide clarity and resolve these inconsistencies through an amendment to DPS 2. The final value of recoupment will be recalculated and audited upon agreement by Council to exclude the rebuilding, resurfacing, replacement and improvement costs</p>
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		<p>14. We estimate the City is already holding \$23,949,055 in cash for Cell 6, based on the published DCP income to date less expenditure to date; with only \$22,968,946 in expenditure remaining. Hence, the City is already holding approximately \$1 million in cash more than required to complete all remaining Cell Works. This figure will increase to an excess of approximately \$2 million once the disputed recoupment of \$982,138 is deleted from the expenditure to date for Cell 6. It must also be understood that the timing of the remaining Cell Works expenditure is either under the City's direct control or will only be triggered at the time of future subdivision and development in Cell 6, which in itself will generate income from contributions to offset future expenditure.</p> <p>15. We acknowledge that DPS 2 provisions specifically reference 9 lots/ha to calculate the ICPL. However, to achieve the intended purpose if its Scheme provisions and ensure alignment with the principles of SPP 3.6, the City should adopt a purposive approach to its statutory interpretation and adopt an ICPL based on the information and evidence it now has available. As one of the last remaining developers of scale in Cell 6, Parcel would welcome the opportunity to work closely with the City to facilitate the fair and equitable administration of this DCP, and ultimately achieve a positive development outcome for the community.</p>	<p>14. Noted. There remains uncertainty regarding the extent of income that will actually be received from some landholdings due to development constraints, holdout landowners and ongoing historic land uses (e.g. nursery, Caravan Park and landfill). The City is considering appropriate options to address potential excess funds, including the recommendations and requirements of SPP3.6, which may result in amendments being required to DPS2 to normalize the provisions. Currently, DPS2 does not require the excess funds to be returned until all the land in a cell has been developed. Also, refer to the Details section of this report.</p> <p>15. Noted. Administration will continue to engage with affected landowners to implement improvements and normalisation of the East Wanneroo Cost Sharing arrangements with consideration for the recently gazetted SPP3.6.</p>
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4.	Peet & Satterley	1-9	<p>1. New Interpretation of Cell Works not supported. Council's endorsement of a new interpretation of Scheme provisions to recoup more than \$3.8 million from the East Wanneroo DCP Cells without any supporting evidence or explanation.</p> <p>2. Tranche 2 Payment (Return of Excess Funds) - The previous review report to Council on 30 June 2020 (PS02-06/20) identified a confirmed, audited excess in the Cell 1 account of \$882,408 at 30 June 2019. An additional estimated excess of \$397,683 was also identified for the period 1 April – 31 December 2019, which had not been audited at the time of reporting the Annual Review to Council. Given this, why did Administration's report to Council in December 2020 not address the status of these (and subsequent) excess funds? This information needs to be provided so that we can consider our position on the quantum of a Tranche 2 payment request.</p> <p>3. Our submission dated 28 May 2020 on the previous Cell 1 DCP Annual Review (included as Attachment 5 to the report to Council on 30 June 2020) requested a Tranche 2 refund of both the excess amounts referenced in the preceding paragraph (totalling \$1,280,091). In response, Administration advised Council that if it were to consider a Tranche 2 refund at the time, it should only be for the audited amount of \$882,408 and not the (then) un-audited amount of \$397,683. This latter amount would have since been audited and needs to be confirmed by the City as part of the current Annual Review, along with the updated Cell 1 account balance.</p> <p>4. Administration Costs - We note the following in relation to administration costs stated in the Income and Expenditure Summary Table:</p> <p>(a) Since the last review, expenditure (to date) on administration costs has increased by \$186,846, from \$845,026 (reported to Council on 30 June 2020) to \$1,031,872. This annual increase in expenditure on administration since the last Annual Review is 3½ times greater than the annual forecast administration cost of \$53,160 p.a. stated in the review report to Council on 7 April 2020 (PS02-04/20). Why is this the case? The City needs to publish evidence of these costs for our examination, so that we can ascertain their appropriateness as a charge to the Cell 1 DCP.</p> <p>(b) The combined total administration costs (year to date and estimated remaining) reported to Council on 14 December 2020 of \$1,201,444 is \$143,784 greater than that reported to Council on 30 June 2020 (\$1,057,660). Why is this the case? The City needs to publish information to support these calculations so that we can ascertain their appropriateness.</p> <p>5. We note the City has now collected (to date) \$60,868,753 in contributions and interest from Cell 1, which is \$943,475 more than</p>	<p>1. Administration is recommending that any Cell Works associated with rebuilding, resurfacing, replacement and improvement be excluded from the definition of Cell Works. Further, it recommended that consideration be given to improving the provisions of DPS 2 to provide clarity and resolve these inconsistencies through an amendment to DPS 2. Refer Details section of this report.</p> <p>2. Administration has recently completed the pre-payment for all landowners within Cell 1; however, a contingency amount was retained pending greater certainty of the remaining income and cell works. The contingency (referred to as a Tranche 2 payment) is \$3,092,677 and is separate to any additional excess funds that may be generated since June 2019. Further, Administration is recommending that consideration be given to improving the provisions of DPS 2 to provide clarity on reconciling excess funds through an amendment to DPS 2. Refer Details section of this report</p> <p>3. The City includes audited financial transactions for the prior year as 'actual' expenditure. This provide greater certainty over the amounts expended and the finalised project costs (where construction was required). The audited transactions assist in determining the availability of funds within a cell. However, it is noted that DPS 2 doesn't require the return of excess funds until full development of the Cell; and if the Cell Works are incomplete, or future income is outstanding, then these costs could change. The City is aware that several large landowners in this cell that are actively selling and may be developed sooner than anticipated. Administration is recommending that consideration be given to improving the provisions of DPS 2 to provide clarity on reconciling excess funds through an amendment to DPS 2.</p> <p>4. As below:</p> <p>(a) The administration costs (to date) are \$66,871. The developer balances were also included of \$119,975. These amounts equate to the total increase of \$186,846. This item will become an expenditure once the City finalises these balances.</p> <p>(b) Cell 1 required two annual reviews in December 2020 and June 2020 to align all DCPs annual review periods This required additional costs for auditing, advertising and valuations. The City intends completing one annual review per review period being 1 July to 30 June each financial year.</p> <p>5. The difference is the additional interest received since last reported in the annual review for Cell 1 in June 2020.</p>
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		<p>reported to Council on 30 June 2020. This is attributed to 50 additional contributions being received since the last review stated in the 2019 review. However, based on the current ICPL of \$18,018.64 this number of contributions should equate to \$900,932. Please explain the reason for this discrepancy in total income to date.</p> <p>6. The City estimates future income to be \$1,964,032 from 109 lots (9 lots/ha) as outlined in DPS 2, which does not align with the actual average development yield in Cell 1 and actual income will be significantly higher than stated by the City.</p> <p>7. We raise the following concerns with the William Buck Audit Report included as Attachment 13 to the Council Report of 14 December 2020:</p> <p>a) The Scope of the audit covers <i>“actual transactions from 1 January 2020 to 30 June 2020 and estimated costs for future years”</i>. Are the City's calculations and cost estimates reported to Council by Administration also confined to this reporting period?</p> <p>b) There appears to be a material error in the Audit Opinion which states – “the calculated ICPL rate of negative \$23,833.52 from its current ICPL rate of \$18,018.64 were fairly stated and in compliance to DPS 2”. This statement makes no sense and cannot be regarded as a valid Audit Opinion. A negative contribution rate has never applied to Cell 1 and in any event, the stated ICPL of \$23,833.52 bears no relevance to Cell 1, as the current ICPL has been in place since Council adopted it on 4 June 2019 (PS02-06/19). Prior to that, the Cell 1 ICPL was \$25,835.54.</p> <p>This is concerning and leads us to question what other errors might be contained in the Cell 1 Annual Review and the related Audit Report.</p>	<p>6. The provisions of DPS 2 currently refer to excess funds only being returned when all the land in the Cell has been developed. The recently gazetted SPP 3.6 refers to a potential reconciling of DCP accounts, however this process is not well defined or contemplated in DPS 2. Administration is recommending that consideration be given to improving the provisions of DPS 2 to provide clarity on reconciling excess funds through an amendment to DPS 2. Refer Details section of this report</p> <p>7. Refer below:</p> <p>a) The audits covers the period of actual transactions that had not been previously audited for each Cell/DCP up to 30 June 2020. The period is the same for all Cells/DCPs, which commenced from 1 July 2020. For Cell 1, there was an Annual Review audit that covered the actual transactions from 1 April to 31 December 2019 hence the recent audit only covered the actual transactions from 1 January to 30 June 2020.</p> <p>b) The auditors were engaged to verify cell cost incurred, estimated for remaining cell development works and the calculated ICPL rate in compliance to Clause 9.6 of DPS2. The calculated ICPL rate is different to the proposed ICPL rate due to excess funding. If remaining funds exceed estimated remaining Cell costs then the ICPL either reduces significantly or becomes a negative ICPL, which is inequitable. The auditor has verified the costs and confirmed this position, as represented by the negative or lower ICPL rate.</p> <p>The proposed ICPL rate for the East Wanneroo Cell 1-9 was advertised in accordance with Clause 9.11.5 of DPS2, which required the Council to revise or amend elements as mentioned in subclauses 9.11.1 to 9.11.3 inclusive prior to advertising the proposed ICPL rate. The calculated ICPL rate is one of the factors that was used to inform into the proposed ICPL rate. Other factors such as the estimated lot yield, actual lots produced in each Cell since the last review, the remaining Cell Works, any amendments to the Local Structure Plan and any other factors the Council considers relevant need to be considered to determine the final proposed ICPL rate for the year.</p>
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5	Stockland	2 & 9	<ol style="list-style-type: none"> 1. Stockland objects to Council endorsing a new interpretation of Cell Works to recoup more than \$3.8 million from the East Wimmeroo Cells, including shared use paths; and rebuilding, resurfacing, replacement and improvement is not an error or omission and should not be interpreted/included as a Cell Work. 2. Further to the above, we note that the developer balances of \$144,409 pointed out in the 2019 review are not included in the 2020 review. As we understand it, the City is investigating these matters and will provide a further report to Council in early 2021. However, the Report does not state whether this figure is included or omitted from the 2020 review calculations. 3. We note that expenditure to date in 2020 is \$1,003,412 greater than in 2019. According to the Income and Expenditure Summary Table, this is attributed to: <ul style="list-style-type: none"> • The proposed municipal recoupment of \$127,105, which we do not accept; • An additional \$555,124 in district distributor road costs between June 2019 and June 2020, without any explanation or detail; and an additional \$321,183 in administration costs between June 2019 and June 2020, without any explanation or detail. 4. There is a claimed \$4,598,291 in expenditure remaining for district distributor roads, which relates to an approximate 800m length of Dundobar Road (shown on the plan included at Attachment 4 to the Council Report). This equates to an approximate average construction costs of \$5.75 million/km, which is considered excessive for a road that already exists. Further details, including engineering designs and cost estimates must be provided for our analysis to justify these costs. 5. This description is unacceptably vague and does not allow any interrogation of the location, timing, specificity, or cost of this item. Further, it is unclear how this differs from the previous transactional audit, which identified a \$104,908 recoupment for a similar infrastructure item described as "Dundobar Road reconstruction cost" in the DCP review report to Council on 4 June 2019? 6. It is unclear why expenditure to date on administration costs has increased by \$321,182 in one year, from \$364,274 to \$685,547, while expenditure remaining on administration costs has only reduced by \$147 despite one less year remaining over the estimated 	<ol style="list-style-type: none"> 1. The provisions of DPS 2 are drafted sufficiently broadly to provide for the inclusion of all pathways greater than 2.1 metres wide (previously only 2.1 metre Dual Use Paths were included), including 3.0 metre wide Principle Shared Use Paths. Administration has applied a proper interpretation to the definition of Cell Works. Schedule 6 of DPS 2 refers to the term 'structures' as including dual use paths. Previously the City had applied a narrow meaning to dual use paths only included to 2.1metre dual use pathways along one side of the road. Contemporary engineer definitions suggest that dual use paths may be considered 'any' pathways that serves a dual purpose (walking, cycling etc), including 3.0 metre wide Principle Shared Use Paths, which were not previously included. Administration is recommending that any Cell Works associated with rebuilding, resurfacing, replacement and improvement be excluded from the definition of Cell Works. Further, it recommended that consideration be given to improving the provisions of DPS 2 to provide clarity and resolve these inconsistencies through an amendment to DPS 2. Refer Details section of this report. 2. The amount defined in the 2019-2020 annual review involves various developer balances within each cell that requires appropriate actions to be agreed by Council. The City included financial adjustments to reflect the developer balances in the annual review calculations. 3. The municipal recoupment relates to the Internal Transactional Review findings and is required to be recalculated to exclude rebuilding, resurfacing, replacement and improvement (as per response 1 above). The additional DDR expenditure relates to environmental offset management costs. The administration costs include the developer balances and reflect the actual administration costs. 4. The Dundobar Road cost estimates are based on a preliminary design detail and utilises probable costs identified in the City's Infrastructure Audit. The City has scheduled the detailed design for Dundobar Road to occur in the 2021/22 financial year, which will provide greater certainty for the estimated costs. Administration will obtain external cost estimates to update the Infrastructure Audit estimates in the next annual review to ensure the estimates are reasonable and appropriate. The probable costs include road construction costs and a 30% contingency was required due to the lack of detailed design. The contingency amount can be reduced when detailed plan are available. 5. The \$104,908 recoupment in 2019/20 Annual Review relates to the undercharging of construction costs of Dundobar Road, which was initially constructed in the years of 2000 to 2001. The undercharging relates to the scope of works agreed by Council in the first internal transactional review in December 2019. Administration has provided additional information on the specific project expenditures to the submitters and a further breakdown of costs where requested. 6. The reason for the increase to \$685,547 is the City processed the developer balances, which increased the admin costs by \$245,382.69. This item will become an expenditure once the balances are finalised. The admin costs estimate has increased from \$40k per year to
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		<p>life of the DCP. According to these figures, the DCP's total budget for administration costs has increased significantly from \$644,274 to \$965,310. The City has not provided any explanation or cost breakdown, or confirmation of assumptions relied upon by the City in arriving at this amount. This information must be provided to allow an independent and transparent review of the stated costs.</p> <p>7. If we divide the current total of all past and remaining Cell2 expenditure (including the disputed second transactional recoupment) by our calculated lot yield of 3,690 then the average actual ICPL rate needed to deliver all Cell Works over the life of the DCP would be \$12,316 per lot, which is \$13,160/lot lower than the City's proposed contribution rate. If this reduced ICPL rate were applied, the City would still need to return an estimated \$76 million to past contributors at closure of the DCP. The estimated yield of 9 lots/ha nominated in DPS 2, which means significantly higher lot yields will be received.</p> <p>8. Transactional review and expenditure for the 2020 annual review does not display the 2019 transactional audit findings as a separate line item in the expenditure to date section of the Cell 9 - Income and Expenditure Summary Table. Therefore, it is unclear how the 2020 annual review reflects the \$527,728 in "Transactional Audit Adjustments" from 2019.</p> <p>9. According to the 2020 Council Report, the City has collected \$71,802,923 in contributions and interest to date, representing an additional \$3,801,487 in contributions and interest compared to the same amount reported to Council in December 2019. We have calculated that the City currently holds approximately \$17,252,874 in funds, based on the published DCP income to date less expenditure to date. However, given we dispute the proposed municipal recoupment, we believe the funds held in the Cell 9 account to be in the order of \$19,039,825.</p> <p>10. Refund - We have calculated that approximately \$19 million is currently held in the Cell 9 account (on the basis that the proposed municipal recoupment is abandoned), while the City has estimated remaining expenditure of \$25,128,045 and future income of \$11,499,648. This will result in a net surplus of \$5.4 million at full development. That said, because the City has control over the timing of remaining expenditure and that expenditure will be offset by additional contribution income, we recommend that the City issues an interim refund to past contributing landowners to recognise their previous excess payments. As a minimum, this refund amount could be the same value as the disputed municipal recoupment (\$1.8 million) without increasing future expenditure, given the City has sought to claim that amount as past expenditure since the 2019 review.</p>	<p>\$46,642 as previously the costs were coming in higher than estimated – the auditors asked us to prepare estimates based on what is actually spent.</p> <p>7. DPS2 provides a fixed rate of 9 Lots Per Hectare for estimating remaining lot yields. The City has previously acknowledged that higher densities may result in some cells generating excess funds. The City is considering appropriate options to address potential excess funds, including the implications of SPP3.6 and potential amendments to DPS2 to normalize the provisions. Currently, DPS2 does not require the excess funds to be returned until all the land in a cell has been developed. Refer to the Comments section of this report.</p> <p>8. The transactional review is processed in the end of year financials. The expenditure is reflected in the expenditure and interest values. The amounts depicted in the Internal Review relate to a reapportionment of costs associated with Traffic Lights/signals (\$92k), Environmental Offset Costs (\$280k) and interest adjustments of \$155k.</p> <p>9. Noted - The City publishes the audited Income and Expenditure Statements for each Cell on its website. There will be an adjustment to the municipal recoupment to exclude the rebuilding, resurfacing, replacement and improvement of Cell Works if agreed by Council. The Internal Transactional Review adjustments will be reviewed, audited and actioned into the 2020-2021 financial period.</p> <p>10. The provisions of DPS 2 currently refer to excess funds being returned when all the land in the Cell has been developed. The recently gazetted SPP 3.6 refers to a potential reconciling of DCP accounts, however this process is not well defined or contemplated in DPS 2 and will require consideration through an amendment to DPS 2. Administration is recommending that a further report be prepared to consider aligning various requirements in SPP 3.6 to DPS 2, including reconciling excess funds.</p>
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6	LK Advisory	-	<ol style="list-style-type: none"> 1. KPM has developed a large portion of Cell 7 and despite paying significant contributions over 5 years ago there is still no certainty regarding the finalisation of the Gngangara Road upgrade/realignment. The relevant cell accounts hold adequate funds to complete the project. 2. Objection to a new interpretation of Cell Works and reimbursing \$130k from the Cell 7 account and are concerned that past maintenance contradicts SPP 3.6 and not in keeping with the intended application of Cell Works under DPS2 and can only be given effect via an amendment to DPS2. 3. Why expenditure item \$528,500 refers to POS land acquisition and historic credits when the cost was not included in the 2019 review. 4. Why have administration cost increased by almost \$100k since the last review, remaining administration costs increased by \$120k since the last review and remaining DDR construction increased by more than \$250k. 5. No additional contributions, so assuming the \$77k refers to interest. However, the 2020 review excludes balances pre 2007/2008 therefore; income has only increased by \$50,441. We understand that Council is investigating this matter and request the balances be addressed in the next Council meeting. 6. Please provide the balance of the Cell 7 DCP account and recommend that Council public balances or its cash-backed reserves monthly as do many other Local Governments. 	<ol style="list-style-type: none"> 1. The East Wanneroo Cells have completed funding for numerous road construction projects, including the acquisition and construction of Pinjar Road, Ocean Reef Road, Lenore/Hartman Road, Mirrabooka Avenue and Hepburn Avenue. The remaining major projects include Dundobar Road (between Civic Drive and Griffith Road) and Gngangara Road (between Wanneroo and Mirrabooka Avenue), which require finalisation of the detailed design and remaining land acquisition. The prioritisation of these remaining Cell Works is supported and necessary to finalise the outstanding works for the affected Cells. The City has recently engaged a traffic and engineering consultant (SMEC) to investigate the needs and feasibility for Gngangara Road with consideration for projected traffic demand. Both MRWA and DPLH were consulted and the report will inform the possible options and the City will continue to liaise and consult with MRWA and DPLH throughout the process to prioritise this remaining Cell Work. 2. Administration is recommending that any Cell Works associated with rebuilding, resurfacing, replacement and improvement be excluded from the definition of Cell Works. Further, it recommended that consideration be given to improving the provisions of DPS 2 to provide clarity and resolve these inconsistencies through an amendment to DPS 2. 3. The cost was included in 2019 annual review in the total of \$4,878,363 (District Distributor Road, plus admin costs totalled \$4,349,863) difference \$528,500. 4. The salary recoupment being processed 30th June 2019, which covers the full year, however the 2019 annual review was only until 31st March 2019 so did not include this amount. The 2020 Annual review was until 30th June 2020 so included the salary recoupment for both years. This will not occur in any future review, as it is intended that all Cell be reviewed at the same time and for the period of 1st July to 30th June. The expected operational period of the DCP (and estimated delivery of Gngangara Road) added an additional 2 years to the life of the DCP. The original estimates were based on \$40k per year. Estimates have been revised based on actuals to \$46k (total \$120k). The breakdown of the annual administration estimated cost is salaries (\$37.4k), audit fees (\$7.8k), valuations (\$1.2k) and advertising (\$200). The costs for the DDR works have increased due to Gngangara Road– Increase in estimated costs of \$85k (escalation) and new shared pathway to Gngangara Rd - \$222,500 (New Project). 5. The Developer balances were included in the total. The amount of \$77,700 mentioned includes interest and the developer balances. The actions associated with the various developer balances will be reported to Council in due course and may therefore change. Also refer Comments section of this report. 6. Refer to the income statements available on the City's website, which details the balance of the annual review as at 30th June 2020 - \$2,504,033
7	Peter Rowles	7	<ol style="list-style-type: none"> 1. Whilst we do not object to your proposed change to the contribution costs, we do have serious concerns about the time it is taking to construct critical infrastructure that will allow us to construct a building and or sell our land. 	<ol style="list-style-type: none"> 1. The most significant remaining cell work for Cell 7 relates to the Gngangara Road realignment. The City is progressing towards detailed design and is required to finalise several major land acquisitions. This project also requires land acquisition by the state for the intersection of Wanneroo Road and Gngangara Road to enable the cell works to be completed. The City will continue to liaise and consult with MRWA and DPLH throughout the process to prioritise this remaining Cell Work.

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8	Benara Nurseries (Quito Pty Ltd)	2	<p>1. We do not object in principle to the types of work indicated but wish to receive confirmation that it is just the initial activity cost and not secondary or ongoing rebuilding, resurfacing, replacement, improvement, repair or removal cost of works within a relevant cell.</p> <p>2. The methodology of using contribution per lot as a means of cost recovery provided within DPS 2 is vitally important in both equity and fairness that a consistent method of calculating contributions, however in continuing to use the rigid formula of 9 lots per hectare would arrive at an over collection of contributions. Clearly, this is an issue that needs to be addressed as part of this current review because unnecessary substantial developer over-contributions levied at this time greatly increases the cost base of lots produced, which in turn is passed on to purchasers by way of higher land prices. The opportunity to recover these overpayments many years later is disregarded when pricing lots at an affordable level now.</p>	<p>1. Administration is recommending that any Cell Works associated with rebuilding, resurfacing, replacement and improvement be excluded from the definition of Cell Works. Further, it recommended that consideration be given to improving the provisions of DPS 2 to provide clarity and resolve these inconsistencies through an amendment to DPS 2.</p> <p>2. DPS2 provides a fixed rate of 9 Lots Per Hectare for estimating remaining lot yields. The City has previously acknowledged that higher densities may result in some cells generating excess funds. The City is considering appropriate options to address potential excess funds, including the implications of SPP3.6 and potential amendments to DPS2 to normalize the provisions. Currently, DPS2 does not require the excess funds to be returned until all the land in a cell has been developed. Refer to the Comments section of this report.</p>
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Department of **Planning,
Lands and Heritage**

Your ref: 21/106301
Our ref: TPS/2635

Mr Mark Dickson
Director Planning and Sustainability
City of Wanneroo
Locked Bag 1
WANNEROO WA 6946

Dear Mr Dickson

CITY OF WANNEROO – ADMINISTRATION OF DEVELOPER CONTRIBUTION ARRANGEMENTS

Thank you for your letter of 16 March 2021, advising the City of Wanneroo's position in response to key issues raised by Cedar Woods regarding the City's management of development contribution arrangements in East Wanneroo.

State Planning Policy 3.6 (SPP 3.6) sets out the principles underlying development contributions and the form, content and process for the preparation and administration of a Development Contribution Plan (DCP) under a Local Planning Scheme.

While the Western Australian Planning Commission (WAPC) assesses and provides a recommendation to the Minister in the making of a new DCP and the amendment of an area or plan, the ongoing administration and review of an existing DCP is a matter for local government. The City should seek independent legal advice regarding any specific questions about the administration of an existing DCP forming part of its Local Planning Scheme.

However, it is understood that the administration and recent review of development contribution arrangements for East Wanneroo has raised the question of whether the repair, removal, rebuilding, resurfacing, replacement or improvement of cell works, first paid for and delivered by the DCP, are included within the scope of 'cell works' funded by the DCP.

SPP 3.6 and Draft SPP 3.6 include provisions specifically requiring that contributions be sought for 'initial capital requirements only and not for ongoing maintenance or operating costs'. Further, given the recommended maximum period of a DCP is five to ten years, the replacement of DCP works within the life of the funding DCP is considered contrary to the intent and principles of SPP 3.6, and would generally not be supported.

Postal address: Locked Bag 2506 Perth WA 6001 Street address: 140 William Street Perth WA 6000
Tel: (08) 6551 8002 info@dplh.wa.gov.au www.dplh.wa.gov.au
ABN 68 565 723 484
wa.gov.au

Regarding the return of excess funds under a DCP, please be advised that dispute resolution procedures are currently being progressed via proposed amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015*. The amendments will specify requirements for making and assessing an application for the refund of credits and will introduce improved mechanisms for independent review of those decisions.

Thank you for making contact on this matter. Should you have any queries or concerns regarding the above, please do not hesitate to contact Rohan Miller, Director Schemes, Amendments and Administration, at rohan.miller@dplh.wa.gov.au or on 0472 838 640.

Yours sincerely



David Caddy
Chairman
Western Australian Planning Commission

1 April 2021

e udia@udiawa.com.au
 t 08 9215 3400
 f 08 9381 5968
 Urban Development Institute of Australia (Western Australia)
 Unit 26, Level 1, 3 Wexford Street Subiaco WA 6008
 w www.udiawa.com.au
 abn 632 211 689 44



13th April 2021

Emille Van Heyningen
 Manager Strategic Land Use Planning & Environment
 City of Wanneroo

Via email: Emille.VanHeyningen@wanneroo.wa.gov.au

Dear Mr Van Heyningen,

East Wanneroo Cells 1-9 Developer Contribution Arrangements - Annual Review of Costs (2020-2021)

Thank you for the opportunity to provide feedback in relation to the above *Review of Costs*. The Urban Development Institute of Australia WA (UDIA WA) is the peak body representing the property development industry in Western Australia. UDIA is a membership organisation with members drawn from the residential, commercial and industrial property development sectors. UDIA members include both private and public sector organisations. Our industry represents approximately 9.3% of Western Australia's Gross State Product, contributing \$28.2 billion annually to the Western Australian economy and \$267.6 billion nationally. As well as helping to create sustainable and liveable communities, the industry employs a total of 205,100 Western Australians and 2.035 million Australians across the country.

Comment

UDIA commends Wanneroo for seeking to ensure transparency in reporting relating to Development Contributions Schemes and inviting comment regarding the Annual Review of Costs (2020-2021) for East Wanneroo Cells 1-9.

Broadening of the Scope of Cell Works

UDIA is concerned and does not support the Review's broadening of the scope of Cell Works that should be charged to the DCP's including the 'rebuilding, replacement or upgrading of relevant roads'. The City has not provided any evidence to verify that DCP funding can be used for the rebuilding, replacement or upgrading of the relevant roads, even if the original works were initially funded by the DCP.

This is contrary to the current SPP3.6 Development Contributions for Infrastructure which states that *"contributions are for the initial capital requirements only and not for ongoing maintenance and/or operating costs of the infrastructure."* Similarly, the draft SPP3.6 Infrastructure Contributions also states that *"contributions are for the initial capital requirements only and not for ongoing maintenance or operating costs of the infrastructure, beyond that required of developers through the subdivision and development process."*

e udia@udiawa.com.au
t 08 9215 3400
f 08 9381 5968
Urban Development Institute of Australia (Western Australia)
Unit 26, Level 1, 3 Wexford Street Subiaco WA 6008
w www.udiaawa.com.au
abn 632 211 689 44



Lack of transparency and justification for reimbursement

UDIA is also concerned by the lack of transparency regarding the \$3.8 million the City is seeking to reimburse itself, without providing details of the specific cell works, projects, costs, and when these costs were incurred. As such, UDIA does not support this reimbursement without a public and fully transparent, independent verification of the appropriacy of the transfer of these funds.

Should you require any assistance or further information regarding this submission UDIA WA would be delighted to assist, and invite you to please contact Christopher Green, Director Policy and Research, at cgreen@udiawa.com.au or 9215 3400.

Yours sincerely

Tanya Steinbeck
Chief Executive Officer

Approval Services

4.4 Review of Local Planning Policy 4.6: Signs

File Ref:	4093 – 21/196862
Responsible Officer:	Director Planning and Sustainability
Disclosure of Interest:	Nil
Attachments:	7

Issue

To consider amending Local Planning Policy 4.6: Signs.

Background

Administration commenced a review in 2018 of Local Planning Policy 4.6: Signs (LPP 4.6). As part of the review Administration has investigated provisions relating to both digital and third party advertising signage within LPP 4.6.

The purpose of this report is to outline the modifications Administration has made to LPP 4.6, and for Council to adopt the draft policy for the purpose of advertising.

Detail

The current LPP 4.6 is considered to generally operate effectively with a format and structure that allows for signs to be easily assessed, whilst also offering exemptions for a number of small scale signage. This avoids unnecessary and onerous approval requirements for businesses and an administrative burden on the City. Most of the existing provisions within LPP 4.6 have been retained, however they have either been reordered within the policy or subject to minor wording modifications.

In addition, provisions related to digital and third party advertising signage have been prepared and implemented within Part 2 of LPP 4.6. Third party signage refers to the use of a signage structure to provide commercial advertising space that does not relate to the site in which it is located. This could include a roadside billboard or advertising space on the side of a building. Where a digital device is used the information displayed typically changes at regular intervals.

An unmarked copy of the current version of LPP 4.6 has been included as **Attachment 1**, and a marked up copy included as **Attachment 2**. The mark ups illustrated in **Attachment 2** only reflect the proposed wording modifications to LPP 4.6 and not the formatting changes or inclusion of new provisions for ease of reference.

A copy of draft LPP 4.6 proposed for advertising is included as **Attachment 3**.

Consultation

The advertising requirements for amending LPP 4.6 follow the same procedures as those outlined in Part 2 Division 2 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions) related to the procedure for making a new planning policy. Advertising will therefore be undertaken by way of the following:

- Notification in the Wanneroo Times; and
- Publishing draft LPP 4.6 on the City's website and making it available for viewing at the City's Civic Centre.

Following advertising, a summary of any submissions received and Administration's response to those submissions will be included in a report to Council to consider final adoption of LPP 4.6. Depending on the nature of any submissions received LPP 4.6 may proceed with or without modifications.

Comment

Updates to LPP 4.6

A number of changes have been made to LPP 4.6 to improve the legibility and format of the policy. Excluding the digital signage considerations that are discussed later in this report, the main modifications proposed are:

- Inclusion of graphics to provide a visual representation of the various 'sign types' within LPP 4.6. This is intended to make it easier for applicants and Administration to determine what sign type is most applicable to an application;
- Reordering LPP 4.6 so that the provisions that are 'general' in nature and apply to all proposals are contained at the front of the document. Currently some general standards are located at the front of the policy and others at the rear, which can result in provisions potentially being overlooked;
- Introduction of a new sign type to address Variable Messaging Signs (VMS) on private property. The proposed provision does not support the placement of a VMS within 20 metres of a lot boundary due to the potential traffic safety issues they can present. In addition, they typically detract from the amenity of an area given they are trailer mounted and do not integrate with surrounding development. Planning approval would be required for a VMS to be placed within 20 metres of a road frontage allowing Administration to consider these factors; and
- A definition of an 'Advertising Sign' has been included to clarify that LPP 4.6 only applies to advertising signage, and does not apply to other forms of signage such as traffic management signs, street signs or public information signs (these are dealt with under separate policies, such as the City's Public Guidance Signage in Road Reserves Policy or exempt from approval requirements as public works).

A comprehensive list of the opportunities identified through the policy review process and the subsequent modifications made has been included as **Attachment 4**.

The above changes are considered minor updates that reflect current standards, whilst also improving the legibility of LPP 4.6 for customers and the City's assessing Officers.

Digital Signage Provisions

LPP 4.6 has been updated to include provisions related to digital signage that are aligned with feedback provided by Council Members, and previous approvals issued by Administration (e.g. digital Pylon Signs at school establishments). The provisions have been designed to ensure that digital advertising is implemented throughout the City in a controlled manner to avoid an unintended and uncontrolled proliferation of digital signage, noting that the provisions can be reviewed by Administration any point required by Council and amended if deemed appropriate. All digital signage proposals will typically require development approval unless specifically exempt within the policy, which is discussed in further detail later in this report.

Draft LPP 4.6 allows for the consideration of digital signage in the following circumstances:

1. *Pylon Signs and Wall Signs associated with schools, tates or colleges, outdoor recreation (e.g. golf course), places of worship and tourist locations.*

Administration Comment

Digital signs associated with schools, outdoor recreation (e.g. golf course), places of worship and tourist destinations are considered to be generally acceptable, do not detract from the streetscape and can provide an important community function. Given the scale and nature of these uses and the large population catchment of their customers, students or visitors, digital signage for these activities will not result in a proliferation of digital advertising throughout the City.

In addition, uses such as schools and places of worship typically display messages of community benefit, such as upcoming events. The implementation of digital signage can therefore assist in displaying such information in a clear and timely manner. Whilst tourist and recreational uses are less likely to display community messaging, they will also benefit from the ability to display information associated with the particular business or location.

'Tourist Locations' have been included within LPP 4.6 to support sites of strategic significance to the City from a tourism perspective, which may benefit from the ability to advertise via a digital platform. A definition of what constitutes a Tourist Location has been included within LPP 4.6 for clarity and will be at the discretion of the City.

2. *On Commercial zoned land identified as a Neighbourhood Centre or above under DPS 2 or an applicable structure plan, or Business zoned land within an Integrated Business Centre, limited to the following:*

- i. One Pylon Sign per street frontage;*
- ii. One Wall Sign per street frontage; and*
- iii. One Window Sign per tenancy.*

Administration Comment

Digital signage on Commercial zoned land has been proposed to apply to Neighbourhood Centres and above in size. The 'centre hierarchy' is in accordance with *State Planning Policy 4.2: Activity Centres for Perth and Peel*. Local Centres are considered to be of a size and scale that do not require digital advertising signage as they are designed to cater for the local community where residents are familiar with the goods and services on offer. Further, they are typically located in built up suburban areas surrounded by residential development, with the inclusion of digital signage likely to detract from the character and amenity of an area.

Neighbourhood Centres and above are of a size and scale where the inclusion of digital signage may be compatible with the Centre's built form and character. This also supports the consideration of proposals such as the digital 'Wall Sign' at the Ashby Neighbourhood Centre that Council approved on 30 June 2020, plans of which are included as **Attachment 5** for reference.

Draft LPP 4.6 allows for digital signage proposed on Business zoned land to be considered when it forms part of an 'Integrated Business zone'. This is a definition that has been developed for LPP 4.6 and reflects a continuous area of Business zoned land that exceeds 10,000m². Business zoned land does not form part of a 'centre hierarchy' like Commercial zoned land, with some individual lots within the City subject to a Business zoning. For example, there are multiple individual lots within the Wangara Industrial Area that are zoned Business, as outlined in **Attachment 6**. These lots are not considered appropriate or necessary locations for digital signage.

As such, LPP 4.6 has limited digital signage to an 'Integrated Business zone'. Similar to the considerations for Commercial zoned land, areas of Business zoned land greater than 10,000m² are of a size and scale that are appropriate for the consideration of digital signage, for the same reasons as those previously discussed.

As currently presented, draft LPP 4.6 limits digital signage in Commercial and Business zones to one Wall Sign and one Pylon Sign per 'Centre' or 'Integrated zone'. This is considered to be a balanced set of criteria that reflects the early implementation of digital signage provisions within LPP 4.6. If the policy were to allow every tenancy to support digital signage it could, overtime, lead to an uncontrolled proliferation or ad-hoc implementation of digital advertising that may detract from the emerging or established character of an area. LPP 4.6 does permit each individual tenancy to have its own Window Sign.

These provisions do not permit the display of third party content, which ensures that all advertising relates to the site in which it is located. The consideration of third party signage in specific locations is addressed separately within the policy and covered in this report below.

Third Party Digital Signage

In addition to the above, LPP 4.6 has been updated to allow for the consideration of third party digital signage within 'Activity Centres' and along 'Regional Transport Corridors'. As previously noted, third party signage refers to the use of a signage structure to provide commercial advertising space that is not related to the site in which the sign is located. LPP 4.6 addresses the following:

Activity Centres

The application of the policy within Activity Centres is proposed to be limited to Strategic, Secondary and District Centres. These are the larger destination based activity nodes that people often visit for extended periods to access a wide range of services. As such, appropriately designed third party digital signage could be compatible with, and contribute to the vibrancy of these large Centres. Whilst many of these Centres are still developing within the City, upon maturity they will have a built form and function that supports pedestrian oriented spaces and high levels of foot traffic. In this type of environment high quality third party digital signage, if appropriately integrated with the built form, can offer a level of visual interest that complements the activated and commercial nature of the area.

To ensure third party digital signage is located appropriately within these higher order Centres, provisions have been included to guide the placement and design of third party advertising structures. This includes being centrally located, integrated with the built form and focused on a pedestrianised area. This reflects the intent of third party digital signage in these spaces, which is to complement existing development and contribute to a Centre's vibrancy, and is not designed to be directed at passing motorists.

Regional Transport Corridors

Third party digital signage along Regional Transport Corridors is proposed to be limited to Primary and Other Regional Roads, such as Wanneroo Road, Marmion Avenue and Ocean Reef Road. Lower order road networks are not considered suitable locations as they are typically adjacent to residential areas and could result in a proliferation of third party advertising signs. The enabling provisions would allow for the consideration of large third party digital billboards, such as a proposal received by the City in June 2019 on the corner of Ocean Reef Road and Fortitude Boulevard. For reference, the plans of this proposal are included as **Attachment 7**.

LPP 4.6 does not explicitly outline where a third party billboard would be acceptable, but has instead included the main criteria that would need to be satisfied for a proposal to be

considered appropriate. This includes not being visible from any sensitive land uses (e.g. residential housing) or areas of public open space, given the likely impacts on amenity. Further, the proposal must not detract from the character of a locality and will require support from the managing authority of the road (typically Main Roads or the City). All digital signage applications will also be required to demonstrate they meet road safety requirements, given the purpose of these signs is to attract the attention of passing motorists.

Assessment Considerations

LPP 4.6 also includes 'Assessment Considerations' relevant to digital signage proposals to provide further guidance on the location and assessment of digital advertising signs.

This includes digital signage within a Commercial or Business zone being located and designed for reciprocal use by all tenancies. This is to encourage the design of digital signage to benefit a Centre as a whole and ensure it is appropriately integrated with the built form, similar to the digital Wall Sign approved at the Ashby Neighbourhood Centre (refer **Attachment 5**).

The Assessment Considerations also require applicants to provide information on the maximum level of luminance that is being proposed. Administration initially contemplated including a maximum acceptable level of luminance within LPP 4.6, however, upon further investigation this was not considered appropriate as this will be influenced by a number of site specific considerations (e.g. proximity to sensitive land uses, visibility from adjoining road reserves, size of the signage etc.) Therefore, the policy has acknowledged the need for an applicant to provide information on the proposed luminance, which will be considered by Administration as part of the assessment process.

The need to provide information relating to road safety has also been included, which is discussed separately in further detail below.

Exemptions

Draft LPP 4.6 includes planning exemptions for both static and digital signage. The digital signage exemptions are limited given the difficulties presented in developing deemed to comply criteria without introducing a risk of signage proliferation or traffic safety concerns, noting that digital signage is far more prominent and visible than a static sign.

However, the policy does include exemptions for digital Pylon Signs associated with school establishments and Window Signs within a Commercial or Business zone. This exemption is subject to the signage being located on a Local Distributor road or lower, on the advice of the City's Traffic Services. These types of signs are considered to represent an acceptable level of development and do not present a risk of unnecessary signage proliferation or traffic safety.

LPP 4.6 already includes exemptions for static advertising signage where the proposal satisfies the relevant signage type criteria. Further, works to change the content of a signage panel previously approved by the City are also exempt from requiring further development approval, as outlined in Part 1 of LPP 4.6.

At the time of writing this report only 18 standalone signage applications had been submitted to the City this financial year (from 1 July 2020), which included the following:

- Three applications for Illuminated Street Signs submitted by the City that require approval under the Metropolitan Region Scheme (MRS) and cannot be exempt through LPP 4.6;
- One Metronet signage application submitted by NewWest Alliance and one digital signage application for a Pylon Sign at a public school. These applications required determination by the Department of Planning, Lands and Heritage and Department of

- Education respectively, as they are considered public works and cannot be exempt through LPP 4.6; and
- Three applications for estate signage throughout the City, which require development applications to control proliferation and the installation of signage on City managed land.

A number of the other signage applications received related to the rebranding of commercial developments with numerous signs, and typically proposed multiple advertising formats.

As such, the City currently receives a limited number of planning applications that relate specifically to advertising signs. Usually, signage will either form part of a broader development application seeking approval for the use of the land (e.g. for a Showroom or Shop), or is already exempt if the signage is contained within a previously approved signage panel. The applications made by the City and NewWest Alliance are a result of approval processes that are required under the MRS and *Planning and Development Act 2005*, which cannot be exempt through LPP 4.6.

It is also noted that only one digital advertising signage application (Pylon Sign at a public school) has been received since 1 July 2020, and as the proposal was classed as public works LPP 4.6 was not applicable.

Traffic

An objective of LPP 4.6 is to '*achieve advertising signs that are not misleading or dangerous to vehicular or pedestrian traffic*'. Therefore, all signage whether digital or static must be acceptable from a road safety perspective, irrespective of a signs compliance with the design standards of LPP 4.6 (i.e. size, dimensions etc.). Notwithstanding the policy objectives, it is not deemed appropriate to include traffic safety assessment provisions within LPP 4.6, as this is a separate consideration that is reviewed by the City's Traffic Services.

Traffic Services has advised that they currently consider digital advertising signage against Main Roads' Advertising Signs Policy. Main Roads Policy was originally developed for application against Main Roads own network (e.g. Mitchell Freeway, Tonkin Highway, Wanneroo Road). However, as a more modern form of advertising with limited assessment controls, Main Roads Policy has been adopted as the most suitable assessment tool for digital signage proposals.

LPP 4.6 has included within the 'Assessment Considerations' section that digital signage applications may be required to demonstrate they are safe from a road safety perspective, and encourages applicants to contact the City prior to lodgement. This is considered to be the most measured approach given there are a number of factors that determine if a digital sign may contribute to a potential road safety issue, including the location and size of a sign, hierarchy of the road, proximity to an intersection, proposed luminance and the frequency at which the advertising content is proposed to change.

As such, Administration is unable to outline in Policy form when a traffic assessment should or should not be required. This will be determined on a case by case basis on the advice of Traffic Services. This also acknowledges that a number of smaller scale digital signs (e.g. window signs, school signs) are unlikely to require a traffic report in support of the proposal.

Conclusion

Administration acknowledges that signage is an evolving matter with varying levels of acceptance within the community, and can be contentious. Draft LPP 4.6 is therefore considered to represent a balanced and considered approach to dealing with the application of digital technology. All other changes proposed are considered minor modifications that improve the format and legibility of the policy.

Statutory Compliance

The review of LPP 4.6 has been prepared in accordance with Division 2 – Local Planning Policies of the Deemed Provisions which outlines the procedures for how a local government may amend a local planning policy.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“3 *Environment (Built)*

3.4 *Activated Places*

3.4.3 *Enhance distinctive built form and spaces based on identity of areas”*

Risk Management Considerations

Risk Title	Risk Rating
CO-C01 Compliance Framework	Moderate
Accountability	Action Planning Option
Executive Manager Governance and Legal	Manage
Risk Title	Risk Rating
CO O01 Relationship Management	Moderate
Accountability	Action Planning Option
Director Corporate Strategy and Performance	Manage

The above risks relating to the issues contained within this report have been identified and considered within the City's Corporate risk register. Action plans have been developed to manage this risk to support existing management systems.

Policy Implications

The review of LPP 4.6 has been undertaken by Administration to ensure that the City achieves its strategic goals and by conforming to current statutory and legislative provisions through the use of local planning policies.

Financial Implications

The inclusion of additional exemptions for digital signage within LPP 4.6 will have a negligible financial implication. As discussed in the body of the report, this financial year (at the time of writing) the City had not received any digital signage applications that required consideration under LPP 4.6 or the payment of a planning application fee.

Voting Requirements








Simple Majority

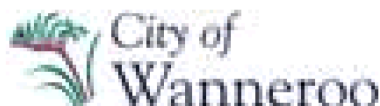
Recommendation

That Council:-

1. Pursuant to Division 2 – Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to ADOPT Draft Local Planning Policy 4.6: Advertising Signs, as contained in Attachment 3, for the purpose of advertising; and
2. ADVERTISES Local Planning Policy 4.6: Advertising Signs for a period of 42 days by way of the following:
 - a) Notification in the Wanneroo Times at the commencement of the advertising period; and
 - b) Publishing draft LPP 4.6 on the City's website and making it available for viewing at the City's Civic Centre.

Attachments:

1 	Attachment 1 - Unmarked Current LPP 4.6	21/147298
2 	Attachment 2 - Marked-up current LPP 4.6	21/147371
3 	Attachment 3 - Draft LPP 4.6 for Advertising	21/147382
4 	Attachment 4 - Summary of Modifications to LPP 4.6	21/150584
5 	Attachment 5 - Digital Wall Sign at Ashby Neighbourhood Centre	21/198035
6 	Attachment 6 - Business Zoned Land in Wangara	21/198042
7 	Attachment 7 - Digital Billboard Cnr Ocean Reef Road/Fortitude Boulevard	21/198054



Policy Manual

Signs Local Planning Policy

<i>Policy Owner</i>	Planning and Development Directorate
<i>Distribution:</i>	All Employees
<i>Implementation:</i>	26 April 2005 Council Meeting Item PD09-04/05
<i>Next Review Date:</i>	April 2007

Objectives

The key objective of this policy is to provide guidance on design and placement of the common forms of advertising signs within the City.

The policy has been prepared to support and be read in conjunction with the City's District Planning Scheme No. 2 and Signs Local Laws. In particular DPS2 contains the following objectives for the control of advertisements within the City:

1. To ensure that the visual quality and character of particular localities and transport corridors are not eroded;
2. To achieve advertising signs that are not misleading or dangerous to vehicular or pedestrian traffic;
3. To minimise the total area and impact of outdoor advertising commensurate with the realistic needs of commerce for such advertising;
4. To prohibit outdoor advertising which is considered to be superfluous or unnecessary by virtue of their number, colours, height, prominence, visual impact, size, content and relevance to the premises on which they are located;
5. To reduce and minimise clutter; and
6. To promote a high standard of design and presentation in outdoor advertising.

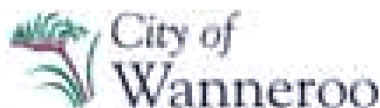
Statement

Area

This policy applies to the whole of the City of Wanneroo.

Design Requirements

The following design requirements relate to the range of signs commonly used with the City.



Policy Manual

Where words and expressions are used in this policy they shall have the respective meanings given to them in DPS2 and the City's Signs Local Law. Where a particular type of sign could fit within the definition of more than one sign type, the requirements for the more specific sign type shall apply.

The size of a sign is to be measured as the greatest horizontal dimension by the greatest vertical dimension, excluding any support structures.

In general advertising signs shall:

- not contain any offensive material;
- not be affixed to boundary fences or walls;
- not extend beyond the boundary of the lot on which they are situated, except as otherwise provided by this policy;
- bear relevance to the site on which they are located, except as otherwise provided for in this policy; and
- integrate with the building design, particularly through the provision of signage panels within the building facades, wherever possible.

On Building Signs

Wall Signs

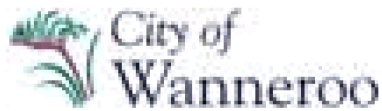
A Wall sign means a sign that is painted or affixed on the front, side or rear elevation of a building or structure but does not project more than 300mm out from the wall.

Wall signs shall:

- be limited to a maximum of one sign per tenancy, per street frontage;
- not extend laterally beyond either end of the wall or protrude above the top of the wall;
- not exceed 25% in aggregate area on any one wall to a maximum of 8m²; and
- be integrated with the building design.

A Wall sign, if located within a Residential zone and attached to a building used predominantly for non residential purposes, shall:

- be limited to a maximum of one sign per lot; and
- not exceed 1.2m² in area.



Policy Manual

A Wall sign, if located within a Residential zone and attached to a building used predominantly for residential purposes, shall:

- be limited to a maximum of one sign per lot; and
- not exceed 0.2m² in area.

Projecting Signs

A Projecting sign means a sign that projects 300mm or more from a wall of a building.

Projecting signs shall:

- be limited to a maximum of one per tenancy or one for every 40 metres of linear street frontage;
- not project more than 1.0m from the wall and not exceed 1.5m² in area;
- not be placed within 2.0 metres of either end of the wall to which they are attached; and
- not project above the top of the wall to which they are attached.

Verandah Signs

A Verandah sign means a sign affixed on or above a verandah fascia or under a verandah and includes signs affixed to cantilever awnings and balconies.

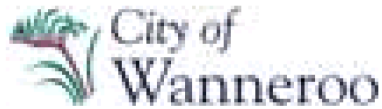
Signs on the underside of a verandah shall:

- not exceed 2.4 metres in length;
- not exceed 400mm in height;
- not be located within 1.0 metres of another such sign on the underside of the same verandah;
- be positioned at right angles to the building façade;
- be fixed to provide a clear headway under the sign of not less than 2.75 metres; and
- not project beyond the edges of the verandah.

Signs on the verandah fascia shall:

- not exceed 400mm in height;
- not project beyond the edges of the verandah.

Signs affixed to the top of a verandah fascia, cantilever awning and balconies are *not permitted* within the City given the potential negative impact on visual amenity.



Policy Manual

Window Signs

A Window sign means a sign which is fixed either to the interior or exterior of the glazed area of a window, any part of which is visible from outside the building.

A Window sign shall not cover more than 50% of the glazed area of any one window or exceed 10m² in aggregate per tenancy.

Roof Signs

A Roof sign means a sign located on a roof or protruding from the normal roof line of a building.

Roof signs are *generally not supported* within the City given the potential negative impact on visual amenity.

Inflatable Signs

An "*Inflatable sign*" means a sign that is painted, stencilled or attached to an inflated device, such as a balloon.

Inflatable signs shall not:

- Exceed 7.0 metres in diameter or 9.0 metres in height above roof height.
- Not be displayed for more than 14 days in aggregate for any one calendar year

Prior to erection of an inflatable sign the advertiser shall supply to the Council, a certificate from a structural engineer certifying that the connection of the inflatable object to the building or lot is of a structurally sound design.

Off Building Signs

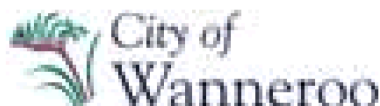
Banners

A "*Banner*" means any temporary sign in the form of a sign made of a light weight, non-rigid material, such as cloth, canvas or similar fabric that relates to the promotion of a specific event.

Banners shall:

- be displayed for up to one week prior to the promotional event or offer.
- be removed immediately following the promotional event or offer.
- not exceed dimensions of 1.0m and 3.0m.
- not be displayed for period of time greater than six (6) weeks.
- be restricted to promote no more than four (4) promotional events per year.

No more than one banner per site will be permitted.



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Portable Signs

A portable sign means an advertising sign that is not attached to a building or other structure and may be either portable or fixed in nature.

Portable Signs shall:

- not exceed one fixed sign per street frontage on any one lot and one portable sign per tenancy. Portable signs shall only be displayed during normal business hours of the business to which the sign relates;
- have a maximum vertical or horizontal dimension of 1.2 metres and an area of not more than 0.6m²;
- be located entirely on private property;
- be secured and stabilised; and
- be placed so that they do not obstruct pedestrian walkways, present a hazard to motorists or pedestrians or obstruct car parking bays.

Pylon Signs

A Pylon sign means a sign supported on one or more poles and not attached to a building and includes a detached sign framework, supported on one or more poles to which sign infills may be added.

Pylon signs shall:

- be limited to a maximum of one per street frontage or one for every 40 metres of linear street frontage;
- not exceed 6.0 metres in height;
- not exceed 2.5 metres measured horizontally across the face of the sign; and
- be located centrally within the lot and no closer than 3.0m to a side boundary.

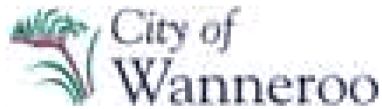
Individual pylon signs will not be supported for individual tenancies where multiple units exist or are proposed to exist on a lot. The pylon sign/s shall be designed to provide one infill panel for each unit on the lot and may be increased in height to 8 metres.

Rural Producers Sign

A Rural Producers sign means a sign erected on land lawfully used for rural purposes which advertises goods or products produced, grown or lawfully manufactured on the land within the boundaries of which the sign is located.

A Rural Producers sign shall:

- be limited to a maximum of one per street frontage of any lot;



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- not exceed 3m² in area or 3 metres in height; and
- show only the name and address of the occupier of the land, name of the property and only advertise goods or products produced, grown or lawfully manufactured upon the land.

Estate Development Signs

Entry Statements

An Entry Statement means a fence or wall constructed of masonry or other materials to identify the entrance of an estate and may include, but not be limited to, a sign indicating the estate name and locality, sculptures, flagpoles and flags.

Entry Statements shall be located entirely within private property.

Where an entry statement contains an estate name, it shall also include the approved locality name depicted in at least equal prominence.

The estate developer is to enter into an agreement with the City at the engineering approval stage, to ensure that the developer takes on all responsibility for all on going maintenance of the entry statement and that it is removed by the developer at a predetermined time linked to the completion of the sales at the estate, unless alternative arrangements are agreed to by the City.

Entry statements will only be considered in the context of an overall Signage Strategy.

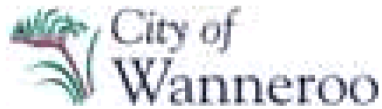
Estate Signs

An Estate sign means a sign erected on a lot within a subdivision or development estate, displaying information about the estate such as the estate name, the plan of subdivision or development, the estate features, sales and real estate agency contact details.

Estate signs shall:

- be located entirely within the estate to which they relate and may be located on public land within that estate;
- not exceed six metres by three metres, mounted on one or more support poles;
- be located at justified strategic points within the estate to avoid unnecessary proliferation of estate signs;
- where visible from the perimeter of the subdivision or development estate be limited to a maximum of two signs; and
- be removed within 30 days of 95% of the lots or buildings within the estate being sold.

Estate Signs will only be considered in the context of an overall Signage Strategy.



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In addition to the above requirements the Council may grant temporary approval (up to 12 months) for the erection of no more than one (1) off-site estate sign where it is satisfied that the proposed sign is necessary to assist in directing the public towards a removed subdivision or land development estate and provided that the sign:

- can be located entirely on private property, with the consent of the relevant landowner/s;
- is generally located within 1km of the land development estate or subdivision and is in close proximity to the nearest road intersection;
- avoids conflict or competition with other land development estates or subdivisions; and
- content is predominately for directional purposes.

Display Home Signs

A Display Home sign means a sign advertising a home or homes on display for public inspection.

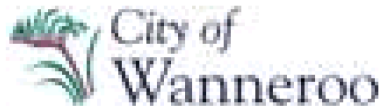
Display Home signs shall:

- be limited to one sign per display home;
- not exceed 6.0 metres in height or 2.5 metres measured horizontally across the face of the sign; and
- where located adjacent to a lot used for residential purposes, be located at least 3.0 metres from the boundary of the residential lot.
- not be illuminated; and
- be removed within 30 days of the closure of the display home centre.

In addition to the above, one Display Home Composite Sign may be permitted on public land adjacent to a display home centre, where multiple builders exist or are proposed to exist in the centre provided that the sign:

- does not exceed 6.0 metres in height or 2.5 metres measured horizontally across the face of the sign;
- is designed to provide one infill panel for each builder on the lot.
- only promotes the display home centre, its opening hours and the building companies represented within the centre; and
- The sign is removed within 30 days of the closure of the display home centre.

A display home composite sign will only be considered in the context of an overall Signage Strategy for the centre.



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Variation to Standards

It is the intention of this Policy that signs that comply with the standards herein will be exempt from the need to obtain planning approval, unless expressly stated that a Signage Strategy is required. Variations sought to the standards outlined above (design or number) or for signs not included within this Policy may be considered in the context of a Signage Strategy.

Signage Strategies

A Signage Strategy means an overall plan for the whole of the development site or area, showing the location, type, size and design of all existing and proposed signs, as well as the outline of any buildings, landscaping, car parking areas, vehicular access points etc.

A Signage Strategy will be required to be submitted on application for planning approval for:

- All new buildings where multiple tenancies are proposed;
- Signs for subdivision or development estates which propose more than ten lots;
- Signs for display homes, villages or centres;
- Signage where the total number of signs (existing and proposed) on the site exceeds a total of four.
- Involving a variation to the requirements of this policy;

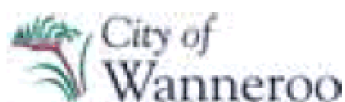
The strategy should explain and demonstrate the need for the extent and design of signs proposed, having regard to the objectives of this policy and should seek to integrate the signage with the building design, particularly through the provision of signage panels within the building facades. Recognising that specific uses may not be known at the planning approval stage, it is not necessary to include specific signage content in the signage strategy.

Once approved, all subsequent sign applications will be assessed against previously approved signage strategies. Modifications to the signage strategy to permit additional signage will be subject to a further approval and will need to be further justified.

Responsibility for Implementation

Manager Approval Services

Manager Planning Services



Policy Manual

Advertising Signs Local Planning Policy 4.6

Policy Owner Planning and Development Directorate

Distribution: All Employees

Implementation: 26 April 2005 Council Meeting Item PD09-04/05

Next Review Date: April 2007

Objectives

~~The key objective~~ *The purpose of this policy is to provide a framework for the guidance on design, and placement and assessment of advertising signs (signs) the common forms of within the City.*

~~This~~ policy has been prepared under Schedule 2, Part 2 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 and is to be to support and be read in conjunction with the City's of Wanneroo's (the City) District Planning Scheme No. 2 (DPS 2). ~~and Signs Local Laws. In particular DPS2 contains the following objectives for the control of advertisements within the City:~~

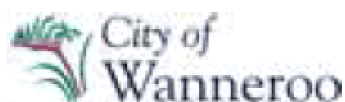
1. To ensure that the visual quality and character of particular localities and transport corridors are not eroded;
2. To achieve advertising signs that are not misleading or dangerous to vehicular or pedestrian traffic;
3. To minimise the total area and impact of outdoor advertising commensurate with the realistic needs of commerce for such advertising;
4. To prohibit outdoor advertising which is considered to be superfluous or unnecessary by virtue of their number, colours, height, prominence, visual impact, size, content and relevance to the premises on which they are located;
5. To reduce and minimise clutter; and
6. To promote a high standard of design and presentation in outdoor advertising.

Statement

Area

~~This policy applies to the whole of the City of Wanneroo.~~

Design Requirements General Development Standards



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The following design requirements relate to the range of signs commonly used with the City.

Where words and expressions are used in this policy they shall have the respective meanings given to them in DPS2 and the City's Signs Local Law. Where a particular type of A sign that fits could fit within the definition of more than one sign type shall be assessed against the criteria the City considers most applicable. the requirements for the more specific sign type shall apply.

The ~~size~~^{area} of a sign is to be measured as the greatest horizontal dimension multiplied by the greatest vertical dimension, excluding any support structures.

In general advertising signs shall:

- not contain any offensive material;
- not be affixed to boundary walls or fences or walls;
- not extend beyond the boundary of the lot on which they are situated, except as otherwise provided by this policy;
- bear relevance Relate to the site on which they are located, except as otherwise provided for in this policy; and
- integrate with the building design, particularly through the provision of signage panels within the building facades, wherever possible.

On Building Signs

Wall Sign

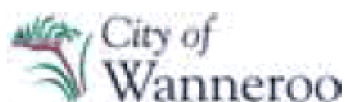
A ~~Wall sign means a~~ sign that is painted or affixed on the front, side or rear elevation of a building or structure, but does not project more than 300mm millimetres out from the wall.

Wall signs shall should:

- be limited to a maximum of one sign per tenancy, per street frontage;
- not extend laterally beyond either end of the wall or protrude above the top of the wall;
- not exceed 25% percent in aggregate area on any one wall to a maximum of 8m² square metres; and
- be integrated with the building design.

A For Wwall signs proposed on a if located within a 'Residential' zoned lot and attached to a building used predominantly for non residential purposes, shall the following applies:

- be limited to a maximum of one sign per lot; and
- not limited to exceed 1.2m² square metres in area.



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~~A Wall sign, if located within a Residential zone and attached to a building used predominantly for residential purposes, shall:~~

- ~~• be limited to a maximum of one sign per lot; and~~
- ~~• not exceed 0.2m² in area.~~

Projecting Signs

A ~~Projecting~~ sign ~~means a sign~~ that projects 300~~mm~~ millimetres or more from ~~a the~~ wall of a building.

Projecting signs ~~shall~~ should:

- be limited to a maximum of one per tenancy or one for every 40 metres of linear street frontage;
- not project more than 1.0~~m~~ metre from ~~the a~~ wall and not exceed 1.5~~m²~~ square metres in area;
- not be placed within 2.0 metres of either end of the wall to which they are attached; and
- not project above the top of the wall to which they are attached.

Verandah Signs

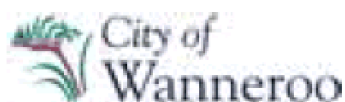
A ~~Verandah sign means a~~ sign affixed on or under above a verandah ~~fascia or under a verandah~~ and includes signs affixed to cantilever awnings and balconies.

Signs on the underside of a verandah ~~shall~~ should:

- not exceed 2.4 metres in length;
- not exceed 400~~mm~~ millimetres in height;
- not be located within 1.0 metres of another such sign on the underside of the same verandah;
- be positioned at right angles to the building facade;
- be fixed to provide a clear headway under the sign of not less than 2.75 metres, measured from floor level; and
- not project beyond the edges of the verandah.

Signs on the ~~verandah~~ fascia ~~shall~~ of a verandah should not:

- ~~not~~ exceed 400~~mm~~ millimetres in height;
- ~~not~~ project beyond the edges of the verandah.



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Signs affixed to the top of a verandah ~~fascia, cantilever awning and balconies~~ are generally not supported ~~not permitted within the City~~ given the potential negative impact on visual amenity.

Window Signs

A ~~Window sign means a~~ sign which is fixed either to the interior or exterior of the glazed area of a window, any part of which is visible from outside the building.

A Window sign ~~shall~~ should not cover more than 50% percent of the glazed area of any one window or exceed 10~~m~~² square metres in aggregate area per tenancy.

Roof Signs

A ~~Roof sign means~~ a sign located on a roof or protruding from the normal roof line of a building.

Roof signs are *generally not supported* ~~within the City~~ given the potential negative impact on visual amenity.

Inflatable Signs

An ~~"Inflatable sign" means a~~ sign that is painted, stencilled or attached to an inflated device, such as a balloon.

Inflatable signs ~~shall~~ should not:

- Exceed 7.0 metres in diameter or 9.0 metres in height ~~above roof height, and are permitted above roof height.~~
- ~~Not~~ be displayed for more than 14 days in aggregate for any one calendar year

~~Prior to erection of an inflatable sign the advertiser shall supply to the Council, a certificate from a structural engineer certifying that the connection of the inflatable object to the building or lot is of a structurally sound design.~~

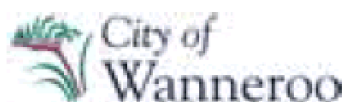
Off Building Signs

Banner Signs

A ~~"Banner" means~~ any temporary sign in the form of a sign made of a light weight, non rigid material, such as cloth, canvas or similar fabric that relates to the promotion of a specific event.

Banners sign shall should:

- Only be displayed for up to one week prior to ~~the a~~ promotional event or offer.
- be removed immediately following the promotional event or offer.
- not exceed dimensions of 1.0~~m~~ metre ~~and 3.0m in height and 3 metres in length.~~
- not be displayed for a period of time greater than six ~~(6)~~ weeks.



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- be restricted to promote ing no more than four (4) promotional events per year.
- ~~No more than one banner per site will be permitted.~~ Be limited to a maximum of one per site.

Portable Signs

A ~~portable sign means an advertising~~ sign that is not attached to a building or other structure ~~and may be either portable or fixed in nature.~~

Portable Signs ~~shall~~ should:

- not exceed one ~~fixed~~ sign per ~~tenancy street frontage on any one lot and one portable sign per tenancy.~~ Portable signs shall only be displayed during normal business hours of the business to which they ~~y sign~~ relates;
- ~~have a maximum vertical or horizontal~~ Not exceed dimensions of 1.2 metres in height or length, with and an area of not more than 0.6m² square metres;
- be located ~~entirely~~ on private property;
- be secured and stabilised; and
- be placed so that they do not obstruct pedestrian walkways, present a hazard to motorists or pedestrians, or obstruct car parking bays.

Pylon Signs

A ~~Pylon sign means a~~ sign supported on one or more poles ~~and not attached to a building and includes a detached sign framework, supported on one or more poles~~ to which sign infills may be added, that is not attached to a building.

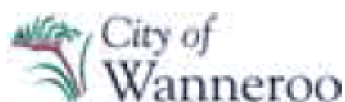
Pylon signs ~~shall~~ should:

- be limited to a maximum of one per street frontage or one for every 40 metres of linear street frontage;
- not exceed 6.0 metres in height by 2.5 metres in width;
- ~~not exceed 2.5 metres measured horizontally across the face of the sign; and~~
- be located centrally within the lot and no closer than 3.0m metres to a side boundary.

Individual pylon signs will not be supported for individual tenancies where multiple units exist or are proposed to exist on a lot. ~~The pylon sign/s shall be designed to provide one infill panel for each unit on the lot~~ In this instance, a pylon sign shall be designed to provide one infill panel for each unit on the lot and may be increased in height to 8 metres.

Rural Producers Sign

A ~~Rural Producers sign means a~~ sign erected on land lawfully used for rural purposes which advertises goods or products produced, grown or lawfully manufactured on the land within the boundaries of which the sign is located.



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A Rural Producers sign ~~shall~~ should:

- be limited to a maximum of one per street frontage of any lot;
- not exceed ~~3m²~~ square metres in area or 3 metres in height; and
- show only the name and address of the occupier of the land, name of the property, ~~and~~ Only advertise goods or products produced, grown or lawfully manufactured upon the land.

Estate Development Signs

Entry Statements

~~An Entry Statement means a~~ A fence or wall constructed of masonry or other materials, to identify the entrance of an estate and may include, but not be limited to, a sign indicating the estate name and locality, sculptures, flagpoles and flags.

Entry Statements shall be located entirely within private property.

Where an entry statement contains an estate name, it shall also include the approved locality name depicted in at least equal prominence.

~~The estate developer is to enter into an agreement with the City at the engineering approval stage, to ensure that the developer takes on all responsibility for all ongoing maintenance of the entry statement and that it is removed by the developer at a predetermined time linked to the completion of the sales at the estate, unless alternative arrangements are agreed to by the City. All ongoing maintenance of an entry statement shall be at the cost of the developer and shall be removed prior to completion of the estate, unless otherwise agreed by the City.~~

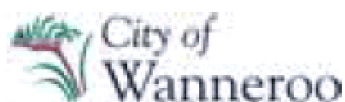
~~Entry statements will only be considered in the context of an overall Signage Strategy.~~

Estate Signs

~~An Estate sign means a~~ A sign erected on a lot within a subdivision or development estate, displaying information about the estate such as the estate name, the plan of subdivision or development, the estate features, sales and real estate agency contact details.

~~Estate signs shall:~~

- ~~be~~ Estate signs should be located entirely within the estate to which they relate, at justified strategic access points to avoid proliferation. ~~and may be located on public land within that estate;~~
- Estate signs in the form of a billboard, mounted on one or more support poles, should not exceed six metres by three metres, ~~mounted on one or more support poles;~~
- ~~be located at justified strategic points within the estate to avoid unnecessary proliferation of estate signs;~~
- where A maximum of two signs are permitted visible from the perimeter of the estate. ~~subdivision or development estate be limited to a maximum of two signs;~~ and
- ~~be removed within 30 days of 95% of the lots or buildings within the estate being sold.~~



Policy Manual

~~Estate Signs will only be considered in the context of an overall Signage Strategy.~~

~~In addition, to the above requirements the City council may grant temporary approval (up to 12 months) for the erection of no more than one (1) off site estate sign within one kilometre of an estate if considered where it is satisfied that the proposed sign is necessary to assist in with directing the public to the estate, towards a removed subdivision or land development estate and provided that the sign:~~

- ~~• The sign should can be located entirely on private property, with the consent of the relevant landowner/s; and should avoid conflict with other signs.~~
- ~~• is generally located within 1km of the land development estate or subdivision and is in close proximity to the nearest road intersection;~~
- ~~• avoids conflict or competition with other land development estates or subdivisions; and~~
- ~~• content is predominately for directional purposes.~~

Display Home Signs

~~A Display Home sign means a sign advertising a home or homes on display for public inspection.~~

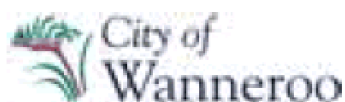
~~Display Home signs shall should:~~

- ~~• be limited to one sign per display home;~~
- ~~• not exceed 6.0 metres in height or by 2.5 metres in width measured horizontally across the face of the sign; and~~
- ~~• where If located adjacent to a lot used for residential purposes, be located at least a minimum 3.0 metres from the boundary of the residential lot.~~
- ~~• not be illuminated; and~~
- ~~• be removed within 30 10 days of the closure of the display home-centre.~~

~~In addition to the above, one integrated Display Home Composite Sign may be permitted on public land adjacent to a display home centre, where multiple builders exist or are proposed to exist in the centre provided that the sign:~~

- ~~• does not exceed 6.0 metres in height or by 2.5 metres in width measured horizontally across the face of the sign;~~
- ~~• is designed to provide one infill panel for each builder on the lot in the display home centre.~~
- ~~• only promotes the display home centre, its opening hours and the building companies represented within the centre; and~~
- ~~• The sign is removed within 30 10 days of the closure of the display home centre.~~

~~A display home composite sign will only be considered in the context of an overall Signage Strategy for the centre.~~



Policy Manual

Variation to Standards

It is the intention of this Policy that signs that comply with the standards herein will be exempt from the need to obtain planning approval, unless expressly stated that a Signage Strategy is required. Variations sought to the standards outlined above (design or number) or for signs not included within this Policy may be considered in the context of a Signage Strategy.

Signage Strategies

A Signage Strategy ~~means is~~ an overall plan ~~for the whole of the a~~ development site or ~~structure plan and shall be submitted with an application for development approval when:~~ ~~area, showing the location, type, size and design of all existing and proposed signs, as well as the outline of any buildings, landscaping, car parking areas, vehicular access points etc.~~

~~A Signage Strategy will be required to be submitted on application for planning approval for:~~

- All new buildings where multiple tenancies are proposed;
- Signs for subdivision or development estates which propose more than ten lots;
- Signs for display homes, villages or centres;
- Signage where the total number of signs (existing and proposed) on the site exceeds a total of four.
- Involving a variation to the requirements of this policy;

The ~~signage~~ strategy should ~~incorporate explain the location, type, size and design of all existing and proposed signs, depicted on site and elevation plans. Justification should be provided on and demonstrate~~ the need for the ~~number extent~~ and design of signs proposed, having regard ~~to for relevant policy provisions and the objectives of this policy and should seek to integrate the signage with the building design, particularly through the provision of signage panels within the building facades. Recognising that specific uses may not be known at the planning approval stage, it is not necessary to include specific signage content in the signage strategy.~~

~~Once approved, all subsequent sign applications will be assessed against previously approved signage strategies. Modifications to the signage strategy to permit additional signage will be subject to a further approval and will need to be further justified.~~

Responsibility for Implementation

~~Manager Approval Services
Manager Planning Services~~

Planning and Sustainability
Local Planning Policy 4.6
Advertising Signs



PART 1 - POLICY OPERATION

Policy Development and Purpose

Owner	Planning and Sustainability
Implementation	XXXX TBA
Next Review	XXXX TBA

This policy has been prepared under Schedule 2, Part 2 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and is to be read in conjunction with the City of Wanneroo's (the City) District Planning Scheme No. 2 (DPS 2).

The purpose of this policy is to provide a framework for the design, placement and assessment of advertising signs (signs) within the City.

Advertising Sign: means a sign in the form of a type specified below for the purpose of advertising or promoting a business or its products, and includes estate signage.

Objectives

1. To ensure that the visual quality and character of particular localities and transport corridors are not eroded;
2. To achieve advertising signs that are not misleading or dangerous to vehicular or pedestrian traffic;
3. To minimise the total area and impact of outdoor advertising commensurate with the realistic needs of commerce for such advertising;
4. To prohibit outdoor advertising which is considered to be superfluous or unnecessary by virtue of their number, colours, height, prominence, visual impact, size, content and relevance to the premises on which they are located;
5. To reduce and minimise clutter; and
6. To promote a high standard of design and presentation in outdoor advertising.

Exemptions

If a sign complies with one of the following it is exempt from the need to obtain development approval:

- All the relevant provisions of this policy, in accordance with clause 61(1) of the Deemed Provisions,
- Signs within a signage panel previously approved by the City, in accordance with clause 61(1) of the Deemed Provisions; or
- All the relevant provisions of Schedule 4 of DPS 2, refer Attachment 1.

**The exemptions specified above do not apply to signage proposed in a digital format, unless specifically exempt under the digital signage exemptions contained within Part 2 of this Policy.*

Planning and Sustainability
Local Planning Policy 4.6
Advertising Signs



PART 2 - GENERAL POLICY PROVISIONS

General Development Standards

1. In general, advertising signs shall:
 - Not contain any offensive material¹;
 - Not be affixed to boundary walls or fences;
 - Not extend beyond the boundary of the lot on which they are situated;
 - Relate to the site on which they are located; and
 - Integrate with the building design, particularly through the provision of signage panels within the building facades, wherever possible.
2. A sign that fits within the definition of more than one sign type shall be assessed against the criteria the City considers most applicable.
3. The area of a sign is to be measured as the greatest horizontal dimension multiplied by the greatest vertical dimension, excluding any support structures.

Signage Strategy

A signage strategy is an overall plan for a development site or structure plan area and shall be submitted with an application for development approval when:

- The sign/s relate to a subdivision or development estate which proposes more than ten lots;
- The sign/s relate to a display home or village; or
- The number of signs for a development site (existing and proposed) exceeds a total of four.

A signage strategy should incorporate the location, type, size and design of all existing and proposed signs, depicted on site and elevation plans. Justification should be provided on the need for the number and design of signs proposed, having regard for the relevant policy provisions and objectives.

Digital Signage

The City may consider applications for digital signage in the following circumstances:

1. Pylon Signs and Wall Signs associated with schools, tafes or colleges, outdoor recreation (e.g. golf course), places of worship and tourist locations²;
2. On Commercial zoned land identified as a Neighbourhood Centre or above under DPS 2 or an applicable structure plan, or Business zoned land within an Integrated Business Centre³, limited to the following:
 - One Pylon Sign per street frontage;
 - One Wall Sign per street frontage; and
 - One Window Sign per tenancy.

1. *Offensive material is content deemed by the City to be objectionable, violent, insulting, obscene or defamatory to most people, or a particular group of people.*

2. *Tourist location: refers to places where visitors typically visit for the natural, cultural or historic value while also offering leisure and amusement at a regional or sub-regional level and is determined at the discretion of the City.*

3. *Integrated Business Centre: refers to a continuous area of Business zoned land greater than 10,000m².*

Planning and Sustainability
Local Planning Policy 4.6
Advertising Signs



Exemptions

The following digital signage is exempt from requiring development approval:

- Pylon Signs associated with a school, tafe or college located on a Local Distributor road or lower, where the proposal complies with the relevant policy provisions outlined in Parts 1-3.
- Window Signs within a Commercial or Business zone, where the proposal complies with the relevant policy provisions outlined in Parts 1-3.

Assessment Considerations

- Unless outlined above, applications for digital signage are required to obtain development approval and will be assessed against the most applicable sign type to which the sign relates (Part 3), as well as all other relevant policy provisions.
- Digital Pylon and Wall signage infrastructure on Business or Commercial zoned land shall be located and designed for reciprocal use by all tenancies within a Centre. This is to ensure signage is designed and located to maximise its community benefit and minimise visual clutter.
- Applicants are required to provide information on the proposed luminance of a digital sign. At the request of the City, an applicant may be required to provide a Lighting Impact Assessment to demonstrate that the signs luminance does not affect the amenity of nearby sensitive land uses.
- Digital signage is not permitted to display third party advertising material in accordance with Part 2 of this policy.
- Digital signage applications may also be required to demonstrate they are safe from a road safety perspective. Applicants should contact the City to determine if any road safety information or assessment is required prior to formally submitting an application.

Third Party Signage

Notwithstanding the above, the City may consider an application for third party digital signage in the following circumstances:

Activity Centres

A Wall or Pylon Sign located within a Strategic, Secondary or District Centre. In such circumstances the signage should be located centrally within the Centre and integrated with the built form.

The signage should also be oriented towards a pedestrianised environment, be designed to complement the character of the Centre, not detract from any existing signage and add visual interest and amenity to the locality, in addition to satisfying all other applicable standards of this policy.

Regional Transport Corridors

A Pylon Sign located within, or directly adjacent to, a Primary or Other Regional Road reserve. In such circumstances the sign should not be visible from any existing or proposed public open space (local or regional) or sensitive land uses, and shall not detract from the character and amenity of the locality.

In addition, the proposal will require support from the owner/manager of the transport corridor and demonstrate that it does not conflict with any traffic signals or create a road safety issue, in addition to satisfying all other applicable standards of this policy.

PART 3 - SPECIFIC POLICY PROVISIONS / ON BUILDING SIGNS

Wall Sign

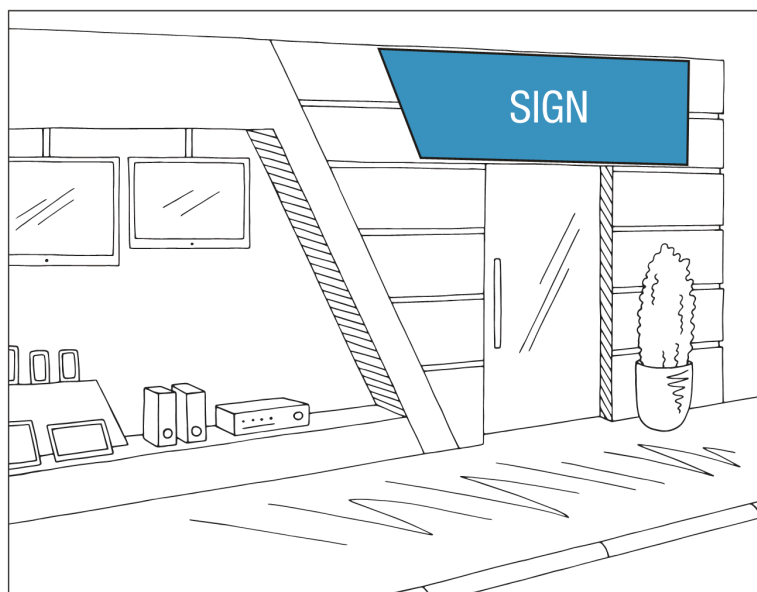
A sign that is painted or affixed on the front, side or rear elevation of a building or structure, but does not project more than 300 millimetres out from the wall.

Wall signs should -

- Be limited to maximum of one sign per tenancy, per street frontage.
- Not extend laterally beyond either end of the wall or protrude above the top of the wall.
- Not exceed 25 percent in aggregate area on any one wall to a maximum of 8 square metres.
- Be integrated with the building design.

For wall signs proposed on a 'Residential' zoned lot used predominantly for non-residential purposes, the following applies:

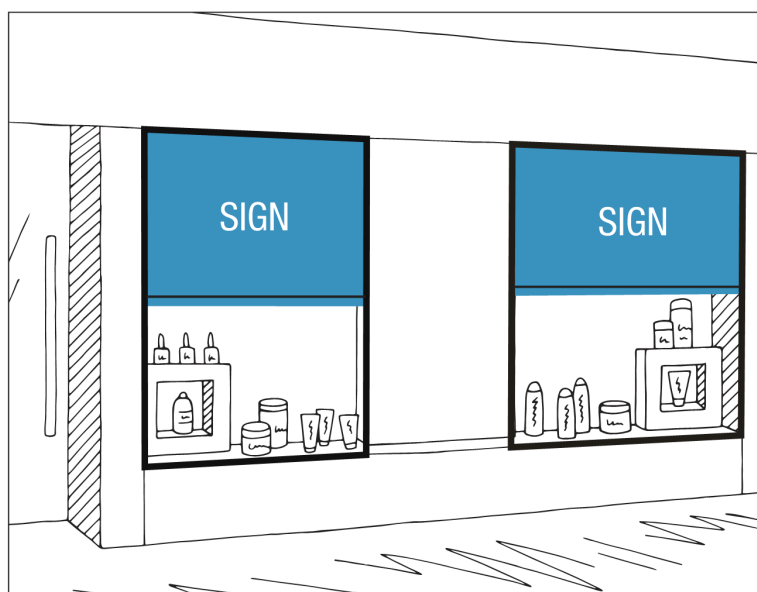
- Limited to one sign per lot.
- Limited to 1.2 square metres in area.



Window Sign

A sign which is fixed either to the interior or exterior of the glazed area of a window, any part of which is visible from outside the building.

- A window sign should not cover more than 50 percent of the glazed area of any one window or exceed 10 square metres in aggregate area per tenancy.
- Where a window sign is proposed, the balance of the window shall be constructed of permeable glazing to maintain an active building frontage and presentation to the street.



City of Wanneroo - Advertising Signs

Planning and Sustainability Local Planning Policy 4.6

Verandah Sign

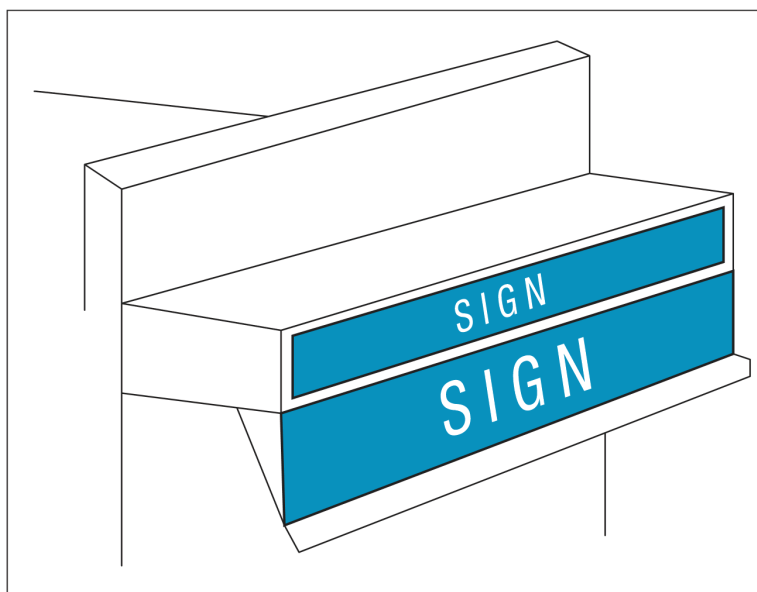
A sign affixed on or under a verandah and includes signs affixed to cantilever awnings and balconies.

Signs on the underside of a verandah should -

- Not exceed 2.4 metres in length.
- Not exceed 400 millimetres in height.
- Not be located within 1 metre of another such sign on the underside of the same verandah.
- Be positioned at right angles to the building façade.
- Provide a clear headway under the sign of not less than 2.75 metres, measured from floor level.
- Not project beyond the edges of the verandah.

Signs on the fascia of a verandah should not -

- Exceed 400 millimetres in height.
- Project beyond the edges of the verandah.

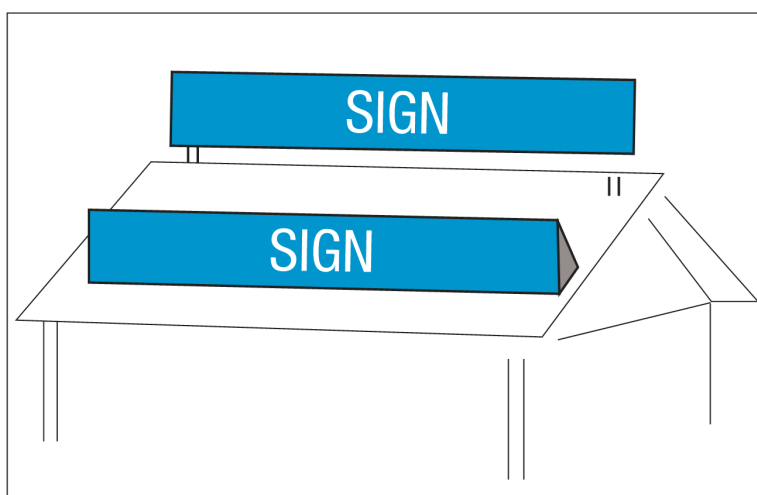


Signs affixed to the top of a verandah are generally not supported given the potential negative impact on visual amenity.

Roof Sign

A sign located on a roof or protruding from the normal roof line of a building.

Roof signs are generally not supported given the potential negative impact on visual amenity.



City of Wanneroo - Advertising Signs

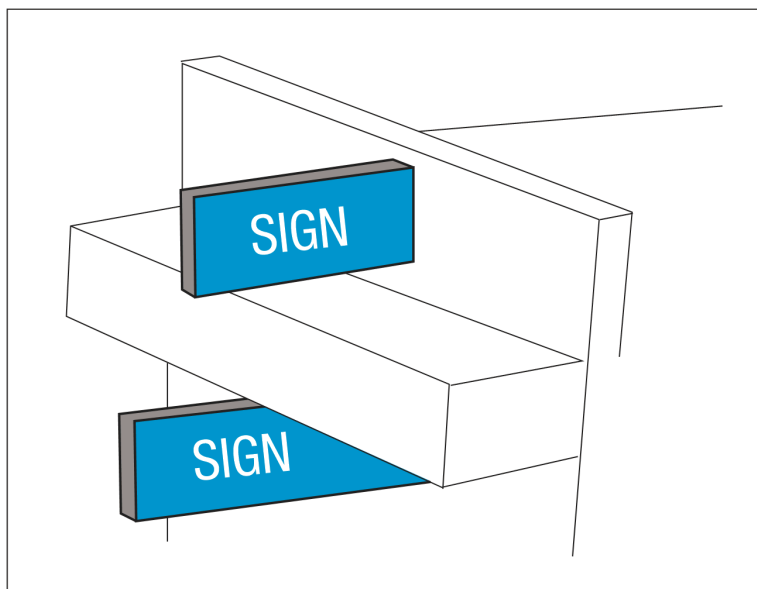
Planning and Sustainability Local Planning Policy 4.6

Projecting Sign

A sign that projects 300 millimetres or more from the wall of a building.

Projecting signs should -

- Be limited to maximum of one sign per tenancy or one for every 40 metres of linear street frontage.
- Not project more than 1 metre from a wall and not exceed 1.5 square metres in area.
- Not be placed within 2 metres of either end of the wall to which they are attached.
- Not project above the top of the wall to which they are attached.
- Provide a clear headway under the sign of not less than 2.75 metres, measured from floor level.

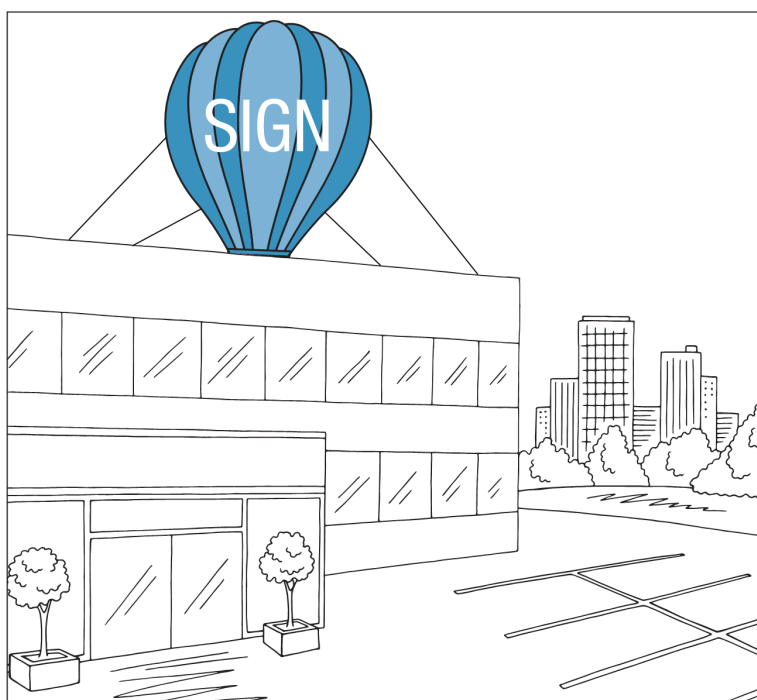


Inflatable Sign

A sign that is painted, stencilled or attached to an inflated device, such as a balloon.

Inflatable signs should not -

- Exceed 7 metres in diameter or 9 metres in height, and are permitted above roof height.
- Be displayed for more than 14 days in aggregate for any one calendar year.



PART 3 - SPECIFIC POLICY PROVISIONS / OFF BUILDING SIGNS

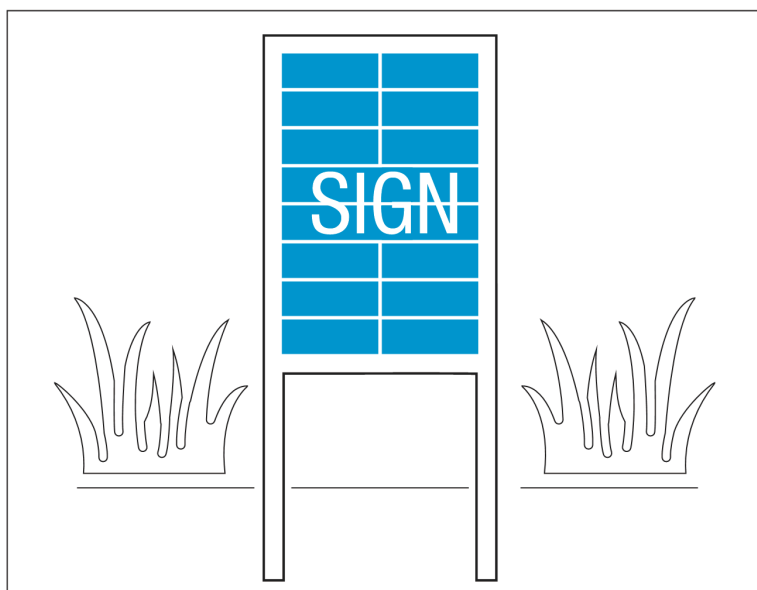
Pylon Sign

A sign supported on one or more poles to which infill panels may be added, that is not attached to a building.

Pylon signs should -

- Be limited to a maximum of one per street frontage or one for every 40 metres of linear street frontage.
- Not exceed 6 metres in height by 2.5 metres in width.
- Be located centrally within the lot and no closer than 3 metres to a side boundary.

Individual pylon signs will not be supported for individual tenancies where multiple units exist or are proposed to exist on a lot. In this instance, a pylon sign shall be designed to provide one infill panel for each unit on the lot and may be increased in height to 8 metres.

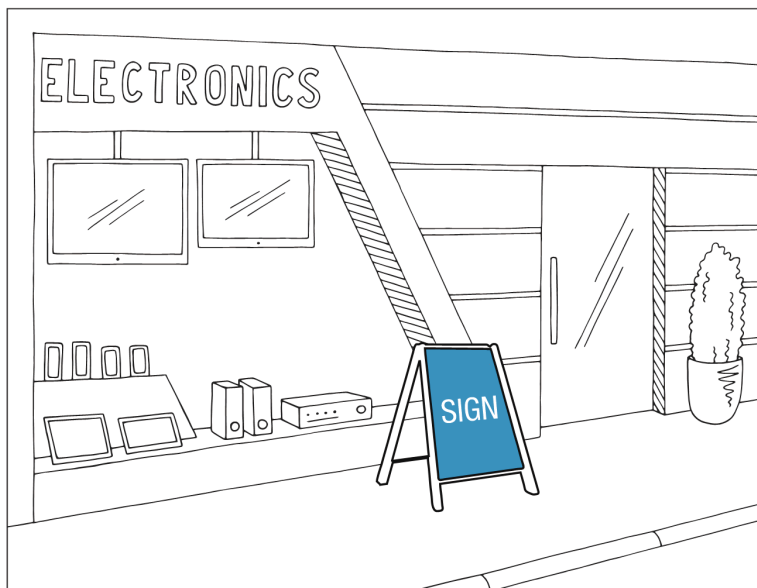


Portable Sign

A sign that is not attached to a building or other structure.

Portable signs should -

- Not exceed one sign per tenancy.
- Only be displayed during normal operating hours of the business to which they relate.
- Not exceed dimensions of 1.2 metres in height or length, with an area of not more than 0.6 square metres.
- Be located on private property.
- Be secured and stabilised.
- Be placed so they do not obstruct pedestrian walkways, present a hazard to motorists or pedestrians, or obstruct car parking bays



City of Wanneroo - Advertising Signs

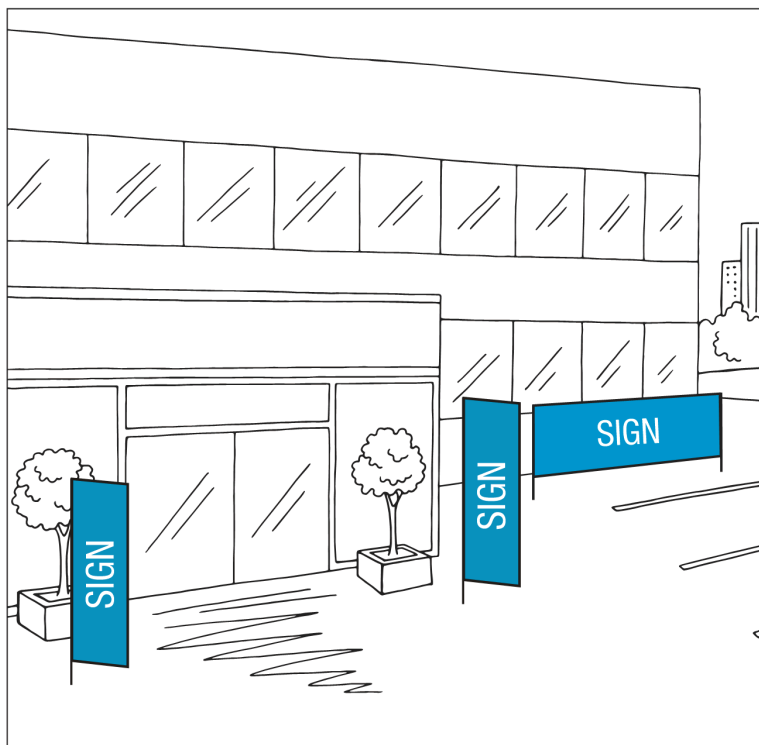
Planning and Sustainability Local Planning Policy 4.6

Banner Sign

Any temporary sign in the form of a sign made of a light weight, non-rigid material, such as cloth, canvas or similar fabric that relates to the promotion of a specific event.

Banner signs should -

- Only be displayed for up to one week prior to a promotional event or offer.
- Be removed immediately following the promotional event or offer.
- Not exceed dimensions of 1 metre in height and 3 metres in length.
- Not be displayed for a period of time greater than six weeks.
- Be restricted to promoting no more than four promotional events per year.
- Be limited to a maximum of one per site.

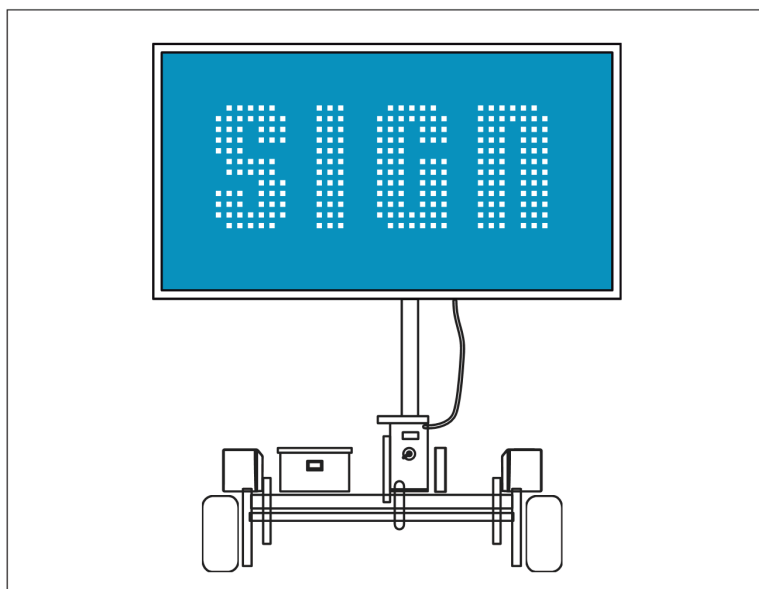


Variable Message Sign (VMS)

A digital messaging sign that is typically mounted on a trailer and displays advertising material which could change at regular intervals.

VMS signs are generally not supported within 20 metres of a road reserve as measured from the boundary of a lot, given the distraction they cause to drivers and potential negative impact on visual amenity.

VMS signs may be considered in a temporary manner in conjunction with a community event.



City of Wanneroo - Advertising Signs

Planning and Sustainability Local Planning Policy 4.6

Rural Producer Sign

A sign erected on land lawfully used for rural purposes which advertises goods or products produced, grown or lawfully manufactured on the land.

Rural Producer signs should -

- Be limited to a maximum of one per street frontage of any lot.
- Not exceed 3 square metres in area or 3 metres in height.
- Show only the name and address of the occupier of the land and name of the property.
- Only advertise goods or products produced, grown or lawfully manufactured upon the land.



PART 3 - SPECIFIC POLICY PROVISIONS / ESTATE DEVELOPMENT SIGNS

Entry Statement

A fence or wall constructed in masonry or other material, to identify the entrance of an estate and may include, but not be limited to, a sign indicating the estate name and locality, sculptures, flagpoles and flags.

- Entry statements should be located entirely within private property.
- Where an entry statement contains an estate name, it should include the approved locality name in at least equal prominence.
- All ongoing maintenance of an entry statement shall be at the cost of the developer and shall be removed prior to completion of the estate, unless otherwise agreed by the City.
- All entry statements are required to obtain development approval from the City.



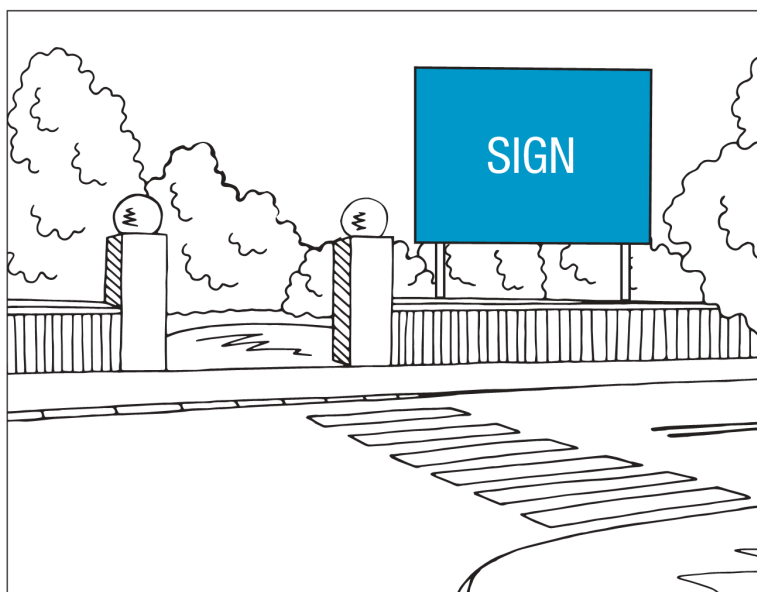
Estate Signage

A sign erected on a lot within an estate displaying information such as the estate name, the plan of subdivision or development, the estate features or sales and real estate agency contact details.

- Estate signs should be located entirely within the estate to which they relate, at justified strategic points to avoid proliferation.
- A maximum of two signs are permitted visible from the perimeter of the estate.
- All estate signs are required to obtain development approval from the City and may only be considered in the context of an overall Signage Strategy.
- All development approvals issued by the City for estate signage will include a condition of approval limiting the time the approval remains valid, as determined by the City.

Dimensions -

- Estate signs in the form of a billboard, mounted on one or more support poles, should not exceed six metres by three metres.
- Where estate signage is not in the form of a billboard it will be assessed against the most applicable sign type within this policy, as determined by the City.



**** Estate signage may only be located on City managed land at the discretion of the City's Property Services.***

Off-site Sign -

In addition, the City may grant approval for one off-site sign within one kilometre of an estate if considered necessary to assist with directing the public to the estate.

The sign should be located entirely on private property with the consent of the landowner, and should avoid conflict with other signs.

Sea Containers -

The use of sea containers for signage purposes is generally not supported and will only be considered when:

- The signage is incidental to the use of the sea container; and
- The signage relates to the estate in which it is located.

Advertising Signs

Planning and Sustainability Local Planning Policy 4.6

Display Home Sign

A sign advertising a home or homes on display for public inspection.

Display Home signs should -

- Be limited to one sign per display home.
- Not exceed 6 metres in height by 2.5 metres in width.
- Not be illuminated
- If located adjacent to a lot used for residential purposes, be located a minimum 3 metres from the boundary of the residential lot.
- Be removed within 10 days of the closure of the display home.

In addition to the above, one integrated Display Home sign may be permitted where multiple builders exist provided the sign:

- Does not exceed 6 metres in height by 2.5 metres in width.
- Is designed to provide one infill panel for each builder in the display home centre.
- Is removed within 10 days of the closure of the display home centre.
- Obtains development approval from the City.



*** An integrated display home centre sign may only be located on City managed land at the discretion of the City's Property Services.**

ATTACHMENT 1

SCHEDULE 4 (CLAUSE 61(1) OF THE DEEMED PROVISIONS) - EXEMPTED ADVERTISEMENTS

- (a) All signs or advertising devices for which a licence is required under the Council's Signs Local Law and where the sign or advertising device does not exceed the design requirements of the City's Signs Local Planning Policy; *AMD 52 GG 16/6/06*
- (b) a sign erected or maintained in accordance with an Act;
- (c) a property disposal sign not exceeding 2m² erected on private property or immediately adjacent to the front boundary, where it is not possible to erect it on private property; *AMD 52 GG 16/6/06*
- (d) a plate not exceeding 0.2m² in area erected or affixed on the street alignment or between that alignment and the building line to indicate the name and occupation or profession of the occupier of the premises;
- (e) a direction sign;
- (f) a sign used solely for the direction and control of people, animals or vehicles or to indicate the name or street number of a premises, if the area of the sign does not exceed 0.2m²;
- (g) an advertisement affixed to or painted on a shop window not exceeding 50% of the glazed area of any one window or 10m² in aggregate area per tenancy, whichever is the lesser, by the occupier thereof and relating to the business carried on therein; *AMD 52 GG 16/6/06*
- (h) a sign displaying solely the name and occupation of any occupier of business premises painted on a window or wall of those premises providing that the sign does not exceed 1.2m² in area and a height of 600mm;
- (i) a sign within a building unless:
 - (i) it is clearly visible from a public place outside the building;
 - (ii) it is exempted under any other paragraph of this sub clause; or
 - (iii) it is considered objectionable by the local government;
- (j) a sign not larger than 0.6m x 0.9m on an advertising pillar or panel approved by or with the consent of the local government for the purpose of displaying public notices for information;
- (k) a building name sign on any building, where it is of a single line of letters not exceeding 300mm in height, fixed to the facade of the building;
- (l) newspaper or magazine posters, provided they are displayed against the outside wall of the business premises from which the newspapers or magazines are sold;
- (m) a rural producer's sign measuring up to 3m in height and 3m² in area, which is the only sign on the lot on which it is erected; *AMD 52 GG 16/6/06*
- (n) a sign erected by the local government, or with the approval of the local government, on land under the care, control and management of the local government;
- (o) a sign erected and maintained on street furniture, bus shelters or seats in accordance with the terms and conditions of a contract between the local government and the company responsible for those signs;
- (p) a maximum of 4 garage sale signs, each not greater than 0.25m², advertising the sale of second hand domestic goods in domestic quantities, not being part of a business, trade or profession and only being displayed on the day of the sale and on no more than 2 occasions for the same lot in each 6 month period;

ATTACHMENT 1

- (q) a sign or signs erected in accordance with a special event permit issued under the City of Wanneroo Signs Local Law;
- (r) a sign painted on a kerb, adjacent to a property depicting the house number and in accordance with specifications approved by the local government;
- (s) a sign erected by the local government for the purpose of:
 - (i) encouraging participation in voting (but not in favour of any candidate, political party, group or thing) at a local government election, provided that the signs are erected no more than 5 weeks prior to the election; or
 - (ii) indicating the name and location of a polling place for an election.
- (t) an election sign which is: *AMD 52 GG 16/6/06*
 - (i) erected on private property with the approval of the owner of that property, where such approval has been obtained prior to the erection of the election sign;
 - (ii) not in excess of 0.75m² in area per property, except a corner property which may display one sign facing each thoroughfare of the corner;
 - (iii) erected not more than 28 days prior to the date of the election to which it relates;
 - (iv) erected in accordance with the restriction provisions of Clause 16 of the Signs Local Law 1999;
 - (v) removed within 7 days of the date of the election.
- (u) a sign permanently affixed or painted on a vehicle to identify a company, business, service or product supplied or sold by that company. *AMD 52 GG 16/6/06*

The above signs are exempt from the requirement to obtain Development Approval except where the signs contain any illumination or radio; animation or movement in its design or structure; reflective; retro-reflective or fluorescent materials in its design or structure.

Attachment 4

Matters Considered in the Review of Local Planning Policy 4.6: Signs

Corresponding Section of LPP 4.6	Opportunities Identified From Review of LPP 4.6	Actions and Matters Considered in Draft Amendments to LPP 4.6
Part 1 – Policy Operation: Exemptions	The 'Variation to Standards' section does not cover signage contained within Schedule 4 of DPS 2 or signage contained within an integrated signage panel that has been approved by the City.	Modify the exemptions section to include the following: <ul style="list-style-type: none"> • Signs that comply with the relevant provisions of Schedule 4 of DPS 2; and • Signs proposed within an integrated signage panel with an existing development approval from the City. This is consistent with the recent changes to clause 61 of the <i>Planning and Development Regulations 2015</i>.
Part 1 – Policy Operation: Exemptions	Considerations for advertising signage are contained within both the current Policy and DPS 2, which can be confusing for both Administration and applicants when looking for signage information.	The exemptions section has been updated to include reference to Schedule 4 of DPS 2. Whilst Schedule 4 does include sign types that are not expressly advertising signage, this review does not include undertaking a scheme amendment to DPS 2. It is considered to be the best possible outcome to have all advertising signage considerations in one document for ease of reference.
Part 1 – Policy Operation	The Policy does not clearly outline that it is only applicable to advertising signage, including estate signage. This has caused confusion as to when the Policy should be applied.	The following modifications have been made to clarify that the Policy relates to advertising signage only: <ul style="list-style-type: none"> • The title of the Policy has been changed from Signs to Advertising Signs; • The purpose of the Policy is outlined as being applicable to advertising signs only; and • A definition of an advertising sign has been included.
Part 1 – Policy Operation Part 2 – General Development Standards	Policy provisions of a general nature that apply to all signage are outlined at both the front and back of the document, separated by the sign specific Policy provisions. This layout makes it easy for an applicant to overlook the provisions at the back of the document.	To improve the structure, all the content of a 'general' nature has been captured at the front of the Policy within Part 1 - Policy Operation and Part 2 - General Development Standards. This ensures applicants have regard for the general Policy requirements before considering the applicable sign specific provisions.
Part 1 – Policy Operation: Exemptions and Part 2 – General Development	The Variation to Standards and Signage Strategy sections require a signage strategy for any sign that does not comply with the Policy. Signage strategies are not considered applicable for most proposals and can be captured as	Delete the provisions that require a signage strategy for any application that proposes a variation to the standards of the Policy.

Standards	a typical Development Application.	
Part 2 – General Development Standards	The Policy does not have any considerations or provisions related to digital advertising signage.	The Policy has been updated to include provisions related to digital advertising signage following input from Council Members, and is discussed further in the body of the report.
Part 2 – General Development Standards	The General Development Standards state that signage should not contain any offensive material. Following presentation of the Policy to Council Members via Forum in 2019, a definition of 'offensive material' was requested for clarity.	A definition of 'offensive Material' has been included within Part 2 of the Policy.
Part 2 – General Development Standards	In referencing the dimensions of a sign the Policy states the 'size' of a sign and not the 'area', which has led to applicant's querying whether this provision relates to the measurement of a sign's overall area, or only the height and width.	The provision relating to the dimensions of a sign have been modified from 'size' to 'area' for clarity. The 'size' (height and width) of a sign is addressed individually within Part 3 of the Policy.
Part 3 – Specific Policy Provisions	Each sign type is defined only by a description, which can be difficult to interpret.	The Policy has been updated to include both a description and illustration of each different sign. This will assist applicants and Administration in determining which sign type is most applicable to a proposal.
Part 3 – Specific Policy Provisions	Variable Message Signs (VMS) have become a more common form of advertising platform in recent times. The current Policy does not have a sign type that appropriately defines a VMS and any associated development standards.	The Policy has been updated to include VMS as a new sign type. After discussion with the City's Traffic Services it was determined that VMS' should not be located within the vicinity of a road reserve as they are distracting for drivers. In addition, they typically detract from the amenity of an area given their trailer mounted design. A provision has therefore been included for VMS' to not be located within 20 metres of a lot boundary.
Part 3 – Specific Policy Provisions: Estate Signage and Display Home Centre Signage	The Policy allows estate signage and display home centre signage to be located on public land, however it lacks clarity in outlining that signage on land managed by the City is still at the discretion of the City, as the responsible 'Manager' of the asset.	The provisions for both estate signage and display home centre signage have been updated to include a caveat stating that it is at the discretion of the City's Property Services to locate signage on City managed land.
Part 3 – Specific Policy Provisions: Estate Signage	The existing provision that estate signage is removed within 30 days of 95% of the lots or buildings being sold is confusing, difficult for the City's Compliance	This provision has been removed and replaced with a provision that all applications for estate signage must include a condition that time limits the length of the approval. Planning will

	Services to enforce and provides no certainty to the City on the length of the approval being issued.	determine the length of the approval with regard for factors such as the nature and scale of the proposal, extent of development within the estate and market conditions.
Part 3 – Specific Policy Provisions: Estate Signage	Estate signage has only one prescribed dimension (6m x 3m), however developers typically use a variety of different sign types within an estate. It is not practical to assess estate signage against the prescribed standard if a different sign type is more applicable.	Include a provision that when estate signage is not in the form of a billboard it is assessed against the most applicable sign type within the Policy. This will ensure the criteria the sign is considered against is the most applicable.
Part 3 – Specific Policy Provisions: Estate Signage	Following the initial presentation of the Policy to Council Members in 2019 via Forum, clarity was requested on the use of sea containers for signage purposes.	Typically, a sea container is considered a separate structure that requires development approval (unless exempt). Any signage on the walls of an approved sea container are subsequently assessed as a 'Wall Sign'. However, sea containers have been approved in very limited circumstances within developing estates, without an alternative purpose. For clarity, a provision has been included that estate signage is only supported on a sea container when it is incidental to the approved use of the structure (i.e. for storage purposes) and must relate to the estate in which it is located.
Part 3 – Specific Policy Provisions: Display Home Centre Signage	Display home centre signage must be taken down within 30 days of the display home centre closing. This is considered a substantial amount of time to remove a sign.	This provision has been revised so that display home centre signs are removed within 10 days.

Attachment 5



1 NORTH ELEVATION
SCALE: 1: 100



2 SOUTH ELEVATION
SCALE: 1: 100

Sign 1

Screen 1
Requested Size: 4740mm x 3130mm. Outlet Size: 4820mm x 3320mm
Model No: QPFF0600300-PC60A
Custom built front removable module design
Full outdoor rated display installation
Single-sided display construction
Includes minor cabinet design variations
Including panel mounted daylight sensor on front of cabinet
Includes project management, design and install consultation
LED Type: SMD
Panel Finish: Iron
Dimensions: 600 x 360
Typical size: 1400mm x 1030mm x 100mm
Including 37.5mm protective cabinet frame around module
Includes dual access, front removable module and rear hinged and lockable access doors
Including M72 captive threaded mounting points to rear of cabinet
Usual size: 1400mm x 1030mm
Display area: 10.36m²
LED Grade: Normal SMD (Alloy) – upgrade LED chip
Recommended Calibration Brightness: 5000cd (cd/m²)
Maximum Screen Brightness: 6000cd (cd/m²)
Max Power approx. 10,500W
Avg. Power: 4,500W
DESIGN AND INSTALLATION OF LED SIGNAGE TO SELECTED SIGNAGE CONTRACTORS DETAILS
ALL DIMENSIONS TO BE SHOWN MANAGED & CONFIRMED ON SITE.
SIGNAGE CONTRACTOR TO FIX TO ENSURE STRUCTURAL INTEGRITY.
PROVIDE STRUCTURAL ENGINEERS CERTIFICATION OF INSTALLED SCREEN/ON COMPLETION

GENERAL NOTES
1. ALL DIMENSIONS ARE IN MILLIMETRES
2. DIMENSIONS SHOWN IN WALL MOUNTING
3. DIMENSIONS SHOWN IN WALL MOUNTING
4. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE
5. PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK
6. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL CONSULTANT
DRAWINGS AND THE SPECIFICATION

1	19-07-2019	DO	ISSUED FOR DA
0	03-07-2019	ISSUED FOR INFORMATION	
Rev	Date	Issued By	Revision Description

OLDFIELD KNOTT ARCHITECTS PTY LTD
1000 High Street, Suite 101, Warrnambool, VIC 3240
T: (08) 8511 6100 F: (08) 8511 6101 E: info@oldfieldkott.com.au

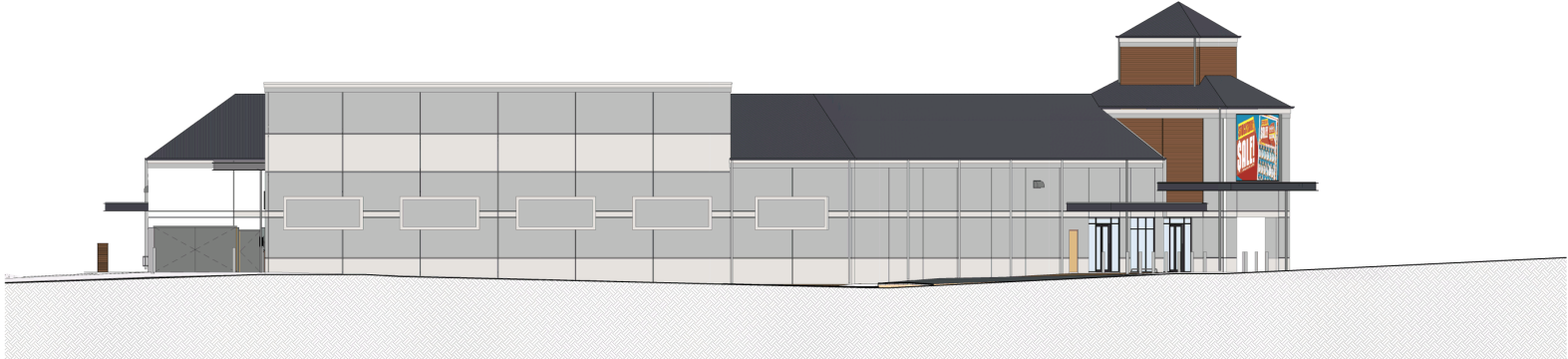
Project Name:
ASHBY VILLAGE - PROPOSED SUPERMARKET & RETAIL TENANCIES, Lot 8 Pinjar Road, ASHBY WA 6005 for Endeavour Properties Pty Ltd

Drawing Name:
ELEVATIONS

Project Number	Drawing No.	Rev.
06177S	S300	1
Date	14/11/19	Drawn
Author	1/Check	1/100
Reduction	1/100	Scale

Screen 2:
Requested Size: 6000mm x 3320mm, Quoted Size: 6000mm x 3320mm
Model No: DS200 720x360 ARGB
• Custom built from removable module design
• Full outdoor rated display installation
• Single sided display construction
• Includes minor cabinet design variations
• Including panel mounted daylight sensor on front of cabinet
• Includes project management, design and install consultation
• LED Type: SMD
• Pixel Pitch: 3mm
• Resolution: 720 x 360
• Physical Size: 1500mm x 1500mm x 1750mm
• Including 37.5mm protective cabinet frame around modules
• Includes dust access, front removable modules and rear hinged and lockable access doors
• Including M22 positive threaded mounting points to rear of cabinet
• Clear size: 1500mm x 1500mm
• Display area: 15.46m²
• LED Grade: Normal SMD (Aky) – upgrade LED chip
• Recommended Cabinet Brightness: 3000cd (cd/m²)
• Aluminium Screen Brightness: 6000cd (cd/m²)
• Max Power: 12,000W
• Plug Power: 5,000W

DESIGN AND INSTALLATION OF LED SIGNAGE TO SELECTED SIGNAGE CONTRACTORS DETAILS.
ALL DIMENSIONS TO BE SITE MEASURED & CONFIRMED ON-SITE.
SIGNAGE CONTRACTOR TO FIX TO ENSURE STRUCTURAL INTEGRITY.
PROVIDE STRUCTURAL ENGINEER CERTIFICATION OF INSTALLED SCREENS COMPLETION.



GENERAL NOTES
1. ALL DIMENSIONS ARE IN MILLIMETRES
2. UNLESS OTHERWISE SHOWN, TAKE PRECEDENCE OVER SCALES
3. DIMENSIONS
4. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE
5. PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK
6. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL CONSULTANT
DRAWINGS AND THE SPECIFICATION

Rev	Date	Issued By	Revision Description
1	19-07-2019	DO	ISSUED FOR DA
0	03-07-2019		ISSUED FOR INFORMATION

OLDFIELD KNOTT ARCHITECTS PTY LTD
100 The Street, 5402, WA 6155
T: (08) 9431 6136 F: (08) 9431 4819 E: info@oldfieldknott.com.au

Project Name:
ASHBY VILLAGE - PROPOSED SUPERMARKET & RETAIL TENANCIES, Lot 8 Pinjar Road, ASHBY WA 6055 for Endeavour Properties Pty Ltd

Drawing Name:
ELEVATIONS

Project Number: **06177S** Drawing No: **S301** Rev: **1**

Date: 14/11/16 Drawn: Author: Checked: 1/1/18

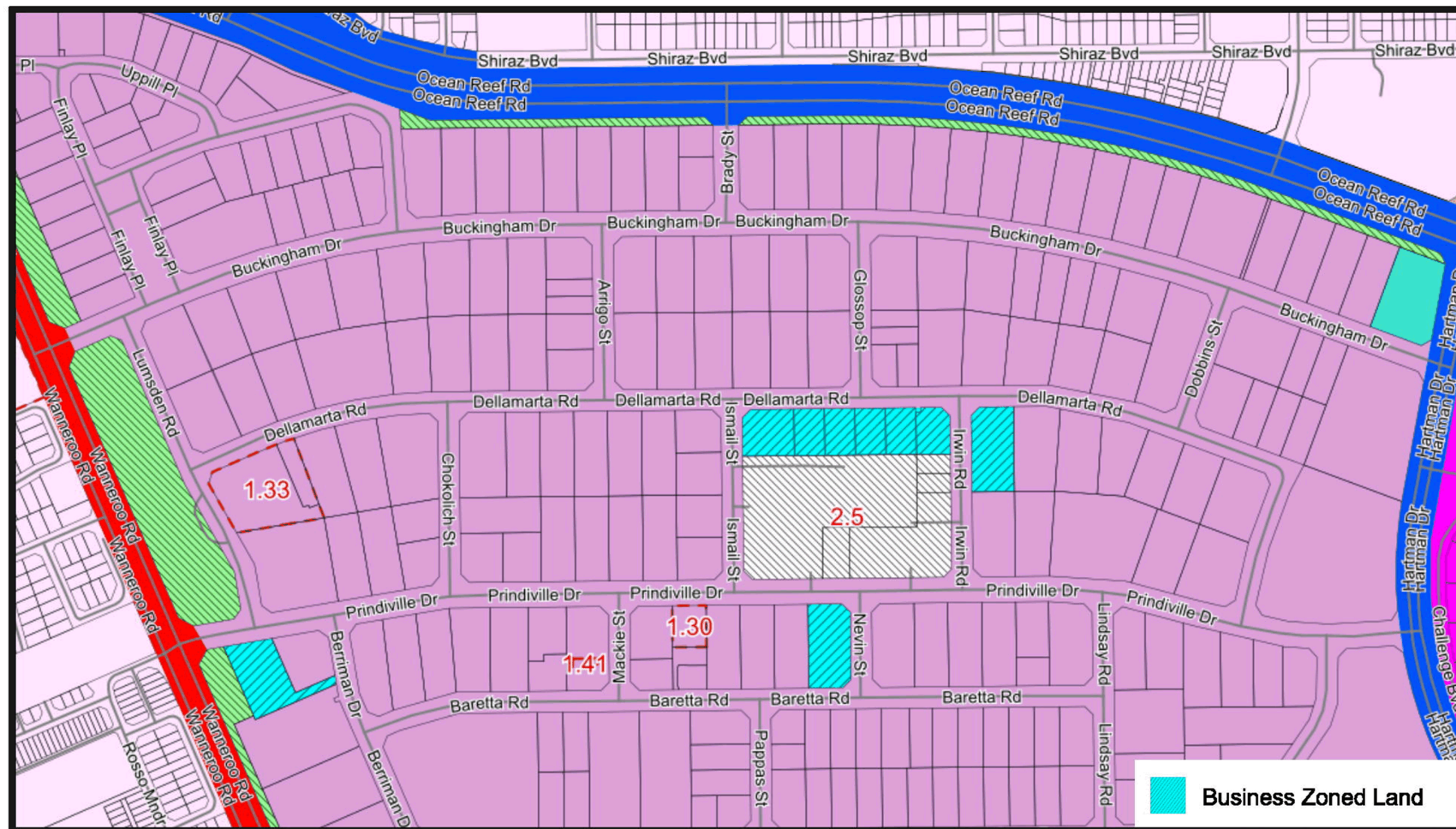
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Client: Longfield Pty Ltd 17/1/2019



Attachment 6

Wangara Industrial Area



ATTACHMENT 7

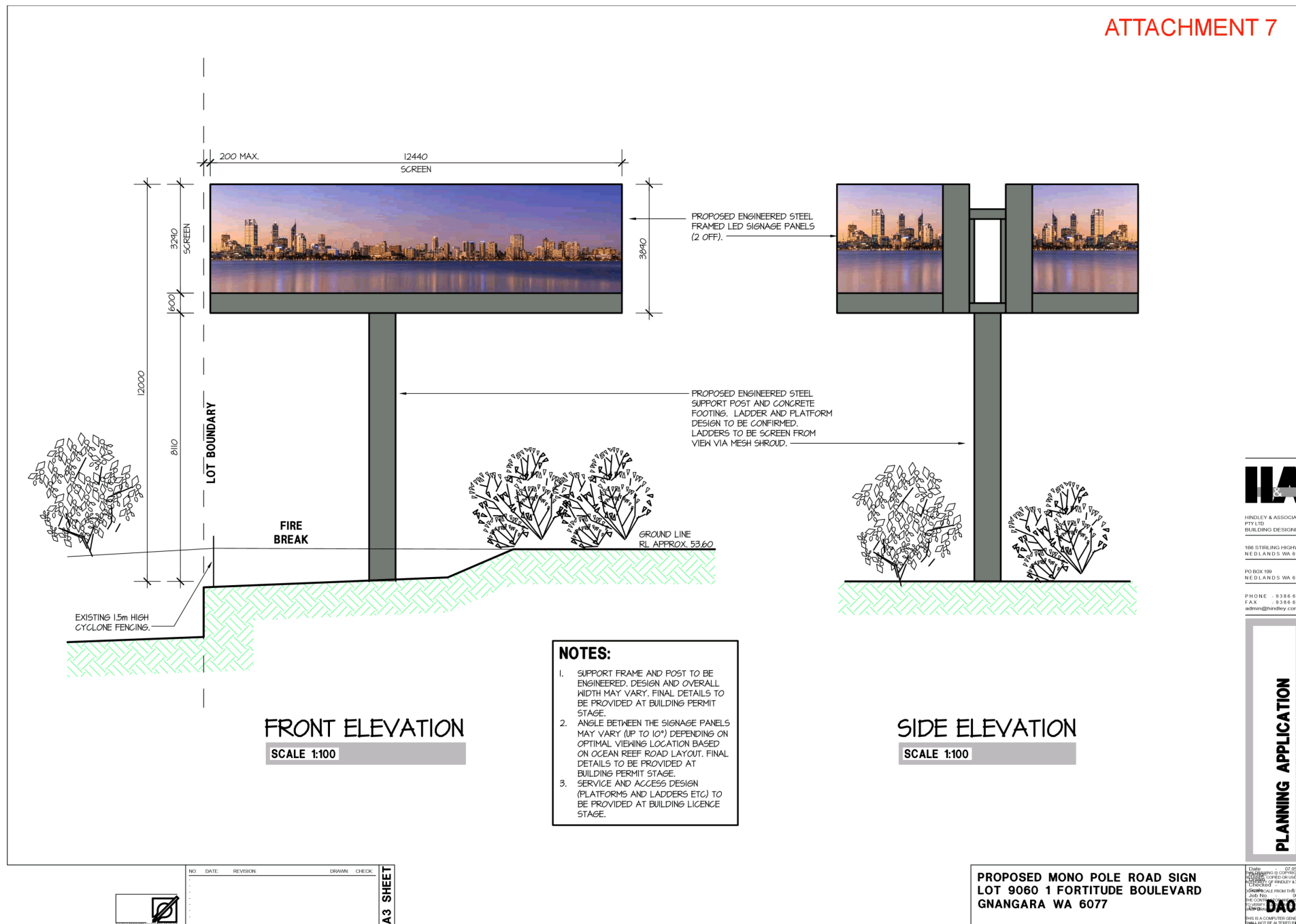




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HINDLEY & ASSOCIATES
PTY LTD
BUILDING DESIGNERS

166 STIRLING HIGHWAY
NEDLANDS WA 6009

PO BOX 199
NEDLANDS WA 6909

PHONE - 9386 6000
FAX - 9386 6700
admin@hindley.com.au

PLANNING APPLICATION

PROPOSED MONO POLE ROAD SIGN
LOT 9060 1 FORTITUDE BOULEVARD
GNANGARA WA 6077

Date - 26/10/18
Design - AUJ
Drawn - AUJ
Checked - N.T.S.
Scale - 1:500
Job No. 9000
Dwg. **DA05**
Rev - **A**

4.5 Preparation of Amendment No. 192 to DPS 2 and Revocation of the Brighton West Village Centre Agreed Structure Plan No. 52

File Ref:	42468 – 21/168509
Responsible Officer:	Director Planning and Sustainability
Disclosure of Interest:	Nil
Attachments:	2

Issue

To consider initiating Amendment No. 192 to DPS 2, to normalise the zoning of land affected by the Brighton West Village Centre Agreed Structure Plan No. 52.

Background

The preparation and operation of the City's structure plans is undertaken pursuant to the Deemed Provisions of the City's DPS 2 (**Deemed Provisions**). The Deemed Provisions are established through Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (**the Regulations**). The Deemed Provisions define and set out the purpose of a structure plan as follows:

structure plan means a plan for the coordination of future subdivision and zoning of an area of land

Many of the City's structure plans are necessary planning instruments to guide ongoing subdivision and zoning of land. However, the City has a growing number of structure plans that are either already or will shortly become redundant, as their subject areas are subdivided and built out.

The Western Australian planning framework intends that once a structure plan has achieved its purpose of guiding the zoning and subdivision of land, the land would be zoned under a local planning scheme (such as DPS 2) via a scheme amendment, a process referred to as 'normalising'. Considerations could also be made at that time for a structure plan to be entirely revoked, if it is no longer needed to serve its initial purpose to guide the subdivision and initial development of land.

Council at its previous meetings has already resolved to request the WAPC revoke various other structure plans, and to initiate coinciding amendments to DPS 2 (Amendment No. 187, Amendment No. 189 and Amendment No. 190) to normalise the zoning of affected land. In previously reporting to Council (initially on 17 November 2020, PS08-11/20), Administration discussed the staged approach that will be progressively undertaken toward 'normalising' and revoking structure plans that are no longer required. Amendment No. 192 to DPS 2, being subject to this Report, forms part of the structure plan revocation and normalisation programming being progressed by Administration.

Detail

Administration considers that the Brighton West Village Centre Agreed Structure Plan No. 52 (ASP 52) is ready for revocation, as it has completed its function in guiding subdivision in its respective area.

To revoke ASP 52, normalisation needs to first occur under DPS 2. As such, Administration is also proposing that the City initiate (or 'prepare' in the context of the *Planning and Development Act 2005*) Amendment No. 192 to DPS 2 to facilitate the normalisation.

Normalisation will include bringing in the zonings and density codes shown on the ASP 52 maps, and imposing them onto the DPS 2 map. A Scheme Amendment Map, which shows the extent of normalisation required, is provided in **Attachment 1**. Location maps and current structure plan mapping are provided within **Attachment 2**.

Amendment No. 192 also proposes to insert a retail floorspace limitation of 1,000sqm that ASP 52 imposes for its Commercial zoned land (located at Lot 1900(10) Clew Way, Jindalee) into Schedule 3 of DPS 2.

Administration considers that proposed Amendment No. 192 to DPS 2 meets the following criteria for 'Standard Amendments' in the context of Regulation 34 of the Regulations:

An amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment.

An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment.

Consultation

Should Council resolve to prepare Amendment No. 192 to DPS 2, the amendment will need to be referred to the Environmental Protection Authority (EPA) pursuant to Section 81 and 82 of the *Planning and Development Act 2005*. The EPA will assess the environmental impacts of the proposal and to determine whether any formal environmental assessment is necessary.

Subject to no objections being received from the EPA, the amendment must be advertised for public comment for a period of at least 42 days. Advertising is to occur in the following manner, pursuant to Regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- Publish a notice of the amendment on the City's website – and where practicable, upload the amendment documentation;
- Where appropriate, publish a notice in a newspaper circulating in the relevant locality;
- Notify public authorities likely to be affected by the amendment; and
- Advertise the amendment as directed by the WAPC and in any other way the local government considers appropriate.

In addition to the above, Administration will write to landowners and occupiers of land that it considers could be affected by the DPS 2 amendment.

Comment

Information and mapping from Administration pertaining to ASP 52 is included in **Attachment 2**. The information in **Attachment 2** provides aerial imagery, structure plan mapping and Administration's review of how the structure plan provisions have been met.

Administration has identified that subdivision has been completed on the land within ASP 52; and as such, that structure plan could be revoked. Development also occupies all lots affected by ASP 52; except a vacant portion of Lot 1378 (6) Jindalee Boulevard, Jindalee, which is subject to a development approval recently granted by the City (under Delegated Authority).

The City considers that there are adequate controls through DPS 2 to guide any further development, should it occur. Development would not require guidance from ASP 52, as demonstrated in the table included within **Attachment 2**.

A corresponding amendment to DPS 2 is firstly required to facilitate the later (proposed) revocation of ASP 52. Administration has therefore prepared Amendment No. 192 to DPS 2,

to place the zonings, density codes and retail floorspace limitations found in ASP 52 into DPS 2. To undertake the normalisation and revocation in an orderly manner, the WAPC would only be able to consider the revocation of ASP 52 should the Minister for Planning first approve Amendment No. 192 to DPS 2.

The Regulations (Regulation 35A) make provision for when an amendment to a local planning scheme affects a structure plan area, the amendment must include a statement that when the amendment takes effect:

- (a) the approval of the structure plan is to be revoked; or
- (b) the structure plan is to be amended in accordance with the statement; or
- (c) the approval of the structure plan is not affected.

In this case, and in light of the Regulations, Amendment No. 192 will include a statement that on its approval, the WAPC's approval of ASP 52 will be revoked.

Pursuant to Clause 28(3) and Clause 29A(1) of the Deemed Provisions, it is the WAPC that may revoke its approval of a structure plan. In other words, the City has no ability to revoke structure plans, but rather must request the WAPC undertake that process. Such a request should be made pursuant to a Council resolution, when Amendment No. 192 is presented back to a future Council Meeting following advertising.

Statutory Compliance

Amendment No. 192 to DPS 2, being prepared to facilitate a future revocation of the Brighton West Village Centre Agreed Structure Plan No. 52, can be processed in accordance with the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Following the Minister for Planning's approval of Amendment No. 192 to DPS 2, the revocation of the Brighton West Village Centre Agreed Structure Plan No. 52 could then occur pursuant to the deemed provisions for local planning schemes, provided in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 Civic Leadership

4.2 Good Governance

4.2.2 *Provide responsible resource and planning management which recognises our significant future growth”*

Risk Management Considerations

There are no existing Strategic or Corporate risks within the City's existing risk registers which relate to the issues contained in this report.

Policy Implications

The WAPC acknowledges in its Structure Plan Framework document (the Framework) that it may revoke its approval of a structure plan under the Deemed Provisions. One of the most common circumstances stated in the Framework is when a local planning scheme is amended to include a zoning over the land covered by the structure plan, following the finalisation of the subdivision of the land.

Financial Implications

The costs of preparing Amendment No. 192 to DPS 2, and preparing the subsequent request to the WAPC to revoke ASP 52 can be met from the current Planning and Sustainability operational budget.

Voting Requirements

Simple Majority

Recommendation

That Council:-

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, PREPARES Amendment No. 192 to City of Wanneroo District Planning Scheme No. 2, to amend the local planning scheme by:

- a) Rezoning Lot 1377 (6) Cockleshell Brace, Jindalee and Lot 1378 (6) Jindalee Boulevard, Jindalee from 'Urban Development' to 'Business' with a residential density code of R60, as shown on the Scheme (Amendment) Map (included in Attachment 1 of this Report);
- b) Rezoning Lot 1900 (10) Clew Way, Jindalee from 'Urban Development' to 'Commercial' with a residential density code of R60, as shown on the Scheme (Amendment) Map (included in Attachment 1 of this Report);
- c) Rezoning the following lots from 'Urban Development' to 'Residential' with a residential density code of R40:
 - Lot 1874 (38) Investigator Parade, Jindalee
 - Lot 1875 (36) Investigator Parade, Jindalee;
 - Lot 1869 (8) Clew Way, Jindalee;
 - Lot 1870 (6) Clew way, Jindalee;
 - Lot 1871 (5) Clew Way, Jindalee;
 - Lot 1872 (7) Clew Way, Jindalee; and
 - Lot 1873 (9) Clew Way, Jindalee,

as shown on the Scheme (Amendment) Map (included in Attachment 1 of this Report); and

- d) Amending Schedule 3 of District Planning Scheme No. 2 to insert the following:

LOCALITY	DESCRIPTION OF CENTRE AND COMMERCIAL ZONES	NLA (m ²)
JINDALEE	Lot 1900 on Deposited Plan 401242 (10) Clew Way	1000

2. Pursuant to Regulation 35A(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES that Amendment No. 192 to District Planning Scheme No. 2 include the following statement:

Approval of the City of Wanneroo's Brighton West Village Centre Agreed Structure Plan No. 52 is to be revoked when this amendment is approved and takes effect.

3. Pursuant to Regulation 34 and Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES that Amendment No. 192 to District Planning Scheme No. 2 is a standard amendment for the following reasons:
- a) An amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment.
 - b) An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment.
4. Pursuant to Section 81 of the *Planning and Development Act 2005*, REFERS Amendment No. 192 to District Planning Scheme No. 2 to the Environmental Protection Authority;
5. Subject to approval from the Environmental Protection Authority, ADVERTISES Amendment No. 192 to District Planning Scheme No. 2 for a period of not less than 42 days pursuant to Regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
6. NOTES that a further Report will be presented to a future Council Meeting, following advertising of Amendment No. 192 to District Planning Scheme No. 2, seeking resolution in respect to the following:
- a) Whether to not support or support Amendment No. 192 to District Planning Scheme No. 2 (with or without modification);
 - b) To provide the advertised Amendment No. 192 to District Planning Scheme No. 2 to the WAPC; and
 - c) Subject to Council supporting Amendment No. 192 to District Planning Scheme No. 2, requesting the WAPC consider revoking the Brighton West Village Centre Agreed Structure Plan No. 52.

Attachments:

- | | | |
|---|--|-----------|
| 1 | Attachment 1 - Scheme Amendment Map - Amendment 192 to DPS 2 - Normalisation of Brighton West Village ASP 52 | 21/192294 |
| 2 | Attachment 2 - Supporting Information for Reports - Brighton West Village Structure Plan No. 52 | 21/192664 |

CITY OF WANNEROO

DISTRICT PLANNING SCHEME No. 2

AMENDMENT No. 192

Brighton West Village
Adopted Structure Plan No.52

LEGEND

MRS RESERVE

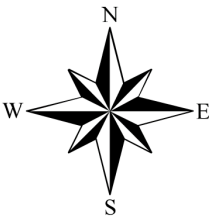
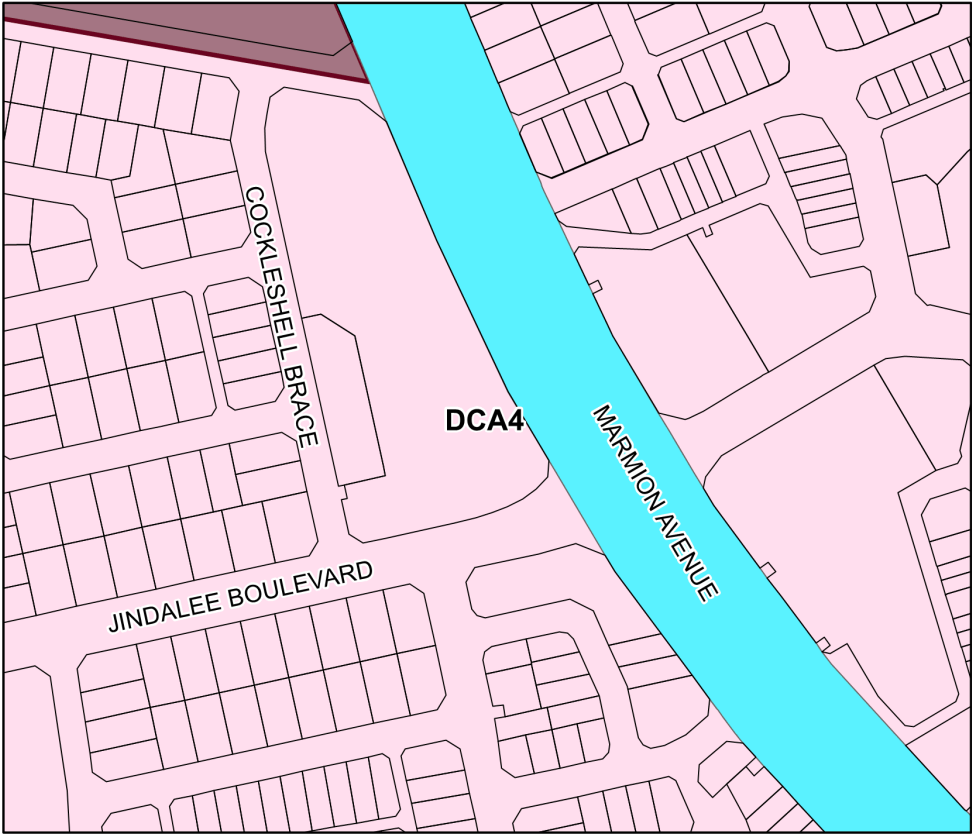
OTHER REGIONAL ROAD

ZONE

DEVELOPMENT CONTRIBUTION AREA

SMART GROWTH COMMUNITY

URBAN DEVELOPMENT



LEGEND

ZONE

BUSINESS

COMMERCIAL

RESIDENTIAL

R/CODE



SCHEME (AMENDMENT) MAP

Information Pertaining to ASP 52 and Relevant Area

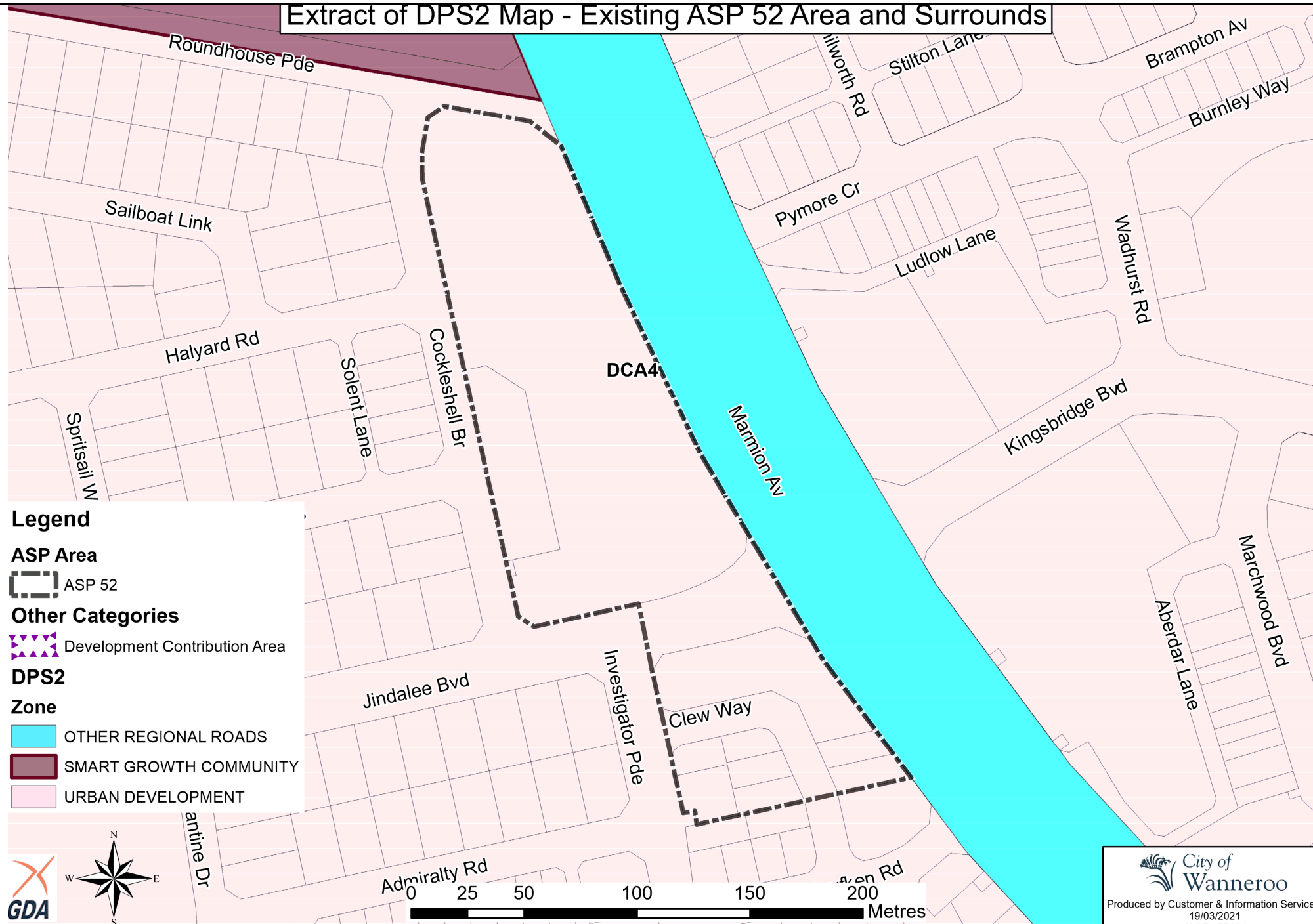
AGREED STRUCTURE PLAN

BRIGHTON WEST VILLAGE CENTRE STRUCTURE PLAN

Structure Plan No. 52

This Structure Plan is prepared under the provisions of the City of Wanneroo District Planning
Scheme No.2

Extract of DPS2 Map - Existing ASP 52 Area and Surrounds



Aerial Photo of ASP 52 Area and Surrounds



ASP 52 Zoning Plan



13 May 2011 4268
 1:1500 @ A4 051101
 F Ramirez M Callaghan
 13 May 2011 4268
 1:1500 @ A4 051101
 F Ramirez M Callaghan

plan 1-zoning plan
 address brighton west village centre
 jindalee
 ped / south west rd - 1:1500 @ A4 051101
 mls west rd - 1:1500 @ A4 051101
 plans rd - 1:1500 @ A4 051101

GREG ROWE & associates
 FOCUSED ON ACHIEVEMENT



ASP 52 R-Codes Plan



Legend

- ASP 52 AREA
- RESIDENTIAL R40
- RESIDENTIAL R60

date 13 May 2011
 site 4268
 scale 1:1500 @ A4
 sheet 05/101
 designer F Ramirez
 drafter M Callaghan
 client

Level 3, 365 Bankside Drive, Northcote, Victoria Australia 3071
 email greg@gregrowe.com.au web www.gregrowe.com.au
 tel +61 3 9415 0211 fax +61 3 9415 0211

As a registered professional, I warrant that the information provided in this document is true and correct to the best of my knowledge and belief. I warrant that the information provided in this document is true and correct to the best of my knowledge and belief. I warrant that the information provided in this document is true and correct to the best of my knowledge and belief.

site plan 2-residential density
 address brighton west village centre
 jindalee

level / south west 1st - 4th floor
 level / south west 1st - 4th floor
 level / south west 1st - 4th floor

GREG ROWE & associates
 FOCUSED ON ACHIEVEMENT



NAIT Town Planning 4000-4999 v2.68 DELIVERABLES

PROJECT MANAGEMENT

URBAN DESIGN

MASTER PLANNING

TOWN PLANNING

Review of Structure Plan Provisions – Brighton West Village Centre Agreed Local Structure Plan No. 52

Structure Plan Provision	Review on Provision being Satisfied or Met & Impact of Provision being Deleted through Revocation of ASP 52
8.0 General Provisions	
8.1 Business Zone	
Objectives The general objectives of this zone shall be in accordance with those contained in the Scheme for the "Business Zone".	Considered as a provision pertaining to objectives, which cannot be directly enforced in the ASP 52 Business Zone. If the zoning were to be normalised and ASP 52 revoked, the objectives of the Business Zone contained in DPS 2 will then apply over the relevant land parcels.
Use Permissibility Land use permissibility within this zone shall be in accordance with the corresponding zone under the Scheme.	This requirement has been enforced through ASP 52, and can continue to be enforced through DPS 2 if the zoning were to be normalised and ASP 52 revoked.
Provisions i. Landmark buildings shall be constructed at the corner of Jindalee Boulevard and Marmion Avenue, as depicted on "Plan 3". The "landmark" buildings shall have special building elevations and window treatments that draw attention to the location, including such means as distinctive roof form, articulation of corner wall elements, entry forecourts, materials and colour. ii. All buildings shall be designed to address the adjacent street frontages. iii. A continuous building façade with no blank walls shall be provided along the main street precinct. This façade may be broken on the western end of the lot on the southern side of Jindalee Boulevard to accommodate a car parking area. iv. All buildings fronting the main street precinct shall incorporate the main building entries and continuous awnings and/or colonnades with a minimum width of 2 metres and a minimum ground clearance of 2.75 metres. v. Building setbacks adjacent to the main street precinct shall be nil. Buildings fronting the main street precinct may also be built up to the Marmion Avenue street boundary. vi. The ground floor of any buildings fronting the main street precinct shall not be more than 0.5 metres above the street level or not more than an average of 0.5 metres from a sloping site. vii. Entry doors from the main street precinct shall be at grade with the adjoining paving. viii. The buildings on both sides of the main street precinct shall be similar or complementary in design. ix. The full width of the main street road verges shall be paved and incorporate street trees, car parking bays and street furniture.	Development on land zoned Business in ASP 52 is predominantly built out. There is a development approval in place to undertake works on the one remaining portion of vacant land on Lot 1378 (6) Jindalee Boulevard, Jindalee. It is through the development approval process that the City considered the built form of the development against the structure plan provisions. There is no mechanism to now force the owners of the subject land to bring the built form to a higher standard, if the built form structure plan requirements were not previously met through the development approval process. Should ASP 52 be revoked, and further development (or redevelopment) occurs, such development would be assessed against the provisions of DPS 2. The City can exercise discretion under DPS 2 in order to ensure that design outcomes in any (re)development complements surrounding built form approved prior through ASP 52. All the elements required to be provided in the road verge by this ASP 52 provision are in place.

Review of Structure Plan Provisions – Brighton West Village Centre Agreed Local Structure Plan No. 52

Structure Plan Provision	Review on Provision being Satisfied or Met & Impact of Provision being Deleted through Revocation of ASP 52
x. Service areas, bin storage areas and services such as air conditioners, compressors and other machinery shall be located away from the public areas and screened from view from the streets and public areas by an enclosure in the style, materials and colours of the adjacent development.	Refer to comments provided for Items (i) to (viii) above.
xi. Any residential development shall be designed and located to have regard to the interface to non-residential areas in terms of noise, traffic, light and other amenity impacts. Appropriate interface treatments by way of buffers, walls, dense landscaping and other means shall be provided to maintain the amenity of the residential developments.	Land with a designated Business zone under ASP 52 does not provide for any residential development.
8.2 Commercial Zone	
Objectives The general objectives of this zone shall be in accordance with those contained in the Scheme for the "Commercial Zone".	Considered as a provision pertaining to objectives, which cannot be directly enforced in the ASP 52 Commercial Zone. If the zoning were to be normalised and ASP 52 revoked, the objectives of the Commercial Zone contained in DPS 2 will then apply over the relevant land parcels.
Use Permissibility Land use permissibility within this zone shall be in accordance with the corresponding zone under the Scheme.	This requirement has been enforced through ASP 52, and can continue to be enforced through DPS 2 if the zoning were to be normalised and ASP 52 revoked.
i. Landmark buildings shall be constructed at the corner of Jindalee Boulevard and Marmion Avenue, as depicted on "Plan 3". The "landmark" buildings shall have special building elevations and window treatments that draw attention to the location, including such means as distinctive roof form, articulation of corner wall elements, entry forecourts, materials and colour.	<p>Development on land zoned Commercial in ASP 52 has been completed.</p> <p>It is through the development approval process that the City considered the built form of the development against the structure plan provisions. There is no mechanism to now force the owners of the subject land to bring the built form to a higher standard, if the built form structure plan requirements were not previously met through the development approval process.</p> <p>Should ASP 52 be revoked, and further development (or redevelopment) occurs, such development would be assessed against the provisions of DPS 2. The City can exercise discretion under DPS 2 in order to ensure that design outcomes in any (re)development complements surrounding built form approved prior through ASP 52.</p>
ii. All buildings shall be designed to address the adjacent street frontages	
iii. A continuous building façade with no blank walls shall be provided along the main street precinct. This façade may be broken to accommodate car parking.	
iv. All buildings fronting the main street precinct shall incorporate the main building entries and continuous awnings and/or colonnades with a minimum width of 2 metres and a minimum ground clearance of 2.75 metres.	
v. Building setbacks adjacent to the main street precinct shall be nil. Buildings fronting the main street precinct may also be built up to the Marmion Avenue street boundary.	
vi. The ground floor of any buildings fronting the main street precinct shall not be more than 0.5 metres above the street level or not more than an average of 0.5 metres from a sloping site.	
vii. Entry doors from the main street precinct shall be at grade with the adjoining paving.	
viii. The buildings on both sides of the main street precinct shall be similar or complementary in design.	

Review of Structure Plan Provisions – Brighton West Village Centre Agreed Local Structure Plan No. 52

Structure Plan Provision	Review on Provision being Satisfied or Met & Impact of Provision being Deleted through Revocation of ASP 52
ix. The full width of the main street road verges shall be paved and incorporate street trees, car parking bays and street furniture.	All the elements required to be provided in the road verge by this ASP 52 provision are in place.
x. Service areas, bin storage areas and services such as air conditioners, compressors and other machinery shall be located away from the public areas and screened from view from the streets and public areas by an enclosure in the style, materials and colours of the adjacent development.	Refer to comments provided for Items (i) to (viii) above.
xi. Any residential development shall be designed and located to have regard to the interface to non residential areas in terms of noise, traffic, light and other amenity impacts. Appropriate interface treatments by way of buffers, walls, dense landscaping and other means shall be provided to maintain the amenity of the residential developments.	Land with a designated Commercial zone under ASP 52 does not provide for any residential development.
Retail Floorspace Retail floorspace shall not exceed 1,000m ² of net lettable area.	On review of the approved uses in the ASP 52 Commercial Zone, there is 189sqm of retail floorspace – that is floorspace used for the purposes listed in Planning Landuse Category 5 (PLUC 5) – Shop/Retail. This is well under the maximum of 1,000sqm of floorspace permitted under ASP 52. This retail floorspace cap provisions in ASP 52 is proposed to be transferred into Schedule 3 of DPS 2 via Amendment No. 192.
8.3 Residential Zone	
Objectives The general objectives of this zone shall be in accordance with those contained in the Scheme for the "Residential Zone".	Considered as a provision pertaining to objectives, which cannot be directly enforced in the ASP 52 Residential Zone. If the zoning were to be normalised and ASP 52 revoked, the objectives of the Residential Zone contained in DPS 2 will apply over the relevant land parcels.
Use Permissibility Land use permissibility within this zone shall be in accordance with the corresponding zone under the Scheme.	This requirement has been enforced through ASP 52, and can continue to be enforced through DPS 2 if the zoning were to be normalised and ASP 52 revoked.

Assets

Strategic Asset Management

4.6 Council Policy Review - Local Area Traffic Management Policy

File Ref: 3120V07 – 21/145124
Responsible Officer: Director Assets
Disclosure of Interest: Nil
Attachments: 2

Issue

To consider a review of the City's current Local Area Traffic Management Policy in accordance with the City's Policy and Procedure Framework requirements.

Background

Council policies are adopted by Council for the purpose of ensuring that the City meets its strategic objectives. Incorporated into all Council policies is a scheduled review date to ensure that policies remain current and that Elected Members are provided with a timely opportunity to review them.

The Local Area Traffic Management Policy (LATMP) was approved by Council at its meeting on 30 July 2019, Item No AS07-07/19 refers. This report provides details of minor amendments.

Detail

Minor changes have been made to this policy to increase the assessment score for all residential roads where the operating (85th percentile) speed is higher than the posted speed limit. Attachments 1 and 2 show the final draft and marked up version, refer to attachment 2 to review the following changes:

1. Minor grammar and punctuation edits made. Highlighted in red text;
2. Additional areas added to 'No Investigation' criteria, being "Areas that are zoned rural, special rural or industrial" to clarify those areas where the installation of traffic management treatments are not appropriate;
3. Adjustments made to table '5.1 Speed', with 1 additional point awarded per km/h to the 85th percentile speed (km/h) exceeding the posted speed limit between 0-10 km/h; and
4. Table '5.2 Traffic Volumes' has point system rescaled. Local Distributors with <2000 Vehicles per day will no longer have a deduction of points.

Consultation

Consultation has been undertaken with the relevant stakeholders and the Policy has been reviewed in accordance with the City's Policy and Procedure review process.

Comment

The LATMP is intended to prioritise those roads with higher than desired operating (85th percentile) speeds or other safety issues and has provided a good framework for the City to assess all traffic issues and enabled a consistent approach in decision making, however over time discrepancies in the policy have been identified.

A comparative assessment of the LATMP priority scores has highlighted some minor issues, with the main one being that the policy scoring system does not provide sufficient priority for those roads with an operating speed greater than the posted speed limit, or those roads with a high operating speed, but with comparatively low traffic volumes.

Using the suggested revisions to the Policy, reassessment of the LATMP priority scores for those roads that have previously been assessed increases the number of roads determined to be a "Technical Problem Site", generally requiring physical infrastructure changes, from 7 to 14. There is a similar level of increase in the number of roads identified as a "Minor Technical Problem Site" requiring non capital solutions. Should the Policy be revised as suggested, then the Traffic Treatments programme in the Long Term Capital Plan will be updated to include those additional roads.

Statutory Compliance

Nil

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

"3 Environment (Built)

3.5 Connected and Accessible City

3.5.1 Deliver local transport infrastructure including roads, footpaths and cycle ways to improve accessibility"

Risk Management Considerations

Risk Title	Risk Rating
CO-023 Safety of Community	Moderate
Accountability	Action Planning Option
Director Community and Place	Manage

Risk Title	Risk Rating
ST-S04 Integrated Infrastructure and Utility Planning	Moderate
Accountability	Action Planning Option
Director Assets and Director Planning & Sustainability	Manage

The above risks relating to the issues contained within this report have been identified and considered within the City's Strategic/ Corporate risk register.

Policy Implications

This policy has been recommended for review as a result of an evaluation and review process undertaken in accordance with the City of Wanneroo's Policy Register.

Financial Implications

Nil



Voting Requirements

Simple Majority

Recommendation

That Council ADOPTS the revised Local Area Traffic Management Policy as shown in Attachment 1.

Attachments:

- | | | |
|---|--|-----------|
| 1  | Attachment 1 - LATMP Final | 21/145442 |
| 2  | Attachment 2 - LATMP Policy Original mark up | 21/145445 |



Policy Manual

Local Area Traffic Management

Policy Owner:	Traffic services
Contact Person:	Principal Specialist Traffic Services
Date of Approval:	-

POLICY OBJECTIVE

The purpose of this policy is to have a safe and easy to use road network and to prioritise the provision of traffic management treatments in locations where they will be beneficial to both the community and the travelling public in built-up residential and commercial areas.

POLICY STATEMENT

This policy provides an objective framework by which the City's road network can be assessed to determine locations where the implementation of traffic management treatments will be of greatest benefit to the community. As the number of community requests for traffic management greatly exceeds the City's available resources, the policy allows the City to determine where traffic treatments are not appropriate and provides a scoring mechanism to allow for prioritisation of projects in appropriate locations.

SCOPE

The policy applies to the local road network under the control of the City.

BACKGROUND

The goal of the Local Area Traffic Management Policy is to improve safety and amenity within the local road network. The City has a legal duty of care to road users to take 'reasonable measures' to provide a safe road environment. This policy is based on recommendations outlined in Austroads Guide to Traffic Management – Part 8: Local Area Traffic Management and the prioritisation of projects for funding meets the 'reasonable measures' requirements regarding the City's duty of care to road users.

As the City lacks the resources to meet all requests for traffic treatments, a suitable policy is required to determine where the installation of traffic treatments is warranted and where other low cost non-capital works should be considered. To best address community expectations, the City requires a policy which meets the following criteria:

Easy to Use - The policy should be able to process a large number of requests within a reasonable timeframe without requiring an undue commitment of the City's resources.

Fair and Transparent - The policy should be objective and applied equally across the City.



Policy Manual

Maximises Positive Outcomes for the Community - The policy should allow the prioritisation of projects to ensure that the City's limited resources are allocated where they are of greatest benefit to the community.

CONSULTATION WITH STAKEHOLDERS

Nil

IMPLICATIONS (Financial, Human Resources)

The current Traffic Management Investigation and Intervention Policy is resourced through Transport and Traffic who conduct all investigations under the policy. Where suitable traffic management projects are identified through the policy, these are submitted to Council for consideration in the City's Ten Years Capital Works Program. Changes to the current policy are not expected to impact on the level of resources required.

IMPLEMENTATION

The following actions are to be undertaken when considering the need for traffic management treatments on local access roads or local distributor roads.

1. Assess the level of investigation.

Investigation Levels:	Criteria
No investigation:	Investigated within last 2 years, or Site is a cul-de-sac, or loop road or other short road where no straight section is greater than 100m, or Land development in the traffic catchment is not substantially complete ie less than 90% residential occupancy or planned changes to traffic patterns occur when developments are progressed. Areas that are zoned rural, special rural or industrial.
Use alternative method of investigation:	The road is a District Distributor road, or The road is abutted on both sides by major attractors (eg Main Street Retail), or Posted speed limit 70 km/h or over.
Investigate using LATMP without new traffic classifier data collection:	Data exists and is less than 2 years old.
Investigate using LATMP with new traffic classifier data:	When none of the above criteria apply.

2. Generate a Traffic Management Score (TMS)

A Traffic Management Score (TMS) shall be determined in accordance with the details provided in the Local Area Traffic Management Policy Management Procedure.



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3. Decide the level of action.

The total Traffic Management Score to be considered against the limits in the following table:

Decision	TMS	Action Response
Denoted as Technical Problem Site	More than 60	Considered to be a site that has problems. Suitable solutions to be considered for funding and implementation.
Denoted as Minor Technical Problem Site	30 to 60 points	Consider low cost non-capital works solutions (e.g. signing and line marking) if appropriate.
Denoted as a site with low safety and amenity concerns	Under 30 points	No further action required.

4. Report the action

The level of investigation and the action recommended including any Traffic Management Score is to be reported to the person initiating the request for traffic management treatments.

5. Further actions

Where traffic treatments are found to be warranted, further investigation is to be undertaken by Traffic Services to determine the suitability of various traffic treatment options and to prepare concept plans, community consultation and cost estimates for Council approval and consideration in the Long Term Capital Works Program.

ROLES AND RESPONSIBILITIES

Traffic Services is responsible for conducting investigations under the policy and for initiating any further action where the need is identified.

WHO NEEDS TO KNOW ABOUT THIS POLICY?

The implementation of this policy is conducted solely within Traffic Services. While other areas of the organisation would benefit from knowledge of the existence of the policy, detailed knowledge of the policy is not required.

EVALUATION AND REVIEW PROVISIONS

The policy will be evaluated based on how well it identifies locations in which traffic management treatments are warranted with a review to take place in two years.

DEFINITIONS

There are no definitions for this policy



Policy Manual

RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

Local Area Traffic Management Policy Management Procedure TRIM : 16/83038

REFERENCES

Attachment A – Local Area Traffic Management Policy Management Procedure

RESPONSIBILITY FOR IMPLEMENTATION

Traffic Services

Version	Next Review	Record No:
September 2006		
September 2008		543377
04 May 2010 – CS06-05/10		TRIM: 10/1322
5 April 2016 – AS02-04/16		TRIM: 16/83026
30 July 2019 AS0X-07/19	July 2021	TRIM: 19/265787



Policy Manual

ATTACHMENT A

Procedure Owner:	Traffic Services
Contact Person:	Coordinator Traffic Services
Distribution:	Traffic Services
Date of Approval:	5 April 2016 AS02-04/16

1. Policy Supported

Local Area Traffic Management Policy (LATMP).

2. Related Documents and/or Forms

Nil.

3. Purpose

This Management Procedure provides technical guidance in generating a Traffic Management Score (TMS) in assessing a road in conjunction with the LATMP.

4. Definitions

AWT means Average Weekday Traffic.

PSL means Posted Speed Limit.

LATMP means Local Area Traffic Management Policy.

TMS means Traffic Management Score.

5. Procedure

Where it is determined in the City's Local Area Traffic Management Policy that an investigation is warranted, this procedure shall be used to determine a Traffic Management Score (TMS) for the road under review.

As conditions may vary over the length of a road, the road under consideration should be split into homogenous sections where necessary. The need to split a road into sections will be determined by the reviewer based on these sections having significant differences in geometry and/ or land use.

Each section of road shall be assessed in accordance with the procedures outlined below:-

5.1 Speed

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Traffic data is collected by the City over the course of a week with counters to be located where vehicle speeds are likely to best represent maximum traffic speeds.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Traffic Speed 85 th percentile speed (km/h) exceeds posted speed limit (PSL) by:	0-10 km/h	2 points per km/h	2 points per km/h
	11-20 km/h	20 + 4 points per 11-20 km/h	20 + 4 points per 11-20 km/h
	20+ km/h	60+ 6 points per 20 + km/h	60+ 6 points per 20 + km/h
Traffic Speed Percent of vehicles 30km/h above posted speed limit (PSL)	5% - 10%	15	15
	10% - 15%	30	30
	15%+	45	45

5.2 Traffic Volumes

Traffic volumes shall be determined from traffic counts conducted by the City in accordance with section 5.1 above.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Traffic Volumes Vehicles per day (AWT)	1000	0	0
	2000	5	0
	3000	10	0
	4000	15	5
	5000	20	10
	6000	25	15
	7000	30+5 points per 1000	20+5 points per 1000

5.3 Crash History

Five year crash history is to be sourced from Main Roads WA Reporting Centre. Crash data shall not include the terminating intersections at the start and/ or end of the road but is to include crashes at all other intersections along the length of the road. To prevent extremely short road sections from scoring excessively, a minimum distance of 0.5 km shall be used in determining the number of crashes per km. Road lengths shall be determined using the SLK values provided by the Main Roads WA Reporting Centre.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Crash Data – 5 years Fatal crash/km	If road section being assessed is less than 500m, assess for 0.5km	6 points per crash/km	6 points per crash/km
Crash Data – 5 years Injury crash/km		4 points per crash/km	4 points per crash/km

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Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Crash Data – 5 years Property damage crash/km		1 point per crash/km	1 point per crash/km

5.4 Road Design and Topography

Restricted sight distance shall be determined in accordance with the Stopping Sight Distance provisions given in Section 5.3 of *Austroads Guide to Road Design Part 3: Geometric Design*.

A hill is generally considered steep where the grade is greater than 6-8% but this will depend on the length of the hill and the road environment.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Road Design and Topography Restricted sight vertical curve (85 th percentile speed)	Below PSL	2	2
	0-10 km/h over PSL	6	6
	10+ km/h over PSL	18	18
Road Design and Topography Restricted sight horizontal curve (85 th percentile speed)	Below PSL	2	2
	0-10 km/h over PSL	6	6
	10+ km/h over PSL	18	18
Road Design and Topography Unrestricted sight on bend (85 th percentile speed)	Below PSL	0	0
	0-10 km/h over PSL	2	2
	10+ km/h over PSL	6	6
Road Design and Topography Steep hill (85 th percentile speed)	Below PSL	1	1
	0-10 km/h over PSL	4	4
	10+ km/h over PSL	10	10

5.5 Vulnerable Road Users

The classification of a major pedestrian crossing point relies on engineering judgement but generally would be reserved for major commercial or educational precincts and near public transport hubs.

Classification of important bicycle route also relies on engineering judgement and is based on both the volume of bicycle traffic and the level of interaction between cyclists and motor vehicles.



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Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Vulnerable Road Users Major pedestrian crossing point (Vehicles per day at conflict point)	Under 1000 vehicles	1	1
	1000 – 2000 vehicles	2	2
	2000 – 3000 vehicles	4	4
	3000 – 4000 vehicles	6	6
	4000 – 5000 vehicles	8	8
	Above 5000	10	10
Vulnerable Road Users Important bicycle route (Vehicles per day alongside cycle route)	Under 1000 vehicles	0	0
	1000 – 2000 vehicles	1	1
	2000 – 3000 vehicles	2	2
	3000 – 4000 vehicles	3	3
	4000 – 5000 vehicles	4	4
	Above 5000	5	5

5.6 Activity Generators

Activity generators should only be considered where there is direct frontage to the road being assessed.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Activity Generators Educational Institution (School, College etc) (85 th percentile speed)	Under 30 km/hr	0	0
	30-40 km/hr	2	2
	40-50 km/hr	4	4
	50-60 km/hr	8	8
	over 60 km/hr	10	10
Activity Generators Retail (85 th percentile speed)	Under 30 km/hr	0	0
	30-40 km/hr	0	0
	40-50 km/hr	2	2
	50-60 km/hr	4	4
	Above 60 km/hr	8	8

5.7 Heavy Vehicles

Heavy vehicle data is collected in accordance with section 5.1 above and relies on Austroads vehicle classification system as given in table 1.1 and Figure 1.1 of *Austroads Technical Report AP-T60/06 - Automatic Vehicle Classification by Vehicle Length*.

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Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Heavy Vehicles	Under 2%	0	0
Commercial vehicles	2 – 4%	2	0
Austrorads Class 3+	4 – 6%	4	2
	6 – 8%	6	4
	8 – 10%	8	6
	Above 10%	10	8

5.8 Amenity Factors

Calculating the level of rat running requires engineering judgement, based primarily on the analysis of traffic volumes. Rat-running can be identified where AM and/ or PM peak hourly traffic volumes are considerably higher than 10% of daily traffic volumes or where there is a considerable difference between AM peak traffic volumes and PM peak traffic volumes.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Amenity Factors	Under 10%	0	0
Rat-running through traffic	10 – 20%	5	3
	20 – 40%	15	10
	Above 40%	20	15

6. Responsibility for Implementation

Traffic Services

REVISION HISTORY

Version	Next Review	Record No:
April 2016		TRIM: 16/83038
July 2019	July 2021	TRIM: 19/265787



Policy Manual

Local Area Traffic Management

Policy Owner: Traffic services
Contact Person: Coordinator Principal Specialist Traffic Services
Date of Approval: 30 July 2019 ASOX-07/19

POLICY OBJECTIVE

The purpose of this policy is to have a safe and easy to use road network and to prioritise the provision of traffic management treatments in locations where they will be beneficial to both the community and the travelling public in built-up residential and commercial areas.

POLICY STATEMENT

This policy provides an objective framework by which the City's road network can be assessed to determine locations where the implementation of traffic management treatments will be of greatest benefit to the community. As the number of community requests for traffic management greatly exceeds the City's available resources, the policy allows the City to determine where traffic treatments are not appropriate and provides a scoring mechanism to allow for prioritisation of projects in appropriate locations.

SCOPE

The policy applies to the local road network under the control of the City.

BACKGROUND

The goal of the Local Area Traffic Management Policy is to improve safety and amenity within the local road network. The City has a legal duty of care to road users to take 'reasonable measures' to provide a safe road environment. This policy is based on recommendations outlined in Austroads Guide to Traffic Management – Part 8: Local Area Traffic Management and the prioritisation of projects for funding meets the 'reasonable measures' requirements regarding the City's duty of care to road users.

As the City lacks the resources to meet all requests for traffic treatments, a suitable policy is required to determine where the installation of traffic treatments is warranted and where other low cost non-capital works should be considered. To best address community expectations, the City requires a policy which meets the following criteria:

Easy to Use - The policy should be able to process a large number of requests within a reasonable timeframe without requiring an undue commitment of the City's resources.

Fair and Transparent - The policy should be objective and applied equally across the City.



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Maximises Positive Outcomes for the Community - The policy should allow the prioritisation of projects to ensure that the City's limited resources are allocated where they are of greatest benefit to the community.

CONSULTATION WITH STAKEHOLDERS

Nil

IMPLICATIONS (Financial, Human Resources)

The current Traffic Management Investigation and Intervention Policy is resourced through Transport and Traffic who conduct all investigations under the policy. Where suitable traffic management projects are identified through the policy, these are submitted to Council for consideration in the City's Ten Years Capital Works Program. Changes to the current policy are not expected to impact on the level of resources required.

IMPLEMENTATION

The following actions are to be undertaken when considering the need for traffic management treatments on local access roads or local distributor roads.

1. Assess the level of investigation.

Investigation Levels:	Criteria
No investigation:	Investigated within last 2 years, or Site is a cul-de-sac, or loop road or other short road where no straight section is greater than 100m, or Land development in the traffic catchment is not substantially complete ie less than 90% residential occupancy or planned changes to traffic patterns occur when developments are progressed. Areas that are zoned rural, special rural or industrial.
Use alternative method of investigation:	The road is a District Distributor road, or The road is abutted on both sides by major attractors (eg Main Street Retail), or Posted speed limit 70 km/h or over.
Investigate using LATMP without new traffic classifier data collection:	Data exists and is less than 2 years old.
Investigate using LATMP with new traffic classifier data:	When none of the above criteria apply.

2. Generate a Traffic Management Score (TMS)

A Traffic Management Score (TMS) shall be determined in accordance with the details provided in the Local Area Traffic Management Policy Management Procedure.



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3. Decide the level of action.

The total Traffic Management Score to be considered against the limits in the following table:

Decision	TMS	Action Response
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Denoted as Minor Technical Problem Site	30 to 60 points	Consider low cost non-capital works solutions (e.g. signing and line marking) if appropriate.
Denoted as a site with low safety and amenity concerns	Under 30 points	No further action required.

4. Report the action

The level of investigation and the action recommended including any Traffic Management Score is to be reported to the person initiating the request for traffic management treatments.

5. Further actions

Where traffic treatments are found to be warranted, further investigation is to be undertaken by Traffic Services to determine the suitability of various traffic treatment options and to prepare concept plans, community consultation and cost estimates for Council approval and consideration in the Long Term Capital Works Program.

ROLES AND RESPONSIBILITIES

Traffic Services is responsible for conducting investigations under the policy and for initiating any further action where the need is identified.

WHO NEEDS TO KNOW ABOUT THIS POLICY?

The implementation of this policy is conducted solely within Traffic Services. While other areas of the organisation would benefit from knowledge of the existence of the policy, detailed knowledge of the policy is not required.

EVALUATION AND REVIEW PROVISIONS

The policy will be evaluated based on how well it identifies locations in which traffic management treatments are warranted with a review to take place in two years.

DEFINITIONS

There are no definitions for this policy



Policy Manual

RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

Local Area Traffic Management Policy Management Procedure TRIM : 16/83038

REFERENCES

Attachment A – Local Area Traffic Management Policy Management Procedure

RESPONSIBILITY FOR IMPLEMENTATION

Traffic Services

Version	Next Review	Record No:
September 2006		
September 2008		543377
04 May 2010 – CS06-05/10		TRIM: 10/1322
5 April 2016 – AS02-04/16		TRIM: 16/83026
30 July 2019 AS0X-07/19	July 2021	TRIM: 19/265787



Policy Manual

ATTACHMENT A

Procedure Owner:	Traffic Services
Contact Person:	Coordinator Traffic Services
Distribution:	Traffic Services
Date of Approval:	5 April 2016 AS02-04/16

1. Policy Supported

Local Area Traffic Management Policy (LATMP).

2. Related Documents and/or Forms

Nil.

3. Purpose

This Management Procedure provides technical guidance in generating a Traffic Management Score (TMS) in assessing a road in conjunction with the LATMP.

4. Definitions

AWT means Average Weekday Traffic.

PSL means Posted Speed Limit.

LATMP means Local Area Traffic Management Policy.

TMS means Traffic Management Score.

5. Procedure

Where it is determined in the City's Local Area Traffic Management Policy that an investigation is warranted, this procedure shall be used to determine a Traffic Management Score (TMS) for the road under review.

As conditions may vary over the length of a road, the road under consideration should be split into homogenous sections where necessary. The need to split a road into sections will be determined by the reviewer based on these sections having significant differences in geometry and/ or land use.

Each section of road shall be assessed in accordance with the procedures outlined below:-

5.1 Speed

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Traffic data is collected by the City over the course of a week with counters to be located where vehicle speeds are likely to best represent maximum traffic speeds.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Traffic Speed 85 th percentile speed (km/h) exceeds posted speed limit (PSL) by:	0-10 km/h	4(2) points per km/h	4(2) points per km/h
	11-20 km/h	20 + 4 points per 11-20 km/h	20 + 4 points per 11-20 km/h
	20+ km/h	60+ 6 points per 20 + km/h	60+ 6 points per 20 + km/h
Traffic Speed Percent of vehicles 30km/h above posted speed limit (PSL)	5% - 10%	15	15
	10% - 15%	30	30
	15%+	45	45

5.2 Traffic Volumes

Traffic volumes shall be determined from traffic counts conducted by the City in accordance with section 5.1 above.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Traffic Volumes Vehicles per day (AWT)	1000	0	-10(0)
	2000	5	-5(0)
	3000	10	0
	4000	15	5
	5000	20	10
	6000	25	15
	7000	30+5 points per 1000	20+5 points per 1000

5.3 Crash History

Five year crash history is to be sourced from Main Roads WA Reporting Centre. Crash data shall not include the terminating intersections at the start and/ or end of the road but is to include crashes at all other intersections along the length of the road. To prevent extremely short road sections from scoring excessively, a minimum distance of 0.5 km shall be used in determining the number of crashes per km. Road lengths shall be determined using the SLK values provided by the Main Roads WA Reporting Centre.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Crash Data – 5 years Fatal crash/km	If road section being assessed is	6 points per crash/km	6 points per crash/km



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Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Crash Data – 5 years Injury crash/km	less than 500m, assess for 0.5km	4 points per crash/km	4 points per crash/km
Crash Data – 5 years Property damage crash/km		1 point per crash/km	1 point per crash/km

5.4 Road Design and Topography

Restricted sight distance shall be determined in accordance with the Stopping Sight Distance provisions given in Section 5.3 of *Austroads Guide to Road Design Part 3: Geometric Design*.

A hill is generally considered steep where the grade is greater than 6-8% but this will depend on the length of the hill and the road environment.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Road Design and Topography Restricted sight vertical curve (85 th percentile speed)	Below PSL	2	2
	0-10 km/h over PSL	6	6
	10+ km/h over PSL	18	18
Road Design and Topography Restricted sight horizontal curve (85 th percentile speed)	Below PSL	2	2
	0-10 km/h over PSL	6	6
	10+ km/h over PSL	18	18
Road Design and Topography Unrestricted sight on bend (85 th percentile speed)	Below PSL	0	0
	0-10 km/h over PSL	2	2
	10+ km/h over PSL	6	6
Road Design and Topography Steep hill (85 th percentile speed)	Below PSL	1	1
	0-10 km/h over PSL	4	4
	10+ km/h over PSL	10	10

5.5 Vulnerable Road Users

The classification of a major pedestrian crossing point relies on engineering judgement but generally would be reserved for major commercial or educational precincts and near public transport hubs.

Classification of important bicycle route also relies on engineering judgement and is based on both the volume of bicycle traffic and the level of interaction between cyclists and motor vehicles.



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Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Vulnerable Road Users Major pedestrian crossing point (Vehicles per day at conflict point)	Under 1000 vehicles	1	1
	1000 – 2000 vehicles	2	2
	2000 – 3000 vehicles	4	4
	3000 – 4000 vehicles	6	6
	4000 – 5000 vehicles	8	8
	Above 5000	10	10
Vulnerable Road Users Important bicycle route (Vehicles per day alongside cycle route)	Under 1000 vehicles	0	0
	1000 – 2000 vehicles	1	1
	2000 – 3000 vehicles	2	2
	3000 – 4000 vehicles	3	3
	4000 – 5000 vehicles	4	4
	Above 5000	5	5

5.6 Activity Generators

Activity generators should only be considered where there is direct frontage to the road being assessed.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Activity Generators Educational Institution (School, College etc) (85 th percentile speed)	Under 30 km/hr	0	0
	30-40 km/hr	2	2
	40-50 km/hr	4	4
	50-60 km/hr	8	8
	over 60 km/hr	10	10
Activity Generators Retail (85 th percentile speed)	Under 30 km/hr	0	0
	30-40 km/hr	0	0
	40-50 km/hr	2	2
	50-60 km/hr	4	4
	Above 60 km/hr	8	8

5.7 Heavy Vehicles

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Heavy vehicle data is collected in accordance with section 5.1 above and relies on Austroads vehicle classification system as given in table 1.1 and Figure 1.1 of *Austroads Technical Report AP-T60/06 - Automatic Vehicle Classification by Vehicle Length*.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Heavy Vehicles	Under 2%	0	0
Commercial vehicles	2 – 4%	2	0
Austroads Class 3+	4 – 6%	4	2
	6 – 8%	6	4
	8 – 10%	8	6
	Above 10%	10	8

5.8 Amenity Factors

Calculating the level of rat running requires engineering judgement, based primarily on the analysis of traffic volumes. Rat-running can be identified where AM and/ or PM peak hourly traffic volumes are considerably higher than 10% of daily traffic volumes or where there is a considerable difference between AM peak traffic volumes and PM peak traffic volumes.

Traffic Parameter	Range/Item	Point Scores for Each Parameter	
		Local Road	Local Distributor
Amenity Factors	Under 10%	0	0
Rat-running through traffic	10 – 20%	5	3
	20 – 40%	15	10
	Above 40%	20	15

6. Responsibility for Implementation

Traffic Services

REVISION HISTORY

Version	Next Review	Record No:
April 2016		TRIM: 16/83038
July 2019	July 2021	TRIM: 19/265787

4.7 Council Policy Review - Bus Stop Infrastructure Policy

File Ref: 2409V03 – 21/160652
Responsible Officer: Director Assets
Disclosure of Interest: Nil
Attachments: 2

Issue

To consider a review of the City's current Bus Stop Infrastructure Policy in accordance with the City's Policy and Procedure Framework requirements.

Background

Council policies are adopted by Council for the purpose of ensuring that the City meets its strategic objectives. Incorporated into all Council policies is a scheduled review date to ensure that policies remain current and that Council Members are provided with a timely opportunity to review them.

The Bus Stop Infrastructure Policy was approved by Council at its meeting on 18 September 2018, Item No AS01-09/18 refers. This report recommends that no changes are made to the current Bus Stop Infrastructure Policy other than minor administrative changes.

Detail

A review of the bus stops assessed under the policy has not indicated that any changes to the priority for infrastructure determined by policy are required. The recommended changes are administrative only.

Consultation

Consultation has been undertaken with the relevant stakeholders and the Policy has been reviewed in accordance with the City's Policy and Procedure review process.

Comment

The Bus Stop Infrastructure Policy has provided a good framework for the City to assess all existing bus shelters as well as future locations within the City and has enabled a consistent approach in decision making.

The intent of the policy has not changed and therefore all amendments are considered to be legislative in nature. The policy will continue to be applied in its current form.

Statutory Compliance

Nil

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“3 Environment (Built)

3.5 Connected and Accessible City

3.5.1 Deliver local transport infrastructure including roads, footpaths and cycle ways to improve accessibility”

Risk Management Considerations

Risk Title	Risk Rating
ST-G09 Long Term financial Planning	Low
Accountability	Action Planning Option
Director Corporate Strategy and Performance	Manage

The above risk/s relating to the issue contained within this report has been identified and considered within the City's Strategic and Corporate Risk register. Action plans have been developed to manage this risk to support existing management systems.

Policy Implications

The policy has been recommended for review as a result of an evaluation and review process undertaken in accordance with the City of Wanneroo's Policy Register.

Financial Implications

Nil

Voting Requirements

Simple Majority

Recommendation

That Council APPROVES the revision of the Bus Stop Infrastructure Policy as shown in Attachment 1.

Attachments:

1. [Attachment 1 - Final Bus Stop Infrastructure Policy](#) 21/163898
2. [Attachment 2 - Original Mark Up Bus Stop Infrastructure Policy](#) 21/163580



Policy Manual

Bus Stop Infrastructure Policy

Policy Owner:	Traffic Services
Contact Person:	Principal Specialist Traffic Services
Date of Approval:	-

POLICY STATEMENT

The purpose of this policy is to direct the provision of ancillary bus stop infrastructure to encourage use of public transport and improve amenity by providing a safe waiting place for the bus users.

POLICY OBJECTIVE

The objective/s of the Bus Stop Infrastructure Policy is to:

- Ensure that the community's needs for public transport access, amenity and mobility are met in a sustainable manner;
- Provide guidance on the provision of bus stop infrastructure; and
- Provide a means of prioritisation for the installation of bus shelters.

SCOPE

This policy applies to any provider, whose works affect the boarding area of a bus stop, thus triggering the necessity to bring the boarding area of the bus stop up to disability standards to the satisfaction of the Public Transport Authority (PTA) as detailed in the Bus Stop Infrastructure Partnership Agreement. The provision of any infrastructure at bus stops must comply with PTA disability standards.

IMPLICATIONS (Strategic, Financial, Human Resources)

The Policy aligns with the following objectives of the City's *Strategic Community Plan for 2017/18 to 2026/27*:

“3. Environment (built)

3.5 Connected and Accessible City

3.5.1 Deliver local transport infrastructure including roads, footpaths and cycle ways to improve accessibility”

Implementing this policy will result in the following:

- Revised prioritised listing of projects listed in the Bus Shelter Installation Program; and
- Works undertaken by the developers or external stakeholder will comply with the relevant standards.

Implementing this policy will result in the following human resource implications:

- Additional time required to assess each request from the community;

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- Additional time required to prioritise the Bus Shelter Installation Program; and
- Training and education of relevant Service Units within the City in implementing the policy.

IMPLEMENTATION

3.1 Upgrade of Bus Stops

Any party that affects the boarding area of a bus stop must bring the boarding area of the bus stop up to disability standard to the satisfaction of the Public Transport Authority (PTA) as detailed in the *Bus Stop Infrastructure Partnership Agreement*. The provision of any infrastructure at bus stops must comply with PTA disability standards.

3.2 Bus Shelter Provision

The provision of bus shelters will be prioritised by the criteria based scoring system below taking into consideration:

- a.) The bus stop is located on the final alignment as determined by the PTA;
- b.) Footpath connections to the upgraded bus stop can be provided;
- c.) The bus shelter to be installed is consistent with the design and materials of the City's existing bus shelter network and/ or to the satisfaction of the City;
- d.) The safety of the road environment, particularly that of pedestrians;
- e.) Suitability of the site in terms of available space, visibility for vehicles exiting adjacent roads or driveways;
- f.) Availability of existing awnings/ shelter structure at bus stops;
- g.) Consultation with the PTA to ensure the provision of a bus shelter does not conflict with any operational plans and will qualify for a subsidy under their Bus Shelter Grants Scheme; and
- h.) Consultation with adjacent property owners/ tenants to ensure that a bus shelter will not disproportionately impact the amenity of the property in relation to the community benefit.

3.3 Bus Shelter Installation Prioritisation

The City will use a criteria based scoring system including patronage for each bus stop to prioritise 60% of the City's Bus Shelter Installation Program (A, B and C below) with the remaining 40% of the City's Bus Shelter Installation Program (B and C below) being prioritised using the criteria based scoring system excluding patronage. All bus stops are to be evaluated based on this scoring system as part of the annual budget considerations.



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Criteria Based Scoring System

All bus shelter installation projects will be assessed against the following criteria and scored accordingly.

a. Patronage Level

The patronage level per day of each bus stop will form the base score for provision of bus shelters. To ensure consistency, patronage levels from March each year will be used. E.g. if a bus stop has a patronage of 40 boardings per day, it will receive a score of 40.

b. Attractors

Scores are based on the attractors below. A bus stop will only be given points for the highest scoring attractor i.e. Activity Centre or Stop closest to Shopping Centre or Stop closest to tertiary education institution or stop closest to retirement home, nursing home or aged care facility:

Attractor (Description)	Score
Stop within a Activity Centre/Employment Centre (Wanneroo, Two Rocks North, Yanchep, Eglinton, Alkimos, Butler, Clarkson, Banksia Grove, Madeley, Girrawheen, Alexander Heights, Wangara, Neerabup)	20
Tourism attraction / Regional Open Space / District Open Space	10
Stop closest to Shopping Centre	
Land parcel above 100,000m ²	15
Land Parcel between 60,001m ² and 99,999m ²	10
Land Parcel between 20,000m ² and 60,000m ²	5
Land Parcel below 20,000m ²	0
Stop closest to Tertiary Education institution (University or TAFE)	
Above 1000 students	15
Between 500 and 999 students	10
Below 500 students	5
Stop closest to Retirement home, Nursing home or aged care facility	
Above 500 residents	15
Between 200 and 500 residents	10
Less than 200 residents	5

c. Generators

Number of properties within a 400m walkable catchment of the bus stop:

Number of Properties	Score
>701	20
501-700	15
301-500	10
101-300	5
<100	0



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3.4 Provision of bus shelters adjacent to schools

The City will not consider the installation of bus shelters at school bus stops due to them having high demand for only a 15 to 30 minute period each weekday. Furthermore, in most cases one standalone standard shelter will not have sufficient capacity to cater for the high demand.

3.5 Provision of bench seats at bus stops

The provision of bench seats shall:

- a) Not block sightlines;
- b) Not obstruct pathways;
- c) Be clear of the boarding area;
- d) Not be secured unless frangible fixings are used; and
- e) Be installed parallel to the direction of traffic.

3.6 Provision of bins at bus stops

The installation of rubbish bins at bus stops will only occur if the following criteria are met:

- a. Patronage levels above 15 boardings per day for a minimum of 2 years;
- b. The installation of a bin in front of a residential property/s will not disproportionately impact on the amenity of a property in relation to the community benefit; and
- c. Capacity for the City's Waste Services to collect the bin regularly.

3.7 Provision of bus stop infrastructure in new subdivisions

All bus stops and ancillary infrastructure proposed or existing within new subdivisions are required to comply with Public Transport Bus Stop Layout Guidelines as outlined by the PTA and be approved by the Director Assets.

All stops on District Distributor Roads are required to have a bus embayment and bus shelter.

The installation of a bus shelter in new subdivisions is required in the following locations:

- a. Stop/s closest to Major Shopping Centre;
- b. Stop within a Activity Centre (Wanneroo, Two Rocks North, Yanchep, Eglinton, Alkimos, Butler, Clarkson, Banksia Grove, Madeley, Girrawheen, Alexander Heights);
- c. Stop closest to a tertiary education institution; and

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- d. Stop/s closest to Retirement Home, Nursing Home or Aged Care Facility

3.8 Bus Stop infrastructure shelters provided under commercial arrangement

All bus stop infrastructure provided under a commercial arrangement with the City is exempt from this policy except for the need to comply with the disability standards outlined by the PTA.

ROLES AND RESPONSIBILITIES

The Principal Specialist Traffic Services is responsible for the development and review of this policy and will provide interpretations in the event of the need for clarification or when there is a dispute. The Director of Assets will be responsible for the implementation and application of this policy.

DISPUTE RESOLUTION *(If applicable)*

The City will consult with adjoining property owners and bus stop users where a bus shelter is proposed. Director of Assets will consider all feedback before making a final determination on the installation of a bus shelter. Should the feedback generate significant community interest the Director of Assets may provide a report to Council for decision.

EVALUATION AND REVIEW PROVISIONS

The policy is intended to provide an objective measure of overall benefit to the community. The success of the policy can be measured as part of the City's community satisfaction surveys. The Bus Stop Infrastructure Policy will be reviewed every two (2) years.

DEFINITIONS

<i>DEFINITIONS: Any definitions listed in the following table apply to this document only.</i>		
Ancillary Bus Stop Infrastructure		Fixtures and fittings which are erected or installed immediately adjacent to Core Bus Stop Infrastructure, including (without limitation) bus shelters, bins, seats and footpaths.
Core Bus Stop Infrastructure		a bus stop pole, a level concrete hard-stand passenger boarding area at correct height, tactile ground surface indicators and up to three metres of connecting concrete pathway.
Disability Standards		Commonwealth Disability Standards for Accessible Public Transport ('Disability Standards') 15 August 2002 which created a legal duty under the <i>Disability Discrimination Act 1992</i> (DDA) to construct all new bus stops to this standard and to progressively upgrade all existing bus stops to achieve full compliance to the Disability Standards by December 2022.
PTA		The Public Transport Authority of Western Australia, a body corporate established under section 5 of the <i>PTA Act</i> .

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Road reserve	the area of land provided under section 55(1)(a) of the <i>Land Administration Act 1997</i> typically from the property boundary on one side to the property boundary on the other side provided for public travel, including roads, lanes, car parks, footpaths, bridges, reserves and nature strips.
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RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

- Bus Stop Infrastructure Partnership Agreement
- Public Transport Bus Stop Guidelines
- Community Engagement and Consultation Policy
- Disability Discrimination Act 1993
- Road Traffic Code 2000
- City of Wanneroo Age Friendly Strategy 2017/18 – 2020/21

REFERENCES

City of Wanneroo Age Friendly Strategy 2017/18 – 2020/21

http://www.wanneroo.wa.gov.au/downloads/file/2699/age_friendly_strategy_-_20172018_to_20202021

Bus Shelter Grants Scheme

<http://www.pta.wa.gov.au/projects/current-projects/bus-shelter-grants-scheme>

Public Transport Bus Stop Guidelines

<http://www.pta.wa.gov.au/about-us/working-with-the-pta/urban-design-and-planning-guidelines>

Community Engagement and Consultation Policy-

http://www.wanneroo.wa.gov.au/downloads/file/1407/community_engagement_policy

Road Traffic Code

http://www.austlii.edu.au/au/legis/wa/consol_reg/rtc2000113/

Disability Discrimination Act 1992

<http://www.comlaw.gov.au/series/c2004a04426>

RESPONSIBILITY FOR IMPLEMENTATION

Principal Specialist Traffic Services

Version	Next Review	Record No:
1	18 September 2020	HPE 16/191696
18 September 2018 AS01-09/18	July 2021	HPE 21/163580



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Bus Stop Infrastructure Policy

Policy Owner:	Traffic Services
Contact Person:	Coordinator Traffic Services – Principal Specialist Traffic Services
Date of Approval:	18 September 2018 (AS01-09/18)

POLICY STATEMENT

The purpose of this policy is to direct the provision of ancillary bus stop infrastructure to encourage use of public transport and improve amenity by providing a safe waiting place for the bus users.

POLICY OBJECTIVE

The objective/s of the Bus Stop Infrastructure Policy is to:

- Ensure that the community's needs for public transport access, amenity and mobility are met in a sustainable manner;
- Provide guidance on the provision of bus stop infrastructure; and
- Provide a means of prioritisation for the installation of bus shelters.

SCOPE

This policy applies to any provider, whose works affect the boarding area of a bus stop, thus triggering the necessity to bring the boarding area of the bus stop up to disability standards to the satisfaction of the Public Transport Authority (PTA) as detailed in the Bus Stop Infrastructure Partnership Agreement. The provision of any infrastructure at bus stops must comply with PTA disability standards.

IMPLICATIONS (Strategic, Financial, Human Resources)

The Policy aligns with the following objectives of the City's *Strategic Community Plan for 2017/18 to 2026/27*:

“3. Environment (built)

3.5 Connected and Accessible City

3.5.1 Deliver local transport infrastructure including roads, footpaths and cycle ways to improve accessibility”

Implementing this policy will result in the following:

- Revised prioritised listing of projects listed in the Bus Shelter Installation Program; and
- Works undertaken by the developers or external stakeholder will comply with the relevant standards.

Implementing this policy will result in the following human resource implications:

- Additional time required to assess each request from the community;

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- Additional time required to prioritise the Bus Shelter Installation Program; and
- Training and education of relevant Service Units within the City in implementing the policy.

IMPLEMENTATION

3.1 Upgrade of Bus Stops

Any party that affects the boarding area of a bus stop must bring the boarding area of the bus stop up to disability standard to the satisfaction of the Public Transport Authority (PTA) as detailed in the *Bus Stop Infrastructure Partnership Agreement*. The provision of any infrastructure at bus stops must comply with PTA disability standards.

3.2 Bus Shelter Provision

The provision of bus shelters will be prioritised by the criteria based scoring system below taking into consideration:

- a.) The bus stop is located on the final alignment as determined by the PTA;
- b.) Footpath connections to the upgraded bus stop can be provided;
- c.) The bus shelter to be installed is consistent with the design and materials of the City's existing bus shelter network and/ or to the satisfaction of the City;
- d.) The safety of the road environment, particularly that of pedestrians;
- e.) Suitability of the site in terms of available space, visibility for vehicles exiting adjacent roads or driveways;
- f.) Availability of existing awnings/ shelter structure at bus stops;
- g.) Consultation with the PTA to ensure the provision of a bus shelter does not conflict with any operational plans and will qualify for a subsidy under their Bus Shelter Grants Scheme; and
- h.) Consultation with adjacent property owners/ tenants to ensure that a bus shelter will not disproportionately impact the amenity of the property in relation to the community benefit.

3.3 Bus Shelter Installation Prioritisation

The City will use a criteria based scoring system including patronage for each bus stop to prioritise 60% of the City's Bus Shelter Installation Program (A, B and C below) with the remaining 40% of the City's Bus Shelter Installation Program (B and C below) being prioritised using the criteria based scoring system excluding patronage. All bus stops are to be evaluated based on this scoring system as part of the annual budget considerations.



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Criteria Based Scoring System

All bus shelter installation projects will be assessed against the following criteria and scored accordingly.

a. Patronage Level

The patronage level per day of each bus stop will form the base score for provision of bus shelters. To ensure consistency, patronage levels from March each year will be used. E.g. if a bus stop has a patronage of 40 boardings per day, it will receive a score of 40.

b. Attractors

Scores are based on the attractors below. A bus stop will only be given points for the highest scoring attractor i.e. Activity Centre or Stop closest to Shopping Centre or Stop closest to tertiary education institution or stop closest to retirement home, nursing home or aged care facility:

Attractor (Description)	Score
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- c. Stop closest to a tertiary education institution; and

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- d. Stop/s closest to Retirement Home, Nursing Home or Aged Care Facility

3.8 Bus Stop infrastructure shelters provided under commercial arrangement

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ROLES AND RESPONSIBILITIES

The ~~Coordinator Traffic Services~~ **Principal Specialist Traffic Services** is responsible for the development and review of this policy and will provide interpretations in the event of the need for clarification or when there is a dispute. The Director of Assets will be responsible for the implementation and application of this policy.

DISPUTE RESOLUTION *(If applicable)*

The City will consult with adjoining property owners and bus stop users where a bus shelter is proposed. Director of Assets will consider all feedback before making a final determination on the installation of a bus shelter. Should the feedback generate significant community interest the Director of Assets may provide a report to Council for decision.

EVALUATION AND REVIEW PROVISIONS

The policy is intended to provide an objective measure of overall benefit to the community. The success of the policy can be measured as part of the City's community satisfaction surveys. The Bus Stop Infrastructure Policy will be reviewed every two (2) years.

DEFINITIONS

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RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

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REFERENCES

City of Wanneroo Age Friendly Strategy 2017/18 – 2020/21

http://www.wanneroo.wa.gov.au/downloads/file/2699/age_friendly_strategy_-_20172018_to_20202021

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Road Traffic Code

http://www.austlii.edu.au/au/legis/wa/consol_reg/rtc2000113/

Disability Discrimination Act 1992

<http://www.comlaw.gov.au/series/c2004a04426>

RESPONSIBILITY FOR IMPLEMENTATION

~~Coordinator Traffic Services~~ Principal Specialist Traffic Services

Version	Next Review	Record No:
1	18 September 2020	HPE 16/191696
18 September 2018 AS01-09/18	July 2021	HPE 21/163580

4.8 Council Policy Review - Pathways Policy

File Ref: 3120V07 – 21/145155
Responsible Officer: Director Assets
Disclosure of Interest: Nil
Attachments: 2

Issue

To consider a review of the City's current Pathway Policy in accordance with the City's Policy and Procedure Framework requirements.

Background

Council policies are adopted by Council for the purpose of ensuring that the City meets its strategic objectives. Incorporated into all Council policies is a scheduled review date to ensure that policies remain current and that Council Members are provided with a timely opportunity to review them.

The Pathways Policy was approved by Council at its meeting on 30 July 2019, Item No AS07-07/19 refers. This report provides details of minor amendments.

Detail

Minor changes have been made to this policy. Attachments 1 and 2 show the final draft and marked up version, refer to attachment 2 to review the following changes:

1. Minor grammar and punctuation edits made. Highlighted in red text;
2. Titles of multiple Australian Standards and guidelines have been changed due to being superseded and now align with current titles. Changes highlighted in yellow;
3. Phrasing of dot point 2 in 'Part B' reworded to provide further clarity for the construction of footpaths leading to a Public Access Way (PAW);
4. Table '(A) Trip Attractors' now include aged care homes as part of the criterion; and
5. Table '(D) Network Connectivity' has had its scoring reworked, the main purpose of the amendment is to reduce the priority afforded to upgrading existing pathways and is described in detail and highlighted in blue;
6. Table '(F) Cycle Network' has been added into the policy to reflect the endorsement of the "Department of Transport Long Term Cycle Network for the City of Wanneroo" (Item AS01-06/20 refers.);
7. 'Figure 1' has been adjusted so that table headings and contents are more descriptive and easily understandable; and
8. 'Figure 1', 'Pedestrian/Cyclist' column adjusted. Minimum required pathway width reduced from 2.5m to 2-2.5m for specific road types as per the Australian standard for minimum shared pathways width.
9. 'Figure 1', Additional note added to indicate that in areas where the pedestrian and / or cyclist demand is high, then the standard of infrastructure provided should be increased accordingly.

Consultation

Consultation has been undertaken with the relevant stakeholders and the Policy has been reviewed in accordance with the City's Policy and Procedure review process.

Comment

The Pathways policy has provided a good framework for the City to assess all pathway issues and enabled a consistent approach in decision making, however over time discrepancies in the policy have been identified. A comparative assessment of the pathway priority scores has highlighted some minor issues, with the main one being that the policy indicates that it is more important to upgrade an existing pathway than to provide new infrastructure to areas that currently do not have a safe pedestrian facility.

Statutory Compliance

Nil

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

- “3 *Environment (Built)*
 - 3.5 *Connected and Accessible City*
 - 3.5.1 *Deliver local transport infrastructure including roads, footpaths and cycle ways to improve accessibility”*

Risk Management Considerations

Risk Title	Risk Rating
CO-023 Safety of Community	Moderate
Accountability	Action Planning Option
Director Community and Place	Manage
Risk Title	Risk Rating
ST-S04 Integrated Infrastructure and Utility Planning	Moderate
Accountability	Action Planning Option
Director Assets and Director Planning & Sustainability	Manage

The above risks relating to the issues contained within this report have been identified and considered within the City's Strategic/ Corporate risk register

Policy Implications

This policy has been recommended for review as a result of an evaluation and review process undertaken in accordance with the City of Wanneroo's Policy Register.

Financial Implications

Nil

Voting Requirements

Simple Majority

Recommendation

That Council ADOPTS the revision of the Pathways Policy as shown in Attachment 1.

Attachments:

- 1. Attachment 1 - Pathways Policy - Final 21/145380
- 2. Attachment 2 - Pathways Policy - Original mark up 21/145379



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Pathway Policy

Policy Owner:	Traffic Services
Contact Person:	Principal Specialist Traffic Services
Date of Approval:	-

POLICY STATEMENT

The objectives of the Pathway Policy is to:

- Ensure that the community's needs for pedestrian and cycling access and mobility are met in a sustainable manner;
- Ensure a walkable and/or cycling pathway network and environment to support access to services and facilities that are designed for all users, including vulnerable members of the community such as school children, the aged and people with disabilities;
- Provide for access generally by way of an interconnected pathway network which facilitates safe, efficient and pleasant walking and/or cycling;
- Facilitate a pathway network which supports the efficiency of public transport systems where available, and provides safe, direct access for residents;
- Ensure that benefits to the community are maximised with the limited funding available for new pathway constructions;
- Ensure that pathways are designed and constructed, in a cost-effective manner, in accordance with Australian Standards and the relevant industry best practice;
- Ensure that pathway requests from members of the community are evaluated in a consistent, efficient, fair and equitable manner;
- Provide guidance on the type of pedestrian or cycling facility to be provided within the City
- Provide a criteria based scoring system for the prioritisation of pathway projects for inclusion in the City's Pathways and Trails Capital Works Program;
- Provide appropriate access for all consistent with the Disability and Discrimination Act 1992 (DDA); and
- Minimise the impact on the environment (eg. minimise removal of significant vegetation) in determining the location and alignment of new pathways.

POLICY OBJECTIVE

The purpose of this policy is to direct the provision of a safe and accessible pathway network to improve the walking and cycling environment to enable the community to walk and cycle for transport, health and recreation as well as reduce car dependency.

SCOPE

This policy applies to metropolitan urban areas (predominantly residential), within the City of Wanneroo including the road reserve, Public Open Space, Crown land, new developments and any other area deemed appropriate by the City, with respect to the provision of pathways to serve the community's needs. This policy will be implemented by all Service Units within the



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City, land and property developers, property owners, utility providers and any other organisation/individual deemed appropriate by the City.

IMPLICATIONS (Strategic, Financial, Human Resources)

Implementing this policy will result in the following:

- Prioritised listing of projects listed in the Pathways and Trails Capital Works Program.
- Cost of providing pathways to meet the standards outlined in this policy; and
- Costs to developers and external stakeholders in the provision of pathways to the standards outlined in this policy.

Implementing this policy will result in the following human resource implications:

- Additional time required to assess each request from the community;
- Additional time required to prioritise the Pathways and Trails Capital Works Program; and
- Training and education of relevant Service Units within the City in implementing the policy.

IMPLEMENTATION

The implementation of this policy consists of two parts: the pathway design and standards to guide the construction of pathways and the priority scoring system to guide the development of the City's Pathways and Trails Capital Works Program.

The policy is considered in two parts:-

Part A: Pedestrian and Cyclist Facility Provision

Part B: Pathway construction and prioritisation

Part A – Pedestrian and Cyclist Facility Provision

All pathways shall be constructed in accordance with the City's Standards and Specifications as well as relevant Australian Standards and Guidelines.

1. Pedestrian and Cyclist facility provision

Pathways and cycling facilities are to be provided in accordance with Figure 1, Austroads 'Guide to Road Design Part 6A- Paths for Walking and Cycling' and relevant Australian Standards.

2. Surfaces

Placement of Tactile Ground Surface Indicators (TGSIs) shall be prioritised at traffic signals, shopping centres, schools and other high use pedestrian areas.

3. Crossovers/ Driveways

Pathways are to be continuous along a street with crossovers constructed to abut and match the levels of the pathway providing a clear visual cue of pedestrian priority across vehicular access points to properties.



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Crossovers are defined to be 'Road-Related Areas' under the Road Traffic Code 2000. Pedestrians and cyclists in these areas have priority over vehicles. Therefore, it will be recommended that the pedestrian infrastructure constructed is in a continuous manner across all residential driveways, maintaining path crossfall and material in preference to the crossover construction.

4. *Pedestrian Crossings*

All crossing points and kerb ramps shall be constructed in accordance with the City's Standards and Specifications as well as relevant Australian Standards and Guidelines specifically:

Australian Standard AS1428.1;

- Austroads, 'Guide to Road Design Part 4A – Signalised and unsignalised Intersections'.

5. *Lighting*

Lighting of all pedestrian facilities shall be provided to the appropriate Australian Standards. The following Australian Standards apply to pedestrian facilities:

AS1158.1 – Vehicular traffic lighting

AS1158.3 – Lighting for pedestrian areas;

AS1158.4 – Supplementary lighting for pedestrian crossings

6. *Line Marking and Signage*

All new shared paths will be required to be marked and signed in accordance with Australian Standard 1742.9 - Manual of uniform traffic control devices: Bicycle facilities.

7. *End of Trip Facilities*

End of trip facilities are to be provided in accordance with the City's District Planning Scheme No. 2.

Part B: Pathway construction and reconstruction as part of City works.

Construction or reconstruction of pathways within the City of Wanneroo shall be undertaken to maximise the benefit to the community to meet the objectives of this policy. In consideration of the limited funding in the City's Capital Works Budget, pathways will not be considered if any of the below applies:

- Rural and Semi-Rural area;
- Cul-de-sac with no connection to an existing or future pathway network via a Public Access Way (PAW) or similar route; and
- Second pathway in an 'access' class road.

The City will use a criteria based scoring system for the prioritisation of all pathway projects within the road reserve in order to determine the order at which they are to be implemented in the City's Pathways and Trails Capital Works Program as detailed below. All pathway projects including those already in the Pathways and Trails Program, together with new requests, are



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to be evaluated based on this scoring system as part of the annual budget considerations. All cycling projects will be prioritised using the City's Cycle Plan.

Criteria Based Scoring System

All pathway projects for transport purposes will be assessed against the following criteria and priority points awarded accordingly.

(A) Trip Attractors

Description	Score
Train station, primary school, secondary school, tertiary institution and major shopping centre – Proposed pathway is within a strategic metropolitan centre or secondary centre (as defined in Directions 2031).	20
Train station, primary school, secondary school, tertiary institution and major shopping centre – Proposed pathway is within a 400m walkable catchment and forms part of a pathway connection to these attractors and/or within an industrial area (as defined in Directions 2031)	15
Industrial area, recreational and community facilities (eg. beaches, community centres, regional parks and Public Open Spaces), local shopping centre, bus route, aged care homes, local medical centre or similar – Proposed pathway is immediately adjacent these attractors.	10
Industrial area, recreational and community facilities (eg. beaches, community centres, regional parks and Public Open Spaces), local shopping centre, bus route, aged care homes, local medical centre or similar – Proposed pathway is within a 400m walkable catchment and forms part of a pathway connection to these attractors.	5

Trip Generators

Number of properties within a 400m walkable catchment of project multiplied by average household size for suburb divided by the project length in metres. The household size data shall be as defined in the City of Wanneroo population forecasts provided by '.id, the population experts' (<http://forecast.id.com.au/wanneroo/about-forecast-areas>).



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District Distributor	Score	Local Distributor and Access Street	Score
14.00 and above	42	14.00 and above	21
12.01 - 14.00	36	12.01 - 14.00	18
10.01 - 12.00	30	10.01 - 12.00	15
8.01 - 10.00	24	8.01 - 10.00	12
6.01 - 8.00	18	6.01 - 8.00	9
4.01 - 6.00	12	4.01 - 6.00	6
2.01 - 4.00	6	2.01 - 4.00	3
0.00 - 2.00	3	0.0 - 2.00	0

(B) Pedestrian Safety

The speed environment the Proposed Pathway is located adjacent to.	Score
1. Primary and District Distributors	20
2. For Local Distributors and Access Streets longer than 500m if the 85 th percentile speed is -	
• 20km/h over the posted speed limit	20
• 15km/h over the posted speed limit	15
• 10km/h over the posted speed limit	10
• 5km/h over the posted speed limit	5
• At or below the posted speed limit	0
3. Access Streets between 200m and 500m	5
4. Access Streets less than 200m	0

(C) Daily Traffic

Class of road the Proposed Pathway is located along.	Score
1. Primary and District Distributors	20
2. Local Distributors and access street longer than 500m	
• 5,000 - 9,999vpd	15
• 3,000 - 4,999vpd	10
• 500 - 2,999vpd	5
• 0 - 499vpd	0
3. Access street less than 500m without traffic count data	0

(D) Network Connectivity

The Proposed Pathway will:	Score
Link two path sections or be along an existing PAW	10



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Extends the existing path network	5
Be an isolated section	0
Upgrades an existing section of pathway	-5
Be a second path in the same section of Local Distributor or Access Road	-5

(E) Environmental Impact

The Proposed Pathway will involve:	Score
Vegetation removal	
1.) Extensive (More than 50% of the total length of pathway requires removal of dense vegetation or removal of more than 3 trees with trunk diameters greater than 100mm per 100m)	-20
2.) Moderate (More than 25% of the total length of pathway requires removal of dense vegetation or removal of less than 3 trees with trunk diameters greater than 100mm per 100m)	-10
3.) Minor (less than 25% of the total length of pathway requires removal of dense vegetation and no large trees)	0
Service relocation – substantially high cost associated with services adjustments relative to pathway project cost.	-20
Major Construction Restraint	-10
Land acquisition required	-30

All pathway projects for recreation purposes will be assessed against the following criteria and priority points awarded accordingly.

The proposed recreational path will connect to:	Score
Playground, Community centre/ sporting pavilion and/ or Toilets	5
Car parking	10
Exercise equipment and/ or BBQ	15
two of the above facilities	30
Three or more of the above facilities	40

ROLES AND RESPONSIBILITIES

The Director Assets is responsible for the development and review of this policy and will provide interpretations in the event of the need for clarification or when there is a dispute. All Managers will be responsible for the implementation and application of this policy.

DISPUTE RESOLUTION (If applicable)

All disputes in regard to this policy will be referred to the Director Infrastructure and/or Chief Executive Officer in the first instance. In the event that an agreement cannot be reached, the matter will be submitted to Council for a decision.

WHO NEEDS TO KNOW ABOUT THIS POLICY?

Internal



Policy Manual

Traffic Services
Infrastructure Asset Management
Infrastructure Projects
Infrastructure and Coastal Maintenance
Healthy Communities
Community Facilities
Planning Strategies
City Growth
Land Development
Planning Implementation

External

Residents
Developers
Utility providers

EVALUATION AND REVIEW PROVISIONS

The policy is intended to provide an objective measure of overall benefit to the community. The success of the policy can be measured as part of the City's community satisfaction surveys.

DEFINITIONS

<i>DEFINITIONS: Any definitions listed in the following table apply to this document only.</i>	
Primary Distributor	Roads designed for the movement of inter regional and/or cross town/city traffic, e.g. freeways, highways and main roads.
District Distributor	Roads designed for high capacity traffic movements between industrial, commercial and residential areas.
Local Distributor	Roads designed for the movement of traffic within local areas and connect access roads to higher order Distributors.
Access Street	Roads designed for the provision of vehicle access to abutting properties
Cul-de-sac	A road that is less than 200m in length which does not have any continuing pedestrian access or egress beyond the closed end. As such it is deemed to be a 'safe' pedestrian and cycling street and not require the provision of a path.
Bicycle Boulevard	Residential streets designed to prioritise bicycling. Bicycle Boulevards are typically have vehicle speeds of less than 30km/h and vehicle volumes less than 200 vehicles per day

RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

- Road Traffic Code 2000
- Disability Discrimination Act 1992
- Directions 2031 and Beyond
- Liveable Neighbourhoods - Western Australian Planning Commission
- Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling
- AS 1742 Part 9– Manual for Uniform Traffic Control Devices- Bicycle facilities



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- AS1742 Part 10 Manual for Uniform Traffic Control Devices - Pedestrian Control and Protection 2009
- AS1158.1 – Vehicular traffic lighting
- AS1158.3 – Lighting for roads and public spaces Pedestrian area Lighting;
- AS1158.4 –Lighting for roads and public spaces Lighting of pedestrian crossings
- Planning for Designing for Pedestrians Guidelines – Department of Transport
- Main Roads Standards and Guidelines
- Community Engagement and Consultation Policy

REFERENCES

- Road Traffic Code - http://www.austlii.edu.au/au/legis/wa/consol_reg/rtc2000113/
- Disability Discrimination Act 1992 - <http://www.comlaw.gov.au/series/c2004a04426>
- Directions 2031 and Beyond - <http://www.planning.wa.gov.au/publications/826.asp>
- Liveable Neighbourhoods - <http://www.planning.wa.gov.au/Liveable-neighbourhoods.asp>
- Planning and Designing for pedestrians Guidelines - <http://www.transport.wa.gov.au/activetransport/24033.asp>
- Community Engagement and Consultation Policy- http://www.wanneroo.wa.gov.au/downloads/file/1407/community_engagement_policy
- Main Roads Standards and Guidelines- typical pavement marking for shared paths- <https://www.mainroads.wa.gov.au/Documents/200531-0009-2.RCN-D13%5E23382395.PDF>

RESPONSIBILITY FOR IMPLEMENTATION

Coordinator Traffic Services

Version	Next Review	Record No:
4 April 2016	April 2018	16/34066
21 August 2018	August 2018	16/34066(v2)
30 July 2019	May 2020	19/266177



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Figure 1 – Pedestrian and Cyclist Facility Provision

Road	Characteristics			Facility required	
	Speed	Indicative Volume (VPD)	Attractors	Pedestrian/Cyclist	DOT or COW Identified Bicycle Routes
Cul-de-sac, Laneways <200 m	<30km/h	300	Residential properties	No pathway required	No pathway required
Access Street	<30km/h	3000	Residential properties	1.5m pedestrian path ⁴	Bicycle Boulevard ²
Access Street	<50km/h	3000	Residential properties	1.5m pedestrian path ⁴	No bicycle facilities required
Access Street	<50km/h	3000	Adjacent to Schools, train stations & activity centres	2-2.5m shared path ¹	2-2.5m shared path ¹
Local Distributor, N/hood connector B	50km/h – 60km/h	3000	Residential properties, activity centres, train stations ⁵	2-2.5m concrete shared path ⁴	<ul style="list-style-type: none"> 1.5m red asphalt cycle lanes³
Local Distributor, N/hood connector A	50km/h – 60km/h	7000	Residential properties, activity centres, train stations ⁵	2-2.5m concrete shared path one side and 1.5m pedestrian path ⁴	<ul style="list-style-type: none"> 1.5m red asphalt cycle lanes (kerb separated); or 3m red asphalt shared path (in place of concrete shared path)³
District Distributor B, Integrator B	50km/h – 60km/h	7,000 - 10,000	Activity Centres, Schools and Train Stations ⁵	2-2.5m concrete shared path one side and 1.5m pedestrian path ⁴	<ul style="list-style-type: none"> 3m red asphalt shared path (in place of concrete shared path)³ Minimum 1.8m; or



Policy Manual

Figure 1 – Pedestrian and Cyclist Facility Provision

Road	Characteristics			Facility required	
	Speed	Indicative Volume (VPD)	Attractors	Pedestrian/Cyclist	DOT or COW Identified Bicycle Routes
District Distributor A, Integrator A	70km/h or greater	10,000 - 35,000	Activity Centres, Schools and Train Stations ⁵	2-2.5m concrete shared path one side and 1.5m pedestrian path ⁴	<ul style="list-style-type: none"> 3m red asphalt shared path (in place of concrete shared path)³ Minimum 2m cycle lane; or
Primary Distributor	80km/h or greater	>20,000	Inter-and-intra regional centres ⁵	2-2.5m concrete shared path one side and 1.5m pedestrian path ⁴	<ul style="list-style-type: none"> 3m red asphalt shared path (in place of concrete shared path)³

1. In accordance with Liveable Neighbourhoods

2. In Accordance with Bicycle Boulevards – criteria successfully implemented in Portland. Bicycle Boulevards are not required on all access streets

3. In accordance with Cycling Aspects of Austroads Guides

4. 1.8m abutting property boundary or kerb

5. Higher standard required to accommodate high number of pedestrians and cyclists



Policy Manual

Pathway Policy

Policy Owner:	Traffic Services
Contact Person:	Road Safety and Travelsmart Officer <u>Coordinator</u> <u>Principal Specialist Traffic Services</u>
Date of Approval:	5 April 2016 AS01-04/16 <u>30 July 2019 AS0X-07/19</u>

POLICY STATEMENT

The objectives of the Pathway Policy is to:

- Ensure that the community's needs for pedestrian and cycling access and mobility are met in a sustainable manner;
- Ensure a walkable and/or cycling pathway network and environment to support access to services and facilities that are designed for all users, including vulnerable members of the community such as school children, the aged and people with disabilities;
- Provide for access generally by way of an interconnected pathway network which facilitates safe, efficient and pleasant walking and/or cycling;
- Facilitate a pathway network which supports the efficiency of public transport systems where available, and provides safe, direct access for residents;
- Ensure that benefits to the community are maximised with the limited funding available for new pathway constructions;
- Ensure that pathways are designed and constructed, in a cost-effective manner, in accordance with Australian Standards and the relevant industry best practice;
- Ensure that pathway requests from members of the community are evaluated in a consistent, efficient, fair and equitable manner;
- Provide guidance on the type of pedestrian or cycling facility to be provided within the City
- Provide a criteria based scoring system for the prioritisation of pathway projects for inclusion in the City's Pathways and Trails Capital Works Program;
- Provide appropriate access for all consistent with the Disability and Discrimination Act 1992 (DDA); and
- Minimise the impact on the environment (eg. minimise removal of significant vegetation) in determining the location and alignment of new pathways.

POLICY OBJECTIVE

The purpose of this policy is to direct the provision of a safe and accessible pathway network to improve the walking and cycling environment to enable the community to walk and cycle for transport, health and recreation as well as reduce car dependency.

SCOPE

This policy applies to metropolitan urban areas (predominantly residential), within the City of Wanneroo including the road reserve, Public Open Space, Crown land, new developments and any other area deemed appropriate by the City, with respect to the provision of pathways to serve the community's needs. This policy will be implemented by all Service Units within the



Policy Manual

City, land and property developers, property owners, utility providers and any other organisation/individual deemed appropriate by the City.

IMPLICATIONS (Strategic, Financial, Human Resources)

Implementing this policy will result in the following:

- ~~Revised-P~~ Prioritised listing of projects listed in the Pathways and Trails Capital Works Program.
- Cost of providing pathways to meet the standards outlined in this policy; and
- Costs to developers and external stakeholders in the provision of pathways to the standards outlined in this policy.

Implementing this policy will result in the following human resource implications:

- Additional time required to assess each request from the community;
- Additional time required to prioritise the Pathways and Trails Capital Works Program; and
- Training and education of relevant Service Units within the City in implementing the policy.

IMPLEMENTATION

The implementation of this policy consists of two parts: the pathway design and standards to guide the construction of pathways and ~~the~~ priority scoring system to guide the development of the City's Pathways and Trails Capital Works Program.

The policy is considered in two parts:-

Part A: Pedestrian and Cyclist Facility Provision

Part B: Pathway construction and prioritisation

Part A – Pedestrian and Cyclist Facility Provision

All pathways shall be constructed in accordance with the City's Standards and Specifications as well as relevant Australian Standards and Guidelines.

1. Pedestrian and Cyclist facility provision

Pathways and cycling facilities are to be provided in accordance with Figure 1, **Austroads Guide to Road Design Part 6A- Paths for Walking and Cycling** and relevant Australian Standards.

2. Surfaces

Placement of Tactile Ground Surface Indicators (TGSIs) shall be prioritised at traffic signals, shopping centres, schools and other high use pedestrian areas.

3. Crossovers/ Driveways

Pathways are to be continuous along a street with crossovers constructed to abut and match the levels of the pathway providing a clear visual cue of pedestrian priority across vehicular access points to properties.



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Crossovers are defined to be 'Road-Related Areas' under the Road Traffic Code 2000. Pedestrians and cyclists in these areas have priority over vehicles. Therefore, it will be recommended that the pedestrian infrastructure constructed is in a continuous manner across all residential driveways, maintaining path crossfall and material in preference to the crossover construction.

As per Local Government and Public Property Local Law 1999 Part 8 (55.1), the owner, occupier, licensee or contractor who undertakes works on a private property adjacent to a pathway, must:

- (a) Take all necessary precautions to ensure that the pathway is not damaged during the course of the works; and
- (b) Notify the local government of any pre-existing damage to the pathway prior to the commencement of the works.

4. Pedestrian Crossings

All crossing points and kerb ramps shall be constructed in accordance with the City's Standards and Specifications as well as relevant Australian Standards and Guidelines specifically:

Australian Standard AS1428.1;

- Austroads, 'Guide to Road Design Part 4A – Signalised and unsignalised Intersections'.

5. Lighting

Lighting of all pedestrian facilities shall be provided to the appropriate Australian Standards. The following Australian Standards apply to pedestrian facilities:

- AS1158.1 – Vehicular traffic lighting
- AS1158.3 – Lighting for pedestrian areas;
- AS1158.4 – Supplementary lighting for pedestrian crossings

6. Line Marking and Signage

All new shared paths will be required to be marked and signed in accordance with Australian Standard 1742.9 - Manual of uniform traffic control devices: Bicycle facilities.

7. End of Trip Facilities

End of trip facilities are to be provided in accordance with the City's District Planning Scheme No. 2.

Part B: Pathway construction and reconstruction as part of City works.

Construction or reconstruction of pathways within the City of Wanneroo shall be undertaken to maximise the benefit to the community to meet the objectives of this policy. In consideration of the limited funding in the City's Capital Works Budget, pathways will not be considered if any of the below applies:

- Rural and Semi-Rural area;



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- Cul-de-sac with no connection to an existing or future pathway network via a Public Access Way (PAW) or similar route; and
- Second pathway in an 'access' class road.

The City will use a criteria based scoring system for the prioritisation of all pathway projects within the road reserve in order to determine the order at which they are to be implemented in the City's Pathways and Trails Capital Works Program as detailed below. All pathway projects including those already in the Pathways and Trails Program, together with new requests, are to be evaluated based on this scoring system as part of the annual budget considerations. All cycling projects will be prioritised using the City's Cycle Plan.

Criteria Based Scoring System

All pathway projects for transport purposes will be assessed against the following criteria and priority points awarded accordingly.

(A) Trip Attractors

Description	Score
Train station, primary school, secondary school, tertiary institution and major shopping centre – Proposed pathway is within a strategic metropolitan centre or secondary centre (as defined in Directions 2031).	20
Train station, primary school, secondary school, tertiary institution and major shopping centre – Proposed pathway is within a 400m walkable catchment and forms part of a pathway connection to these attractors and/or within an industrial area (as defined in Directions 2031)	15
Industrial area, recreational and community facilities (eg. beaches, community centres, regional parks and Public Open Spaces), local shopping centre, bus route, aged care homes, local medical centre or similar – Proposed pathway is immediately adjacent these attractors.	10
Industrial area, recreational and community facilities (eg. beaches, community centres, regional parks and Public Open Spaces), local shopping centre, bus route, aged care homes, local medical centre or similar – Proposed pathway is within a 400m walkable catchment and forms part of a pathway connection to these attractors.	5

Trip Generators

Number of properties within a 400m walkable catchment of project multiplied by average household size for suburb divided by the project length in metres. The household size data shall be as defined in the City of Wanneroo population forecasts provided by '.id, the population experts' (<http://forecast.id.com.au/wanneroo/about-forecast-areas>).



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District Distributor	Score	Local Distributor and Access Street	Score
14.00 and above	42	14.00 and above	21
12.01 - 14.00	36	12.01 - 14.00	18
10.01 - 12.00	30	10.01 - 12.00	15
8.01 - 10.00	24	8.01 - 10.00	12
6.01 - 8.00	18	6.01 - 8.00	9
4.01 - 6.00	12	4.01 - 6.00	6
2.01 - 4.00	6	2.01 - 4.00	3
0.00 - 2.00	3	0.0 - 2.00	0

(B) Pedestrian Safety

The speed environment the Proposed Pathway is located adjacent to.	Score
1. Primary and District Distributors	20
2. For Local Distributors and Access Streets longer than 500m if the 85 th percentile speed is -	
• 20km/h over the posted speed limit	20
• 15km/h over the posted speed limit	15
• 10km/h over the posted speed limit	10
• 5km/h over the posted speed limit	5
• At or below the posted speed limit	0
3. Access Streets between 200m and 500m	5
4. Access Streets less than 200m	0

(C) Daily Traffic

Class of road the Proposed Pathway is located along.	Score
1. Primary and District Distributors	20
2. Local Distributors and access street longer than 500m	
• 5,000 - 9,999vpd	15
• 3,000 - 4,999vpd	10
• 500 - 2,999vpd	5
• 0 - 499vpd	0
3. Access street less than 500m without traffic count data	0

(D) Network Connectivity

The Proposed Pathway will:	Score
Link two path sections or be along an existing PAW	15 (10)



Policy Manual

Extends the existing path network	10 (5)
Upgrades an existing section of pathway	5- (-5)
Be an isolated section	0
Be a second path in the same section of Local Distributor or Access Road	-5

Suggested change to impact the scoring of certain pathways. Reducing the points allocated to path upgrades on existing pathways. This criterion currently favours upgrading a pathway that is already constructed and functional over an area that potentially requires a pathway and currently has no adequate route. It is considered more important to construct new pathways in areas that require them over constructing or upgrading in an area of adequate functionality.

(E) Environmental Impact

The Proposed Pathway will involve:	Score
Vegetation removal	
1.) Extensive (More than 50% of the total length of pathway requires removal of dense vegetation or removal of more than 3 trees with trunk diameters greater than 100mm per 100m)	-20
2.) Moderate (More than 25% of the total length of pathway requires removal of dense vegetation or removal of less than 3 trees with trunk diameters greater than 100mm per 100m)	-10
3.) Minor (less than 25% of the total length of pathway requires removal of dense vegetation and no large trees)	0
Service relocation – substantially high cost associated with services adjustments relative to pathway project cost.	-20
Major Construction Restraint	-10
Land acquisition required	-30

(F) Cycle Network

Does the Proposed Pathway Reside on a:	Score
Department of Transport LTCN Route	10
Wanneroo Bike Plan Route	5

Suggested change as per proposals made at the council meeting AS01-06/20, held on 30 June 2020 regarding the agenda item "Department of Transport Long Term Cycle Network for the City of Wanneroo". All recommend actions to this agenda item were endorsed by council on 30 July 2020. Table (F) has been added in to the Pathways policy as a reflection of the endorsements and to support the collaboration of the local/state government agencies to deliver the Department of Transport's Long Term Cycle Network over time.

All pathway projects for recreation purposes will be assessed against the following criteria and priority points awarded accordingly.



Policy Manual

The proposed recreational path will connect to:	Score
Playground, Community centre/ sporting pavilion and/ or Toilets	5
Car parking	10
Exercise equipment and/ or BBQ	15
two of the above facilities	30
Three or more of the above facilities	40

ROLES AND RESPONSIBILITIES

The ~~Manager Asset Management~~ Director Assets is responsible for the development and review of this policy and will provide interpretations in the event of the need for clarification or when there is a dispute. All Managers will be responsible for the implementation and application of this policy.

DISPUTE RESOLUTION (If applicable)

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Healthy Communities
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City Growth
Land Development
Planning Implementation

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Developers
Utility providers

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The policy is intended to provide an objective measure of overall benefit to the community. The success of the policy can be measured as part of the City's community satisfaction surveys.

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DEFINITIONS: Any definitions listed in the following table apply to this document only.



Policy Manual

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RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

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- Liveable Neighbourhoods - Western Australian Planning Commission
- Austroads Guide to Road Design Part 6A: **Paths for Walking and Cycling**
- AS 1742 Part 9- Manual for Uniform Traffic Control Devices- Bicycle facilities
- AS1742 Part 10 Manual for Uniform Traffic Control Devices - Pedestrian Control and Protection 2009
- AS1158.1 – Vehicular traffic lighting
- AS1158.3 – **Lighting for roads and public spaces Pedestrian area Lighting;**
- AS1158.4 – **Supplementary lighting for pedestrian crossings Lighting for roads and public spaces Lighting of pedestrian crossings**
- ~~Planning for Designing for Pedestrians Guidelines – Department of Transport~~
- ~~Local Government and Public Property Local law 1999~~
- Main Roads Standards and Guidelines
- Community Engagement and Consultation Policy

REFERENCES

- Road Traffic Code - http://www.austlii.edu.au/au/legis/wa/consol_reg/rtc2000113/
- Disability Discrimination Act 1992 - <http://www.comlaw.gov.au/series/c2004a04426>
- Directions 2031 and Beyond - <http://www.planning.wa.gov.au/publications/826.asp>
- Liveable Neighbourhoods - <http://www.planning.wa.gov.au/Liveable-neighbourhoods.asp>
- ~~Planning and Designing for pedestrians Guidelines - <http://www.transport.wa.gov.au/activetransport/24033.asp>~~
- ~~Local Government and Public Property Local law 1999~~
- ~~<http://www.wanneroo.wa.gov.au/downloads/file/133/local-government-and-public-property-local-law-1999>~~

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- Community Engagement and Consultation Policy-
http://www.wanneroo.wa.gov.au/downloads/file/1407/community_engagement_policy
- Main Roads Standards and Guidelines- typical pavement marking for shared paths-
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RESPONSIBILITY FOR IMPLEMENTATION

Coordinator Traffic Services

Version	Next Review	Record No:
4 April 2016	April 2018	16/34066
21 August 2018	August 2018	16/34066(v2)
<u>July 2019</u>	<u>May 2020</u>	<u>19/266177</u>



Policy Manual

Figure 1 – Pedestrian and Cyclist Facility Provision

Road	Characteristics			Facility required	
	Speed	Indicative Volume (VPD)	Attractors	Pedestrian/Cyclist	DOT or COW Identified Bicycle Routes
Cul-de-sac, Laneways <200 m	<30km/h	300	Residential properties	No pathway required	No pathway required
Access Street	<30km/h	3000	Residential properties	1.5m pedestrian path ⁴	Bicycle Boulevard ²
Access Street	<50km/h	3000	Residential properties	1.5m pedestrian path ⁴	No bicycle facilities required
Access Street	<50km/h	3000	Adjacent to Schools, train stations & activity centres	2-2.5m shared path ¹ minimum ⁴	2-2.5m shared path ¹ minimum ⁴
Local Distributor, N/hood connector B	50km/h – 60km/h	3000	Residential properties, activity centres, train stations ⁵	2-2.5m concrete shared path ⁴	<ul style="list-style-type: none"> 1.5m red asphalt cycle lanes (1.8m abutting parking)
Local Distributor, N/hood connector A	50km/h – 60km/h	7000	Residential properties, activity centres, train stations ⁵	2-2.5m concrete shared path one side and 1.5m pedestrian path ⁴	<ul style="list-style-type: none"> 1.5m red asphalt cycle lanes (kerb separated); or 1.5m red asphalt cycle lanes (1.8m abutting parking); or 3m red asphalt shared path (in place of concrete shared path)



Policy Manual

Figure 1 – Pedestrian and Cyclist Facility Provision

Road	Characteristics			Facility required	
	Speed	Indicative Volume (VPD)	Attractors	Pedestrian/Cyclist	DOT or COW Identified Bicycle Routes
District Distributor B , Integrator B	50km/h – 60km/h	7,000 - 10,000	Activity Centres, Schools and Train Stations ⁵	2-2.5m concrete shared path one side and 1.5m pedestrian path ⁴	<ul style="list-style-type: none"> • 3m separated red asphalt cycle path³; or • 3m red asphalt shared path (in place of concrete shared path)³ • Minimum 1.8m – 2m cycle lane (kerb separated); or • Use of parallel local access road/service streets to create a continuous cycle facility
District Distributor A , Integrator A	70km/h or greater	10,000 - 35,000	Activity Centres, Schools and Train Stations ⁵	2-2.5m concrete shared path one side and 1.5m pedestrian path ⁴	<ul style="list-style-type: none"> • 3m separated red asphalt cycle path³; or • 3m red asphalt shared path (in place of concrete shared path)³ • Minimum 2m cycle lane (kerb separated); or • Use of parallel local access road/service streets to create a continuous cycle facility
Primary Distributor	80km/h or greater	>20,000	Inter-and-intra regional centres ⁵	2-2.5m concrete shared path one side and 1.5 2m pedestrian path ⁴	Minimum 3m separated red asphalt Cycle Path <ul style="list-style-type: none"> • 3m red asphalt shared path (in place of concrete shared path)³

1. In accordance with Liveable Neighbourhoods

2. In Accordance with Bicycle Boulevards – criteria successfully implemented in Portland. Bicycle Boulevards are not required on all access streets

3. In accordance with Cycling Aspects of Austroads Guides

4. 1.8m abutting property boundary or kerb



Policy Manual

5. Higher standard required to accommodate high number of pedestrians and cyclists

Community & Place

Community Facilities

4.9 Fragola Park, Landsdale - Community Engagement Outcomes

File Ref:	39464 – 21/157539
Responsible Officer:	Director Community and Place
Disclosure of Interest:	Nil
Attachments:	5
Previous Items:	CP01-03/21 - Fragola Park Master Plan - Ordinary Council - 16 Mar 2021 6:00pm

Issue

To consider the concept design and community engagement outcomes for the upgrade of Fragola Park, Landsdale.

Background

Fragola Park (the Park) is an existing passive park located at 484 Kingsway, Landsdale (**Attachment 1**). Apart from two cricket nets and football (AFL) goals, there are no existing amenities on site and a GIS investigation indicates the following:

Item	Current Status
Park Size / Hierarchy	1.97 ha / Neighbourhood Passive Park
Reserve No.	N/A
Lot No.	1
Property Type	Not listed
Ownership	City of Wanneroo Freehold
Aboriginal Sites	None listed on GIS
Bush Forever	None listed on GIS.

Other existing public open spaces within a walkable catchment of the Park (400m - 800m or 5-10 minute walk) include:

Park	Location	Comment
Alhambra Park	2 Alhambra Pky, Landsdale- 230m north	Passive park with play equipment
Donatello Park	28 Donatello Dr, Landsdale – 252m west	Passive park with play equipment
Monticello Park	2 Monticello Mdr, Landsdale- 356m north	Passive park with play equipment
Versailles Park	30 Versailles Trn, LANDSDALE – 367m north	Passive park with play equipment
Rousham Park	2 Rousham Rd, LANDSDALE – 445m north	Passive park with open space
Hepburn Park	357 Alexander Drive, LANDSDALE – 613m south	Undeveloped park

Park	Location	Comment
Strathpine Park	21 Strathpine CH, LANDSDALE – 617m west	Passive park with open space
Arduaine Park	51 Emmetts Rd, LANDSDALE – 619m north	Passive park with open space

Administration was approached in 2019 by the Carnaby Rise Primary School Parents and Citizens (P&C) Committee regarding the lack of suitable play equipment on the site for older children (aged five and above). As a result, Administration commenced a concept design process in order to test the viability of playground equipment provision, as well as the potential for the future development of the site as a whole.

Detail

Concept Development

Administration has prepared two draft concept designs (**Attachment 2 & 3**) for the upgrade to the Park. The proposed upgrade inclusions are outlined in the table below:

Element	Description
Play Equipment	<p>Common Elements</p> <ul style="list-style-type: none"> • Triple swing all access; • Nature Play; • Car Parking; • Accessible Water Fountain; • Shade Sail; • Toilet Block (200sqm); • Accessible Seating; and • Full Size Soccer Field / Junior AFL field. <p>Option 1 – separate area for younger and older children</p> <ul style="list-style-type: none"> • Older years combination unit; • Younger years combination unit; and • Talk Tubes. <p>Option 2 - combined age group elements</p> <ul style="list-style-type: none"> • Younger years combination unit (Space theme); • Older years combination unit; • Moving Equipment; • Rocker; and • Sand / Sensory Play.
Path Network	<p>From new carpark in the north, and a path from Fragola Way (to the south).</p> <p>Note: The path would need to be constructed on Department of Education (DoE) land, and requires their permission to construct.</p>
Car Park	Capacity for 13 bays plus an ACROD bay, with consideration of school drop off and pick up.
Future Building	No purpose has been assigned to this building, though it should at least include toilets.

	Should the Park be deemed an active reserve in the future, an amenities building including change rooms will need to be considered.
--	---

The proposed designs for the Park seek to meet the passive leisure activity demands of current and future users of the Park. The upgrade is consistent with the City's existing level of provision for Neighbourhood Parks, as outlined in LPP 4.3, noting that the upgrades will be available for general community use.

Both draft design options allow for the development of the park as a single stage for construction. The proposed schedule will see design commence in 2021/22, with construction in 2022/23.

Following the presentation of the concept designs to Council at its meeting on 16 March 2021, Council resolved to:

1. *ENDORSE the Fragola Park concept designs, for the purposes of public comment, as shown in Attachments 2 and 3 of this report;*
2. *NOTE that the draft concept designs will be released for public comment for a 28 day period, commencing on 22 March and concluding on 26 April 2021, with the outcome to be reported to Council at the May 2021 meeting;*
3. *NOTE the draft cost estimate for consideration in the 2021/22 budget process:*

Year	Detail	Total	Municipal	Reserve (DCP)
2021/22	Survey and Detailed Design	\$80,000	-	\$80,000
2022/23	Construction	\$699,378	-	\$699,378
Total		\$779,378	-	\$779,378

4. *NOTE the construction of the proposed development is estimated to commence by May 2022 and conclude in June 2022.*

Consultation

Public Comment Process

The public comment process was undertaken as per the City's Community Engagement Policy and was conducted for a 36 day period from 22 March 2021 to 26 April 2021. The public comment process included the following consultation strategy:

- Information provided on the City's "Your Say" page;
- Advertising for feedback on the City's various social media platforms;
- Letters to residents within 400m of the Park;
- Direct communication with relevant stakeholders including:
 - Carnaby Rise Primary School
 - Carnaby Rise Primary School P&C.

The endorsed concept plans were advertised for public consideration and a consultation letter (including concept designs and costings) (**Attachment 4**) advising of the opportunity to comment on the proposal, was sent to 494 properties that surround the Park. This information was also emailed to the Carnaby Rise Primary School and Carnaby Rise Primary School P&C.

The consultation period was advertised on the City's 'Your Say' section on the website with links provided on the City's Facebook page, and an onsite meeting held for residents on Wednesday 21 April 2021 from 3:30pm to 5:00pm.

Public Comment Outcomes

At the close of the consultation period, Administration received 242 responses, of which 231 (95.5%) of respondents supported the provision of the upgrades and 11 (4.4%) of respondents did not support the upgrades.

- Of the 231 respondents in favour of the upgrade, 162 (76.1%) indicated a preference for Option 2 (**Attachment 3**), with 51 (23.9%) preferring Option 1 (**Attachment 2**);
- Of the 242 responses, there was a tie in the preference regarding the future building location, with 100 (50%) listing their preference for either north (near the play equipment) or south (on the south side of the park).

A summary of the comments received in favour of the project are as follows:

- *There is a lack of amenities at the park at the moment. There is also plenty of room for a playground. There is not much else within a kilometre radius of our house.*
- *Giving the kids in the area another choice to play and a good space for multitude of activities.*
- *It is a growing community and there is not enough play areas for our children.*
- *The area is currently in not the best condition, with most the bushland taking over.*
- *Provide play environment for the school and after school play for parents as well as community.*
- *Support very much, just concerned with parking availability.*
- *Whilst the playground and future amenities building is welcomed, we still need to manage parking options for parents and carers to drop off and pick up students from Carnaby Rise. The bush area is currently used well by parents and carers as an overflow option and often has 30+ vehicles using this space in the mornings and afternoons.*
- *Reduces hooning in carpark. More families will access area.*

A summary of the main reasons for the proposal not being supported has been included below:

- *I don't like either option very much. Could do something different. I think there is a lot of parks nearby. Better IMO to upgrade Monticello playground for example and put something different at Fragola.*
- *Will lose valuable parking space for Carnaby Rise PS.*
- *It will take away carpark spaces that are needed for the school.*
- *I agree with the plans for the playground etc. but the parking is already a massive issue at Carnaby Rise so to lose all of that parking would be awful. About 50 cars park here every day.*

Comment

Following the engagement period, it was clear there was support for the upgrade of the park to include the playground, pathway and some car parking. However, there were some recurring comments that require further attention:

Parking

Feedback indicated that the construction of the car park would result in there being less available parking for the adjacent school for the morning and afternoon school drop off and pick up. There have been estimates of up to 50 to 70 cars using this space for parking per day.

For the playground to be constructed, the northern location is the most appropriate. As such, the progression of the upgrade will impact the available parking. Based on the feedback provided, Administration has refined the concept design (**Attachment 5**). The design update includes:

- The featured elements of Option 2 (Space Team Play Equipment);
- Refined driveway;
- Mountable kerbs to allow access to under-developed area for parking;
- Seven parking bays (including one ACROD Bay); and
- Allowable space for construction of the future building either north or south.

The design development process for the future car park will take into consideration its use before and after school.

Equipment Location

The location of the proposed equipment was questioned, with some responses asking for the play equipment to be located to the south of the oval.

The northern site is the preferred location for the play equipment given its proximity to the school and more favourable site conditions. In addition to this, the southern part of the oval serves as a drainage sump, and any alteration to this area will require further investigation and likely require the drainage to be relocated. Should the sump remain, the available space for equipment construction would be restricted.

Future Building

Comments were received regarding the potential future purpose of the building. This will be subject to future design and consultation, however the minimum expectation is the provision of a Male and Female toilet, plus a Universal Access Toilet (UAT).

Statutory Compliance

Nil.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“1 Society

1.1 Healthy and Active People

1.1.1 Create opportunities that encourage community wellbeing and active and healthy lifestyles”

Risk Management Considerations

Risk Title	Risk Rating
ST-S23 Stakeholder relationships	Moderate
Accountability	Action Planning Option
Chief Executive Officer	Manage

Risk Title	Risk Rating
CO-O17 Financial Management	Moderate
Accountability	Action Planning Option
Director Corporate Strategy and Performance	Manage

The above risks relating to the issues contained within this report have been identified and considered within the City's Strategic and Corporate risk registers. Action plans have been developed to manage these risks to improve the existing management systems.

Policy Implications

The City's Local Planning Policy 4.3 Public Open Spaces was used as the guiding framework for the development of the draft concept plan. The community consultation process was undertaken as per the City's Community Engagement Policy

Financial Implications

The total estimated project costs have been summarised in the table below:

Item	Option 2
Playground	\$248,840
Path	\$68,000
Car Park and Access	\$211,910
Other Project Fees	\$250,628
TOTAL	\$779,378

Part 9 of the City of Wanneroo District Planning Scheme No.2 (DPS 2) outlines the developer contribution arrangements (DCP) for East Wanneroo Cells 1 – 9. Schedule 6 of DPS2 defines the General and Specific Cell Works for Cell 9, which includes the provision of 10% for public open space (POS) and the cost of developing the POS to a basic standard. The Cell 9 DCP identifies Fragola Park as a Neighbourhood Sport POS and defines a range of infrastructure that is required, including earthworks, irrigation, lighting, bollards, play equipment, shade structures, picnic settings and associated recreation and sports infrastructure.

This portion of Fragola Park was initially landscaped to a basic standard by the Department of Education and the City of Wanneroo as part of the construction of the Carnaby Rise Primary School in 2016. The Cell 9 DCP funds have not yet been utilised for the development of this POS area and funding is available to complete the remaining POS infrastructure. In this regard, the proposed development options for POS Area 12 have been reviewed by Administration and are consistent with the scope of works intended to be funded by the DCP. It is also noted that in May 2020, Council approved the revised cost estimates for Cell 9 and that the Cell 9 DCP currently holds adequate funds to complete the required works.

As per the above, this report seeks to make available the amount of \$779,378 from the East Wanneroo DCP for the construction of the playground at Fragola Park as outlined below:

Year	Detail	Total	Municipal	Reserve (DCP)
2021/22	Survey and Detailed Design	\$80,000	-	\$80,000
2022/23	Construction	\$699,378	-	\$699,378
	Total	\$779,378	-	\$779,378

Voting Requirements

Simple Majority

Recommendation

That Council:-

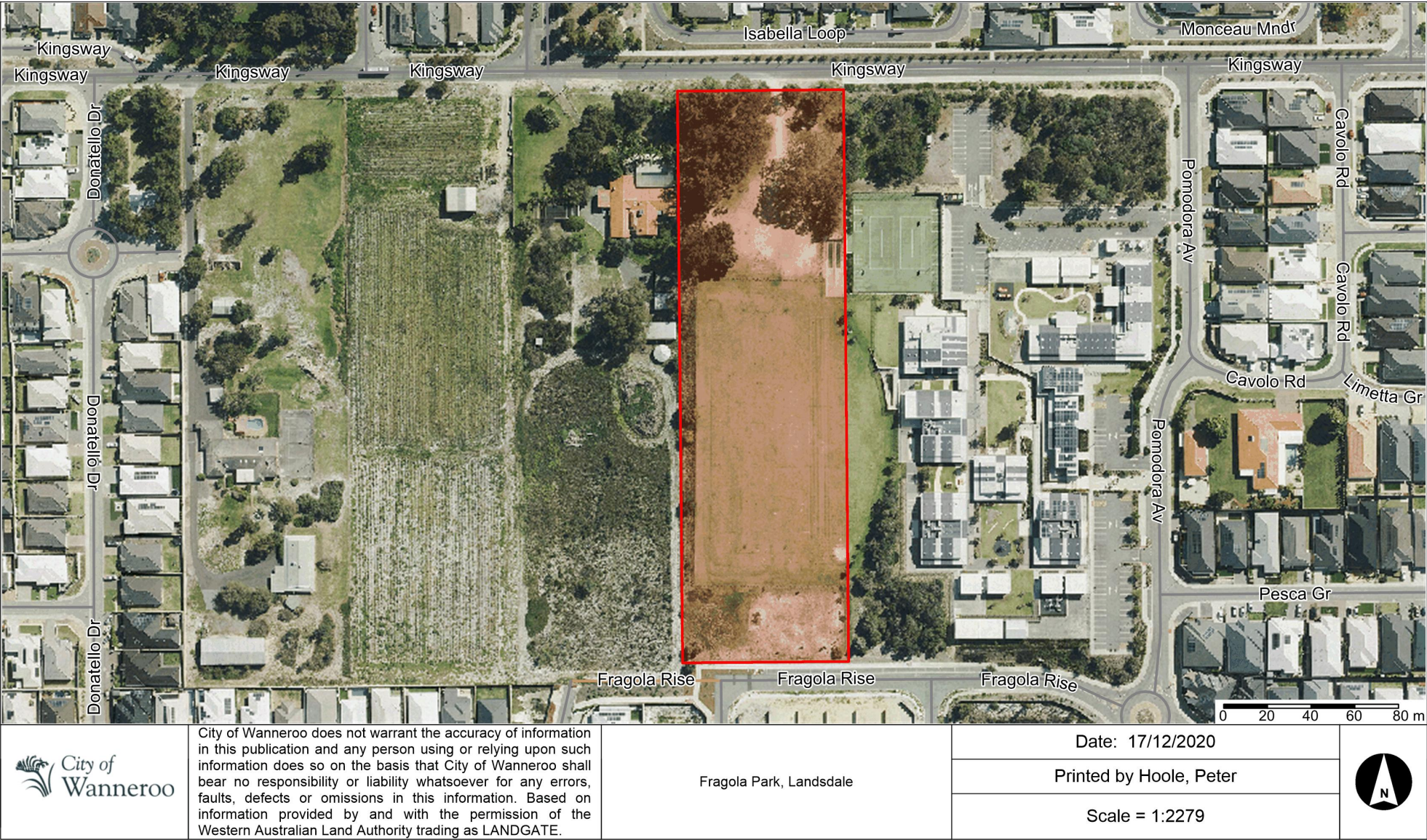
1. **NOTES** the outcome of the Fragola Park Upgrade community engagement process undertaken from 22 March to 26 April 2021, that resulted in the following outcomes:
 - a) Of the 231 respondents in favour of the upgrade, 162 (76.1%) indicated a preference for Option 2 (Attachment 3), with 51 (23.9%) preferring Option 1 (Attachment 2);
 - b) Of the 242 responses, there was a tie in the preference regarding the future building location, with 100 (50%) listing there preference for either north (near the play equipment) or south (on the south side of the park);
2. **ENDORSES** Option 2 (Attachment 3) as the guiding concept for the upgrade at Fragola Park;
3. **NOTES** the draft cost estimate for consideration in the 2021/22 budget process:

Year	Detail	Total	Municipal	Reserve (DCP)
2021/22	Survey and Detailed Design	\$80,000	-	\$80,000
2022/23	Construction	\$699,378	-	\$699,378
Total		\$779,378	-	\$779,378

4. **NOTES** the listing of this project in the draft 2021/22 Capital Works Program and Long Term Financial Plan, to be funded from DCP Cell 9 funds, for the amounts as listed in Recommendation 3 above; and
5. **NOTES** the construction of the proposed development is estimated to commence by May 2022 and conclude in June 2022.

Attachments:

1	Attachment 1 - Fragola Park, Landsdale	20/567699
2	Attachment 2 - Fragola Park - Concept Design - Option 1	21/55406
3	Attachment 3 - Fragola Park - Concept Design - Option 2	21/55408
4	Attachment 4 - Letter - Community Engagement - Fragola Park Upgrade	20/567118
5	Attachment 5 - Fragola Park - Updated Concept Design - Post Engagement	21/199774







File Ref: 39464 – 20/567118
Your Ref:
Enquiries: Peter Hoole – 9405 5670

22 March 2021

NAME
ADDRESS
SUBURB STATE PC

Dear Sir/Madam

UPGRADE TO FRAGOLA PARK, LANDSDALE

The City of Wanneroo is looking for feedback regarding planned upgrades to Fragola Park, Landsdale.

The City is committed to the provision of facilities that service the needs of the community. This consultation aims to ensure that the development is best suited to meet the needs of park users, school children, parents, sporting clubs, relevant stakeholders and the surrounding community before commencement of construction.

Copies of the concept designs are attached. To provide feedback on your preferences for the proposed upgrade, please complete the survey on the back of this letter, and return via the enclosed return envelope.

A link to an online version of the survey (and further information) can be found on the "Your Say" section of the City's website www.wanneroo.wa.gov.au/yoursay.

The community consultation period will commence on **Monday 22 March**, and will close on **Monday 26 April 2021**. Additionally, an on-site consultation will be held on **Wednesday 21 April** from **3:30pm to 5:00pm**. City Officers will be onsite to accept feedback and answer any questions.

If you have any questions, or would like to provide feedback beyond the survey, please contact leisure.planning@wanneroo.wa.gov.au or 9405 5670.

Yours sincerely

COMMUNITY FACILITIES PLANNING



Fragola Park Upgrade Community Survey

Which concept is your preferred option?

☐

Option 1

☐

Option 2

What do you like most about your preferred option? Is there anything you would change?

Are there any pieces of play equipment you would like to see included/excluded?

Should a building be constructed in the future, what is your preferred location?

☐

North (Option 1)

☐

South (Option 2)

Do you have any further comments about this plan? Is there anything we have missed that you would like to see included?

Option 1



Option 2





Community Safety & Emergency Management Report

4.10 Frederick Stubbs Gate Closure Time Review

File Ref:	3077V02 – 21/180153
Responsible Officer:	Director Community and Place
Disclosure of Interest:	Nil
Attachments:	2
Previous Items:	Cr Linda Aitken - Frederick Stubbs Gate Closure Time Review - Ordinary Council - 16 Feb 2021 6:00pm

Issue

To provide feedback on a Motion on Notice considered by Council in February 2021 and the subsequent community consultation undertaken in relation to the closing time of the Frederick Stubbs carpark gates.

Background

In 2003 Council resolved to set opening and closing times of seven gates across the City due to concerns of anti-social behaviour. This included Frederick Stubbs Car Park in Quinns Rocks. The car park is now accessed via a gate that is manually opened at 6am and closed at 10pm (in the summer months) and 8pm (in the winter months) by Administration.

In February 2021 a Motion on Notice was put forward to consider closing the Frederick Stubbs gates at 8pm year round following concerns raised by some members of the community regarding a perceived increase in anti-social behaviour and hooning in the carpark. The Council resolution on this Motion on Notice was:

That Administration is requested to prepare a report for a future Council meeting to consider a proposal to amend the closure time of the Frederick Stubbs carpark to 8pm all year round to reduce anti-social and hooning behaviour.

Detail

Frederick Stubbs car park is located on Ocean Drive in Quinns Rocks and accessed via a gated entrance. The car park is situated below the road level and receives little to no passive surveillance. Due to previous reports of anti-social behaviour at the location, the carpark is currently locked overnight with times varying between the winter and summer months. A map of the location of gate at the car park is included as **Attachment 1**.

In 2020 Administration received five complaints relating to anti-social behaviour and five customer requests relating to the opening or closing of the gates.

Discussions with the Clarkson Police have indicated that they have received one complaint for the Frederick Stubbs carpark area that was in March 2020. This related to a report of a large numbers of youths in the area. Upon attendance, no youths were sighted.

In response to increased reports of anti-social behaviour at Frederick Stubbs Park, in December 2020 and in consultation with the officers at the Clarkson Police station, a temporary CCTV pole was installed in January 2021 to act as a deterrent and to observe activity in the carpark for a three-month period. The CCTV pole remained on site until the conclusion of the April school holidays and was removed on 20 April 2021.

Although there has been no evidence of anti-social behaviour found by the Police and only one complaint made to them in 2020, the temporary CCTV pole was installed due to the unique

location of the car park and the lack of available passive surveillance to address community concerns. The Clarkson Police had direct access to view live and archived footage from the pole meaning that any report of anti-social behaviour could be followed up. Administration did not receive any complaints while the CCTV tower was on site or since it was removed.

The City is proposing to seek funding through the 2021/22 budget to install automatic gates and fixed CCTV at the seven carpark locations including Frederick Stubbs Park. In the meantime, consultation has been undertaken with the community to determine the level of community support for closing the carpark gates earlier at Frederick Stubbs Park to reduce anti-social and hooning behaviour.

Consultation

Administration has consulted with the community to determine the appetite to close the gates at 8pm year round. As part of the consultation process community members were offered the opportunity to complete a survey monkey questionnaire in which they were offered three choices in relation to closing times of the gates, as well as an option to provide additional information that they would like the City to consider as part of this consultation.

The three options offered in the survey were:

1. Reduce the closing time of the gates to 8pm all year round;
2. Increase the closing time of the gates to 10pm all year round; or
3. Keep the closing time of the gates as they currently are (8pm in winter and 10pm in summer).

Full details of the responses provided are available in **Attachment 2**.

The consultation was opened on 8 April 2021 and closed on 30 April 2021 and was communicated via the City's social media pages as well as through the Quinns Rocks Residents Association.

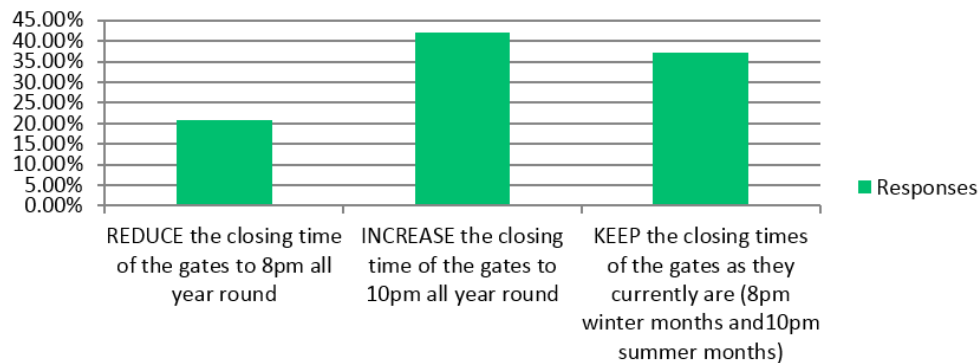
Comment

The Frederick Stubbs car park is well used by local community members and as demonstrated by the number of responses to the consultation, adjusting the closing time of the gates is an issue that many community members feel strongly about.

The survey was open for a period of three weeks and received 178 responses. The responses were distributed as follows:

Answer Choices	Responses	
REDUCE the closing time of the gates to 8pm all year round	20.79%	37
INCREASE the closing time of the gates to 10pm all year round	42.13%	75
KEEP the closing times of the gates as they currently are (8pm winter months and 10pm summer months)	37.08%	66
	Answered	178
	Skipped	0

The City of Wanneroo Council requests community consultation on the closing times as per the below options: Please select ONE option from the following:



The results indicate that the community is divided between the three options. Whilst the option to increase the closing times to 10pm year round is on its own the most supported, the difference is not significant. In terms of actual responses, only nine more people preferred this option from a total of 178.

If it is assumed that people who selected the option to reduce the closing time to 8pm year round, had selected the keep at current closing times in the absence of a reduction option, it could be extrapolated that the community is not in favour of increasing the gate closing time to 10pm year round. This assumption can be made as keeping the gates closed from 8pm at least part of the time would be preferable to those people, than having the gates closed at 10pm year round.

Given the responses to the survey, it is recommended that a precautionary approach be taken and the status quo is retained. It is likely that the installation of CCTV cameras will reduce the concerns of some members of the community who were seeking for the gates to be closed at 8pm year round. It is also noted that the installation of automatic gates will result in the gates being opened and closed on time, whereas manual opening and closing of the gates is subject to availability of staff resources that may be impacted by a range of factors.

Statutory Compliance

Nil

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“1 Society

1.2 Safe Communities

1.2.1 Enable community to be prepared and to recover from emergency situations”

Risk Management Considerations

Risk Title	Risk Rating
ST-S23 Stakeholder Relationships	Low
Accountability	Action Planning Option
Chief Executive Officer	Manage

Risk Title	Risk Rating
CO-023 Safety of Community	Moderate
Accountability	Action Planning Option
Director Community & Place	Manage

The above risks relating to the issue contained within this report have been identified and considered within the City's Strategic and Corporate risk registers. Action plans are in place/have been developed to manage and mitigate this risk.

Alignment with all risk appetite statements should be considered in particular, 1.2 Safe Communities.

The City places a high priority on the safety of its community particularly in the public realm and the importance of hazard and risk identification, management and reduction. Primarily, the City seeks to protect life over property and will not tolerate any deliberate act or omission by any party that jeopardises that objective. Subject to a rigorous cost/benefit analysis, the City's property will also be protected and assets insured. Legislation governs the City's activities including the Local Emergency Preparedness Plan to ensure the safety of the Community. The City places a high priority on the safety of its Volunteers and staff and will support operating models that achieve and represent the most effective model to ensure the safety of its volunteers. **Therefore the City will accept a moderate risk to reputation, low risk to financial and safety.**

Policy Implications

Nil

Financial Implications

Funding for the installation of automatic gates and CCTV at seven locations across the City is included for consideration in the 2021/22 Budget.

Voting Requirements

Simple Majority

Recommendation

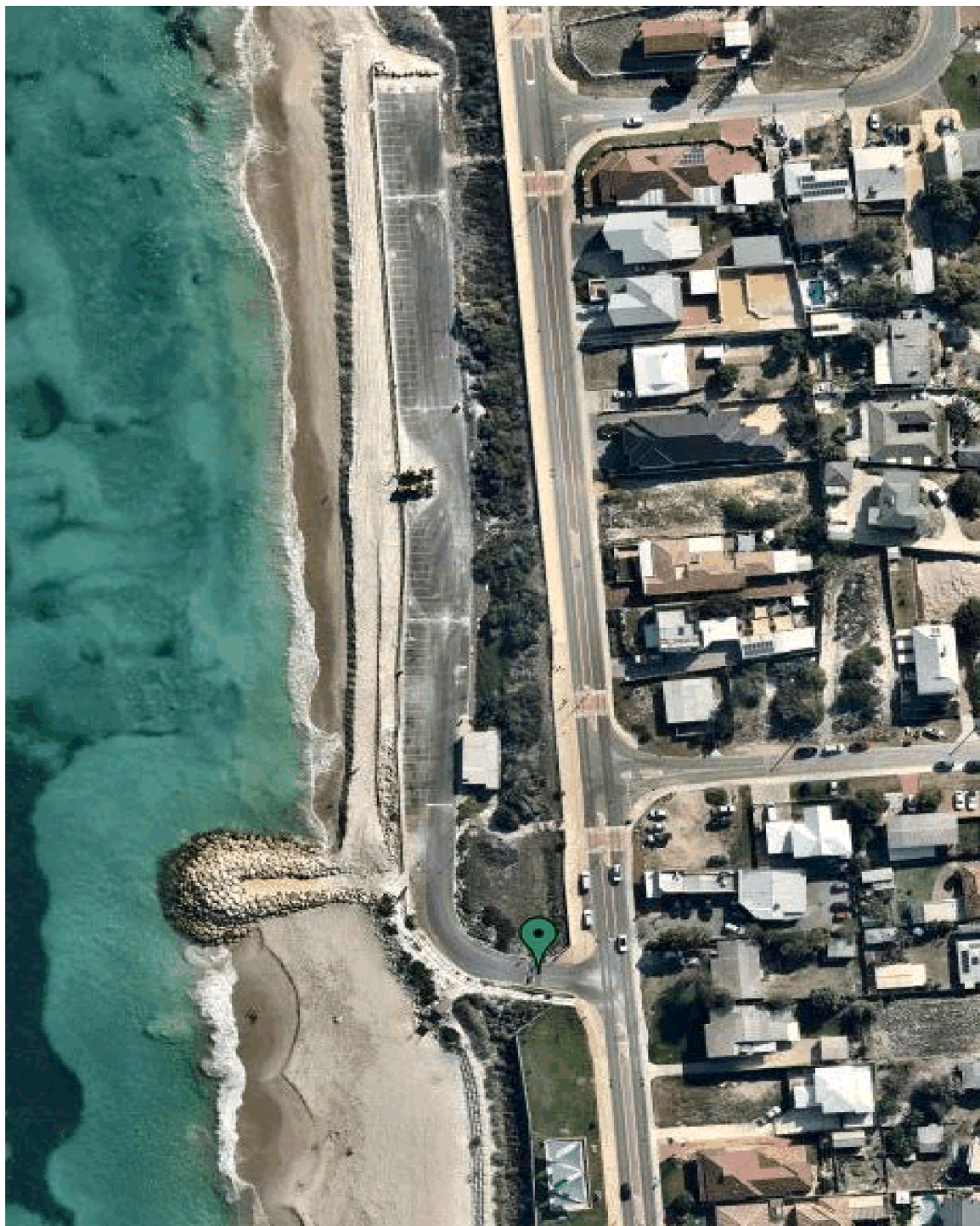
That Council:-

- APPROVES** the retention of the closing time of the gates at Frederick Stubbs Park being 8pm in the winter months and 10pm in the summer months; and
- RECOGNISES** and **THANKS** the community for its involvement in the consultation process on this matter.

Attachments:

- | | |
|---|-----------|
| 1. Attachment 1 - Map of the location of gate at the Frederick Stubbs Park Car Park | 21/233488 |
| 2. Attachment 2 - Frederick Stubbs car park opening times community engagement - Survey Monkey responses - April 2021 | 21/187203 |

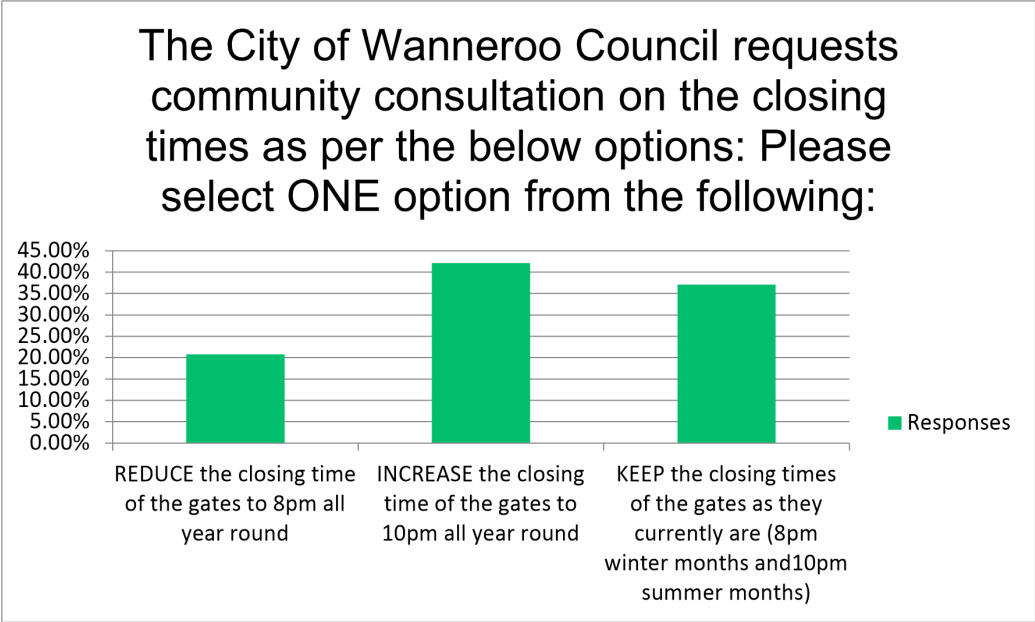
Attachment 1: Map of the location of gate at the Frederick Stubbs Park car park.



City of Wanneroo - Frederick Stubbs Park carpark opening times

The City of Wanneroo Council requests community consultation on the closing times as per the below options: Please select ONE option from the following:

Answer Choices	Responses	
REDUCE the closing time of the gates to 8pm all year round	20.79%	37
INCREASE the closing time of the gates to 10pm all year round	42.13%	75
KEEP the closing times of the gates as they currently are (8pm winter months and 10pm summer months)	37.08%	66
	Answered	178



pped 0

City of Wanneroo - Frederick Stubbs Park carpark opening times

Please provide any additional information you feel the City should take into consideration when making a final decision.

Answered 121

Skipped 57

Respondents	Response Date	Responses
1	Apr 24 2021 07:32 AM	Closing at 8pm will cause issues with people trying to leave the beach just after sunset. Also, it seems to be a response from a 18 year old issue that occurred in 2003. I'm sure the troublemakers from that time are up to other things now.
2	Apr 22 2021 11:40 AM	No closures at all
3	Apr 22 2021 06:45 AM	This is a place we're kids can go without their parents and just chill. Don't close it and ruin in for the rest of us just because a select few are being antisocial. You already have cameras down there that have licence plate recognition so why would you need to close it earlier. Thing about the young people of the community but just the old people that want to ruin kids summer just being they are have fun by the seaside. Let us keep our spot for the most amount of time. A lot of us enjoy being there and watching the sunset fade into darkness chatting with our friends because it keeps our mind off the amount of stress we're under 24/7. Again think about the young kids. Most of us aren't doing anything just keep it open. Please
4	Apr 21 2021 07:14 PM	There is a camera there watching what is occurring what's the worst that could happen
5	Apr 21 2021 10:47 AM	The beach and the car park should be accessible as much as possible. Many older residents like to sit there in there cars as I do and should not be restricted. And it is needed for people who fish.
6	Apr 21 2021 08:01 AM	I personally feel like gates should be left open till late as this is where a lot of people go and chill at late night watching movies after a long day

- Apr 21 2021
7 03:59 AM It's a great fishing spot that is frequently used after that times that the gates are closed making it very difficult to get fishing gear up the ramp or stairs to the road if having to park up there which is very frustrating when there is a perfect car park within a few metres of the sand/rocks
- Apr 20 2021
8 11:54 PM The beach is the beach, people enjoy fishing in the evenings, i have often gone for long walks at night. Keeping the car park open means that people wouldn't have to walk as far if any issues were to arise and keeps cars safer than on the side of the road, instal cctv if there is a huge concern.
- Apr 20 2021
9 10:33 PM Close them on time. Inconsistency has encouraged hooning in local streets from vehicles coming to "check" if gate is closed. Put permanent security cameras in and more lighting so no dark spots in carpark.
- Apr 20 2021
10 10:09 PM This is a beautiful place that should be accessible to everyone. In a modern time not everyone has a 9 to 5 job. Reducing these hours takes away people's freedom to enjoy a beautiful sight. Surely city of wanneroo understands that we should be encouraging people to enjoy the outdoors. Your reason to change these hours has not been supported by reason. The police themselves have said no increase in complaints.
- Apr 20 2021
11 08:08 PM Normal people need to be able to appreciate the beach. Not everyone goes there for antisocial behaviour and with cameras around should help deter.
- Apr 20 2021
12 07:35 PM Honestly, what positive social events could be taking place after 8pm? Keep our beach and car park clean and glass free by avoiding unwated guests doing unwanted things after dark. Please. Thank you
- Apr 20 2021
13 04:01 PM We enjoy sitting in our cars at all hours enjoying a hot cup of tea watching the storms roll in. Meet many friends of all ages and have a yarn. Late night fishing, picnics in the car out the wind and rain. Let's not turn into a sissy state!!
- Apr 20 2021
14 03:18 PM Maybe, we could increase police presence in the area rather than locking locals out. Embrace having a functional space utilised for it's designed purpose by providing deterrents for bad behaviour instead of limiting the access to law abiding good local folk
- Apr 20 2021
15 02:56 PM Beaches should be open 24/7 for all to enjoy. Stop being socialists!

- Apr 20 2021
16 02:36 PM Beautiful place
- Apr 20 2021
17 01:29 PM There shouldn't be gates there at all locals and public should be able to use the car park whenever they want to visit the beach plus there's cameras there
This is one of the few beaches you can sit in your car and have a chat watching the ocean without getting sand all over you and sand blasted by the wind.
- Apr 20 2021
18 11:47 AM Maybe put some more lights in or have a patrol come by and fix up the toilet block
- Apr 20 2021
19 10:43 AM Some people find the beach mentally soothing and a place to escape this carpark lets you see the ocean while sitting in your car. Why are we taking away the little things we have left, this car park has been here for many years and should maybe increase patrolling or cameras not taking it away from everyone
- Apr 20 2021
20 10:14 AM Majority of people do the right thing, it's unfair to punish those that do.
- Apr 20 2021
21 10:10 AM It will help to reduce drinking and drug taking in the cars after dark and hooning in the car park.
- Apr 20 2021
22 09:00 AM Please don't allow fear mongers and negative thinking guide and influence this (or any) decision. Restricting access times has no overall benefit to the community's wellbeing.
- Apr 19 2021
23 02:45 PM Remove closing times. Why punish everyone for the behaviour of some individuals.
- Apr 18 2021
24 10:30 AM Closing earlier will only lead to more cars parked in the surrounding streets late at night which isn't ideal for residents. Let us park in the carpark away from residents. Thank you
- Apr 18 2021
25 09:44 AM Allow people to experience our beaches at any time of day or night. Closing the car park won't stop the behavior of a few it will just move them to behave poorly somewhere else

- Apr 18 2021 Shouldn't be gates down there at all install some CCTV cameras and crack down on antisocial behaviour by
26 08:25 AM closing the gates you aren't really sorting out the real issue!!!!
- Apr 18 2021 People fishing, spending mental health time watching the ocean (even at night it's calming) should have
27 08:00 AM access to the car park - shouldn't have gates on it at all.
- Apr 18 2021 The beach is a public area and should be allowed access if people who live there have an issue it's simple
28 07:25 AM don't live near a public area
- Apr 18 2021
29 06:23 AM Why should a public place like the beach have opening/closing by times?
Stop restricting public enjoyment because of minority of anti-social behaviour. Security cameras may assist
Apr 17 2021 but closing the gates won't guarantee antisocial behaviour to cease. Of they are on foot can still get into the
30 06:28 PM car park!
- Apr 17 2021
31 02:03 PM N/A
- Apr 17 2021 It's a place of relaxation as well... don't punish the mass because of the few!! Let the cameras etc do their job
32 08:56 AM for that!!!
- Apr 17 2021 We are fed up with the vechiles revving and ppl yelling down there - you want us to pay rates CLOSE those
33 07:51 AM gates at 8pm THERE IS NOTHING TO SEE
- Apr 17 2021 The noise from burnouts and anti social behaviour is continuous. I think it should be closed. Bring food
34 06:44 AM trucks. Markets etc.. no parking for the public. Too many drug deals and bogans
If Video surveillance is kept and it can be utilised by police to prosecute offenders, we should be able to have
Apr 17 2021 carpark open earlier in the morning.
35 06:11 AM

Apr 17 2021

36 05:18 AM Put speed humps in the car park to stop hooning

Apr 16 2021

37 04:06 PM If the new cameras are monitored and hooning is stamped on I see no reason to close the car park at all

Apr 16 2021

38 01:46 PM The car park should stay open till 10pm

Apr 16 2021

39 01:46 PM Lots of hooning at night in that carpark
Please do not shut the gates at 8pm in summer. Quite often my family are still in the water at 7.30pm easily. We then love to eat afterwards and then sit in the car and watch the water often. If this gets closed, it would ruin yet another place families can utilise in the summer holidays. We need to actively encourage healthy lifestyles and not shut down everything we can. If anything there is more of a need for more car parks. You only have to go in summer to realise this. It's always packed. 8pm is way too early. Dont take away our summer lifestyle.

Apr 16 2021

40 08:59 AM It should be accessible at all times. Hardly any antisocial behavior goes on there compared to other places that are open 24/7
I'm a frontline worker who tries to use the beach for exercise (including positive mental health) but was unable to because the beach was closed. More drug deals happen on Hay St in the Perth CBD but that doesn't get closed

Apr 16 2021

41 08:53 AM Access to the beach for fisherman at any time based on the tides.

Apr 16 2021

42 08:34 AM With respect to the beach front home owner. I'm not one nor do the rules affect me.

Apr 16 2021

43 08:31 AM

Apr 16 2021

44 08:30 AM

- Remove the gates altogether and allow people the freedom to use the car park/beach access/toilets when they wish. It should be about choice, anti social behaviour is everywhere in small numbers, cctv exists to assist the police, trial no gates and let the people enjoy the freedom to go when they wish. Plus if the local businesses decide to stay open later , hold evening events you are restricting parking access for their customers. It should be about freedom of choice not denying access to many just because of a troubling few.
- Apr 16 2021
45 08:14 AM
- Apr 16 2021
46 08:05 AM It's a great place to eat and watch the ocean at night.
- Apr 16 2021
47 07:42 AM How ridiculous to con closing this car park at 8pm in the summer. Families, couples are sometimes still on the beach on hot days. If you close the car park people will park in the residential street and then you'll have residents complaining. Either open till 10pm all year or leave as is, 8pm winter, 10pm summer. Why should the general public be penalized for the minority of those doing wrong. Get the police to patrol that area more and let it be known that anti social behavior is unacceptable. How are these inconsiderate people going to learn if they don't see there are consequences for your actions. That's certainly how I raised my children
- Apr 16 2021
48 07:36 AM
- Apr 16 2021
49 07:33 AM Nothing
- Apr 16 2021
50 07:24 AM This is absolutely ridiculous. And doesn't happen anywhere else on the coast. Closing it will not stop anti social behaviour just move it somewhere else. How about actually confronting this behaviour rather than closing one car park out of many. Makes no sense.
- Apr 16 2021
51 06:19 AM Regular ranger patrols
- Apr 16 2021
52 05:04 AM Beaches and car parks should be open 24 7. Waste of money.
- Apr 16 2021
53 04:19 AM I lived in Ocean drive and the car park is needed all year round for community parking to avoid street and verge parking

- Apr 16 2021
54 12:49 AM Having a option for late night fishing would be nice
- Apr 16 2021
55 12:35 AM If you picnic or swim after work during the summer months 8 o'clock is not late enough, most people have children that need to use the toilets, they should be available like all toilets in parks.
As a previous owner of both businesses in front of the car park and a frequent user of the car park at night, I think the antisocial behaviour has seriously declined since the decision was made to close it through the night. It is used by fishermen and families and I think it should have extended opening, with a food truck down there, if the cafes above choose not to open nights. I would love to discuss the prospect of operating a portable food venue in the car park. Many Thanks
- Apr 16 2021
56 12:31 AM The beach, the park, the promenade walk and the car park itself are all public amenities and as such should all permanently be open and available for use. The car park should not be closed at all.
The City and the State Governments should be encouraging healthy activity participation, which is an aid to busting stress and reducing mental health issues within the community. Reduced car park opening hours will directly affect me and many others who want to use the car park at the end of a working day to go to the beach and de-stress.
It is ridiculous that there is consideration of reducing the car park opening hours. In this day and age the Council and Government should be increasing services that we the public pay hefty council fees for.
Increased council fees should never mean lower service availability or standards.
- Apr 15 2021
57 11:39 PM The Council must encourage better use of its facilities to the public, permanently.
- Apr 15 2021
58 11:04 PM Place CCTV cameras in for anti social behaviour
- Apr 15 2021
59 10:38 PM Unlimited access. No need to close gates or even have gates. It's a Carpark at a beach only visited by locals.
- Apr 15 2021
60 10:25 PM There is lot of cars with the Backfiring noise that goes on & on with lots of competing buddies & their cars.. Im all in for youth enjoining life, but Im also happy for closing gate 8pm all year round.. Sorry

- Apr 15 2021
61 10:23 PM Nothing it's a free parking area, don't no why it's even locked up
Unfortunately this car park will always attract youths to meet there in their cars due to the location. Closing the
Apr 15 2021 gates will prevent road access to the members of the population that misuse this space after dark. It's
62 10:15 PM extremely close to local residents homes causing noise issues primarily.
- Apr 15 2021
63 10:14 PM Car Park should be open as long possible.
- Apr 15 2021
64 09:51 PM .
- Apr 15 2021
65 09:50 PM Yep. Appropriate times to avoid vandalism to the area.
- Apr 15 2021
66 09:29 PM Remove the closing times
- Apr 15 2021
67 09:11 PM Do not change as there has been inadequate complaints to warrant any form of change.
- Apr 15 2021
68 09:10 PM There is not enough street parking available if residents want to stay later at beach on summer evenings 9pm
would be acceptable
- Apr 15 2021
69 09:00 PM Hooning behaviour
- Apr 15 2021
70 08:53 PM Either reduce hours or put cameras on the carpark at the far end of the car park as well as the one at the top

- Apr 15 2021
71 08:44 PM Why change things! It's the beach just leave it how it is!
- Apr 15 2021
72 08:28 PM Let the Police police the area and the Shire manage facilities.
Why close these at all, it's a public space like all other public spaces.□
- Apr 15 2021
73 08:17 PM Also perhaps you can spend some money on marking the area nicer which might actually attract people who care more about the space. Like plant some nice big native trees in the park up the top.
- Apr 15 2021
74 07:59 PM Please consider over night campers. As difficult to get camp sites. Even if small fee charged. Thanks
- Apr 15 2021
75 07:57 PM During the summer months maybe close the gates later, I use to fish down there but it's a struggle to take all your gear back up to the top
- Apr 15 2021
76 07:54 PM To much drinking , drugs, hooning in that parking !
- Apr 15 2021
77 07:49 PM It's still light at 8pm in summer.. let people enjoy the evening without being forced to leave and being harassed by the ranger.
- Apr 15 2021
78 07:48 PM Its fine as it is.
- Apr 15 2021
79 07:44 PM During the summer months the sun is only just going down around 8pm
- Apr 15 2021
80 07:35 PM Sun only goes down in summer at 745pm. I would support closing the gates at 9pm in summer.

- Apr 15 2021
81 07:18 PM Change to 9pm all year round. Install cameras too
- Apr 15 2021
82 07:11 PM The current arrangements look to be a suitable compromise for both sides of the argument
- Apr 15 2021
83 07:08 PM Closing at 8 means fishermen will miss out
- Apr 15 2021
84 07:03 PM z
- Apr 15 2021
85 07:01 PM Ongoing anti social behaviour has been controlled recently with the site sentry being located in the carpark. Keeping the gate closed during the evening hours is extremely important for the neighborhood as we can get a reprieve from the constant carpark noise.
- Apr 15 2021
86 07:01 PM None
- Apr 15 2021
87 06:58 PM open them up 24/7
- Apr 15 2021
88 06:58 PM Suggest full removal of the gates. Suburb has changed drastically in 18 years; seems unwarranted to apply the same controls without reassessing whether there is valid reasoning.
- Apr 15 2021
89 06:52 PM People like to fish from beach all year round and if they fish after 8pm in winter it means they will be parking on the road and there is limited street parking there
- Apr 15 2021
90 06:47 PM 8 pm winter
10pm summer

- Apr 15 2021
91 06:46 PM I wanted to choose to remove the locks.
- Apr 15 2021
92 06:39 PM Please consider putting in a similar secure system at the dog beach carpark for the same reasons.
- Apr 15 2021
93 06:38 PM I live near carpark regularly. I would like to see other methods of reducing anti social behaviour
- Apr 15 2021 Summer months people use this car park for direct beach access
94 06:33 PM Good to close it off, undesirable behaviour just goes somewhere else though!
- Apr 15 2021
95 06:29 PM It's dark by those times.
- Apr 15 2021 It's a public area and should be able to be enjoyed as such. The police access via video to the carpark is
96 06:07 PM sufficient to prevent crime, as evidenced by only 1 complaint in 2020.
- Apr 15 2021
97 05:59 PM The rate payers pay for use of this space, they are entitled to access
- Apr 15 2021
98 05:34 PM More patrols and monitoring as there is way too much antisocial behaviour in our area
- Apr 15 2021
99 04:31 PM N/A
- Apr 14 2021 Regardless of the time of year, families still enjoy going for walks along the beach and using the carpark is
100 08:10 PM convenient for this.

- Apr 11 2021
101 08:29 PM Standard closing times reduce confusion
When the gates are closed on time there are minimal issues. When the gates are left open beyond the
Apr 10 2021 advertised closing times, we experience an increase in localised hooning on surrounding streets later into the
102 11:34 AM night.
- Apr 10 2021 Keep the gates open to allow fishing in the evening from the beach allowing cars to be parked safely in the
103 08:07 AM carpark as not enough on street parking. Install CCTV cameras to monitor anti-social behavior.
- Apr 10 2021 Put more police patrols along the area. A few random drug and alcohol tests when people are leaving the car
104 07:57 AM park would reap great rewards.
I live very close to the car park entrance and hold great concern for the speed at which certain people exit the
carpark and fly down Ocean Drive (heading south). If the gate closing times moves earlier in summer I would
Apr 09 2021 recommend the Rangers be present to hopefully act as a deterrent to exit at such dangerous speeds which
105 08:03 PM might endanger people in or leaving the park at the same time.
- Apr 09 2021
106 07:38 PM Antisocial behaviour is rampant down there. Shut the gates earlier
As per the original option that we voted for, close the Fred Stubbs car park and rehab as beach. Move the
Apr 09 2021 parking up to Ocean Drive so that car park users can't take/deal their drugs 'unobserved'. This is what we
107 02:00 PM voted for a while back.
- Apr 09 2021
108 06:48 AM Speed calming measures. My friends daughter nearly got ran over by a large speeding car
- Apr 09 2021 On warm summer nights all you hear is burnouts and loud music. The next morning there is generally litter
109 06:40 AM strewn on the car park. Saturday's and Sunday's are the worst.
- Apr 08 2021 Get rid of the closing times, leave the cameras there... Gotta be cheaper than ranger having to travel there
110 11:44 PM each day for opening and closing

- 111 Apr 08 2021 09:03 PM As per Clarkson police station stats- there have been no reports made RE anti social behaviour. If there is an issue people should report as such. 8pm is too early to close in summer as sunset is 7.40pm ish at times.
The police should get involved and manage the anti social behaviour.
It is not acceptable that ratepayers should be adversely affected by it .
Speed bumps ,gates, fences , all measures to curtail
ANTI SOCIAL BEHAVIOR
I'VE HAD ENOUGH OF ALL THESE MEASURES TO CONTROL LAWBREAKERS.
SORRY BUT I REALLY THINK IT IS A JOB FOR THE POLICE.
- 112 Apr 08 2021 08:54 PM IM TALKING ABOUT ANTI SOCIAL BEHAVIOUR
I am a resident of Quinn's, over 65, and I love to sit and watch and listen to the waves. It is the only place to park safely in a car and be close to the water. It is perfectly reasonable to keep it open until 8 pm which is still early. I would personally like it to be to 10 pm but I am willing to compromise. It should not only be just about facilities for younger people. My observation is that many other single and/or senior people like to sit in that car park. We are not all the same and need different facilities - but we all pay our rates. There is the recently installed cctv sentry for security.
- 113 Apr 08 2021 08:12 PM Gate closure times are no issue. It's the anti-social behaviour that occurs from time to time, especially Australia Day, that is the broader issue. Increased CCTV, Police Patrols and improvements to the general amenity of the area are more pressing than simply shutting the gates earlier.
- 114 Apr 08 2021 08:12 PM the place needs to be MORE family friendly so there are MORE petiole down there... the Toilets are disgusting and it doesn't encourage more people to be down there... More people less hassles.... more speed
- 115 Apr 08 2021 07:17 PM humps up the southern end of the road less speeding
- 116 Apr 08 2021 06:46 PM 10pm closing time during summer months is acceptable only if antisocial behaviour is under control, otherwise the closing time should be 8pm
- 117 Apr 08 2021 06:14 PM On hot summer evenings 8pm is way too early for people having to leave beach ect.

- Apr 08 2021
118 05:59 PM Please update the toilet block facilities
- Apr 08 2021 The area would benefit from more frequent police patrols in the evening to stamp out anti social behaviour
119 05:55 PM than any change in gate closing/opening
- Apr 08 2021 Signs should be erected to make people aware of fines to be incurred for leaving rubbish behind (not placing
120 04:24 PM it in bins provided)!!
- Apr 08 2021 Monitor the car parks around this location once this car park is restricted. Portofinos, Waterland Point and the
121 03:55 PM dog Beach. Also the hooning down Quinns Road constantly

Corporate Strategy & Performance

Business & Finance

4.11 Financial Activity Statement for the period ended 30 April 2021

File Ref:	37350V02 – 21/189040
Responsible Officer:	Director, Corporate Strategy & Performance
Disclosure of Interest:	Nil
Attachments:	6

Issue

For Council to consider the Financial Activity Statement (**FAS**) for the period ended 30 April 2021.

Background

In accordance with *Local Government (Financial Management) Regulations 1996*, the Financial Activity Statement has been prepared in compliance with the following:

“Regulation 34(1) of the Local Government (Financial Management) Regulations 1996, which requires a local government to prepare a statement of financial activity each month, presented according to nature and type, by program, or by business unit. The statement of financial activity will be presented by nature and type.

Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, which requires a local government to adopt a percentage or value, calculated in accordance with Australian Accounting Standards, to be used in statements of financial activity for reporting material variances. 10% and a value greater than \$100,000 will be used for the reporting of variances.”

Detail

Council adopted the Annual Budget for the 2020-21 financial year on 20 July 2020 (SCS01-07/20). The mid-year review (**MYR**) was conducted in January and adopted by Council on 16 February 2021 (CS03-02/21). The budget changes proposed in the Financial Activity Statement (**FAS**) for the period ended 28 February 2021 have been included in this report as the report was adopted on 20 April 2021 by Council (CS01-04/21). The figures in this report are compared to the Revised Budget.

Overall Comments Month-to-Date

Results from Operations

The Financial Activity Statement report for the month of April 2021 shows an overall favourable variance from Operations before Non-Operating Revenue and Expenses of \$1.0m.

The favourable variance is due to higher revenue of \$521k mainly from Rates, Operating Grants, Subsidies & Contributions and underspends in operating expenditures of \$524k mainly from Material & Contracts and Utilities Costs.

Description	Current Month - April 2021				Comments
	Actual \$m	Revised Budget \$m	Variance \$m	Variance %	
Operating Revenue	2.7	2.1	0.5	24.3	The favourable variance is mainly due to higher revenue from Rates and Operating Grants, Subsidies & Contributions partially offset by lower Fees & Charges, Interest Earnings and Other Revenue. Please refer to note 1, 2 and 3 for further details.
Operating Expense	(16.1)	(16.7)	0.5	3.1	The favourable variance is due to underspends in Materials & Contracts, Utility Charges, Depreciation and Insurance. Please refer to note 4, 5, 6 and 7 for further details.
Result from Operations	(13.5)	(14.5)	1.0	7.2	

Capital Program

During April 2021, \$4.4m was spent on various capital projects of which \$3.0m was spent on sport facilities and roads (Refer to **Attachment 3** for more details). The unfavourable variance is mainly due to delays in the replacement of domestic waste trucks amounting to \$3.6m as a result of COVID-19 and the implementation of the Bin Kerbside Collection System amounting to \$1.1m.

Description	Month Actual \$m	Month Revised Budget \$m	% Complete of Month Revised Budget
Expenditure	4.4	9.3	47.3%

Overall Comments on Year-to-Date (YTD) Figures

Results from Operations

The Financial Activity Statement year-to-date report of April 2021 shows an overall favourable variance from Operations of \$9.8m.

Description	Year-To-Date April 2021				Comments
	Actual \$m	Revised Budget \$m	Variance \$m	Variance %	
Operating Revenue	197.4	196.1	1.3	0.7	The favourable variance is due to higher revenue from Rates, Operating Grants, Subsidies & Contribution and Fees & Charges partially offset by lower Interest Earnings and Other Revenue. Please refer to note 1, 2 and 3 for further details.
Operating Expense	(160.1)	(168.6)	8.5	5.1	The favourable variance is due to underspend in Employee Costs, Materials & Contracts, Utility Charges and Insurance Expense. Please refer to note 4,5,6 and 7 for further details.
Result from Operations	37.3	27.5	9.8	35.7	

Capital Program

At the end of April 2021, \$39.9m was expended on various capital projects of which \$20.3m was spent on sports facilities and roads. Further detail on the Capital Works Program is provided on page 13. The estimated carry forward amount will be finalised by the end of May 2021, and will be presented to Council as part of the 2021/22 Budget adoption.

Description	YTD Actual \$m	YTD Revised Budget \$m	% Complete of YTD Revised Budget	Annual Revised Budget \$m	% Complete of Annual Revised Budget
Expenditure	39.9	55.1	72.4%	68.4	58.3%

Investment Portfolio Performance

Portfolio Value \$m	Monthly Weighted Return	Comments
430.7	0.66%	Portfolio balance has decreased by \$2.85m from March 2021. The monthly weighted return is 0.66% which is above the set benchmark (12 months UBS Australia Bank Bill Index) by 0.59%. (Refer to Attachment 5 for more details)

*Detailed Analysis of Statement of Comprehensive Income (**Attachment 1**)*

Comments relating to the Statement of Comprehensive Income are provided under the following two sections of this report:

- a) Current month comparison of Actuals to Budgets; and
- b) Year to date Actuals to Budgets; where the variance is higher than reporting threshold or item of interest to Council.

CITY OF WANNEROO

STATEMENT OF COMPREHENSIVE INCOME BY NATURE OR TYPE
FOR THE PERIOD ENDED 30 APRIL 2021

Description	Current Month				Notes	Year to Date				Notes
	Actual \$	Revised Budget \$	Variance			Actual \$	Revised Budget \$	Variance		
			\$	%				\$	%	
Revenues	579,284	120,000	459,284	382.7	1	136,328,466	136,109,707	218,759	0.2	1
	443,616	264,514	179,102	67.7	2	10,830,193	10,273,720	556,473	5.4	2
	1,364,418	1,398,850	(34,432)	(2.5)	3	46,139,008	45,538,807	600,201	1.3	3
	221,737	259,558	(37,821)	(14.6)		3,590,208	3,655,320	(65,112)	(1.8)	
	49,845	95,452	(45,607)	(47.8)		520,085	555,131	(35,046)	(6.3)	
	2,658,900	2,138,374	520,526	24.3		197,407,960	196,132,685	1,275,275	0.7	
	Expenses									
	(6,480,102)	(6,486,179)	6,077	0.1	4	(60,583,341)	(63,364,751)	2,781,410	4.4	4
	(5,135,055)	(5,394,789)	259,734	4.8	5	(52,006,337)	(57,492,875)	5,486,538	9.5	5
	(588,660)	(792,633)	203,973	25.7	6	(7,760,546)	(7,893,565)	133,019	1.7	
(3,539,143)	(3,571,971)	32,828	0.9		(35,805,935)	(35,719,710)	(86,225)	(0.2)		
(343,546)	(343,353)	(193)	(0.1)		(3,434,244)	(3,426,637)	(7,607)	(0.2)		
(50,368)	(72,053)	21,685	30.1	7	(501,885)	(733,905)	232,020	31.6	7	
Total Operating Expenditure										
(16,136,874)	(16,660,978)	524,104	3.1		(160,092,288)	(168,631,443)	8,539,155	5.1		
RESULT FROM OPERATIONS										
(13,477,974)	(14,522,604)	1,044,630	7.2		37,315,672	27,501,242	9,814,430	35.7		
Non Operating Revenue & Expenses										
3,364,330	78,005	3,286,325	4,213.0	8	18,365,824	10,286,626	8,079,198	78.5	8	
1,666,681	0	1,666,681	0.0	9	10,387,542	6,819,000	3,568,542	52.3	9	
610,391	0	610,391	0.0	10	2,612,215	1,400,000	1,212,215	86.6	10	
(35,562)	0	(35,562)	0.0	10	(147,001)	(13,699,065)	13,552,064	98.9	10	
664,182	1,202,299	(538,117)	(44.8)	11	8,812,259	8,426,832	385,427	4.6	11	
(52,916)	(32,596)	(20,320)	(62.3)		(2,464,300)	(2,406,494)	(57,806)	(2.4)		
Total Non Operating Revenue and Expenses										
6,217,106	1,247,708	4,969,398	398.3		37,566,539	10,826,899	26,739,640	247.0		
NET RESULT (OPERATING & NON OPERATING)										
(7,260,868)	(13,274,896)	6,014,028	45.3		74,882,211	38,328,141	36,554,070	95.4		
Other Comprehensive Income										
0	0	0	0.0		0	0	0	0.0		
TOTAL COMPREHENSIVE INCOME										
(7,260,868)	(13,274,896)	6,014,028	45.3		74,882,211	38,328,141	36,554,070	95.4		

*TPS= Town Planning Schemes

**DCP= Developers Contribution Plans

Revenues

Note 1 Rates

Month to Date - (Actual \$579k, Revised Budget \$120k)

The variance is favourable by \$459k as a result of higher interim rates generated mainly on residential properties than anticipated during the month.

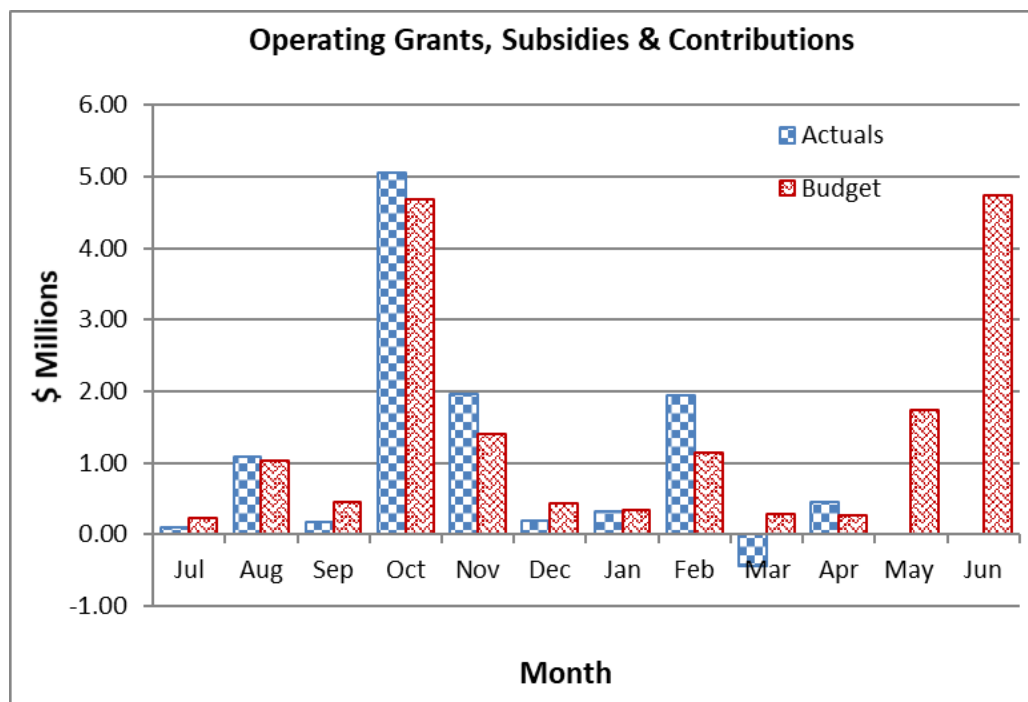
Year to Date - (Actual \$136.3m, Revised Budget \$136.1m)

The variance is favourable by \$219k as a result of higher interim rates generated on commercial properties than anticipated up to April 2021.

Note 2 Operating Grants, Subsidies & Contributions

Month to Date - (Actual 444k, Revised Budget \$265k)

The variance is favourable by \$179k mainly due to higher reimbursement income for legal fees related to recovery of Rates than anticipated during the month.



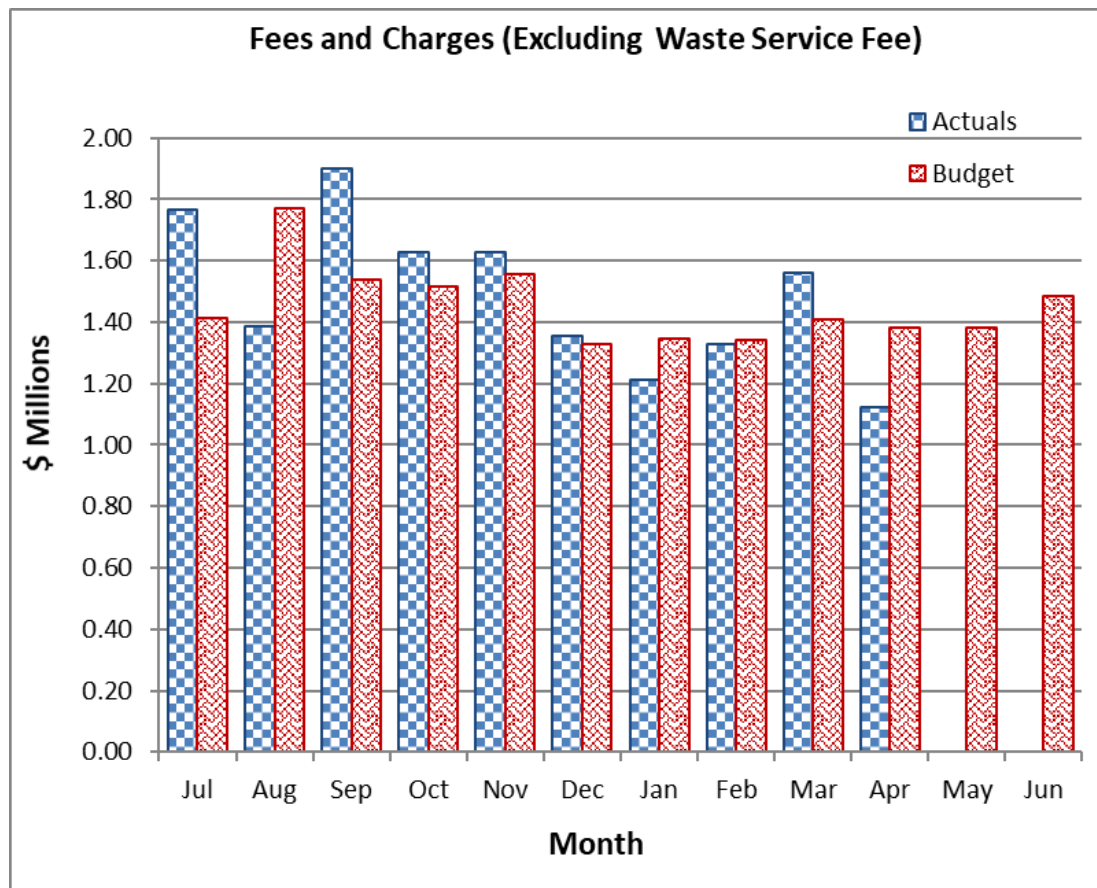
Year to Date - (Actual \$10.8m, Revised Budget \$10.3m)

The favourable variance of \$557k relates to the above reason and early receipt of half of Bushfire Mitigation Activity Fund grant (2020/21 program) amounting to \$302k which is put down to be a timing difference.

Note 3 Fees and Charges – Including Waste Service Fee**Month to Date - (Actual \$1.4m, Revised Budget \$1.4m)**

The overall variance of Fees and Charges is unfavourable by \$34k, which is within the reportable threshold.

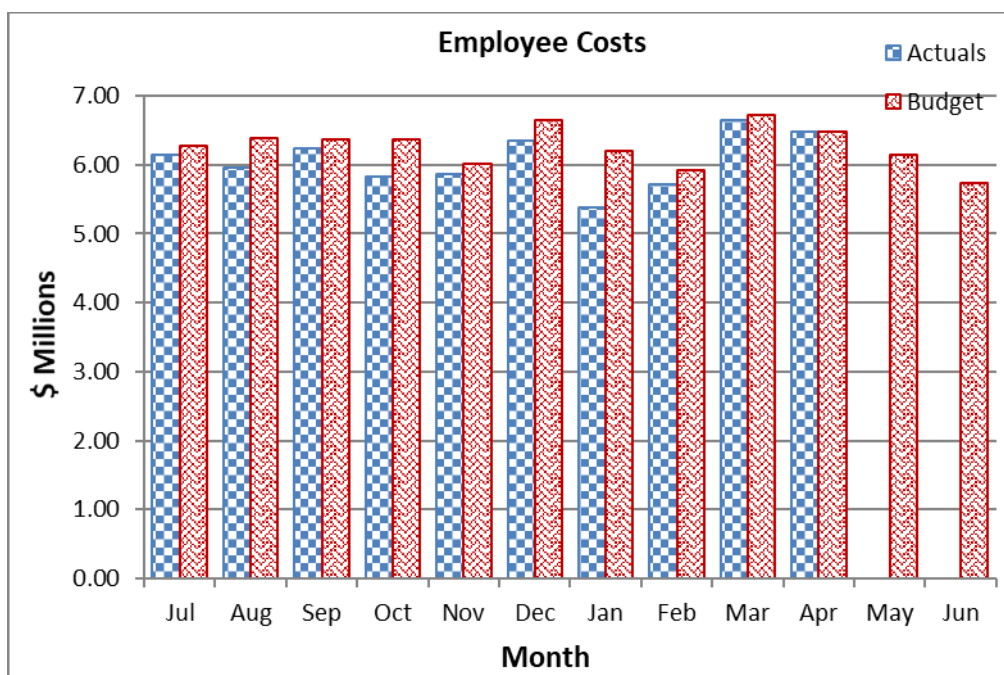
However, as per the below graph (excluding Waste Service fee), the unfavourable variance of \$260k is mainly due to lower facilities booking income than anticipated due to closure of some of community facilities as result of the temporary Perth COVID-19 lockdown enforced by State Government directive.

**Year to Date - (Actual \$46.1m, Revised Budget \$45.5m)**

The variance is favourable by \$600k mainly due to income streams for building assessment services and planning assessment services are running ahead of year to date budgets due to the increased activity in the residential housing sector with new builds taking advantage of the Federal and State stimulus grants. These stimulus grants have now ended. Activity in the approvals area expected to slow down in the coming months.

Expenses**Note 4 Employee Costs****Month to Date - (Actual \$6.5m, Revised Budget \$6.5m)**

The variance is favourable by \$6k, which is within the reportable threshold.



Year to Date - (Actual \$60.6m, Revised Budget \$63.4m)

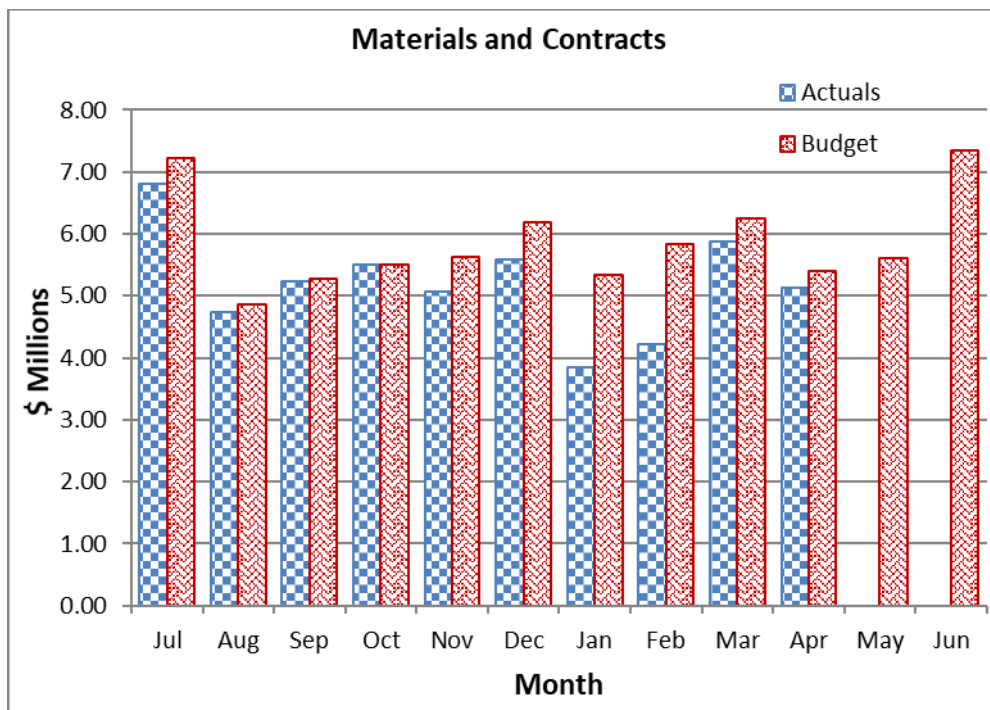
The variance is favourable by \$2.8m due to lower employee costs mainly arising from deferral of recruitments to manage COVID-19 financial impact.

Note 5 Materials & Contracts

Month to Date - (Actual \$5.1m, Revised Budget \$5.4m)

The favourable variance of \$260k is mainly due to:

- Lower consulting fees of \$93k due to delays in undertaking of special projects and provision for Infrastructure Asset Management is lower than anticipated;
- Lower contract expenses of \$64k for maintenance of bushland due to timing differences;
- Lower external printing expenses of \$41k due to limited requirements and greater usage of digital communications; and
- Lower legal fees of \$40k.



Year to Date - (Actual \$52.0m, Revised Budget \$57.5m)

The variance is favourable by \$5.5m due to:

- Lower contract expenses of \$1.9m for maintenance of park land & irrigation, park building & furniture, road reserves, beach land & bushland and provision for emergency services;
- Lower consulting fees of \$1.1m mainly due to delays in undertaking of special projects for Planning Services, Place Management, Environmental Management and provision of Information Technology Services;
- Lower material expense of \$836k to maintain road reserves, pathways, operations centre and park irrigation equipment;
- Lower contributions & donations expense of \$483k of which \$130k relates to Pitstop park within land development management services and \$353k relates to reduced donation funding requests from community organisations;
- Lower refuse removal expense of \$240k due to reduction in recycling waste gate fee;
- Lower legal fees of \$141k;
- Lower software maintenance support and licence of \$145k which is a timing difference; and
- Lower advertising expenses of \$197k due to reduced print demand and higher use of digital communications at a lower cost.

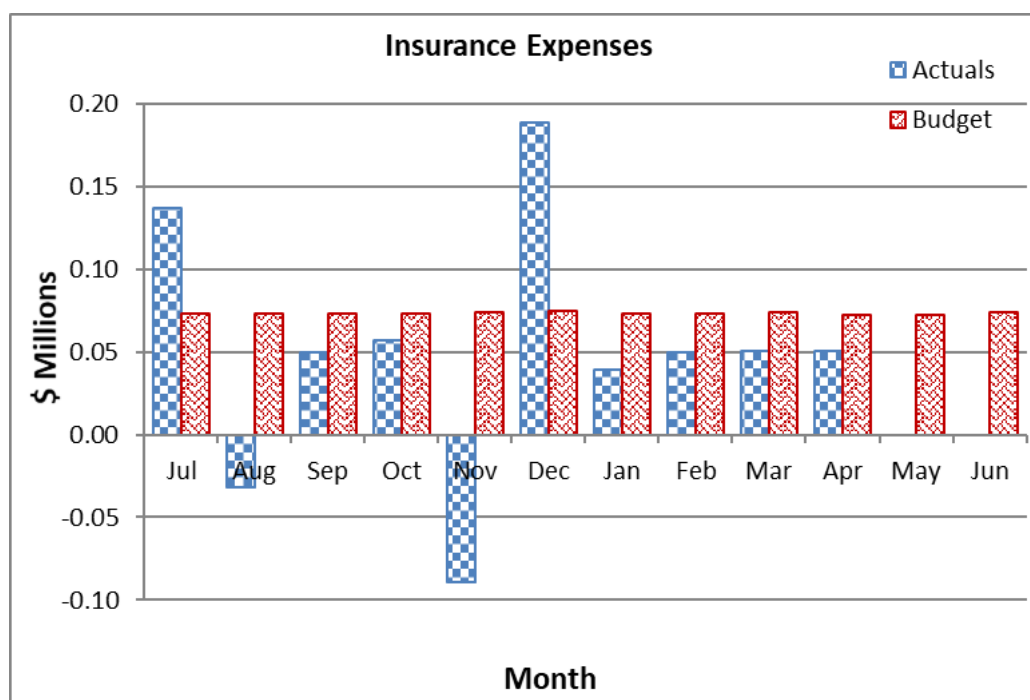
Note 6 Utilities

Month to Date - (Actual \$589k, Revised Budget \$793k)

The variance is favourable by \$204k due to lower electricity usage, of which \$105k is related to Street Lighting and maintenance of Community Centre Buildings & Sporting Club Buildings.

Note 7 Insurance**Month to Date - (Actual \$50k, Revised Budget \$72k)**

The variance is favourable by \$22k, which is within the reportable threshold.

**Year to Date - (Actual \$502k, Revised Budget \$734k)**

The favourable year to date variance of \$232k is a result of the City's receipt of a credit from its insurer "Local Government Insurance Service (Australia)" with the City opting to offset the insurance premium.

Non Operating Revenue & Expenses**Note 8 Non Operating Grants, Subsidies & Contributions****Month to Date – (Actual \$3.4m, Revised Budget \$78k)**

The variance is favourable by \$3.3m, which is mainly attributable to:

Cash Contribution of \$1.3m:

- Late receipt of \$1.3m relates to Halesworth park sport facilities project, which was anticipated in September 2020.

State Government grants of \$1.8m:

Early receipt \$1.8m from the Department of Local Government, Sport and Cultural Industries (**DLGSCI**) related to various projects as part of the State of Western Australia's COVID-19 Recovery Plan (the WA Recovery Plan):

1. Warradale Community Centre
2. Kingsway Lighting Planning
3. Alkimos Aquatic and Recreation Centre
4. Youth Innovation Hub

Year to Date – (Actual \$18.4m, Revised Budget \$10.3m)

The variance is favourable by \$8.1m, which is attributable to:

State Government grants of \$3.3m:

- Early receipt of \$1.8m of WA recovery funds as above mentioned;
- Late receipt of \$727k relating to the Pinjar Road duplication project, which was anticipated in 2019/20;
- Early receipt of \$500k of Coastal Protection Works Quinns Rocks Beach; and
- Early receipt of \$340k for the implementation of the three bins system.

Federal Government grants of \$2.7m:

- Early receipt \$3.4m from Local Roads and Community Infrastructure Programme (LRCIP) related to various projects; partially offset by
- \$750k relates to Halesworth park sport facilities not received yet.

Cash Contribution of \$2.1m:

- Late receipt of \$1.0m relates to Halesworth Park sport facilities project;
- Late receipt of \$1.6m relates to Marmion Avenue dualling project, which was anticipated in 2019/20; partially offset by
- \$469k of cash contribution has not yet been recognised as an income pending confirmation of obligations required to be carried out.

Note 9 Contributed Physical Assets***Month to Date – (Actual \$1.7m, Revised Budget \$0.0m)***

In April 2021, \$1.7m of various assets were handed over to the City by developers. The actual assets are recorded as and when assets are handed over to the City.

Year to Date – (Actual \$10.4m, Revised Budget \$6.8m)

The variance is favourable by \$3.6m. The actual assets hand overs by developers are higher than anticipated.

Note 10 Profit / Loss on Asset Disposals***Month to Date – (Combined Actual \$575k, Combined Revised Budget \$0k)***

The favourable variance of \$575k is a result of a higher proceeds relating to land sales from Tamala Park Regional Council (TPRC) than anticipated.

Year to Date – (Combined Actual \$2.5m, Combined Revised Budget \$-12.3m)

The variance is favourable by \$14.8m mainly due to delays in take over of ownership of Ocean Reef Road and Gngangara Road by Main Roads WA. The City is awaiting the appropriate transfer documentation from Main Roads WA to process the ownership transfer.

Note 11 TPS & DCP Income**Month to Date – (Actual \$664k, Revised Budget \$1.2m)**

The unfavourable variance of \$538k is mainly due to delay receipt of headworks levy of Cells 8 and 9, which is a timing difference.

Year to Date – (Actual \$8.8m, Revised Budget \$8.4m)

The variance is favourable by \$385k due to early receipt of headworks levy relates to Cell 5 in the previous month, which is not budgeted for 2020/21.

Statement of Financial Position (Attachment 2)

CITY OF WANNEROO
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 30 APRIL 2021

Description	30 Jun 2020 Actual \$	30 Apr 2021 Actual \$	Variance		30 Jun 2021 Budget Estimate \$	Notes
			\$m	%		
Current Assets	394,102,121	452,696,193	58,594,072	14.9	387,868,977	
Current Liabilities	(68,326,010)	(67,345,909)	980,101	1.4	(50,493,320)	
NET CURRENT ASSETS	325,776,111	385,350,284	59,574,173	18.3	337,375,657	1
Non Current Assets	2,400,038,446	2,415,402,418	15,363,972	0.6	2,428,370,061	2
Non Current Liabilities	(174,757,762)	(174,813,712)	(55,950)	(0.0)	(88,033,657)	3
NET ASSETS	2,551,056,795	2,625,938,990	74,882,195	2.9	2,677,712,061	
TOTAL EQUITY	(2,551,056,795)	(2,625,938,990)	74,882,195	2.9	(2,677,712,061)	

Note 1 - Net Current Assets

When compared to the opening position at 30 June 2020 Net Current Assets have increased by \$59.6m, which is predominately due to levying of 2020/21 Rates and Waste Service Fees in July 2020.

Within the Current Assets, Current Receivables of \$20.6m are mainly comprised of collectable Rates and Waste Service Fees debtors of \$13.1m and Emergency Services Levy of \$1.0m, with the remaining balance attributed to General Debtors of \$6.5m.

Note 2 - Non-Current Assets

Non-Current Assets position as at 30 April 2021 have increased by \$15.4m from 30 June 2020 Actuals. The movement is due to increase in Work in Progress and Asset Acquisition of \$50.9m partially offset by accumulated depreciation of \$35.5m.

Note 3 - Non-Current Liabilities

Non-Current Liabilities position as at 30 April 2021 have increased by \$55k due to movement in provisions.

The existing loan with the Western Australia Treasury Corporation remains unchanged making up 37% of total Non-Current Liabilities.

Financial Performance Indicators

The table below presents data on non-asset related financial ratios, comparing the minimum standard expected as per the DLGSCI status at the year to date figures, and at the same period of the last year.

A green highlight is used where the minimum standard is met or exceeded. Highlighted in red is below the standard (where relevant).

Details	DLGSCI Minimum Standard	As at 30/04/2020	As at 30/04/2021	For the month - Minimum Standard Met
Current Ratio				
The ability to meet short term financial obligations from unrestricted current assets.				
Current Assets - Restricted Current Assets (RCA)	=>1.00:1	1.01:1	2.01:1	YES
Current Liabilities (CL) - CL Associated with RCA				
Debt Service Cover Ratio				
The ability to produce enough cash to cover debt payments.				
Operating Surplus before Interest & Depreciation	=>2.00:1	22.58:1	26.25:1	YES
Principle & Interest Repayments				
Own Source Revenue Coverage Ratio				
The ability to cover costs through own revenue efforts.				
Own Source Operating Revenue	=>0.40:1	1.15:1	1.18:1	YES
Operating Expense				
Operating Surplus Ratio				
The ability to cover operational costs and have revenues available for capital funding or other purposes.				
Operating Revenue - Operating Expense	=>0.01:1	0.16:1	0.21:1	YES
Own Source Operating Revenue				

The asset ratios will be published as part of the Statutory Financial Statements.

Capital Works Program

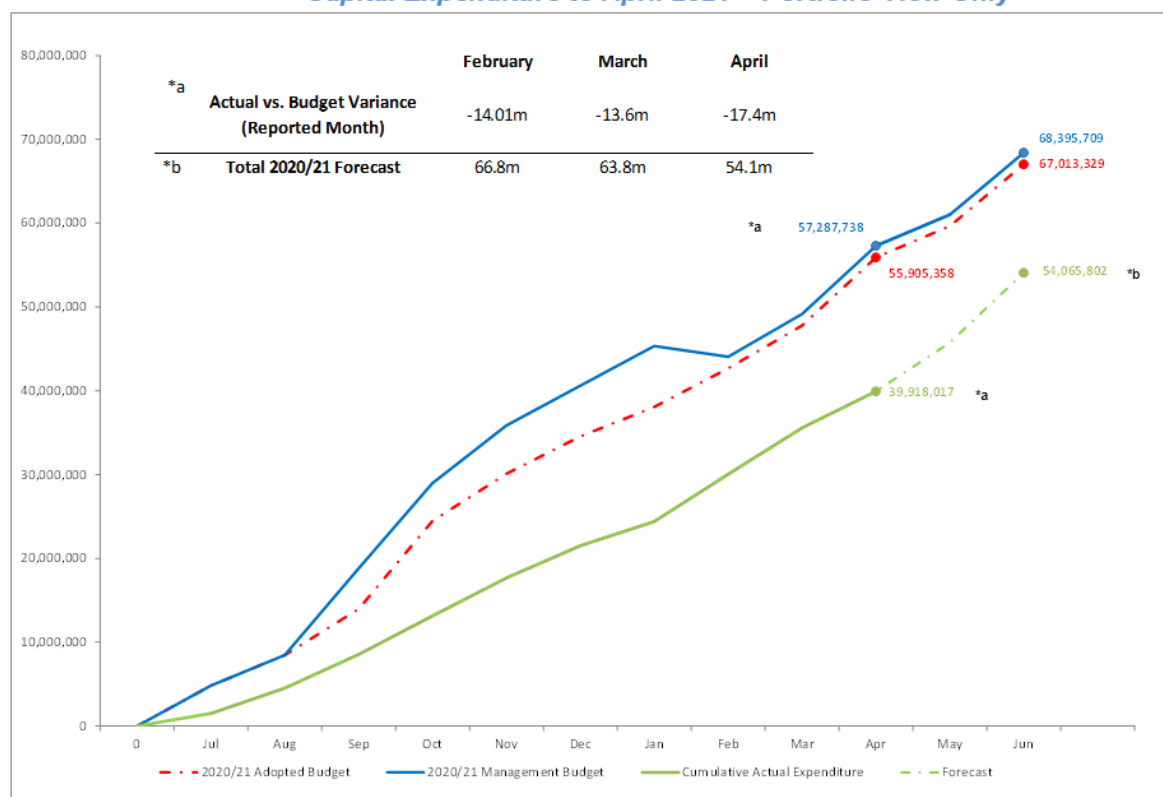
The status of the Capital Works Program is summarised by Sub-Program in the table below:

Sub-Program	No. of Projects	Current Month Actual	YTD Actual	Revised Budget	% Spend
		\$	\$	\$	
Community Buildings	15	91,346	851,963	1,771,133	48.1%
Community Safety	4	61,083	149,746	420,645	35.6%
Conservation Reserves	4	18,374	205,616	347,540	59.2%
Corporate Buildings	6	12,217	52,808	195,877	27.0%
Environmental Offset	6	15,403	115,555	442,600	26.1%
Fleet Mgt - Corporate	6	347,986	2,927,667	7,344,819	39.9%
Foreshore Management	10	53,348	874,759	1,579,424	55.4%
Golf Courses	3	1,450	46,768	205,181	22.8%
Investment Projects	8	60,212	731,698	1,787,159	40.9%
IT Equipment & Software	18	384,222	2,960,824	7,822,410	37.9%
Parks Furniture	16	53,651	2,537,710	2,659,962	95.4%
Parks Rehabilitation	1	432	471,449	1,050,000	44.9%
Passive Park Development	9	147,695	796,272	1,672,928	47.6%
Pathways and Trails	6	454,360	1,078,536	1,531,249	70.4%
Roads	15	861,436	7,291,836	10,789,249	67.6%
Sports Facilities	60	1,224,637	13,052,410	18,504,671	70.5%
Stormwater Drainage	3	137	60,867	65,118	93.5%
Street Landscaping	7	106,500	637,332	1,063,531	59.9%
Traffic Treatments	15	153,782	1,597,786	2,216,005	72.1%
Waste Management	3	303,072	3,476,414	6,926,208	50.2%
Grand Total	215	4,351,344	39,918,017	68,395,709	58.4%

During April 2021, \$4.4m was spent. Details of significant expenditure for the month are included in **Attachment 3**. As at 30 April 2021, the City has spent \$39.9m, which represents 58.4% of \$68.4m 2020/21 Capital Works Revised Budget.

The City's forecast spend of \$54.1m represents 79.0% of the 2020/21 revised budget. The estimated carry forward amount will be finalised by the end of May 2021, and will be presented to Council as part of the 2021/22 Budget adoption.

Capital Expenditure to April 2021 – Portfolio View Only



To further expand on the Capital Works Program information above, selected key capital projects updates are provided in the Top Capital Projects attachment to this report (**Attachment 4**).

Capital Changes

It is proposed that the following changes be made to the 2020/21 Capital Works Program.

PR-2749 Recurring Program, new major pathways – An additional \$30,000 is required to allow for an unscheduled service adjustment cost on Wanneroo Road. It is proposed to fund this adjustment from savings identified in PR-2672 Recurring Program, Upgrade Beach Accessways.

PR-4074 Renew Facilities Management System – Additional funds of \$23,000 are required to complete the implementation of the new system, with savings identified in PR-1031 New IT Equipment and Software to cover the expenditure.

PR-4255 Joondalup Drive, Banksia Grove, renew road surface – An additional \$57,000 is required for the payment of a late invoice that was received after completion of construction works. It is proposed to fund the Municipal portion of this adjustment (\$19,000) from savings identified in PR-2672 Recurring Program, Upgrade Beach Accessways. The remainder (\$38,000) is via grant funding from Main Roads.

PR-4259 Marmion Avenue / Santa Barbara Parade intersection, Quinns Rocks, upgrade traffic treatments – It is proposed to transfer the costs and matching budget (\$16,000) for the design and survey for this project from PR-4225 Recurring Program, Upgrade Road Infrastructure and

Streetscapes – Design Only to accurately reflect all associated costs under the same project number.

PR-4264 New automatic closing gates and CCTV at various car parks – The Local Government Grant Scheme (LGGS) 2020/21 approved Emergency Service Levy (ESL) funding to retro-fit automatic gates at Quinns Rocks and Two Rocks Fire Stations. The \$31,051 grant has already been received by the City.

PR-4273 Santa Barbara Parade / Marmion Avenue, Quinns Rocks, upgrade intersection – It is proposed to transfer the costs and matching budget (\$15,000) for the design and survey for this project from PR-4225 Recurring Program, Upgrade Road Infrastructure and Streetscapes – Design Only to accurately reflect all associated costs under the same project number.

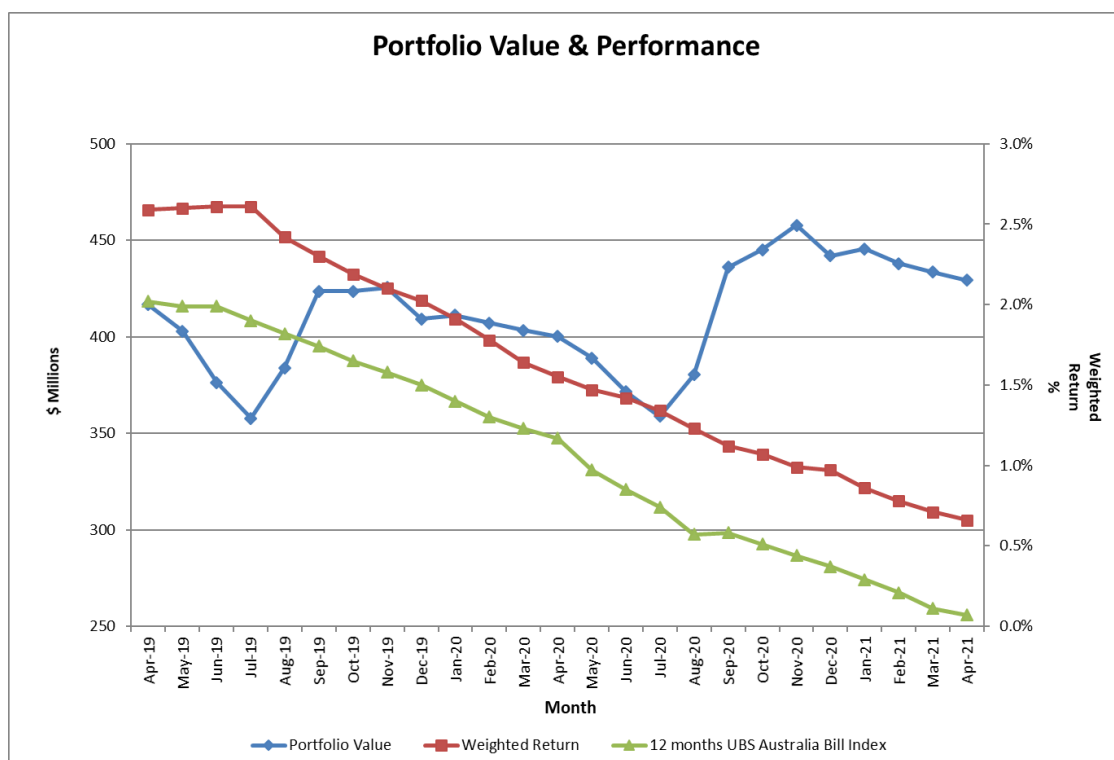
PR-4276 Lenore Road, Hocking, upgrade road from Kemp St to Elliot Rd – It has been determined that 50% of the funding for this project will be sourced from TPS Cell 4. This will result in a Municipal Fund saving of \$72,500.

PR-4287 Frederick Stubbs Park, Quinns Rocks, upgrade car park and surrounds – It is proposed to transfer the costs and matching budget for community consultation and design works for this project from PR-1087 Recurring Program, Renew Transport Infrastructure Assets (\$35,119) and PR-1904 Recurring Program, Renew Community Building Assets (\$15,000) to accurately reflect all associated costs under the same project number.

PR-4331 Kingsway Regional Sporting Complex, Madeley, Upgrade Soccer Field Floodlighting – It is required to bring the start of the design for this project forward from 2021/22, in order to comply with the grant conditions. It is proposed to fund the \$3,500 partly from grant funds already received (\$1,500), and partly through savings identified in PR-4125 Time Locks In Public Toilets, Various Locations, New Installations (\$2,000).

Investment Portfolio (Attachment 5)

In accordance with the *Local Government (Financial Management) Regulations 1996* (and per the City's Investment Policy), the City invests solely in Authorised Deposit taking Institutions (ADI's):



At the end of April 2021, the City held an investment portfolio (cash & cash equivalents) of \$429.4m (Face Value), equating to \$430.7m inclusive of accrued interest. This total portfolio consists of restricted cash of \$337.5m and un-restricted cash of \$93.2m (excludes Cash at Bank, as it is non-interest bearing).

The City's year to date investment portfolio return has exceeded the UBS Australia Bank Bill rate index benchmark by 0.59% p.a. (0.66% p.a. vs. 0.07% p.a.); however, it is noted that Interest Earnings were budgeted at a 1.00% yield. The prevailing historically low Reserve Bank of Australia Cash Rate at 0.1% is affecting the City's ability to attract higher interest rates from ADI's.

Rate Setting Statement (Financial Activity Statement) (Attachment 6)

The Rate Setting Statement (Financial Activity Statement) represents a composite view of the finances of the City, identifying the movement in Surplus/(Deficit) based on the Revenues (excluding Rates), Expenses, Capital Works and Funding Movements, resulting in the Rating Income required. It is noted that the closing Surplus/(Deficit) will balance to reconciliation of Net Current Assets Surplus/(Deficit) position as detailed on the following page. Whilst a year-to-date surplus of \$69.3m is reported, this amount will progressively reduce towards the balanced position by year-end as operational and capital expenditures are incurred for the remainder of the financial year.

NET CURRENT ASSETS SURPLUS/(DEFICIT) CARRIED FORWARD

FOR THE PERIOD ENDED 30 APRIL 2021

Description	30 Jun 2020	30 April 2020	30 April 2021	30 Jun 2021
	Actual \$	Actual \$	Actual \$	Adopted Budget \$
Current Assets				
Cash & Cash Equivalents - Unrestricted	37,320,902	55,156,226	94,278,330	27,315,620
Cash & Cash Equivalents - Restricted	337,706,621	347,970,520	337,501,984	340,214,357
Receivables	18,727,150	18,734,861	20,583,793	20,023,000
Inventory	347,448	362,637	332,086	316,000
TOTAL CURRENT ASSETS	394,102,121	422,224,244	452,696,193	387,868,977
Current Liabilities				
Payables*	(49,329,309)	(54,216,085)	(46,090,519)	(29,910,926)
Provisions	(18,996,701)	(19,542,615)	(21,255,390)	(20,582,394)
TOTAL CURRENT LIABILITIES	(68,326,010)	(73,758,700)	(67,345,909)	(50,493,320)
Net Current Assets	325,776,111	348,465,544	385,350,284	337,375,657
Adjustments for Restrictions				
Cash & Cash Equivalents - Restricted	(337,706,621)	(347,970,520)	(337,501,984)	(340,214,357)
Provision for leave liability (Cash Backed)	13,024,364	-	12,753,634	-
Contract Liabilities*	10,173,059	19,006,810	8,218,806	-
Contract Assets **	(185,356)	-	(185,356)	-
TPS Receivables	(644,154)	-	(113,524)	-
TPS Payables	4,541,388	3,321,302	758,134	-
TOTAL RESTRICTED ASSETS	(310,797,320)	(325,642,408)	(316,070,290)	(340,214,357)
Surplus/(Deficit) Carried Forward	14,978,791	22,823,136	69,279,994	(2,838,700)

**The change in the AASB Standard 15 and 1058 have resulted in the City now recognising Grants and Contributions received as a liability when performance obligations have not yet been met.*

***The change in the AASB Standard 15 has resulted in the City now recognising a contract asset when performance obligations have been met, however the Grants and Contributions not received.*

Consultation

This document has been prepared in consultation with Administration for review and analysis.

Comment

In reference to Statement of Comprehensive Income in the report, the following colours have been used to categorise three levels of variance:

Revenues:

- Green > 0%;
- Amber -0% to -10%; and
- Red > -10%.

Expenses:

- Green > 0%;
- Amber -0% to -10%; and
- Red > -10%.

Statutory Compliance

This monthly Financial Activity Statement report comply with *Regulations 34 (1) and 34 (4) of the Local Government (Financial Management) Regulations 1996.*

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 Civic Leadership

4.2 Good Governance

4.2.2 *Provide responsible resource and planning management which recognises our significant future growth”*

Risk Management Considerations

Risk Title	Risk Rating
CO-017 Financial Management	Moderate
Accountability	Action Planning Option
Director Corporate Strategy & Performance	Manage

The above risk relating to the issue contained within this report has been identified and considered within the City's Strategic and Corporate risk register. Action plans have been developed to manage this risk to support existing management systems.

In pursuing growth under the Economic objectives of the existing Strategic Community Plan, Council should consider the following risk appetite statements:

"Local Jobs

The City is prepared to accept a high level of financial risk provided that the City implements a risk management strategy to manage any risk exposure.

Strategic Growth

The City will accept a moderate level of financial risk for facilitating industry development and growth.

Any strategic objective including ongoing planning, funding and capital investment to develop infrastructure strategic assets carries financial risks."

Policy Implications

- Accounting Policy;
- Investment Policy;
- Financial Cash Backed Reserves Policy; and
- Strategic Budget Policy.

Financial Implications

As outlined in the report and detailed in **Attachments 1 to 6**.

Voting Requirements

Absolute Majority

Recommendation

That Council:

1. **RECEIVES** the Financial Activity Statement and commentaries on variances year to date Budget for the period ended 30 April 2021 consisting of:
 - a) **April 2021 year to date Financial Activity Statement;**
 - b) **April 2021 year to date Net Current Assets Position; and**
 - c) **April 2021 year to date Material Financial Variance Notes.**
2. **APPROVES BY ABSOLUTE MAJORITY** the changes to the 2020/21 Capital Works Program as shown in the table below:

Number	From	To	Amount	Description
PR-2749	PR-2672 Recurring Program, Upgrade Beach Access ways	PR-2749 Recurring Program, new major pathways	\$30,000	Additional funds for unscheduled service adjustment cost.
PR-4074	PR-1031 New IT Equipment and Software	PR-4074 Renew Facilities Management System	\$23,000	Additional funds to finalise implementation of system.

Number	From	To	Amount	Description
PR-4255	State Government (MRWA) Grant	PR-4255 Joondalup Drive, Banksia Grove, renew road surface	\$38,000	Additional funds for a late invoice received after completion of construction.
PR-4255	PR-2672 Recurring Program, Upgrade Beach Accessways	PR-4255 Joondalup Drive, Banksia Grove, renew road surface	\$19,000	Additional funds for a late invoice received after completion of construction.
PR-4259	PR-4225 Recurring Program, Upgrade Road Infrastructure and Streetscapes – Design Only	PR-4259 Marmion Ave / Santa Barbara Pde intersection, Quinns Rocks, upgrade traffic treatments	\$16,000	Transfer of budget and expenditure to accurately reflect total project costs.
PR-4264	State Government Grant	PR-4264 New automatic closing gates and CCTV at various car parks	\$31,051	ESL grant funds required to retro-fit automatic gates at Quinns Rocks and Two Rocks Fire Stations. Grant funding has been received.
PR-4273	PR-4225 Recurring Program, Upgrade Road Infrastructure and Streetscapes – Design Only	PR-4273 Santa Barbara Parade / Marmion Avenue, Quinns Rocks, upgrade intersection	\$15,000	Transfer of budget and expenditure to accurately reflect total project costs.
Number	From	To	Amount	Description
PR-4276	TPS Cell 4	PR-4276 Lenore Road, Hocking, upgrade road from Kemp St to Elliot Rd	\$72,500	TPS Cell 4 to contribute 50% of funds to project.
PR-4287	PR-1904 Recurring Program, Renew Community Building Assets	PR-4287 Frederick Stubbs Park, Quinns Rocks, upgrade car park and surrounds	\$15,000	Transfer of budget and expenditure to accurately reflect total project costs.
PR-4331	State Government Grant – WA Recovery Plan	PR-4331 Kingsway Regional Sporting Complex, Madeley, Upgrade Soccer Field Floodlighting	\$1,500	Start of design works brought forward to comply with grant conditions.
PR-4331	PR-4125 Time Locks In Public Toilets, Various Locations, New Installations	PR-4331 Kingsway Regional Sporting Complex, Madeley, Upgrade Soccer Field Floodlighting	\$2,000	Start of design works brought forward to comply with grant conditions.

Attachments:

1	Attachment 1 - Statement of Comprehensive Income April 2021	21/193732
2	Attachment 2 - Statement of Financial Position April 2021	21/193739
3	Attachment 3 - Significant Capital Expenditure April 2021	21/193743
4	Attachment 4 - Top Projects 2020-21 - April 2021 - 20210210	16/151914[v61]
5	Attachment 5 – Investment Report April 2021	21/193747
6	Attachment 6 – Rate Setting Statement April 2021	21/193751

CITY OF WANNEROO

STATEMENT OF COMPREHENSIVE INCOME BY NATURE OR TYPE

Attachment 1

FOR THE PERIOD ENDED 30 APRIL 2021

Description	Current Month					Year to Date				Annual					
	Actual	Revised Budget	Variance		Notes	Actual	Revised Budget	Variance		Original Budget	Revised Budget	Variance			Notes
	\$	\$	\$	%		\$	\$	\$	%	\$	\$	\$	%		
Revenues															
Rates	579,284	120,000	459,284	382.7	1	136,328,466	136,109,707	218,759	0.2	135,971,516	136,109,707	138,191	0	1	
Operating Grants, Subsidies & Contributions	443,616	264,514	179,102	67.7	2	10,830,193	10,273,720	556,473	5.4	11,426,636	16,752,460	5,325,824	32	2	
Fees & Charges	1,364,418	1,398,850	(34,432)	(2.5)	3	46,139,008	45,538,807	600,201	1.3	44,156,022	48,477,509	4,321,487	9	3	
Interest Earnings	221,737	259,558	(37,821)	(14.6)		3,590,208	3,655,320	(65,112)	(1.8)	4,416,017	4,135,724	(280,293)	(7)		
Other Revenue	49,845	95,452	(45,607)	(47.8)		520,085	555,131	(35,046)	(6.3)	1,015,816	750,842	(264,974)	(35)		
Total Operating Revenue	2,658,900	2,138,374	520,526	24.3		197,407,960	196,132,685	1,275,275	0.7	196,986,007	206,226,242	9,240,235	4		
Expenses															
Employee Costs	(6,480,102)	(6,486,179)	6,077	0.1	4	(60,583,341)	(63,364,751)	2,781,410	4.4	(75,073,152)	(75,233,832)	(160,680)	(0)	4	
Materials & Contracts	(5,135,055)	(5,394,789)	259,734	4.8	5	(52,006,337)	(57,492,875)	5,486,538	9.5	(71,049,101)	(70,435,144)	613,957	1	5	
Utility Charges	(588,660)	(792,633)	203,973	25.7	6	(7,760,546)	(7,893,565)	133,019	1.7	(9,976,703)	(9,534,360)	442,343	5		
Depreciation	(3,539,143)	(3,571,971)	32,828	0.9		(35,805,935)	(35,719,710)	(86,225)	(0.2)	(42,863,029)	(42,863,029)	0	0		
Interest Expenses	(343,546)	(343,353)	(193)	(0.1)		(3,434,244)	(3,426,637)	(7,607)	(0.2)	(4,114,716)	(4,114,828)	(112)	(0)		
Insurance	(50,368)	(72,053)	21,685	30.1	7	(501,885)	(733,905)	232,020	31.6	(1,327,151)	(880,151)	447,000	51	7	
Total Operating Expenditure	(16,136,874)	(16,660,978)	524,104	3.1		(160,092,288)	(168,631,443)	8,539,155	5.1	(204,403,852)	(203,061,344)	1,342,508	1		
RESULT FROM OPERATIONS	(13,477,974)	(14,522,604)	1,044,630	7.2		37,315,672	27,501,242	9,814,430	35.7	(7,417,845)	3,164,898	10,582,743	334		
Non Operating Revenue & Expenses															
Non Operating Grants, Subsidies & Contributions	3,364,330	78,005	3,286,325	4,213.0	8	18,365,824	10,286,626	8,079,198	78.5	11,049,674	15,960,572	4,910,898	31	8	
Contributed Physical Assets	1,666,681	0	1,666,681	0.0	9	10,387,542	6,819,000	3,568,542	52.3	9,092,000	9,092,000	0	0	9	
Profit on Asset Disposals	610,391	0	610,391	0.0	10	2,612,215	1,400,000	1,212,215	86.6	248,176	1,698,176	1,450,000	85	10	
Loss on Assets Disposals	(35,562)	0	(35,562)	0.0	10	(147,001)	(13,699,065)	13,552,064	98.9	(14,821,299)	(14,821,299)	0	0	10	
TPS* & DCP** Revenues	664,182	1,202,299	(538,117)	(44.8)	11	8,812,259	8,426,832	385,427	4.6	10,667,481	11,116,172	448,691	4	11	
TPS* & DCP** Expenses	(52,916)	(32,596)	(20,320)	(62.3)		(2,464,300)	(2,406,494)	(57,806)	(2.4)	(6,759,073)	(4,993,957)	1,765,116	35		
Total Non Operating Revenue and Expenses	6,217,106	1,247,708	4,969,398	398.3		37,566,539	10,826,899	26,739,640	247.0	9,476,959	18,051,664	8,574,705	48		
NET RESULT (OPERATING & NON OPERATING)	(7,260,868)	(13,274,896)	6,014,028	45.3		74,882,211	38,328,141	36,554,070	95.4	2,059,114	21,216,562	19,157,448	90		
Other Comprehensive Income	0	0	0	0.0		0	0	0	0.0	0	0	0	0		
TOTAL COMPREHENSIVE INCOME	(7,260,868)	(13,274,896)	6,014,028	45.3		74,882,211	38,328,141	36,554,070	95.4	2,059,114	21,216,562	19,157,448	90		

CITY OF WANNEROO

Attachment 2

STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 30 APRIL 2021

Description	30/06/2020 Actual \$	30/04/2021 Actual \$	Budget 30/06/2021 Estimate \$
Current Assets			
Cash at Bank	3,469,010	1,122,156	3,308,261
Investments	371,558,513	430,658,158	364,221,716
Receivables	18,727,150	20,583,793	20,023,000
Inventories	347,448	332,086	316,000
	394,102,121	452,696,193	387,868,977
Current Liabilities			
Payables	(49,329,309)	(46,090,519)	(29,910,926)
Provisions	(18,996,701)	(21,255,390)	(20,582,394)
	(68,326,010)	(67,345,909)	(50,493,320)
NET CURRENT ASSETS	325,776,111	385,350,284	337,375,657
Non Current Assets			
Receivables	3,712,310	3,604,418	3,268,165
Investments	19,275,826	21,476,337	20,243,091
Inventories	21,866,609	21,866,609	22,117,151
Land	133,628,182	133,635,281	138,221,721
Buildings	177,300,883	172,037,447	189,295,791
Plant	16,591,732	15,280,901	21,440,107
Equipment	38,788,705	39,402,690	89,942,404
Furniture & Fittings	5,045,544	4,702,045	14,243,635
Infrastructure	1,920,785,802	1,907,914,113	1,867,304,297
Work in Progress	63,042,853	95,482,577	62,293,699
	2,400,038,446	2,415,402,418	2,428,370,061
Non Current Liabilities			
Interest Bearing Liabilities	(74,460,644)	(74,398,694)	(76,334,197)
Provisions & Payables	(100,297,118)	(100,415,018)	(11,699,460)
	(174,757,762)	(174,813,712)	(88,033,657)
NET ASSETS	2,551,056,795	2,625,938,990	2,677,712,061
Equity			
Retained Surplus	(1,268,608,535)	(1,342,369,372)	(1,283,263,624)
Reserves - Cash/Investment Backed	(233,133,731)	(234,255,089)	(333,303,832)
Reserves - Asset Revaluation	(1,049,314,529)	(1,049,314,529)	(1,061,144,605)
TOTAL EQUITY	(2,551,056,795)	(2,625,938,990)	(2,677,712,061)

Attachment 3**Significant Capital expenditure for April 2021**

- \$838K *Halesworth Park, Butler, New Sports Facilities*
- \$623K *Recurring Program, Renew Transport Infrastructure Assets*
- \$326K *Recurring Program, Renew Heavy Trucks*
- \$298K *Three Bin Kerbside Collection System*
- \$261K *Various Locations, New Footpaths – Federal Grant*
- \$219K *Recurring Program, Renew IT Equipment and Software*
- \$190K *Upgrade Intersection, Mirrabooka Avenue, Rawlinson Drive*
- \$102K *Tree Planting – Various Locations*

Significant (LTD) commitments in the Capital Works Program as at 30 April 2021

- \$6.83m *Recurring Program, Renew Domestic Waste Vehicles*
- \$2.30m *Three Bin Kerbside Collection System*
- \$1.46m *Halesworth Park, Butler, New Sports Facilities*
- \$931K *Renew Finance System*
- \$686K *Recurring Program, Renew Transport Infrastructure Assets*
- \$657K *Hinckley Park, Hocking, Upgrade Passive Park*
- \$503K *Recurring Program, Renew Light Vehicles*
- \$306K *New Assets Management System*
- \$300K *Recurring Program, New Footpaths – Municipal Funded*
- \$255K *Upgrade Intersection, Mirrabooka Avenue, Rawlinson Drive*
- \$203K *Ridgewood Reserve, Ridgewood, Upgrade Spots Floodlight Globes*
- \$202K *Neerabup Industrial Area, Neerabup, New Development*
- \$195K *Recurring Program, Renew IT Equipment and Software*
- \$189K *Marmion Ave, Upgrade to Dual Carriageway from Butler Blvd to Yanchep Beach Rd (100%)*
- \$186K *Recurring Program, Renew Park Assets*
- \$160K *Paloma Park, Marangaroo, Upgrade Sports Floodlighting*
- \$156K *Recurring Program, Upgrade Beach Accessways*
- \$144K *Recurring Program, Renew Heavy Trucks*
- \$135K *Upgrade BMX Tracks – Various Locations*
- \$127K *Gumblossom Park, Quinns Rocks, New Batting Cage Lighting*
- \$125K *Upgrade To Dual Carriageway from Kemp St to Elliot Rd*
- \$120K *Recurring Program, New IT Equipment and Software*
- \$116K *Gumblossom Park, Quinns Rocks, Upgrade Path Network*
- \$114K *Splendid Park, Yanchep, New Cycling Facility*
- \$111K *New Development, Neerabup Industrial Area*
- \$111K *Recurring Program, Renew Sporting Structures*
- \$110K *Clarkson Youth Centre, Clarkson, Upgrade Building and Open Space*
- \$105K *Quinns Rock Caravan Park Redevelopment*
- \$103K *Tree Planting – Various Locations*
- \$103K *New Pathways – Various Locations*
- LTD – Life to Date

As at 30 April 2021, the City has spent \$7.1m (69%) of the revised \$10.2m carry forward budget from 2019/2020 (originally \$7.6m). Significant Actual (YTD) expenditure against carry forward projects include (% shown as Actual expenditure against revised Carry Forward budget only):

Attachment 3

- \$1.26m *Halesworth Park, Butler, New Sports Facilities (100%)*
- \$1.09m *Renew Finance System (99%)*
- \$579K *Recurring Program, Renew Heavy Trucks (79%)*
- \$439K *Recurring Program, New IT Equipment and Software (32%)*
- \$360K *Marmion Avenue, Upgrade Street Landscaping (96%)*
- \$344K *Recurring Program, Renew IT Equipment and Software (100%)*
- \$282K *Shelvock Park, New Sports Amenities Building (90%)*
- \$250K *Recurring Program, Renew Leased Building Assets (100%)*
- \$250K *Splendid Park, Yanchep, New Skate Park (100%)*
- \$249K *Marmion Ave, Upgrade to Dual Carriageway from Butler Blvd to Yanchep Beach Rd (100%)*
- \$239K *Recurring Program, New Corporate Business Systems (65%)*
- \$150K *Recurring Program, Renew Light Vehicles (100%)*
- \$144K *New Christmas Decorations (89%)*
- \$142K *New Development, Neerabup Industrial Area (28%)*
- \$120K *New Assets Management System (100%)*

Top Capital Projects 2020/21 - April 2021

PMO Project Registration				Financial Summary (Annual Funding)				Total Project Budget			Project Indicators				Project Progress		
PMO Code	Finance Code	Container	Project Name	Project Budget Current Year	Actual Expenditure	Forecast to End of Year	Budget Variance Under /(Over)	Total Project Budget	Estimate at Completion	Total Budget Variance Under /(Over)	Schedule	Current Year Budget	Total Budget	Overall Risk Rating	Work % Complete	Stage	Council Comments
PMO16052	PR-2616	23740	Neerabup Industrial Area (Existing Estate), Neerabup, Upgrade Roads and Services Infrastructure	1,144,711	58,110	83,429	1,003,172	3,985,000	3,857,753	127,247					14	S5. Delivery	The initial tender process did not result in the award of work to a contractor and subsequently the scope has been reviewed. Procurement Evaluation Plan (PEP) approved. Request for Quotation for design anticipated to go market May 2021. The construction phase will be delivered by the City's internal crew. A biological survey to assess vegetation for the clearing permit to be done. Carry forward of \$203k anticipated. Savings of \$800k to be reallocated following May Council meeting.
PMO16061	PR-2955	23756	Halesworth Park, Butler, New Sports Facilities	10,747,496	8,777,303	1,570,193	400,000	20,824,937	20,824,936	1					72	S5. Delivery	Works progressing. Southern oval practical completion anticipated April 2021 for use by Alkimos College. Northern ovals delivery anticipated July 2021. Building designs underway. Carry forward of \$400k for multi-year project.
PMO16175	PR-2664	25883	Landsdale Library and Youth Innovation Hub, New Building	220,694	52,344	47,350	121,000	10,501,250	10,501,249	1					28	S5. Delivery	Works on track. Architect tender awarded. Revised concept design to include Youth Innovation Hub. Carry forward of \$121,000 for multi-year project.
PMO17015	PR-1910	33218	Recurring Program, Renew Park Assets	1,750,000	1,752,934	2,000	(4,934)	N.A.	N.A.	N.A.					99	S5. Delivery	Work packages completed and in defects liability period. Procurement for 2021/22 is 50% complete.
PMO18063	PR-4088	30136	Neerabup Industrial Area, Neerabup, New Development	918,371	142,194	326,142	450,035	15,855,004	15,855,004	0					21	S5. Delivery	Lot 9100 industrial subdivision engineering design and planning approval process is ongoing. Resource Extraction works; Fauna Management Plan approval received. Start on site anticipated June 2021. Energy supply tender review award process in progress. The Information, Communication and Technology Strategy received. Environmental Consultancy RFQ completed. Carry forward of \$450k due to multi-year project.
PMO19001	PR-2792	32947	Dalvik Park, Merriwa, New Sports Amenities Building and Carpark	587,000	45,822	441,209	99,969	2,263,306	2,252,942	10,364					59	S5. Delivery	Council accepted award of tender. Bank guarantees submitted and insurances satisfactory. Site handover anticipated May 2021. Carry forward of \$100k to complete construction.
PMO19002	PR-4172	32950	Hinckley Park, Hocking, Upgrade Passive Park	1,368,840	672,902	620,767	75,171	1,423,477	1,423,477	(0)					86	S5. Delivery	Works on track. Practical completion anticipated June 2021. Carry forward of \$75k for additional works and delays in contractors availability for associated works.
PMO19007	PR-2990	32965	Leatherback Park, Alkimos, New Sports Amenities Building	1,381,375	1,367,713	5,000	8,662	1,680,575	1,831,458	(150,883)					99	S6. Close-Out	Project completed and in defects liability period. Landscaping work consolidation period ended.

Top Capital Projects 2020/21 - April 2021

PMO Project Registration				Financial Summary (Annual Funding)				Total Project Budget			Project Indicators				Project Progress		
PMO Code	Finance Code	Container	Project Name	Project Budget Current Year	Actual Expenditure	Forecast to End of Year	Budget Variance Under/(Over)	Total Project Budget	Estimate at Completion	Total Budget Variance Under/(Over)	Schedule	Current Year Budget	Total Budget	Overall Risk Rating	Work % Complete	Stage	Council Comments
PMO19024	PR-2409	34035	Yanchep Industrial Area, Yanchep, Upgrade Roads and Drainage Infrastructure	500,000	37,413	381,721	80,866	1,270,000	1,185,508	84,492					17	S5. Delivery	Design review completed. Construction anticipated to commence May 2021. Carry forward of \$81k for multi-year project.
PMO19041	PR-3018	34175	Hartman Dr, Wangara, Upgrade to Dual Carriageway from Hepburn Ave to Gngara Rd	2,189,042	2,179,068	15,200	(5,226)	4,700,000	4,705,226	(5,226)					99	S6. Close-Out	Project completed and in defects liability period.
PMO20004	PR-4238	38839	Three Bin Kerbside Collection New System	6,532,316	3,306,251	1,934,893	1,291,172	6,794,858	6,532,588	262,270					60	S5. Delivery	Phase 2 of the roll out commenced 3 May 2020 and will continue for 15 weeks. The Waste Education Guide is currently being printed and will be delivered with the GO bins from 7 June - 9 July, and posted out to those who will not receive a GO bin. The roll out is progressing well so far and we are working closely with the contractor to remedy any issues as they arise. Carry forward of \$1,029k for multi-year project and savings of \$262k anticipated.
PMO20015	PR-4237	39484	Mirraboopa Ave, Rawlinson Drive, Upgrade Intersection	898,005	635,830	250,000	12,175	911,005	904,205	6,800					87	S5. Delivery	Western Power installed street lighting. Line marking and minor works anticipated for May 21 for project completion.
				28,237,850	19,027,883	5,677,904	3,532,063	70,209,412	69,874,346	335,066							

Schedule Status-Indicator	Budget Indicators (Annual & Total)	Overall Risk Indicator
On Target-Baseline (<10%time increase)	On Target (Variance <10%)	Low
Behind Schedule (10 - 20%time increase)	Almost on Budget (Variance of 10 - 20%)	Medium
Behind Schedule (>20%time increase)	Under / Over Budget (Variance > 20%)	High

INVESTMENT SUMMARY - As At 30 April 2021

Face Value \$	Interest Rate %	Borrower	Rating	Maturity Date	Purchase price	Deposit Date	Current Value \$	YTD Accrued Interest \$		Accrued Interest
Current Account Investment Group										
24,353,000.00	0.01	Commonwealth Bank of Australia Perth	A1	N/A		N/A	24,353,000.00			
10,000,000.00	1.05	Westpac Banking Corporation	A1	19-May-2021	10,000,000.00	19-May-2020	10,099,534.25	87,452.05		99,534.25
10,000,000.00	0.76	Westpac Banking Corporation	A1	07-September-2021	10,000,000.00	07-September-2020	10,011,035.62	48,931.51		11,035.62
20,000,000.00	1.07	National Australia Bank	A1	10-May-2021	20,000,000.00	11-May-2020	20,207,550.68	178,235.62		207,550.68
10,000,000.00	1.01	Westpac Banking Corporation	A1	08-June-2021	10,000,000.00	09-June-2020	10,039,293.15	84,120.55		39,293.15
15,000,000.00	1.01	Westpac Banking Corporation	A1	10-June-2021	15,000,000.00	09-June-2020	15,058,939.73	126,180.82		58,939.73
10,000,000.00	1.00	Westpac Banking Corporation	A1	17-June-2021	10,000,000.00	17-June-2020	10,086,849.32	83,287.67		86,849.32
5,000,000.00	0.95	National Australia Bank	A1	05-July-2021	5,000,000.00	02-July-2020	5,039,301.37	39,301.37		39,301.37
10,000,000.00	0.95	National Australia Bank	A1	13-July-2021	10,000,000.00	07-July-2020	10,077,301.37	77,301.37		77,301.37
5,000,000.00	0.86	Westpac Banking Corporation	A1	28-July-2021	5,000,000.00	28-July-2020	5,032,515.07	32,515.07		32,515.07
10,000,000.00	0.83	Westpac Banking Corporation	A1	05-August-2021	10,000,000.00	07-August-2020	10,018,419.18	60,487.67		18,419.18
5,000,000.00	0.83	Westpac Banking Corporation	A1	11-August-2021	5,000,000.00	11-August-2020	5,008,868.49	29,789.04		8,868.49
5,000,000.00	0.85	National Australia Bank	A1	11-August-2021	5,000,000.00	11-August-2020	5,030,506.85	30,506.85		30,506.85
15,000,000.00	0.81	Westpac Banking Corporation	A1	18-August-2021	15,000,000.00	18-August-2020	15,023,634.24	84,883.56		23,634.24
15,000,000.00	0.81	Westpac Banking Corporation	A1	24-August-2021	15,000,000.00	24-August-2020	15,021,636.98	82,886.30		21,636.98
10,000,000.00	0.76	Westpac Banking Corporation	A1	14-September-2021	10,000,000.00	07-September-2020	10,011,035.62	48,931.51		11,035.62
10,000,000.00	0.70	Australia & New Zealand Bank	A1	20-July-2021	10,000,000.00	07-September-2020	10,045,068.49	45,068.49		45,068.49
10,000,000.00	0.70	Australia & New Zealand Bank	A1	26-May-2021	10,000,000.00	15-September-2020	10,043,534.25	43,534.25		43,534.25
10,000,000.00	0.70	Australia & New Zealand Bank	A1	23-June-2021	10,000,000.00	15-September-2020	10,043,534.25	43,534.25		43,534.25
15,000,000.00	0.70	Australia & New Zealand Bank	A1	28-July-2021	15,000,000.00	15-September-2020	15,065,301.37	65,301.37		65,301.37
5,000,000.00	0.71	Commonwealth Bank of Australia Perth	A1	22-September-2021	5,000,000.00	22-September-2020	5,021,397.26	21,397.26		21,397.26
15,000,000.00	0.70	Westpac Banking Corporation	A1	07-October-2021	15,000,000.00	07-October-2020	15,058,972.60	58,972.60		58,972.60
5,000,000.00	0.66	Commonwealth Bank of Australia Perth	A1	21-October-2021	5,000,000.00	21-October-2020	5,017,268.49	17,268.49		17,268.49
10,000,000.00	0.62	Commonwealth Bank of Australia Perth	A1	28-October-2021	10,000,000.00	28-October-2020	10,031,254.79	31,254.79		31,254.79
10,000,000.00	0.60	Westpac Banking Corporation	A1	06-November-2021	10,000,000.00	06-November-2020	10,028,767.12	28,767.12		28,767.12
10,000,000.00	0.59	Commonwealth Bank of Australia Perth	A1	29-November-2021	10,000,000.00	27-November-2020	10,024,893.15	24,893.15		24,893.15
10,000,000.00	0.53	Commonwealth Bank of Australia Perth	A1	09-December-2021	10,000,000.00	09-December-2020	10,020,619.18	20,619.18		20,619.18
10,000,000.00	0.52	Commonwealth Bank of Australia Perth	A1	16-December-2021	10,000,000.00	21-December-2020	10,018,520.55	18,520.55		18,520.55
20,000,000.00	0.48	Commonwealth Bank of Australia Perth	A1	11-January-2022	20,000,000.00	11-January-2021	20,028,668.49	28,668.49		28,668.49
10,000,000.00	0.47	National Australia Bank	A1	17-January-2022	10,000,000.00	14-January-2021	10,013,649.32	13,649.32		13,649.32
10,000,000.00	0.48	Commonwealth Bank of Australia Perth	A1	20-January-2022	10,000,000.00	21-January-2021	10,013,019.18	13,019.18		13,019.18
5,000,000.00	0.48	Commonwealth Bank of Australia Perth	A1	28-January-2022	5,000,000.00	29-January-2021	5,005,983.56	5,983.56		5,983.56
10,000,000.00	0.46	Commonwealth Bank of Australia Perth	A1	03-February-2022	10,000,000.00	04-February-2021	10,010,712.33	10,712.33		10,712.33
10,000,000.00	0.46	Commonwealth Bank of Australia Perth	A1	10-February-2022	10,000,000.00	11-February-2021	10,009,830.14	9,830.14		9,830.14
5,000,000.00	0.46	Commonwealth Bank of Australia Perth	A1	15-February-2022	5,000,000.00	15-February-2021	5,004,663.01	4,663.01		4,663.01
15,000,000.00	0.50	Commonwealth Bank of Australia Perth	A1	23-February-2022	15,000,000.00	23-February-2021	15,013,561.64	13,561.64		13,561.64
15,000,000.00	0.50	Commonwealth Bank of Australia Perth	A1	09-March-2022	15,000,000.00	09-March-2021	15,010,684.93	10,684.93		10,684.93
30,000,000.00	0.46	Commonwealth Bank of Australia Perth	A1	29-March-2022	30,000,000.00	08-April-2021	30,008,317.81	8,317.81		8,317.81
429,353,000.00	0.66%	Totals					430,657,643.83	1,633,032.88		1,304,643.83

0.07% 12 month UBS Australia Bank Bill Index for 30 April 2021

0.59% Differential between Council's Weighted Return and UBS Australia Bank Bill Index

Notes: Face Value - refers to the principal amount invested.

Interest Rate - refers to the annual interest rate applicable to the investment.

Borrower - refers to the institution through which the City's monies are invested.

Rating - refers to the Standard & Poor Short Term Rating of the Borrower which, per Council Policy, must be a minimum of A2.

Current Value - refers to the accumulated value of the investment including accrued interest from time invested to current period.

INDIVIDUAL ADI LIMITS - As At 30 April 2021

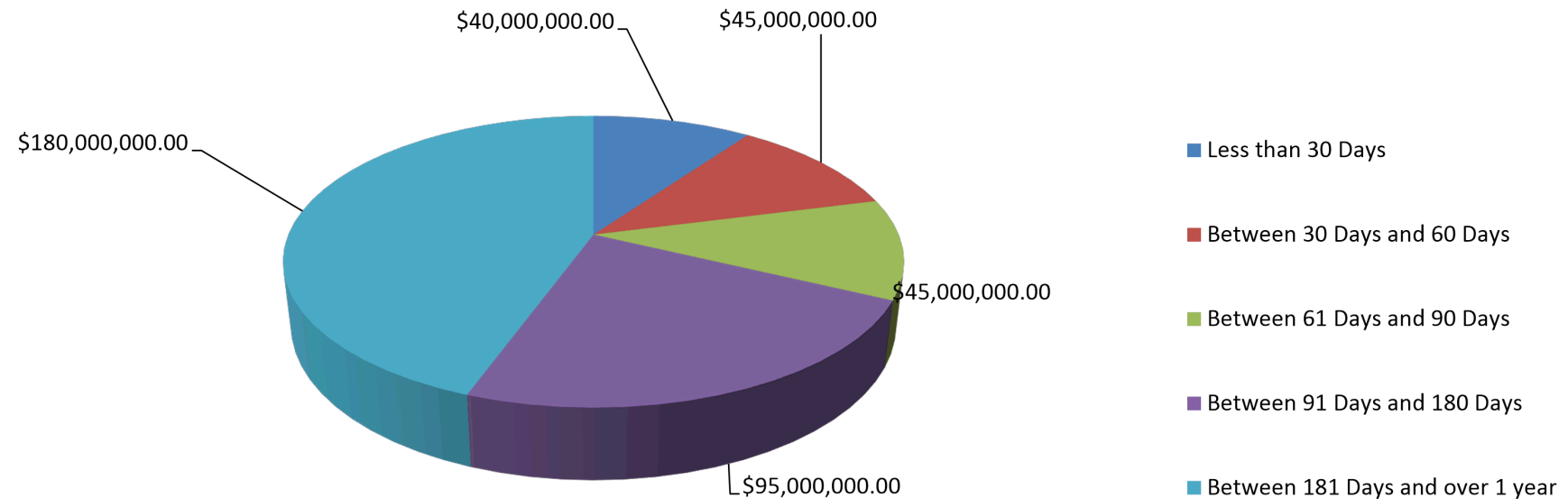
BORROWER	INVESTMENT RATING	FACE VALUE (\$)	MAXIMUM LIMIT PER INVESTMENT POLICY (\$)	INVESTMENT BALANCE (%)	MAXIMUM LIMIT PER INVESTMENT POLICY (%)
Commonwealth Bank of Australia Perth	A1	194,353,000.00	214,676,500.00	45.27	50.00
National Australia Bank	A1	50,000,000.00	214,676,500.00	11.65	50.00
Westpac Banking Corporation	A1	140,000,000.00	214,676,500.00	32.61	50.00
Australia & New Zealand Bank	A1	45,000,000.00	214,676,500.00	10.48	50.00
Totals		429,353,000.00		100.00	

OVERALL CREDIT PROFILE - As At 30 April 2021

	INVESTMENT RATING	FACE VALUE (\$)	MAXIMUM LIMIT PER INVESTMENT POLICY (\$)	INVESTMENT BALANCE (%)	MAXIMUM LIMIT PER INVESTMENT POLICY (%)
Subtotal of Securities	A1	429,353,000.00	429,353,000.00	100.00	100.00
Totals		429,353,000.00		100.00	

Maturity Breakdown - As At 30 April 2021

Maturity Profile	Face Value	% Portfolio	Number of Investments	Lowest Amount Invested per Investment	Highest Amount Invested per Investment
Current Account	\$24,353,000.00	5.67%	1.00	\$24,353,000.00	\$24,353,000.00
Less than 30 Days	\$40,000,000.00	9.32%	3.00	\$10,000,000.00	\$20,000,000.00
Between 30 Days and 60 Days	\$45,000,000.00	10.48%	4.00	\$10,000,000.00	\$15,000,000.00
Between 61 Days and 90 Days	\$45,000,000.00	10.48%	5.00	\$5,000,000.00	\$15,000,000.00
Between 91 Days and 180 Days	\$95,000,000.00	22.13%	10.00	\$5,000,000.00	\$15,000,000.00
Between 181 Days and over 1 year	\$180,000,000.00	41.92%	15.00	\$5,000,000.00	\$30,000,000.00
Totals	\$429,353,000.00	100.00%	38.00		



**RATE SETTING STATEMENT
(FINANCIAL ACTIVITY STATEMENT)
FOR THE PERIOD ENDED 30 APRIL 2021**

Attachment 6

Description	Year To Date				Annual			
	Actual	Revised Budget	Variance		Adopted Budget	Revised Budget	Variance	
	\$	\$	\$	%	\$	\$	\$	%
Opening Surplus/(Deficit)	14,978,791	14,978,791	0	0	0	14,978,791	14,978,791	0
OPERATING ACTIVITIES								
Revenues								
Operating Grants, Subsidies & Contributions	10,830,193	10,273,720	556,473	5	11,426,636	16,752,460	5,325,824	32
Fees & Charges	46,139,008	45,538,807	600,201	1	44,156,022	48,477,509	4,321,487	9
Interest Earnings	3,590,208	3,655,320	(65,112)	(2)	4,416,017	4,135,724	(280,293)	(7)
Other Revenue	520,085	555,131	(35,046)	(6)	1,015,816	750,842	(264,974)	(35)
	61,079,494	60,022,978	1,056,516	2	61,014,491	70,116,535	9,102,044	13
Expenses								
Employee Costs	(60,583,341)	(63,364,751)	2,781,410	4	(75,073,152)	(75,233,832)	(160,680)	(0)
Materials & Contracts	(52,006,337)	(57,492,875)	5,486,538	10	(71,049,101)	(70,435,144)	613,957	1
Utility Charges	(7,760,546)	(7,893,565)	133,019	2	(9,976,703)	(9,534,360)	442,343	5
Depreciation	(35,805,935)	(35,719,710)	(86,225)	(0)	(42,863,029)	(42,863,029)	0	0
Interest Expenses	(3,434,244)	(3,426,637)	(7,607)	(0)	(4,114,716)	(4,114,828)	(112)	(0)
Insurance	(501,885)	(733,905)	232,020	32	(1,327,151)	(880,151)	447,000	51
	(160,092,288)	(168,631,443)	8,539,155	5	(204,403,852)	(203,061,344)	1,342,508	1
Non-Cash Amounts Excluded								
Depreciation	35,805,935	35,719,710	86,225	0	42,863,029	42,863,029	0	0
	(63,206,859)	(72,888,755)	9,681,896	13	(100,526,332)	(90,081,780)	10,444,552	12
INVESTING ACTIVITIES								
Non Operating Grants, Subsidies & Contributions	18,365,824	10,286,626	8,079,198	79	11,049,674	15,960,572	4,910,898	31
Contributed Physical Assets	10,387,542	6,819,000	3,568,542	0	9,092,000	9,092,000	0	0
Profit on Asset Disposals	2,612,215	1,400,000	1,212,215	0	248,176	1,698,176	1,450,000	85
Loss on Assets Disposals	(147,001)	(13,699,065)	13,552,064	99	(14,821,299)	(14,821,299)	0	0
TPS & DCP Revenues	8,812,259	8,426,832	385,427	5	10,667,481	11,116,172	448,691	4
TPS & DCP Expenses	(2,464,300)	(2,406,494)	(57,806)	(2)	(6,759,073)	(4,993,957)	1,765,116	35
Capital Expenditure	(39,918,017)	(45,760,089)	5,842,072	13	(67,013,329)	(68,395,709)	(1,382,380)	(2)
Proceeds From Disposal Of Assets	1,251,535	628,163	623,373	99	1,076,850	1,076,850	0	0
	(1,099,943)	(34,305,028)	33,205,085	97	(56,459,520)	(49,267,195)	7,192,325	15
Non-Cash Amounts Excluded								
Contributed Physical Assets	(10,387,542)	(6,819,000)	(3,568,542)	0	(9,092,000)	(9,092,000)	0	0
Profit on Asset Disposals	(2,612,215)	(1,400,000)	(1,212,215)	0	(248,176)	(1,698,176)	(1,450,000)	(85)
Loss on Assets Disposals	147,001	13,699,065	(13,552,064)	(99)	14,821,299	14,821,299	0	0
	(12,852,756)	5,480,065	(18,332,821)	(335)	5,481,123	4,031,123	(1,450,000)	36
	(13,952,699)	(28,824,963)	14,872,264	52	(50,978,397)	(45,236,072)	5,742,325	13
FINANCING ACTIVITIES								
Contributions from New Loans	0	0	0	0	2,000,000	2,000,000	0	0
Transfers from Restricted Grants, Contributions & Loans	(1,854,741)	172,083	(2,026,824)	(1,178)	681,000	295,000	(386,000)	(57)
Transfers to Restricted Grants, Contributions & Loans	0	0	0	0	0	0	0	0
Transfers from Reserves	61,568,674	45,127,866	16,440,808	36	36,685,179	77,362,056	40,676,877	53
Transfers to Reserves	(62,690,034)	(53,583,542)	(9,106,492)	(17)	(24,953,148)	(91,857,500)	(66,904,352)	(268)
Cash Backed Employee Provisions Transfers	(270,730)							
Transfers from Schemes	1,631,750	3,228,806	(1,597,056)	(49)	6,764,815	5,535,096	(1,229,719)	(18)
Transfers to Schemes	(3,252,624)	(4,510,301)	1,257,677	28	(8,483,333)	(7,731,944)	751,389	9
	(4,867,705)	(9,565,087)	4,698,112	(52)	12,694,513	(14,397,292)	(27,091,805)	188
(DEFICIT)/SURPLUS	(67,048,472)	(96,300,014)	29,251,542	(30)	(138,810,216)	(134,736,353)	4,073,863	3
Amount To Be Raised From Rates	136,328,466	136,109,707	218,759	0	135,971,516	136,109,707	138,191	0
Closing Surplus/(Deficit)	69,279,994	39,809,694	29,470,301	74	(2,838,700)	1,373,354	4,212,054	0

Strategic & Business Planning

4.12 Strategic Community Plan 2021-31

File Ref:	37461V02 – 21/230565
Responsible Officer:	Director, Corporate Strategy & Performance
Disclosure of Interest:	Nil
Attachments:	1

Issue

For Council Members to approve and formally adopt the new Strategic Community Plan 2021-31 (**SCP**) to guide the City's strategic direction for the next ten years.

Background

A major review of the City's SCP has taken place during 2020/21 as per the legislative requirements of the Local Government Act 1995, s 5.56 and Local Government (Administration) Regulations 1996; (Regulation 19C, 19D).

The review commenced with the Council Member Strategic Workshop in August 2020 which considered strategic priorities and risks.

Extensive stakeholder engagement took place between October 2020 and February 2021, led by the City's consultants. This focused on future Vision, community aspirations, priorities and challenges. The results of the engagement highlighted the community's strong priority of continuing to feel safe in public places, and delivering sustainable and environmental outcomes. The major challenge identified through engagement was that of managing City growth and development.

The final stakeholder engagement report was presented to Council Members in February 2021.

Following additional feedback from Council Members, the initial draft options for Vision and Purpose statements were presented for consideration to the Council Forum on 27 April 2021.

Final drafts options for the Vision, Purpose, Goals and Priorities were presented to the Council Forum on 3 May 2021.

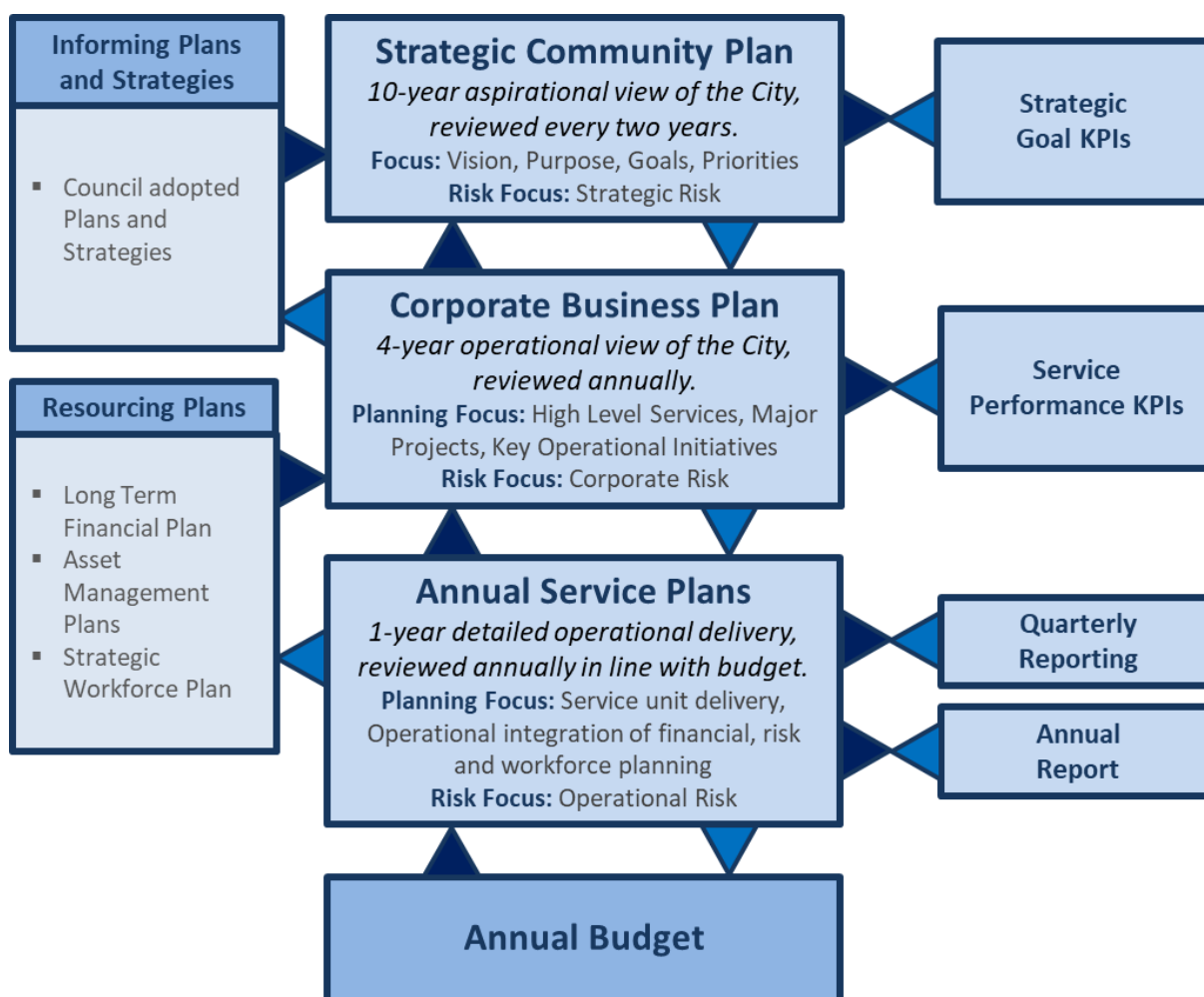
The final draft SCP Vision, Purpose, Goals and Priorities were presented at the Ordinary Council Meeting on 11 May 2021, and were endorsed for a 20-day period of public comment.

Updates to the SCP Vision, Purpose, Goals and Priorities from the public comment period were presented at Council Forum on 1 June 2021.

The Strategic Community Plan forms part of the City's Integrated Planning and Reporting Framework (see Figure 1) and is required by legislation to have a major review every four years.

The Department Local Government, Sport and Cultural Industries (DLGSC) provide guidelines around the expected minimum standards when developing a Strategic Community Plan to which the City has been working to during the process.

The City last conducted a major review of the Strategic Community Plan in 2016.

Figure 1 – The City of Wanneroo Integrated Planning and Reporting Framework

Detail

After an extensive review of the Strategic Community Plan 2016/17 - 2026/27, a new strategic direction has been developed for the City, based on extensive consultation and feedback from key stakeholders of the City of Wanneroo.

Strategic Community Plan 2021-31 Overview

The SCP 2021-31 has a revised Vision statement and a new Purpose statement that were developed after input from various stakeholders across the City. The revised Vision and new Purpose are:

Vision Statement	"A welcoming community, connected through local opportunities"
Purpose Statement	"To create a strong community with local opportunities to participate, be active, feel secure, contribute and belong"

In addition to the Vision and Purpose statements, seven new Strategic Goals and 32 Strategic Priorities have been developed. The new Goals and Priorities were formulated after lengthy consideration of:

- The stakeholder engagement results for the SCP Review (Community vision, aspirations, priorities and challenges)
- Strategic opportunities and threats (including risks, PESTEL analysis and global megatrends)
- The current Local Government industry (legislation, policy)
- Current organisation direction (adopted strategies and plans); and
- Resourcing capabilities (financial, workforce, assets).

The seven Strategic Goals and 32 Strategic Priorities are as follows:

Goal 1	An inclusive and accessible City with places and spaces that embrace all
Priorities	Priority 1.1 - Value the contribution of all people Priority 1.2 - Valued public places and spaces Priority 1.3 - Facilities and activities for all Priority 1.4 - Bringing people together Priority 1.5 - Learning and discovery choices

Goal 2	A City that celebrates rich cultural histories, where people can visit and enjoy unique experiences
Priorities	Priority 2.1 - Valuing cultures and history Priority 2.2 - Arts and local creativity Priority 2.3 - Tourism opportunities and visitor experiences

Goal 3	A vibrant, innovative City with local opportunities for work, business and investment
Priorities	Priority 3.1 - Strong and diverse local economy Priority 3.2 - Attract and support new and existing business Priority 3.3 - Plan, develop and activate employment locations Priority 3.4 - Develop local jobs and skills Priority 3.5 - Opportunities for investment

Goal 4	A sustainable City that balances the relationship between urban growth and the environment
Priorities	Priority 4.1 - Plan for climate change Priority 4.2 - Manage and protect local Biodiversity Priority 4.3 - Manage natural assets and resources Priority 4.4 - Manage waste and its impacts

Goal 5	A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places
Priorities	Priority 5.1 - Develop to meet current need and future growth Priority 5.2 - Plan for and manage land use Priority 5.3 - Responsibly managed and maintained assets Priority 5.4 - People can move around easily Priority 5.5 - People feel safe in public places Priority 5.6 - Prepared and resilient

Goal 6	A future focused City that advocates, engages and partners to progress the priorities of the community
Priorities	Priority 6.1 - Advocate in line with community priorities Priority 6.2 - Actively seek to engage Priority 6.3 - Build local partnerships and work together with others Priority 6.4 - Understand our stakeholders and their needs

Goal 7	A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services
Priorities	Priority 7.1 - Clear direction and decision making Priority 7.2 - Responsibly and ethically managed Priority 7.3 - Anticipate and adapt quickly to change Priority 7.4 - Promote offerings, opportunities and initiatives Priority 7.5 - Customer focused information and services

Further detailed narrative on each of the Goals and Priorities can be found in **Attachment 1**.

A final complete version of the new Strategic Community Plan 2021-31, incorporating the Mayor's introduction, key City statistics, an overview of the stakeholder engagement process and measurement of the plan, will be included for the Council Meeting on 15 June 2021.

Consultation

The City has undertaken significant stakeholder engagement for the review of the SCP. This included face-to-face and digital sessions as well as online surveys with Council Members, the general Community, targeted Community cohorts, businesses and employees.

The stakeholder engagement portion of the project was undertaken in conjunction with consultants and was finalised in February 2021.

Feedback from Council Members on Vision and Purpose statements was sought in a survey on 30 March 2021.

A 20-day period of public comment on the draft SCP 2021-31 Vision, Purpose, Goals and Priorities was undertaken between 14 May and 2 June 2021.

Comment

The City needs to approve a new strategic direction by 30 June 2021 to meet legislative requirements.

There have been significant challenges during the project due to the COVID-19 pandemic and the impact on stakeholder engagement over an extended period of time and the new SCP will reflect the pandemic period.

Statutory Compliance

The City of Wanneroo must adhere to the legislative requirements of the *Local Government Act 1995*, s5.56 and *Local Government (Administration) Regulations 1996*; Regulation 19C, 19D) with regards to the review and adoption of the Strategic Community Plan.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 Civic Leadership

4.2 Good Governance

4.2.1 Provide transparent and accountable governance and leadership”

Risk Management Considerations

Risk Title	Risk Rating
ST-S20 – Strategic Community Plan	Low
Accountability	Action Planning Option
Director Corporate Strategy & Performance	Manage

Policy Implications

Nil.

Financial Implications

The SCP review project has an approved budget allocation for stakeholder engagement as per the adopted 2020/21 Annual Budget.

Voting Requirements

Absolute Majority

Recommendation

That Council:-

1. **ADOPTS BY ABSOLUTE MAJORITY** the new Strategic Community Plan 2021-31 to guide the City's strategic direction for the next ten years;
2. **As per Regulation 19D of the *Local Government (Administration) Regulations 1996*, request that the City's Chief Executive Officer:**
 - a) **gives local public notice that the plan has been adopted; and**
 - b) **publish the plan on the City's official website.**

Attachments:



Attachment 1 - SCP 2021-31 - Council Briefing - 08062021 21/233352



FUTURE WANNEROO

STRATEGIC COMMUNITY PLAN 2021-31

Final Vision, Purpose, Goals and Priorities

Council Briefing

8th June 2021

STRATEGIC COMMUNITY PLAN 2021-31

Vision	A welcoming community, connected through local opportunities													
Purpose	To create a strong community with local opportunities to participate, be active, feel secure, contribute and belong.													
Goals <i>(Strategic Objectives)</i>	GOAL 1 (G1)		GOAL 2 (G2)		GOAL 3 (G3)		GOAL 4 (G4)		GOAL 5 (G5)		GOAL 6 (G6)		GOAL 7 (G7)	
	An inclusive and accessible City with places and spaces that embrace all		A City that celebrates rich cultural histories, where people can visit and enjoy unique experiences		A vibrant, innovative City with local opportunities for work, business and investment		A sustainable City that balances the relationship between urban growth and the environment		A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places		A future focused City that advocates, engages and partners to progress the priorities of the community		A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services	
Priorities	P1.1	Value the contribution of all people	P2.1	Valuing cultures and history	P3.1	Strong and diverse local economy	P4.1	Plan for climate change	P5.1	Develop to meet current need and future growth	P6.1	Advocate in line with community priorities	P7.1	Clear direction and decision making
	P1.2	Valued public places and spaces	P2.2	Arts and local creativity	P3.2	Attract and support new and existing business	P4.2	Manage and protect local Biodiversity	P5.2	Plan for and manage land use	P6.2	Actively seek to engage	P7.2	Responsibly and ethically managed
	P1.3	Facilities and activities for all	P2.3	Tourism opportunities and visitor experiences	P3.3	Plan, develop and activate employment locations	P4.3	Manage natural assets and resources	P5.3	Responsibly managed and maintained assets	P6.3	Build local partnerships and work together with others	P7.3	Anticipate and adapt quickly to change
	P1.4	Bringing people together			P3.4	Develop local jobs and skills	P4.4	Manage waste and its impacts	P5.4	People can move around easily	P6.4	Understand our stakeholders and their needs	P7.4	Promote offerings, opportunities and initiatives
	P1.5	Learning and discovery choices			P3.5	Opportunities for investment			P5.5	People feel safe in public places			P7.5	Customer focused information and services
									P5.6	Prepared and resilient				

GOAL 1 (G1) - An inclusive and accessible City with places and spaces that embrace all

In 2031, Wanneroo will be an exciting City where people feel included, valued and welcomed, with unique places and spaces appreciated and actively used by all. Wanneroo will be recognised and known for its variety of lifestyle choices and strong focus on the health and wellbeing of the people who live there. Age and ability will be no barrier, with accessible facilities and activities available to all who want to participate in recreation or by taking a journey of learning and discovery. Wanneroo will be a City where people have opportunities to come together, interact and connect with others at cultural, educational, social and sporting events, strengthening the sense of community and belonging.

Priority 1.1	Priority 1.2	Priority 1.3	Priority 1.4	Priority 1.5
Value the contribution of all people	Valued public places and spaces	Facilities and activities for all	Bringing people together	Learning and discovery choices
Wanneroo will have opportunities for all ages, abilities, cultures and genders to be included and to contribute to the wider community. People in Wanneroo will have access to a wide variety of programs and services that assist with mental and physical health, and personal wellbeing. Volunteers will also provide highly valued contributions in the community.	Wanneroo will have distinctive, accessible places and spaces that are valued by the community, and support human interaction and technology connection. The urban design of public areas will provide green, natural places and spaces that meet the needs of people and complement the character and identity of local areas.	Wanneroo will have easy to access facilities that provide opportunities for people to take part in a range of activities regardless of their age or ability. All facilities and activities will provide benefit to our community and support active, healthy and inclusive lifestyles.	Wanneroo will have a range of programs and services promoting community connection to build the sense of belonging for people of all backgrounds. The capacity and skills of local Community groups will be developed to for enable them to provide fun and engaging events that will be valued by the local community and known throughout the region.	Wanneroo will provide a range of choices for people to actively learn and discover, through programs and activities that assist with lifelong learning. Opportunities will be available for all people and developed to meet the range of needs they have.

GOAL 2 (G2) - A City that celebrates rich cultural histories, where people can visit and enjoy unique experiences

In 2031, Wanneroo will be a City with a strong cultural and historical identity that respects and celebrates the Aboriginal and global cultures that form its distinctive community. Places and spaces are enhanced by various art forms, developed by creative local people to provide engaging experiences that represent the City's varied cultures and heritage. Wanneroo will be a tourism destination of choice, with stunning natural attractions, significant Aboriginal and other heritage sites, and exceptional experiences for families and adventure seekers to actively explore or relax and unwind.

Priority 2.1	Priority 2.2	Priority 2.3
Valuing cultures and history	Arts and local creativity	Tourism opportunities and visitor experiences
Wanneroo will be a City that utilises the strength of cultural diversity and the unique history of the area to shape a stronger community. The people of Wanneroo will appreciate and celebrate the City's unique Aboriginal and other diverse global cultures and histories.	Wanneroo will be a City that values the arts and other creative industries, providing opportunities and experiences for local people to be involved in creative programs and activities that help increase community connection, personal wellbeing and economic benefits.	Wanneroo will be a great place to visit, with local, domestic and international visitors truly valuing the City's character, unique natural scenery and cultural traditions. There will be many offerings and experiences available for people, including nature-based, leisure or relaxation activities and interactive technologies to further enhance experiences.

GOAL 3 (G3) - A vibrant, innovative City with local opportunities for work, business and investment

In 2031, Wanneroo will be a City with a strong local economy where businesses, entrepreneurs and industries grow and thrive. Wanneroo will be seen as a great location to do business and invest, offering employment and skills development opportunities to local people so that they prosper. There will be strong business networks with enhanced collaboration and partnership working across private and public sectors, allowing local innovation to accelerate in the best business hubs in the region.

Priority 3.1	Priority 3.2	Priority 3.3	Priority 3.4	Priority 3.5
Strong and diverse local economy	Attract and support new and existing business	Plan, develop and activate employment locations	Develop local jobs and skills	Opportunities for investment
Wanneroo will have a strong economy where local business is valued, supported and promoted. A diverse industry base will be encouraged in order to support economic resilience and allow people to access business services and employment opportunities.	Wanneroo will be a City where new and existing businesses grow and thrive. Local businesses will have access to information, networks and services to assist them in developing their capacity, allowing them to flourish and contribute to a strong local economy.	Wanneroo will have a wide variety of employment locations ranging from town centres of various sizes to large industrial hubs. Employment locations will be easily accessible and enhance business collaboration, strengthening the Wanneroo economy and providing diverse employment opportunities for local people.	Wanneroo will be a City that has a range of opportunities for people to work locally and develop their skills, so that individuals and local businesses can prosper and grow.	Wanneroo will be a City known as a distinctive place to invest for both public and private sectors, attracting development and infrastructure to improve the regional economy. Wanneroo will be a City that invests back into the community, helping keep wealth in the local area.

GOAL 4 (G4) - A sustainable City that balances the relationship between urban growth and the environment

In 2031, Wanneroo will be a City of natural beauty and variety appreciated by all, contributing to the overall sense of belonging people in the area have. The natural landscape is respected for its importance to future generations, with the growth and development of the City being balanced with the protection of the natural environment and social values. Wanneroo will be a place where natural resources are valued, and used effectively within the City's strong circular economy. It will be a City that addresses climate change, ensuring responsible planning to manage any future impacts and reducing the City's contribution to climate change.

Priority 4.1	Priority 4.2	Priority 4.3	Priority 4.4
Plan for climate change	Manage and protect local Biodiversity	Manage natural assets and resources	Manage waste and its impacts
Wanneroo will be a City known for future proofing against climate change, with strong plans in place to lessen the impacts caused by increased temperatures, lower rainfall, extreme weather events and rising sea levels. The City will also reduce its contribution to climate change by setting appropriate emissions targets and measures.	Wanneroo will be a City that values its unique local vegetation, animals and eco-systems, ensuring their protection from future challenges. High quality local vegetation and habitat of significance is retained and used during the creation of new places and spaces, providing local nature experiences that are appreciated by all.	Wanneroo will be known for its successful management and use of natural assets and resources. The City will harness the use of water, wind and solar to benefit community and natural assets such as beaches, reserves, parklands and wetlands will be managed in a way that enhances the connection of people to the natural landscape.	Wanneroo will be a City known for creating and promoting waste management solutions that protect the local environment for future generations. Waste will be a valuable resource within the City's strong circular economy, and one where understanding of the impacts of waste and the value of recycling is of importance to the future of the City.

GOAL 5 (G5) - A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places

In 2031, Wanneroo will be a City developed to provide for all, and one that puts community at the heart of future design in creating affordable, liveable and connected places. Wanneroo will be a City where land is put to optimum use, providing housing choice and economic opportunities. The City will be travel friendly with balanced and sustainable transport choices to move around either by foot, bicycle, bus, car or train. Wanneroo will be a place that meets the expectations of the community by creating an exciting environment for people to live, work and recreate. Wanneroo will be a safe and secure City, allowing the people in the community to develop and thrive in a supportive and inspiring environment that builds local connection and shared experiences.

Priority 5.1	Priority 5.2	Priority 5.3	Priority 5.4	Priority 5.5	Priority 5.6
Develop to meet current need and future growth	Plan for and manage land use	Manage and maintain assets	People can move around easily	People feel safe in public places	Prepared and resilient
Wanneroo will be a City designed and developed to meet the needs of all people, and feature a range of housing options for the City's growing population. The City will use its natural assets to complement built infrastructure creating a strong connection between people and places.	Wanneroo will be a City that effectively plans for and manages land use to support the economy, accommodate the City's growing community and to protect the environment.	Wanneroo will be a City known for having high quality new and existing assets that are well managed, maintained to be fit for purpose and valued by local communities. The City's assets will be future proofed by design and also provide maximum return on investment into the future.	Wanneroo will be a City known for having various options to move around in convenient ways, allowing easy access to social and business opportunities. There will be connected infrastructure in place to travel by foot, bicycle, bus, car or train.	Wanneroo will be a City where people feel safe, and are able to live actively and recreate freely. Local agencies and groups will be at the heart of developing programs to create more connected communities, ensuring all people feel supported and secure.	Wanneroo will be a City where support is available for people to plan, prepare and recover from emergencies, ensuring minimum disruption to everyday life.

GOAL 6 (G6) - A future focused City that advocates, engages and partners to progress the priorities of the community

In 2031, Wanneroo will be a City where all people have the opportunity to be heard and engaged with future development and decision making in the area. The City will be recognised for its approach to working with others, having developed meaningful relationships that benefit communities. Wanneroo will be a place where people feel informed about what is available to them and where communication is the main driver for interaction and participation, tailored to meet the needs of all people to increase the feeling of inclusion.

Priority 6.1	Priority 6.2	Priority 6.3	Priority 6.4
Advocate in line with community priorities	Actively seek to engage	Build local partnerships and work together with others	Understand our stakeholders and their needs
Wanneroo will be a City that uses a whole of community approach to proactively promote the interests of the community to other decision-making agencies such as State and Federal Government, to ensure that the needs of the local community are met.	Wanneroo will be a City where all people have opportunities to be engaged in decision-making and future planning. There will be a range of traditional and digital engagement options available for people to have their say, collaborate and participate, that ultimately increase community outreach and involvement.	Wanneroo will be a City that builds and encourages local and regional partnerships to meet common goals. The City also will work closely with State agencies and other stakeholders in planning, service delivery and resourcing to meet the needs of the community.	Wanneroo will be a City that understands the needs and requirements of all stakeholders, involving and engaging with them at the right time and in the most appropriate and accessible ways. Understanding stakeholders will assist in providing unique perspectives and important considerations in decision-making.

GOAL 7 (G7) - A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services

In 2031, Wanneroo will be a City that has a clear and shared future. It will be a City with open and informed decision-making, where all people have the opportunity to participate in issues that are important to them. Wanneroo will be a place reliably managed by those governing and will empower community leaders to assist in the development of the City's future. The City will be a place where regulations and rules are clear, understandable and responsive to ensure they meet the needs of the community. All people will be able to access data, information and services when they are needed.

Priority 7.1	Priority 7.2	Priority 7.3	Priority 7.4	Priority 7.5
Clear direction and decision making	Responsibly and ethically managed	Anticipate and adapt quickly to change	Promote offerings, opportunities and initiatives	Customer focused information and services
The City of Wanneroo will have a clear plan for the future and be able to demonstrate successful results. Decision-making will focus on achieving the best outcomes and be in line with the Vision, Goals and Priorities informed by the community.	The City of Wanneroo will be managed responsibly to ensure a long-term, sustainable future. The City will have effective governance arrangements and ethical leadership that is open and transparent, ensuring a clear understanding of roles and accountabilities.	The City of Wanneroo will be agile and adapt to the changing political, environmental, social, technological, economic and legal landscape within which it operates. The City of Wanneroo will be a strong community leader and have a deep understanding of global, national and local risks and their potential impacts on the community into the future.	The City of Wanneroo will promote all offerings, opportunities and initiatives to those living in the area to enhance the connection between the City and its stakeholders. People will be informed about activities, events, experiences, programs and services and be made aware of key projects taking place in the area.	The City of Wanneroo will provide a highly valued customer experience for people accessing the City. It will be an open organisation with access to data, information and services. People will be able to address their needs through a variety of traditional and digital interfaces through interaction with a skilled and agile workforce, offering a seamless customer experience.

Transactional Finance

4.13 Warrant of Payments for the Period to 30 April 2021

File Ref: 1859V02 – 21/208970
 Responsible Officer: Director, Corporate Strategy & Performance
 Disclosure of Interest: Nil
 Attachments: Nil

Issue

Presentation to the Council of a list of accounts paid for the month of April 2021, including a statement as to the total amounts outstanding at the end of the month.

Background

Local Governments are required each month to prepare a list of accounts paid for that month and submit the list to the next Ordinary Meeting of the Council.

In addition, it must record all other outstanding accounts and include that amount with the list to be presented. The list of accounts paid and the total of outstanding accounts must be recorded in the minutes of the Council meeting.

Detail

The following is the Summary of Accounts paid in April 2021:

Funds	Vouchers	Amount
Director Corporate Services Advance A/C		
Accounts Paid – April 2021		
Cheque Numbers	121290 - 121460	\$378,434.57
EFT Document Numbers	4096 - 4118	<u>\$12,361,798.59</u>
TOTAL ACCOUNTS PAID		<u>\$12,740,233.16</u>
Manual Journals		\$1,925.00
Less Cancelled Cheques		(\$359,711.65)
Town Planning Scheme		<u>(\$30,354.73)</u>
RECOUP FROM MUNICIPAL FUND		<u>\$12,352,091.78</u>
Municipal Fund – Bank A/C		
Accounts Paid – April 2021		
Recoup to Director Corporate Services Advance A/C		\$12,352,091.78
Direct Payments		\$45,516.17
Payroll – Direct Debits		<u>\$4,234,947.53</u>
TOTAL ACCOUNTS PAID		<u>\$16,632,555.48</u>
Town Planning Scheme		
Accounts Paid – April 2021		
Cell 4		\$23,354.73
Cell 5		\$2,275.00
Cell 8		<u>\$4,725.00</u>
TOTAL ACCOUNTS PAID		<u>\$30,354.73</u>

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
00121290	07/04/2021	Rates Refund	\$326.32
00121291	07/04/2021	Jillian Collins	\$885.00
		Refund - Development Fees - Reissue Stale Cheque	
00121292	07/04/2021	Mark Longman	\$172.50
		Hire Fee Refund	
00121293	07/04/2021	Quinns Rocks Senior Cricket Club	\$11.70
		Hire Fee Refund	
00121294	07/04/2021	Tamika Devine	\$100.00
		Refund - Cat Registered For Lifetime - Payment Not Required	
00121295	07/04/2021	Conrad & Anne Weaver	\$20.00
		Refund - Gold Program - Balance Of Account	
00121296	07/04/2021	Patricia Goodrum	\$40.00
		Refund - Gold Program - Balance Of Account	
00121297	07/04/2021	Jean Prout	\$30.00
		Refund - Gold Program - Balance Of Account	
00121298	07/04/2021	Pride Homes & Developments Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
00121299	07/04/2021	Yuan Jin	\$21.20
		Refund - Copies Of Plans - Unavailable	
00121300	07/04/2021	Mandurah Structure Shadesails & Marine Services	\$61.65
		Refund - Building Services Levy - Refused	
00121301	07/04/2021	Lisa Evans	\$105.00
		Refund - Building Approval Certificate Fee - Not Approved Within Legislated Timeframe	
00121302	06/04/2021	1800 Move It	\$670.50
		Moving Of The Furniture In Chambers And Returned - Corporate Support	
00121303	06/04/2021	Australian Institute Of Management	\$1,570.00
		Training - Strategic Leadership - 1 Attendee - Strategic & Business Planning	
00121304	06/04/2021	Bishops Boilys	\$517.00
		Repair Gates - Yanchep Beach Kiosk - Building Maintenance	
00121305	06/04/2021	Cleanaway	\$1,070.30
		Cleaning Services For The City	
00121306	06/04/2021	Dench Entertainment	\$500.00
		DJ Services - Events	
00121307	06/04/2021	Department of the Premier and Cabinet	\$197.76
		Basis Of Rates - Rating Services	
00121308	07/04/2021	Cancelled	
00121309	07/04/2021	Alkimos Rugby League	\$850.00
		Bond Refund	
00121310	07/04/2021	Banksia Grove Development Nominees	\$850.00

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Bond Refund	
00121311	07/04/2021	Kelly Bloxham	\$225.10
		Bond Refund	
00121312	07/04/2021	Henry Johaness Boogaard	\$850.00
		Bond Refund	
00121313	07/04/2021	Mrs Kylie Buckle	\$100.00
		Bond Refund	
00121314	07/04/2021	Rates Refund	\$632.45
00121315	07/04/2021	Rates Refund	\$1,067.02
00121316	07/04/2021	Mulugeta Debebe	\$100.00
		Bond Refund	
00121317	07/04/2021	Rates Refund	\$100.00
00121318	07/04/2021	Rates Refund	\$23,671.39
00121319	07/04/2021	Mrs Agata Ettwell	\$100.00
		Bond Refund	
00121320	07/04/2021	Tyler Gooding	\$100.00
		Bond Refund	
00121321	07/04/2021	Mr Vaishali Halai	\$350.00
		Bond Refund	
00121322	07/04/2021	Mrs Tennielle Hansord	\$350.00
		Bond Refund	
00121323	07/04/2021	Rates Refund	
00121324	07/04/2021	Liberian Soccer Veterans	\$84.00
		Bond Refund	
00121325	07/04/2021	Pragna Mandalia	\$850.00
		Bond Refund	
00121326	07/04/2021	Mindarie Netball Club	\$100.00
		Bond Refund	
00121327	07/04/2021	Rates Refund	\$710.28
00121328	07/04/2021	Venkata Palanati	\$100.00
		Bond Refund	
00121329	07/04/2021	Quinns Rocks Fishing Club	\$850.00
		Bond Refund	
00121330	07/04/2021	Rates Refund	\$100.00
00121331	07/04/2021	Lohana Samaj	\$850.00
		Bond Refund	
00121332	07/04/2021	Juiliana Scaravilli	\$850.00
		Bond Refund	
00121333	07/04/2021	Rates Refund	\$640.25
00121334	07/04/2021	Rates Refund	\$179.09
00121335	07/04/2021	Mrs Jacinta Stacey	\$100.00
		Bond Refund	
00121336	07/04/2021	Mrs Lauren Trevis	\$850.00
		Bond Refund	
00121337	07/04/2021	Rates Refund	\$643.87

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
00121338	07/04/2021	Mr Cosimo Vozza	\$850.00
		Bond Refund	
00121339	07/04/2021	Rates Refund	\$750.00
00121340	07/04/2021	West Coast Cricket Club	\$850.00
		Bond Refund	
00121341	07/04/2021	Rates Refund	\$100.00
00121342	06/04/2021	Ashby Operations Centre Petty Cash	\$275.25
		Petty Cash	
00121343	06/04/2021	Telstra	\$2,880.60
		Phone / Internet Charges For The City	
00121344	06/04/2021	Wanneroo Library Petty Cash	\$289.80
		Petty Cash	
00121345	06/04/2021	Yanchep Red Hawks Football Club	\$250.00
		Bond Refund	
00121346	09/04/2021	Rates Refund	\$494.00
00121347	12/04/2021	Cr F Cvitan	\$4,596.15
		Monthly Meeting Attendance Allowance	
00121348	12/04/2021	Cr X Nguyen	\$2,690.46
		Monthly Meeting Attendance Allowance	
00121349	13/04/2021	Pham Anh	\$32.00
		Refund - Copies Of Plans - Not Available	
00121350	13/04/2021	Jeremy Gardner	\$228.30
		Refund - Building Application - Rejected	
00121351	13/04/2021	Babylon Homes Construction Pty Ltd	\$842.50
		Refund - Building Services Levy - Application Refused	
00121352	13/04/2021	Sovereign Building Company	\$7,593.05
		Refund - Building Application	
00121353	13/04/2021	Josephine Harman	\$228.30
		Refund - Building Approval Certificate - Not Required	
00121354	13/04/2021	Planning Solutions	\$147.00
		Refund - Development Application - Duplicate	
00121355	13/04/2021	Cool Thatch	\$166.65
		Refund - Building Application - Duplicate	
00121356	13/04/2021	Johannes Van Vliet	\$2,000.00
		Refund - Street & Verge Bond	
00121357	13/04/2021	Nicole Goncalves	\$2,000.00
		Refund - Street & Verge Bond	
00121358	13/04/2021	Estelle Madaffari	\$63.50
		Refund - Copies Of Plans - Cancelled	
00121359	13/04/2021	Trophy Shop Australia	\$13.70
		Name Badge - Assets	
00121360	13/04/2021	Winning Edge HR Consulting	\$4,675.00
		Team Planning Day - Communications And Brand	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
00121361	13/04/2021	Chin Community of Western Australia	\$84.00
		Bond Refund	
00121362	13/04/2021	Erin De Jussing	\$850.00
		Bond Refund	
00121363	13/04/2021	Rates Refund	\$1,067.40
00121364	13/04/2021	Rates Refund	\$2,244.54
00121365	13/04/2021	Rates Refund	\$22,569.59
00121366	13/04/2021	Ms Toni O'Loughlin	\$100.00
		Bond Refund	
00121367	13/04/2021	Rates Refund	\$1,016.92
00121368	13/04/2021	Ms Chantelle Rogers	\$100.00
		Bond Refund	
00121369	13/04/2021	Mrs Julie Tucker	\$100.00
		Bond Refund	
00121370	13/04/2021	Aiza White	\$850.00
		Bond Refund	
00121371	13/04/2021	Kelly Wright	\$100.00
		Bond Refund	
00121372	13/04/2021	Krystyna Bell	\$53.60
		Hire Fee Refund	
00121373	13/04/2021	Pirone Builders	\$8,000.00
		Refund - 4 Street & Verge Bonds	
00121374	20/04/2021	City of Whittlesea	\$5,500.00
		2021 / 2022 Federal Election Campaign Strategy NGAA - Economic Development	
00121375	20/04/2021	Cleanaway	\$535.15
		Refuse Disposal - Summer Sideshow Scenic Park - Place Management	
00121376	20/04/2021	Driveshaft Balancing Services	\$3,640.00
		Vehicle Spare Parts / Repairs - Fleet	
00121377	20/04/2021	Fleetspec Hire	\$3,132.75
		Hire Of Truck 24.2.2021 - Community Event 3 Bin Roll Out - Waste Education	
00121378	20/04/2021	Gymcare	\$580.32
		Equipment Repair - Aquamotion	
00121379	20/04/2021	Investwest Pty Ltd	\$1,760.00
		Economic Recovery Fund - Business Advisory & Support - Economic Development	
00121380	20/04/2021	Minter Ellison	\$1,524.60
		Legal Fees For The City	
00121381	20/04/2021	One Org Pty Ltd	\$220.00
		One Straw Services - All Washed Up Community Event 10.04.2021 - Library Services	
00121382	20/04/2021	Rowe Scientific Pty Ltd	\$52.54
		Alcohol Swabs - Health Services	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
00121383	20/04/2021	Oanh Abdullah	\$350.00
		Bond Refund	
00121384	20/04/2021	Alkimos Rugby League Club	\$656.76
		Refund - Hire Fees - Double Payment	
00121385	20/04/2021	Rates Refund	\$2,461.42
00121386	20/04/2021	Mrs Rosielyn Conquilla	\$350.00
		Bond Refund	
00121387	20/04/2021	Rates Refund	\$668.25
00121388	20/04/2021	Mulugeta Debebe	\$152.90
		Hire Fee Refund	
00121389	20/04/2021	Benazir Hashimi	\$350.00
		Bond Refund	
00121390	20/04/2021	Nikhil Hirani	\$850.00
		Bond Refund	
00121391	20/04/2021	Mr Satish Kumar	\$850.00
		Bond Refund	
00121392	20/04/2021	Rates Refund	\$100.00
00121393	20/04/2021	Rates Refund	\$749.99
00121394	20/04/2021	Tendai Amy Ncube	\$850.00
		Bond Refund	
00121395	20/04/2021	Rates Refund	\$4,009.44
00121396	20/04/2021	Rates Refund	\$29,560.90
00121397	20/04/2021	Rates Refund	\$494.00
00121398	20/04/2021	Rates Refund	\$574.71
00121399	20/04/2021	Mr Mayur Patel	\$350.00
		Bond Refund	
00121400	20/04/2021	Rates Refund	\$34,987.08
00121401	20/04/2021	Rates Refund	\$935.08
00121402	20/04/2021	Rates Refund	\$107.41
00121403	20/04/2021	Mrs Ann Wigley	\$100.00
		Bond Refund	
00121404	20/04/2021	Stephen Lindau	\$48.77
		Refund - Gym Membership - Cancelled	
00121405	20/04/2021	Jacob Thomas	\$2,266.65
		Refund - Building Application - Not Within The City	
00121406	20/04/2021	Nicholas Michael Sloan	\$25.00
		Refund - Septic Tank Plan - Not Available	
00121407	20/04/2021	NEWest Alliance	\$184.00
		Hire Fee Refund	
00121408	20/04/2021	Brendon Spivey	\$2,000.00
		Refund - Street & Verge Bond	
00121409	20/04/2021	Blanca Henriquez	\$540.00
		Bond Refund	
00121410	20/04/2021	Sophie Hamlin	\$53.50
		Refund - Gym Membership - Aquamotion	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
00121411	20/04/2021	Sandra Hamlin	\$53.50
		Refund - Gym Membership - Aquamotion	
00121412	20/04/2021	Nadine Page	\$92.00
		Hire Fee Refund	
00121413	20/04/2021	AD & NL Gatter	\$27.80
		Hire Fee Refund	
00121414	20/04/2021	Beverley Manning	\$85.80
		Hire Fee Refund	
00121415	20/04/2021	Lee Dillon	\$21.20
		Refund - Copies Of Plans - Paid Twice	
00121416	20/04/2021	City of Wanneroo	\$600.00
		Cash Advance - Morning Tea - Employee Retirement	
		Cash Advance - Coles / Myer Gift Cards - Digital Literacy For Seniors Survey Prizes	
00121417	20/04/2021	Girrawheen Library Petty Cash	\$98.40
		Petty Cash	
00121418	20/04/2021	Cr X Nguyen	\$80.00
		Refund - Candidate Nomination Fee - Candidate Elected To Council / Received More Than 5% Of The Vote - Re-Issue Of Cheque 00118243	
00121419	20/04/2021	Perth Patio Magic Pty Ltd	\$1,000.00
		Refund - Street & Verge Bond	
00121420	20/04/2021	Telstra	\$20,573.28
		Phone Charges For The City	
		Navman Charges - Fleet	
00121421	20/04/2021	West Perth Football Club Incorporated	\$11,000.00
		Sponsorship - Communications & Brand	
00121422	23/04/2021	Department of Transport	\$97,224.15
		Bulk Licence Payments - Fleet Assets	
00121423	27/04/2021	Elaine Awad	\$200.00
		Subih Bros Performance - Kingsbridge Park 16.01.2021 - Events	
00121424	27/04/2021	Logo Appointments	\$6,778.35
		Casual Labour For The City	
00121425	27/04/2021	Louisa Jane Holdings Pty Ltd	\$330.00
		ATM Trailer - Dogs Breakfast - Events	
00121426	27/04/2021	Patti the Pig	\$1,600.00
		4 Sustainability Series Workshops - It's Not All Rubbish Kids - Library Services	
00121427	27/04/2021	Royal Pride Pty Ltd	\$723.25
		Equipment Hire - Transport And Traffic	
00121428	27/04/2021	Trophy Shop Australia	\$95.90
		Name Badges - Various Employees	
00121429	27/04/2021	Ellenbrook Football Club	\$137.50

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Kidsport Voucher - 1 Child	
00121430	27/04/2021	Facility Officer WLCC Petty Cash	\$127.80
		Petty Cash	
00121431	27/04/2021	Telstra	\$3,757.59
		Fire Protection Wireless Data	
		Phone Charges For The City	
00121432	27/04/2021	The Roof & Wall Doctor	\$1,000.00
		Refund - Street & Verge Bond	
00121433	27/04/2021	Heidi Blake	\$20.00
		Refund - School Holiday Program - Kingsway	
00121434	27/04/2021	P & N Woodcock Pty Ltd	\$60.00
		Refund - CTF Levy - Not Required	
00121435	27/04/2021	PSW Energy	\$192.00
		Refund - Development Applications - Duplicate	
00121436	27/04/2021	Spectra WA Properties Pty Ltd	\$147.00
		Refund - Development Application - Application Exempt	
00121437	27/04/2021	Epho Pty Ltd	\$276.09
		Refund - Development Application - Not Required	
00121438	27/04/2021	Warren Erasmus	\$10.80
		Refund - Copies Of Plans - Not Available	
00121439	27/04/2021	Clayton Pinney	\$64.00
		Refund - Copies Of Plans - Not Available	
00121440	27/04/2021	Helen Sands	\$40.00
		Refund - Holiday Programs - Cancelled	
00121441	27/04/2021	Sunaina Dhanjal	\$100.00
		Bond Refund	
00121442	27/04/2021	Catherine Cullinane	\$30.55
		Refund - Food Business Notification Fee - Not Required	
00121443	27/04/2021	Oanh Abdullah	\$70.20
		Hire Fee Refund	
00121444	27/04/2021	Josiah Drynan - Robertson	\$100.00
		Bond Refund	
00121445	27/04/2021	Ella Fitzsimmons	\$100.00
		Bond Refund	
00121446	27/04/2021	Rates Refund	\$2,658.80
00121447	27/04/2021	Rates Refund	\$375.00
00121448	27/04/2021	Ms Amanda Hosking	\$350.00
		Bond Refund	
00121449	27/04/2021	MD Hossain	\$84.00
		Bond Refund	
00121450	27/04/2021	Rates Refund	\$863.23
00121451	27/04/2021	Rates Refund	\$632.45
00121452	27/04/2021	Rates Refund	\$720.28

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
00121453	27/04/2021	Brogan Novel	\$100.00
		Bond Refund	
00121454	27/04/2021	Geraldine Potts	\$100.00
		Bond Refund	
00121455	27/04/2021	Dhara Sanghavi	\$100.00
		Bond Refund	
00121456	27/04/2021	Rates Refund	\$9,557.74
00121457	27/04/2021	Mrs Kahlia Wanless	\$100.00
		Bond Refund	
00121458	27/04/2021	Jade Weston	\$100.00
		Bond Refund	
00121459	28/04/2021	Cancelled	
00121460	28/04/2021	City of Wanneroo	\$600.00
		Cash Advance - 3 Gift Cards - Prizes For Community Development Plan Survey	
		Total Director Corporate Services Advance - Cheques	\$378,434.57
ELECTRONIC FUNDS TRANSFER			
00004096	06/04/2021		
		Advanced Traffic Management	\$12,880.80
		Traffic Control Services For The City	
		Alexander House of Flowers	\$95.00
		Arrangement - N & S Fletcher - 50th Wedding Anniversary - Office Of The Mayor	
		Amber Appelbee	\$668.00
		Entertainers - Summer Sideshow Paloma Park - Events	
		Animal Pest Management Services	\$3,729.00
		Rabbit/Fox Control - Parks	
		Armaguard	\$206.36
		Cash Collection Services For The City	
		AUSQ Training	\$840.00
		Training - Basic Worksite Traffic Management - Waste Services	
		Aussie Natural Spring Water	\$73.50
		Water Bottle Swap Overs - Yanchep Hub - Place Management	
		Australian Airconditioning Services Ltd	\$11,477.43
		Airconditioning Maintenance For The City	
		Australian Institute of Management Resource Development Centre Incorporated	\$1,420.00
		Training - Virtual Applied Project Management - 06 - 08.04.2021 - 1 Attendee - Assets	
		Australian Training Management Pty Ltd	\$450.00

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Training - First Aid 24.03.2021 - Assets	
		Autosmart North Metro Perth	\$784.30
		Floor Smart Cleaner - Fleet	
		AV Truck Service Pty Ltd	\$1,508.22
		Vehicle Spare Parts - Stores	
		BBC Entertainment	\$2,750.00
		Wanneroo Business Breakfast - May 2021 Keynote Speaker - Economic Development	
		Binley Fencing	\$639.54
		Fencing - Garden Park Drive Footpath - Assets	
		Boral Construction Materials Group	\$2,309.12
		Concrete Mix - Various Locations - Engineering	
		Bridgestone Australia Limited	\$18,580.25
		Tyre Fitting Services For The City	
		Bucher Municipal Pty Ltd	\$6,177.75
		Vehicle Spare Parts - Fleet	
		Burgtec	\$853.60
		2 Air Task Chairs - Advocacy & Economic Development	
		CA Technology Pty Ltd	\$8,800.00
		Camms Professional Services - Go Live 10% - Strategic & Business Planning	
		Cabcharge	\$201.13
		Cabcharge Services For The City	
		Car Care Motor Company Pty Ltd	\$1,657.70
		Vehicle Services - Fleet	
		Carramar Resources Industries	\$859.26
		Disposal Of Materials - Assets	
		Cathara Consulting Pty Ltd	\$17,160.00
		Consultancy - FMIS Implementation - ICT	
		CCS Strategic	\$4,396.70
		Consultancy Services - AQM & KIS Restricted Tender - Property	
		CDM Australia Pty Ltd	\$8,121.30
		6 USB-C Mobile Adapters & 1 Optiplex Computer - ICT	
		Professional Services - ICT	
		Chandler Macleod Group Limited	\$10,200.30
		Casual Labour For The City	
		Cherry's Catering	\$8,259.93
		Catering Services For The City	
		Cleartech Waste Management Pty Ltd	\$3,594.25
		Disposal Of Waste Oil - Fleet	
		Coastal Navigation Solutions	\$385.00
		Remove Stains - Ridgewood Park Artwork - Cultural Services	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Construction Hydraulic Design Pty Ltd	\$3,960.00
		Hydraulic Consultancy Services - Splendid Park - Assets	
		Corner Desk Creative	\$1,089.00
		Talking My Language Translation Assets - Waste Education	
		Corsign (WA) Pty Ltd	\$437.39
		Stickers - Green Waste Bins	
		Disability Signage - Edgar Griffiths Carpark - Construction	
		Critical Fire Protection & Training Ltd	\$291.50
		Install Breakglass - Kingsway - Building Maintenance	
		Replace Detector - Civic Centre - Building Maintenance	
		CS Legal	\$81,964.02
		Court Fees - Rating Services	
		Daimler Trucks Perth	\$88.20
		Vehicle Spare Parts - Stores	
		Delos Delta Pty Ltd	\$7,425.00
		Delivery Of Final Engagement Report - Strategic & Business Planning	
		Digital Mapping Solutions - Perth	\$33,026.44
		Annual Support & Maintenance Fee - 01.02.2021 - 31.01.2022 - ICT	
		Direct Communications	\$286.00
		Call Out - Yanchep Area - Community Safety	
		Dowsing Group Pty Ltd	\$65,748.30
		Concrete Works - Various Locations - Engineering	
		Drainflow Services Pty Ltd	\$11,646.13
		Sweeping / Drain Cleaning For The City	
		Drone Shop Perth	\$450.00
		Aviation Radio - Community Safety	
		Emerge Associates	\$4,686.00
		Consultancy - Splendid Park Cycling Facility - Assets	
		Environmental Industries Pty Ltd	\$33,277.60
		Landscape Maintenance For The City	
		Focus Consulting WA Pty Ltd	\$1,100.00
		Electrical Consultancy - Ferrara Park - Assets	
		Frontline Fire & Rescue Equipment	\$302.50
		Fire Equipment - Emergency Services	
		Fusion Applications Pty Ltd	\$3,960.00
		Consultancy - OICS Architecture Integration - ICT	
		Geoff's Tree Service Pty Ltd	\$198,515.71

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Pruning Works For The City	
		Grasstrees Australia	\$451.00
		Grass Tree Watering - Hardcastle Park - Assets	
		Greens Hiab Service	\$544.50
		Install AFL Goals - Ridgewood Park - Parks	
		Hare & Forbes Pty Ltd	\$917.00
		Shelving For Tool Shed - Parks	
		Headset ERA	\$4,482.50
		Wireless Headsets - Customer Relations	
		Heatley Sales Pty Ltd	\$1,370.07
		Mechanics Gloves - Stores	
		Hickey Constructions Pty Ltd	\$5,736.50
		Install Garden Edging - Rosslare Park - Parks	
		Replace Bench Seat - Memorial Park - Parks	
		Replace Pavers - Nankeen Park - Parks	
		Hitachi Construction Machinery Pty Ltd	\$566.80
		Vehicle Spare Parts - Stores	
		Horizon West Landscape & Irrigation Ltd	\$3,520.00
		Under Road Bore - Marmion Avenue - Parks	
		Hose Right	\$300.17
		Vehicle Spare Parts - Fleet	
		Hydroquip Pumps	\$440.00
		Remove & Inspect Aerator - Brampton Lake - Parks	
		Iconic Property Services Pty Ltd	\$96,829.07
		Cleaning Services For The City	
		Imagesource Digital Solutions	\$1,458.60
		Decal Map - Community History Centre - Cultural Services	
		Virtual Reality Pull Up Banner - Community Development	
		Instant Toilets & Showers Pty Ltd	\$1,245.20
		Portable Toilets - Paloma Park - Events	
		Integrity Industrial Pty Ltd	\$10,726.48
		Casual Labour For The City	
		J Blackwood & Son Ltd	\$817.32
		PPE - Various Employees	
		Kleenit	\$903.04
		Graffiti Removal For The City	
		Komatsu Australia Pty Ltd	\$214.67
		Vehicle Spare Parts - Fleet	
		Landcare Weed Control	\$13,008.53
		Landscape Maintenance For The City	
		Laundry Express	\$22.66
		Laundry Services - Overalls - Parks	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		LD Total	\$31,218.10
		Landscape Maintenance For The City	
		Let's All Party	\$26,550.00
		Amusement / Equipment Hire - Paloma Park - Events	
		Lobel Events	\$5,070.01
		Lighting / Power - Koondoola Pictures In The Park - Place Management	
		Lighting And Power - Hocking Pictures In the Park - Place Management	
		Local Government Professionals Australia WA	\$410.00
		Workshop - Weaving Tapestries Developing Community - 22.03.2021 - Community Services	
		Manheim Pty Ltd	\$139.15
		Towage Fees - Community Safety	
		Matrix Traffic and Transport Data Pty Ltd	\$5,280.00
		Contractor Traffic Counts - Road & Traffic	
		Michael Page International (Australia) Pty Ltd	\$3,001.93
		Casual Labour For The City	
		Midalia Steel Pty Ltd	\$1,908.75
		Steel Products - Fleet	
		Mindarie Regional Council	\$2,988.26
		Refuse Disposal For The City	
		Miracle Recreation Equipment Pty Ltd	\$132.00
		Repair Bridge - Jack Barlow Park - Parks	
		Mowmaster Turf Equipment	\$70.95
		Mower Spare Parts - Fleet	
		MPS Architects	\$2,131.25
		Design Consultancy - Abbeville Park Oval Extension - Assets	
		NAPA - GPC Asia Pacific Pty Ltd	\$296.08
		Vehicle Spare Parts - Fleet	
		Natural Area Holdings Pty Ltd	\$30,027.11
		Maintenance - Beach Access Ways - Engineering	
		Seed Collection - 15 Locations - Assets	
		Neverfail Springwater Limited	\$31.68
		Supply Of Monthly Water - Print Room	
		On Tap Plumbing & Gas Pty Ltd	\$10,521.14
		Plumbing Maintenance For The City	
		Online Social Butterfly	\$1,650.00
		Economic Recovery Fund - Business Advisory & Support - Economic Development	
		Open Windows Software Pty Ltd	\$885.50
		SRM Training Portal - Contracts	
		Paperbark Technologies Pty Ltd	\$5,776.20

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Tree Risk Assessment - Reinspection - Minda - Parks	
		Tree Data Collection - Butler - Parks	
		Parker Black & Forrest	\$1,160.50
		Locking Services For The City	
		Pennant House Flags	\$3,096.50
		Australian Flags - Events	
		Peter's Bus Charters	\$440.00
		Bus Charter - Neerabup Industrial Park Tour - Economic Development	
		Prestige Alarms	\$2,309.60
		Alarm / CCTV Services For The City	
		Pritchard Francis Consulting Pty Ltd	\$7,584.72
		Integrated Infrastructure Strategy - Yanchep Lagoon - Place Management	
		Programmed Integrated Workforce	\$815.14
		Casual Labour For The City	
		Reliable Fencing WA Pty Ltd	\$6,953.10
		Fencing Works For The City	
		REM Consulting	\$5,967.18
		Casual Labour For The City	
		Ricoh Australia Pty Ltd	\$4,629.79
		Lease /Image Charges - Print Room	
		Road & Traffic Services	\$838.20
		Provision Of Linemarking Services - Gnangara Road Footpath - Assets	
		Roads 2000	\$1,319.07
		Granit Asphalt - Engineering	
		Schindler Lifts Australia Pty Ltd	\$9,902.88
		Lift And / Or Escalator Service - Various Locations - Building Maintenance	
		Scott Print	\$1,012.00
		Printing - Business Cards - Economic Development	
		Printing - Booklet - Economic Development	
		Printing - Corporate Folders - Economic Development	
		Printing - Bookmarks - Community Services	
		Sifting Sands	\$154.00
		Emergency Sand Clean - Houghton Park - Parks	
		SJ McKee Maintenance Pty Ltd	\$4,018.00
		Repair Works - Various Locations - Waste	
		Smartbuilt Perth Pty Ltd	\$1,046.64
		Pest Control Services For The City	
		Sprayline Spraying Equipment	\$126.50

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Spare Parts - Backpack Sprayer - Parks	
		St John Ambulance Western Australia	\$2,786.25
		First Aid Supplies - Parks	
		Stewart & Heaton Clothing Company Pty Ltd	\$1,407.54
		PPE - Community Safety	
		Surepak (WA) Pty Ltd	\$4,408.25
		Rubbish Bags - Parks	
		Swan Towing Services Pty Ltd	\$440.00
		Vehicle Rescue Plant - Parks	
		Terravac Vacuum Excavations Pty Ltd	\$7,146.84
		Location Of Services - Various Locations	
		The Distributors Perth	\$323.35
		Snacks And Confectionery - Kingsway	
		The Factory (Australia) Pty Ltd	\$676.50
		Monthly Storage - Christmas Decorations - Building Maintenance	
		The Trustee For Apex Gates Trust	\$34,157.19
		Install Automatic Gates - Two Rocks & Clarkson Fire Station - Community Safety	
		The Trustee for CWC Trust	\$825.00
		Sports Floodlighting Design - Ridgewood Park - Assets	
		The Trustee For The Simmonds Steel	\$3,190.00
		10 Dog Bag Dispensers - Waste	
		Toll Transport Pty Ltd	\$487.37
		Courier Services For The City	
		Toro Australia Group Sales Pty Ltd	\$921.67
		Vehicle Spare Parts - Fleet	
		Triton Electrical Contractors Pty Ltd	\$11,907.50
		Reticulation Electrical Works - Various Locations - Parks	
		Turf Care WA Pty Ltd	\$118,508.71
		Turfing Works For The City	
		Tutaki Unit Trust	\$464.00
		Equipment Hire - Pictures In The Park - Bembridge - Events	
		Ungerboeck Systems International Pty Ltd	\$4,818.00
		Consultant Engagement - ICT	
		Wanneroo Central Bushfire Brigade	\$103.88
		Reimbursement - Operational Charges	
		Wanneroo Electric	\$4,721.77
		Electrical Maintenance For The City	
		Wanneroo Fire Support Brigade	\$159.53
		Reimbursement - Catering Leadership Course	
		Reimbursement - Stationery Supplies	
		Wanneroo Towing Service	\$206.80

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Towing Services - Community Safety	
		West Coast Turf	\$10,450.00
		Turfing Works For The City	
		Western Resource Recovery Pty Ltd	\$412.50
		Servicing Of Grease Trap - Civic Centre - Building Maintenance	
		William Buck Consulting (WA) Pty Ltd	\$825.00
		Probity Oversight Services - Contracts	
		Winc Australia Pty Limited	\$383.70
		Paper Supplies - Print Room	
		Work Clobber	\$219.60
		Safety Boots - Planning	
		Workpower Incorporated	\$765.60
		Plant Watering - Waiti Dreaming Reserve - Parks	
00004097	07/04/2021		
		Astro Synthetic Surfaces Pty Ltd	\$32,989.00
		Cricket Pitch Covers - 3 Locations - Parks	
		Stiles Electrical	\$27,307.72
		Progress Claim 1 - Ridgewood Park Floodlighting - Assets	
00004098	07/04/2021		
		Rates Refund	\$155.40
		Rates Refund	\$750.00
		Rates Refund	\$156.91
		Rates Refund	\$100.00
		Rates Refund	\$750.00
		Rates Refund	\$750.00
		Rates Refund	\$730.29
		Rates Refund	\$590.23
		Rates Refund	\$560.22
		Rates Refund	\$750.00
		Ms Colleen Enoch	\$850.00
		Bond Refund	
		Rates Refund	\$750.00
		Quinns Rocks Little Athletics Club	\$100.00
		Bond Refund	
		Westnam United Soccer Club Incorporated	\$850.00
		Bond Refund	
00004100	06/04/2021		
		Alinta Gas	\$251.15
		Gas Supplies For The City	
		Australian Manufacturing Workers Union	\$151.00

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Payroll Deductions	
		Australian Services Union	\$593.70
		Payroll Deductions	
		Australian Taxation Office	\$18,724.00
		Payroll Deductions	
		Celebration Homes Pty Ltd	\$8,000.00
		Return - 4 Street & Verge Bonds	
		CFMEU	\$120.00
		Payroll Deductions	
		Child Support Agency	\$967.02
		Payroll Deductions	
		City of Wanneroo - Payroll Rates	\$6,240.00
		Payroll Deductions	
		City of Wanneroo - Social Club	\$676.00
		Payroll Deductions	
		Cr Glynis Parker	\$163.83
		Travel Allowance - 01.02.2021 - 28.02.2021	
		Department of Fire & Emergency Services	\$920.00
		False Fire Alarm Attendance - Aquamotion - Building Maintenance	
		Fleet Network	\$998.25
		Payroll Deductions	
		HBF Health Limited	\$643.00
		Payroll Deductions	
		Home Industry Builders Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
		Homebuyers Centre	\$8,000.00
		Return - 4 Street & Verge Bonds	
		LGRCEU	\$1,547.76
		Payroll Deductions	
		Maxxia Pty Ltd	\$9,138.92
		Payroll Deductions	
		Miss Rebecca Barton	\$21.25
		Cat Registration Refund - Deceased	
		Mrs Laura Hay	\$330.00
		Reimbursement - Cleaning Of Vehicle Due To Waste Truck Oil Spill - Waste	
		Paywise Pty Ltd	\$1,853.49
		Payroll Deductions	
		PS Structures Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
		Smartsalary	\$8,146.36
		Payroll Deductions	
		Synergy	\$610,048.35
		Power Supplies For The City	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Ventura Home Group Pty Ltd	\$2,216.00
		Refund - Verge Licence Fee - Duplicate Application	
		Refund - Street & Verge Bond	
		Water Corporation	\$2,187.47
		Water Supplies For The City	
		Western Power	\$9,900.00
		Design Fees - Hurlston Way - Traffic Services	
		Design Fees - Butterick Place - Traffic Services	
00004101	12/04/2021		
		Advanced Traffic Management	\$2,384.98
		Traffic Control Services For The City	
		Air Liquide Australia	\$221.76
		Gas Cylinder Hire - Stores	
		Animal Pest Management Services	\$6,435.00
		Fox Control - Mather Drive & Neerabup - Conservation	
		Arcus Wire Group Pty Ltd	\$320.71
		Hanging Rails & Adjustable Hooks - Council & Corporate Support	
		Australian Communications & Media Authority	\$71.00
		Licence Renewal - ICT	
		AV Truck Service Pty Ltd	\$171.42
		Vehicle Spare Parts - Fleet	
		Ball & Doggett Pty Ltd	\$456.96
		Paper Supplies - Print Room	
		Bioscience Pty Ltd	\$798.60
		Bioprime Trace - Parks	
		BP Australia Ltd	\$76,265.48
		Fuel Issues For The City - March 2021	
		Bridgestone Australia Limited	\$1,415.73
		Tyre Fitting Services For The City	
		Coca Cola Amatil Pty Ltd	\$230.17
		Beverages - Kingsway Stadium	
		Critical Fire Protection & Training Ltd	\$973.50
		Fire Detection System Works - Various Locations - Building Maintenance	
		CS Legal	\$1,032.10
		Court Fees - Rating Services	
		Direct Communications	\$213.40
		Batteries - Fleet	
		Dowsing Group Pty Ltd	\$1,169.67
		Install Kerbing - Seabreeze Drive - Engineering	
		Drainflow Services Pty Ltd	\$4,537.50
		Road Sweeping Services For The City	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Ecoscape Australia Pty Ltd	\$924.00
		Basic Fauna Survey - Mather Drive - Economic Development	
		Environmental Industries Pty Ltd	\$89,319.58
		Landscape Maintenance For The City	
		Flick Anticimex Pty Ltd	\$4,047.24
		Sanitary Waste Services For The City	
		Geoff's Tree Service Pty Ltd	\$1,774.67
		Pruning Works For The City	
		Hickey Constructions Pty Ltd	\$12,219.90
		Capping Repairs - Ocean Keys Park - Parks	
		Repair Gates - Carramar Golf Course - Parks	
		Hose Right	\$225.13
		Vehicle Spare Parts - Fleet	
		Iconic Property Services Pty Ltd	\$4,355.78
		Cleaning Services For The City	
		Integrity Industrial Pty Ltd	\$22,657.21
		Casual Labour For The City	
		Iron Tech Industries	\$2,420.00
		Steel Fabrication Works - H Frames - Engineering	
		Ixom Operations Pty Ltd	\$1,794.93
		Chlorine Gas Supply - Aquamotion	
		Disinfection Of Pools Chlorine Gas Supply - Aquamotion	
		J Blackwood & Son Ltd	\$307.76
		PPE - Waste / Parks	
		JBS & G Australia Pty Ltd	\$1,131.35
		Stage A - Contaminated Sites Audit - Property	
		Kleenit	\$115.68
		Graffiti Removal For The City	
		Landcare Weed Control	\$2,127.45
		Woody Weed Treatment - Yanchep / Two Rocks - Parks	
		Grass Treatment - Cinnabar Park - Parks	
		LD Total	\$88,759.88
		Landscape Maintenance For The City	
		Metrix Consulting Pty Ltd	\$11,495.00
		Plan Survey - Initialisation - Community Development	
		Mindarie Regional Council	\$246,945.32
		Refuse Disposal For The City	
		Minuteman Press Joondalup	\$1,153.75
		Printing - Swimming Pool Inspection Books - Compliance	
		Miracle Recreation Equipment Pty Ltd	\$4,731.10

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Playground Equipment Repairs - Various Locations - Parks	
		NAPA - GPC Asia Pacific Pty Ltd	\$20.79
		Vehicle Spare Parts - Fleet	
		On Tap Plumbing & Gas Pty Ltd	\$2,154.00
		Plumbing Maintenance For The City	
		Penske Power Systems Pty Ltd	\$53.41
		Vehicle Spare Parts - Stores	
		Perth Heavy Towing	\$770.00
		Towing Services - Fleet	
		Play Check	\$22,440.00
		Playground Audit - 135 Parks - Parks	
		Prestige Alarms	\$1,001.00
		Alarm Services For The City	
		Reliansys Pty Ltd	\$21,395.00
		Annual Software Access Fee - ICT	
		Roads 2000	\$422.38
		Asphalt - Engineering	
		Scott Print	\$396.00
		Printing - Brochures - Cultural Services	
		Skyline Landscape Services (WA)	\$13,880.52
		Landscape Maintenance For The City	
		Technology One Limited	\$2,156.00
		Spatial Consulting Services - ICT	
		The Hire Guys Balcatta	\$363.00
		Generators - Carnival At Paloma Park - Place Management	
		The Poster Girls	\$418.00
		Delivery Of Posters & Flyers - For Country For Nation - Cultural Development	
		The Trustee for Hayto Trust	\$1,149.50
		Photography - Outdoor Movie 13.03.2021 - Place Management	
		TJ Depiazzi & Sons	\$40,224.42
		Mulch - Various Locations - Parks	
		Triton Electrical Contractors Pty Ltd	\$5,027.00
		Reticulation Electrical Works - Various Locations - Parks	
		Turf Care WA Pty Ltd	\$20,022.64
		Turfing Works For The City	
		Viva Energy Australia Pty Ltd	\$63,622.18
		Fuel Issues For The City	
		Wanneroo Electric	\$2,562.23
		Electrical Maintenance For The City	
		Winc Australia Pty Limited	\$75.08

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Paper Supplies - Print Room	
		Workpower Incorporated	\$1,683.00
		Seedling Watering - Ocean Reef Road - Parks	
00004102	12/04/2021		
		WEX Australia Pty Ltd	\$1,749.50
		Fuel - March 2021 - Fleet Assets	
00004103	12/04/2021		
		City of Wanneroo - Rates	\$1,249.00
		Offset Of Rates In Lieu Of Monthly Allowances	
		Cr Brett Treby	\$2,690.46
		Monthly Meeting Attendance Allowance	
		Cr Christopher Baker	\$2,690.46
		Monthly Meeting Attendance Allowance	
		Cr Domenic Zappa	\$2,455.46
		Monthly Meeting Attendance Allowance	
		Cr Dot Newton	\$2,590.46
		Monthly Meeting Attendance Allowance	
		Cr Glynis Parker	\$2,690.46
		Monthly Meeting Attendance Allowance	
		Cr Huu Van Nguyen	\$2,690.46
		Monthly Meeting Attendance Allowance	
		Cr Jacqueline Huntley	\$2,690.46
		Monthly Meeting Attendance Allowance	
		Cr Lewis Flood	\$2,575.46
		Monthly Meeting Attendance Allowance	
		Cr Linda Aitken	\$2,690.46
		Monthly Meeting Attendance Allowance	
		Cr Natalie Sangalli	\$2,690.46
		Monthly Meeting Attendance Allowance	
		Cr Paul Miles	\$2,405.46
		Monthly Meeting Attendance Allowance	
		Cr Sonet Coetzee	\$2,690.46
		Monthly Meeting Attendance Allowance	
		Mayor Tracey Roberts	\$11,144.47
		Monthly Meeting Attendance Allowance	
00004104	13/04/2021		
		Rates Refund	\$750.00
00004105	13/04/2021		
		Australian Taxation Office	\$530,030.00
		Payroll Deductions	
		Aveling Homes Pty Ltd	\$6,834.29

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Refund - 2 Street & Verge Bonds	
		Refund - Building Application - Cancelled	
		BDD Australia Pty Ltd	\$536.70
		Milk Deliveries For The City	
		Ben Trager Homes Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
		JCorp Pty Ltd	\$1,133.32
		Refund - Building Application Fee - Cancelled	
		Main Roads WA	\$28,154.61
		Signs & Linemarking - Marmion Avenue Duplication - Assets	
		Linemarking - Badgerup Road - Assets	
		Materon Investments WA Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
		Mr Christopher Bombak	\$2,000.00
		Refund - Street & Verge Bond	
		Mr Daniel Simms	\$64.00
		Reimbursement - Broadband Usage 01 - 28.02.2021 80%	
		Mr David Barnes	\$1,000.00
		Refund - Street & Verge Bond	
		Mr Matthew Witts	\$2,000.00
		Refund - Street & Verge Bond	
		Mr Spyros Mark Spyrou	\$2,000.00
		Refund - Street & Verge Bond	
		Ms Vanessa De Mello	\$360.00
		Vehicle Crossing Subsidy	
		Ms Vera Bowman	\$1,000.00
		Refund - Street & Verge Bond	
		Satterley Property Group	\$952.62
		Refund - Street Lighting Tariff - Land Development	
		Simsai Construction Group Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
		SSB Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
		Synergy	\$25,546.38
		Power Supplies For The City	
		Trailer Parts Pty Ltd	\$463.06
		Vehicle Spare Parts - Fleet	
		Utopia Industries Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
		Water Corporation	\$3,840.52
		Water Supplies For The City	
		Wow Group (WA) Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
00004106	15/04/2021		
		Australia Post	\$34,997.40
		Postage Charges For The City	
00004107	15/04/2021		
		Al Mustafa Community Association Incorporated	\$4,734.00
		Iraqi Community And Cultural Day	
		Isentia Pty Ltd	\$1,100.00
		WA Election Briefing - 10/02/2021 - 09/04/2021 - Communications & Brand	
		Thinkfield	\$3,630.00
		Programming Of Survey - ICT	
		WA Limestone Contracting Pty Ltd	\$618,622.90
		Quinns Beach Groyne 1 - Maintenance & Upgrade Works - Assets	
00004108	16/04/2021		
		Gillmore Electrical Services	\$142,585.30
		Progress Claim 3 - Paloma Park Oval Floodlighting Upgrade - Assets	
00004109	20/04/2021		
		A2Z Sports Pty Ltd	\$1,100.00
		Wish W11 Shuttlecocks - Kingsway	
		ABM Landscaping	\$4,450.05
		Relay Brick Paving - Civic Drive - Engineering	
		Action Glass & Aluminium	\$927.96
		Glazing Services For The City	
		Activ Foundation Incorporated	\$1,149.50
		Mulch Garden Beds - Memorial - Parks	
		Acurix Networks Pty Ltd	\$4,870.80
		Monitoring, Licensing & Support - April 2021 - ICT	
		Advanced Traffic Management	\$17,344.47
		Traffic Control Services For The City	
		AFGRI Equipment Australia Pty Ltd	\$1,274.79
		Mower Blades - Stores	
		Air Communications	\$4,804.36
		Antenna Relocation - ICT	
		Air Liquide Australia	\$221.76
		Cylinder Hire - Fleet	
		Alexander House of Flowers	\$225.00
		Wreath - 200th Anniversary Of Greece - Mayors Office	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Arrangement - M Cockman 90th Birthday - Office Of The Mayor	
		Animal Pest Management Services	\$12,375.00
		Fox Control & Activity Surveys - 12 Locations - Conservation	
		Aqua Attack Drilling	\$2,090.00
		Small Bore Decommission - Hinckley Park - Assets	
		Remove Pump - Hinckley Park - Parks	
		Armaguard	\$191.59
		Cash Collection For The City	
		Astro Synthetic Surfaces Pty Ltd	\$32,989.00
		Cricket Pitch Covers - Various Locations - Parks	
		Audio View Lifestyles Pty Ltd	\$198.00
		Repair TV - Aquamotion - Building Maintenance	
		AUSQ Training	\$339.00
		Basic Worksite Traffic Management - 1 Attendee - Waste Services	
		Australian Airconditioning Services Pty Ltd	\$11,686.72
		Airconditioning Maintenance For The City	
		Australian Communications & Media Authority	\$1,477.00
		Licence Renewal - ICT	
		AV Truck Service Pty Ltd	\$2,167.88
		Vehicle Spare Parts - Fleet / Stores	
		Biologic Environmental Survey Pty Ltd	\$7,658.81
		2020 Spring Biological Survey - New Animal Care Centre - Assets	
		Bladon WA Pty Ltd	\$1,785.58
		Staff Uniforms - Aquamotion	
		Boral Construction Materials Group	\$737.70
		Concrete Mix - Yardoo Court - Engineering	
		Boya Equipment	\$489.98
		2 Backpack Sprayers - Parks	
		BrainBox Advisory	\$3,300.00
		Economic Recovery Fund - Business Advisory & Support - Economic Development	
		Bridgestone Australia Limited	\$10,526.23
		Tyre Fitting Services For The City	
		Bring Couriers	\$636.42
		Courier Services - Health	
		Bucher Municipal Pty Ltd	\$8,406.97
		Vehicle Spare Parts - Fleet / Stores	
		Bunzl Limited	\$712.69
		Stock - Stores Issues	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Business Growth AU	\$1,320.00
		Economic Recovery Fund - Business Advisory & Support - Economic Development	
		Car Care Motor Company Pty Ltd	\$4,389.29
		Vehicle Services For The City	
		Carramar Resources Industries	\$3,190.57
		Disposal Of Waste - Mirrabooka Avenue - Assets	
		Cathara Consulting Pty Ltd	\$4,290.00
		FMIS Implementation Services - 22.03.2021 - 28.03.2021 - ICT	
		CDM Australia Pty Ltd	\$24,591.79
		Computer Equipment - ICT	
		Chandler Macleod Group Limited	\$5,474.16
		Casual Labour For The City	
		Cherry's Catering	\$1,596.92
		Catering Services For The City	
		Chris Kershaw Photography	\$1,100.00
		Blessing Of The Roads - Photographer - Road And Traffic Services	
		Photography - 3 Citizenship Ceremonies - Events	
		Christophe Canato	\$700.00
		Documentation - For Country, For Nation Exhibition - Cultural Services	
		Churchill Imaging	\$95.00
		10 Hours Of Photo Restore - Cultural Services	
		City of Joondalup	\$5,500.00
		Sponsorship - Virtual Mission Indonesia 01.04.2021 - Economic Development	
		CK Maloney Surveying	\$12,433.30
		Detail Survey - Yanchep Industrial Area - Assets	
		Feature And Contour Survey - Kingsway Sporting Complex - Assets	
		Cleanaway Equipment Services Pty Ltd	\$414.77
		Parts Washer - Monthly Rental - Fleet	
		Clinipath Pathology	\$520.00
		Medical Fees For The City	
		Coates Hire Operations Pty Ltd	\$4,911.15
		Equipment Hire - Assets	
		Coca Cola Amatil Pty Ltd	\$566.90
		Beverages - Kingsway	
		Coffey And Tea	\$3,712.50
		Discover Wanneroo Tourism Strategy - Economic Development	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Commercial Aquatics Australia	\$619.85
		Repair Pump Leak - Aquamotion	
		Aquatics Maintenance Re-Active Works - Aquamotion	
		Commissioner of Police	\$33.40
		2 Volunteer Police Checks - Community Services	
		Corsign (WA) Pty Ltd	\$106.70
		Signs - Quinns - Assets Maintenance	
		Critical Fire Protection & Training Pty Ltd	\$1,122.00
		Monthly Fire Equipment Tests - March 2021 - Building Maintenance	
		CS Legal	\$90,712.59
		Court Fees - Rating Services	
		CW Brands Pty Ltd	\$611.16
		Stock - Stores Issues	
		Datavoice Communications Pty Ltd	\$528.00
		Reconfigure Phone Message Options - Aquamotion - ICT	
		DC Golf	\$91,666.10
		Commission Fees - March 2021 Carramar Golf Course	
		Commission Fees - March 2021 Marangaroo Golf Course	
		Delos Delta Pty Ltd	\$15,125.00
		Community Engagement Report - Community Development	
		Delville Smith	\$400.00
		Public Art Maintenance - Butler Community Centre - Cultural Services	
		Dowsing Group Pty Ltd	\$29,823.55
		Concrete Works - Various Locations - Engineering / Assets	
		Drainflow Services Pty Ltd	\$22,755.54
		Drain Cleaning / Road Sweeping Services For The City	
		E & MJ Rosher	\$82.81
		Vehicle Spare Parts - Fleet	
		Ecoburbia	\$2,475.00
		3 Sustainability Workshops - Library Services	
		Edge People Management	\$2,997.93
		Case Management Return To Work Monitoring - People & Culture	
		Review Job Dictionaries - People And Culture	
		Ergonomic Assessment - OSH	
		ENSO Construction Pty Ltd	\$48,852.95

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Progress Claim 1 - Kingsway Indoor Stadium - Assets	
		Environmental Industries Pty Ltd	\$2,431.57
		Landscape Maintenance For The City	
		EPM Partners Pty Ltd	\$4,840.00
		Consulting Services - Document Approvals Via Power Automate License - ICT	
		Equifax Australasia Credit Rating Pty Ltd	\$2,965.16
		Company Financial Checks - Contracts & Procurement	
		Ergolink	\$248.50
		Carpet Top Footrest & Keyboard - Desk Equipment	
		Exteria	\$5,971.90
		Picnic Shelter And Table - Hinckley Park - Parks	
		Forch Australia Pty Ltd	\$1,806.42
		Stock - Stores Issues	
		Forrest And Forrest Games	\$17,926.70
		Nematode Analysis - 37 Locations - Parks	
		Golf Course Benchmarking - Carramar & Marangaroo - Parks	
		Frontline Fire & Rescue Equipment	\$143.00
		Coat Intake With Fireproof Paint - Fleet	
		Fusion Applications Pty Ltd	\$6,600.00
		Consulting Fees - OICs Architecture Integration - ICT	
		GC Sales (WA)	\$385.00
		Keys For Bin Poles - Parks	
		Geoff's Tree Service Pty Ltd	\$107,364.87
		Pruning Works - Various Locations For The City	
		GHD Pty Ltd	\$22,282.22
		Assets Structural Assessment - Coastal And Parks - Assets	
		Gillmore Electrical Services	\$23,547.70
		Progress Claim 2 - Teodoro Park - Assets	
		Grasstrees Australia	\$902.00
		Grass Tree Watering - Hardcastle Park - Assets	
		Green Options Pty Ltd	\$9,436.35
		Mowing - Various Locations - Parks	
		Greens Hiab Service	\$968.00
		Hiab Hire - AFL Goals - Parks	
		Griffiths Architects	\$1,100.00
		Design Review Panel Meeting - 04.02.2021 - Approval Services	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Hall & Wilcox	\$7,400.80
		Legal Fees For The City	
		Hang Art Pty Ltd	\$2,227.50
		De-Install For Country For Nation - Cultural Services	
		Hanson Construction Materials Pty Ltd	\$554.40
		Concrete Mix - Scenic Drive - Engineering	
		Harvey Norman AV/TI Superstore Joondalup	\$937.20
		4 Digital Cameras - Compliance	
		Hickey Constructions Pty Ltd	\$1,474.00
		Replace Garden Kerbing - Civic Centre - Parks	
		Bullnose Capping Repairs - Spinifex Park - Parks	
		Hitachi Construction Machinery Pty Ltd	\$703.41
		Vehicle Spare Parts - Stores	
		Hodge Collard Preston Unit Trust	\$542.74
		Architectural Consultancy - Aquamotion - Assets	
		Horizon West Landscape Construction	\$245,640.56
		Construction Works - Hinckley Park - Assets	
		Hose Right	\$408.13
		Vehicle Hoses - Fleet	
		Houspect WA	\$880.00
		Dilapidation Inspection - Quinns Mindarie SLSC - Property	
		Hydra Storm	\$1,386.00
		Iron Grate - Engineering	
		Hydroquip Pumps	\$5,214.00
		Reticulation Pump Works - Various Locations - Parks	
		Iconic Property Services Pty Ltd	\$88,988.39
		Cleaning Services For The City	
		Identity Perth	\$9,897.25
		Develop CoW Corporate Council Crest - Communication & Brand	
		Design Logo And Brand Development - Communication & Brand	
		Imagesource Digital Solutions	\$997.70
		Teardrop Banner (Flag) - Girrawheen Community Garden - Community Services	
		2 Social Distancing Corflutes - Library Services	
		Sticker For Plaque - Leatherback Park	
		A-Frame Corflutes - Create Space - Library Services	
		Indoor Gardens Pty Ltd	\$266.20
		Civic Centre Foyer - Plant Hire - Customer Relations	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Instant Toilets & Showers Pty Ltd	\$1,806.20
		Toilet Hire - Blessing Of The Roads - Road & Traffic	
		Portable Toilet Hire - Pictures In The Park - Hocking - Events	
		Instant Weighing Systems	\$2,018.50
		Test & Calibrate Compuload - Fleet	
		Integrity Industrial Pty Ltd	\$32,081.43
		Casual Labour For The City	
		Intelife Group	\$4,501.20
		Light Car Cleaning - Fleet Assets	
		International Valuation & Property Services	\$2,970.00
		Valuation - Portion Of Council Depot - Property	
		Iron Mountain Australia Group Pty Ltd	\$4,850.08
		Document Management Services For The City	
		Ixom Operations Pty Ltd	\$207.33
		Disinfection Of Pools Chlorine Gas Supply - Aquamation	
		J Blackwood & Son Ltd	\$4,470.58
		PPE & Tool Purchases For The City	
		James Bennett Pty Ltd	\$1,032.02
		Book Purchases - Library Services	
		JDSI Consulting Engineers	\$7,563.74
		Civil Consultancy - Butler North District Open Space - Assets	
		Jodie Aedy	\$1,281.00
		Graphic Design - Team Development And Training - Communications & Brand	
		Printing - 15 A5 Notepads - Communications And Brand	
		Design And Supply Of Artwork - Youth Week 2021	
		Design For Community Services Map - Communications & Brand	
		Kerb Direct Kerbing	\$268.18
		Concrete Works - Berriman Drive (Stage 2) - Assets	
		Kinetic IT Pty Ltd	\$10,541.27
		Enhanced Security Services March 2021 - ICT	
		Kleenheat Gas Pty Ltd	\$6.40
		Gas Supplies For The City	
		Kleenit	\$1,312.92
		Graffiti Removal For The City	
		Kyocera Document Solutions	\$4,275.38
		Photocopier Meter Reading For The City	
		Landcare Weed Control	\$20,240.19
		Landscape Maintenance For The City	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		LD Total	\$61,339.92
		Landscape Maintenance For The City	
		Les Mills Asia Pacific	\$918.00
		Subscription Fees - Group Fitness - Aquamotion	
		Living Turf	\$3,630.00
		Supply Fertiliser - Parks	
		Local Government Professionals Australia WA	\$3,300.00
		SCORM File - E-Learning - People & Culture	
		Mackay Urban Design	\$962.50
		Design Review Panel Meeting - 25.03.2021 - Planning	
		Major Motors	\$1,402.55
		Vehicle Spare Parts - Fleet / Stores	
		Mammoth Equipment & Exhausts Pty Ltd	\$1,595.00
		Ecoblue - Stores Stock	
		Marketforce Pty Ltd	\$7,066.04
		Advertising Services For The City	
		Mastec Australia Pty Ltd	\$8,942.56
		Talking My Language Project - Promotional Mini Bin - Waste	
		Bin Lids - Waste	
		Mayday Earthmoving	\$1,837.00
		Roller - Mirrabooka - Assets	
		McLeods	\$8,973.49
		Legal Fees For The City	
		Messages On Hold	\$789.99
		Messages On Hold Services - Communications & Brand	
		Michael Joseph Cruise	\$1,108.00
		Videography - Youth Leadership Forum - Youth Services	
		Michael Page International (Australia) Pty Ltd	\$5,103.28
		Casual Labour For The City	
		Mindarie Regional Council	\$183,135.65
		Refuse Disposal For The City	
		Miracle Recreation Equipment Pty Ltd	\$3,977.60
		Repair Playground Equipment - Various Locations - Parks	
		NAPA - GPC Asia Pacific Pty Ltd	\$444.40
		Vehicle Spare Parts - Fleet	
		Navman Wireless Australia Pty Ltd	\$286.00
		Fit GPS & Keypad - Fleet Assets	
		Noma Pty Ltd	\$550.00
		Design Review Panel Meeting - 25.03.2021 - Approvals	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Northern Lawnmower & Chainsaw Specialists	\$478.00
		Incorrect Amount Charged	
		Honda Safety Chaps - Parks	
		Leaf Blower - Fleet Assets	
		OCP Sales - Omnific Enterprises P/L	\$1,016.76
		Radio Repairs - Aquamotion	
		OEM Group Pty Ltd	\$206.17
		Vehicle Spare Parts - Fleet	
		On Tap Plumbing & Gas Pty Ltd	\$22,815.89
		Plumbing Maintenance For The City	
		Online Social Butterfly	\$1,650.00
		Economic Recovery Fund - Business Advisory & Support - Murakami Trading	
		Oracle Customer Management Solution Pty Ltd	\$11,782.90
		After Hours Calls Service - Customer Relations	
		Paperbark Technologies Pty Ltd	\$1,205.00
		Wonambi Park Arborist Report - Parks	
		Parker Black & Forrest	\$5,756.30
		Locking Services For The City	
		Peopleistic	\$625.00
		5 Extended Disc Profile Surveys - People And Culture	
		Perth Detailing Centre	\$291.00
		Cleaning Of Community Transport Buses	
		Photo Perth Wholesale Pty Ltd	\$242.53
		Stationery Items - Library Services	
		Plantrite	\$2,603.66
		15% Deposit - Tubestock - Winter 2021 - Parks	
		Play Check	\$3,630.00
		Playground Inspections - March - Parks	
		PLE Computers	\$32.00
		HDMI Adapter - ICT	
		Pool Robotics Perth	\$297.30
		Repair Cleaner - Aquamotion	
		Powerhouse Batteries Pty Ltd	\$513.62
		Vehicle Batteries - Fleet	
		Prestige Alarms	\$13,067.86
		Alarm / CCTV Services For The City	
		Print And Sign Co	\$885.50
		10 Pull Up Banners Reskin - Waste	
		Programmed Integrated Workforce	\$3,668.15
		Casual Labour For The City	
		RAC Motoring & Services Pty Ltd	\$198.00
		Call Out - 2 Wheel Changes - City Vehicles	
		Reliable Fencing WA Pty Ltd	\$9,312.60
		Fencing Works For The City	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		REM Consulting	\$5,032.82
		Casual Labour For The City	
		Rent A Dingo	\$352.00
		Dingo Day Hire - Parks	
		Repco	\$397.32
		Flood Light - Stores Stock	
		Ricoh Australia Pty Ltd	\$2,379.10
		Image Charges - Print Room	
		Roads 2000	\$225,558.99
		Road Resurfacing - Baretta Road - Assets	
		Asset Renewal Program - Pappas Street - Assets	
		Road Resurfacing - Lindsay Road - Assets	
		Roy Gripske & Sons Pty Ltd	\$131.14
		Vehicle Spare Parts - Stores	
		RW Quantity Surveyors	\$1,430.00
		Quantity Surveying Services - Abbeville Oval Extension - Assets	
		Safety And Rescue Equipment	\$203.50
		Marangaroo Family Centre	
		Sage Consulting Engineers	\$2,464.00
		Sports Lighting - Belhaven Park - Assets	
		SAI Global Australia Pty Ltd	\$6,125.90
		Re-Certification Audit - Building Maintenance	
		Annual Registration - 04.06.2021 - 04.06.2022 - Building Maintenance	
		Seabreeze Landscape Supplies	\$168.00
		Brickies Sand - Parks	
		Shred-X	\$298.76
		Shredding Services For The City	
		Sifting Sands	\$2,260.60
		Sand Sieve - Various Parks - Parks	
		Sigma Chemicals	\$864.60
		Photometer Tablets - Aquamotion	
		Site Environmental & Remediation Services Pty Ltd	\$13,233.00
		Asbestos Removal - Various Locations - Assets	
		Site Sentry Pty Ltd	\$223.30
		Equipment Hire - Community Safety	
		Skipper Transport Parts	\$62.62
		Vehicle Spare Parts - Fleet	
		Skyline Landscape Services (WA)	\$26,970.16
		Landscape Maintenance For The City	
		Smartbuilt Perth Pty Ltd	\$99.00
		Pest Control Services For The City	
		Softfall Guys	\$363.00

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Softfall Repairs - Maritime Park - Parks	
		Sonic Healthplus Pty Ltd	\$403.60
		Medical Fees For The City	
		Sports Medicine Australia	\$2,880.00
		Provide First Aid Course - 21 Candidates - Facilities	
		Training Program - Taping Course - 18 Candidates - Facilities	
		Sports Surfaces	\$9,036.50
		Replace Wicket Turf - Ridgewood Park - Parks	
		Synthetic Turf - St Andrews Park - Parks	
		St John Ambulance Western Australia	\$1,231.92
		Training Services / First Aid Supplies For The City	
		Statewide Bearings	\$108.02
		Vehicle Spare Parts - Fleet	
		Statewide Pump Services	\$1,430.00
		Attend Sewer Pump Alarm - Koondoola Community Centre - Building Maintenance	
		Stiles Electrical	\$78,106.47
		Progress Claim 2 - Ridgewood Park - Assets	
		Sunny Industrial Brushware	\$742.30
		Brooms - Stores Stock	
		Surekleen Products	\$111.32
		Sure Power Truck Wash - Fleet	
		Surf Life Saving WA Incorporated	\$72,307.93
		Beach Safety Services - Facilities	
		Tactiv Pty Ltd	\$1,584.00
		Hosted Agreement: Additional Lite Users - 17.03.2021 - 17.09.2021 - ICT	
		Taldara Industries Pty Ltd	\$695.07
		Disposable Cups - Stores	
		Technology One Limited	\$2,156.00
		Consulting - Jo Gray - ICT	
		Terravac Vacuum Excavations Pty Ltd	\$21,093.74
		Locations of Services - Various Locations - Assets	
		The Trustee for New Dealership Trust	\$443.10
		Vehicle Keys - Fleet	
		The Trustee for Talis Unit Trust	\$13,626.45
		Install & Monitor Gas Wells - Wangara Landfill - Property	
		Thirty4 Pty Ltd	\$211.20
		Qnav Mobile Data Monthly Subscription - Fleet Assets	
		TJ Depiazzi & Sons	\$52,118.77
		Mulch Deliveries For The City	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Toll Transport Pty Ltd	\$255.54
		Courier Services For The City	
		Toro Australia Group Sales Pty Ltd	\$2,357.08
		Vehicle Spare Parts - Fleet	
		Total Landscape Redevelopment Services Pty Ltd	\$11,110.00
		Play Area Upgrade - Aquamotion - Assets	
		Tree Planting & Watering	\$3,828.00
		Watering - Booderee Cooloola Kalbarri - Parks	
		Triton Electrical Contractors Pty Ltd	\$21,440.65
		Reticulation Electrical Works - Various Locations - Parks	
		Truck Centre WA Pty Ltd	\$1,128.51
		Vehicle Spare Parts - Stores	
		Turf Care WA Pty Ltd	\$37,901.36
		Turfing Works For The City	
		Two Rocks SES Unit	\$8,195.83
		Local Government Grant Scheme - 4th Quarter - Community Safety	
		Valvoline (Australia) Pty Ltd	\$9,570.00
		Vehicle Oils / Fuels - Stores	
		Vocus Communications	\$247.50
		NBN Connection - Wire Track YTRAC - Place Management	
		WA Garage Doors Pty Ltd	\$264.00
		Door Repairs - Aquamotion - Building Maintenance	
		WA Hino Sales & Service	\$736.28
		Vehicle Spare Parts - Fleet	
		Wanneroo Business Association Incorporated	\$990.00
		Webinar - How To Get Your Business In The Media - Economic Development	
		Wanneroo Electric	\$16,797.38
		Electrical Maintenance For The City	
		Water Technology Pty Ltd	\$13,427.48
		Professional Services - Mindarie Breakwater - Coastal Projects	
		West Coast Turf	\$4,577.10
		Turfing Works For The City	
		Western Australian Local Government Association	\$70.00
		Training - Transport And Roads Forum - 1 Attendee - Assets	
		Western Resource Recovery Pty Ltd	\$825.00
		Servicing Of Grease Traps - Building Maintenance	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		West-Sure Group Pty Ltd	\$287.32
		Cash Collection Services For The City	
		William Buck Consulting (WA) Pty Ltd	\$22,907.50
		Probity Adviser Services - Contracts & Procurement	
		Workpower Incorporated	\$34,314.83
		Landscape Maintenance For The City	
		Workshed Children's Mosaics	\$2,046.00
		Mosaic Structures Conservation - Cultural Services	
		Wrenoil	\$16.50
		Collection Of Waste Oil From Wangara	
		Yanchep Beach Joint Venture	\$8,839.58
		Yanchep Hub - April 2021 - Rent, Variable Outgoings, Rates And Taxes - Property	
		Zetta Group	\$54,372.94
		Network Managed Service - Wanneroo - ICT	
00004110	20/04/2021		
		Rates Refund	\$3,000.00
00004111	20/04/2021		
		Rates Refund	\$1,674.89
		Rates Refund	\$562.21
		Rates Refund	\$630.25
		Rates Refund	\$652.14
		Rates Refund	\$442.60
00004112	20/04/2021		
		Addstyle Constructions Pty Ltd	\$2,000.00
		Refund – Street & Verge Bond	
		Aleksandra Velkovski	\$360.00
		Vehicle Crossing Subsidy	
		Aquatic Leisure Technologies	\$147.00
		Reimbursement - Development Application - Exempt	
		Australian Library & Information Association	\$2,060.00
		Membership Renewal - 02.05.2021 - 01.05.2022 - Library Services	
		Australian Manufacturing Workers Union	\$151.00
		Payroll Deductions	
		Australian Services Union	\$593.70
		Payroll Deductions	
		Australian Taxation Office	\$559,692.00
		Payroll Deductions	
		Celebration Homes Pty Ltd	\$2,000.00

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Refund - Street & Verge Bond	
		CFMEU	\$120.00
		Payroll Deductions	
		Child Support Agency	\$967.02
		Payroll Deductions	
		City of Wanneroo - Payroll Rates	\$6,240.00
		Payroll Deductions	
		City of Wanneroo - Social Club	\$676.00
		Payroll Deductions	
		Cr Linda Aitken	\$702.73
		Travel Allowance December 2021 & Clothing Allowance	
		Department of Planning, Lands and Heritage	\$19,600.00
		Application Fee Accepted By The City - Applicant With Architecture Studio - Reference DAP/21/01970 Address Lot 8019 Joseph Banks Boulevard Proposal New Learning Block Planning & Development - Applicant: Urbis - Marieka Van De Bergh - Dap Reference: Dap/2101973 - Property Address: Lot 408 (19) Neerabup Road Clarkson - Proposal: Supermarket, Liquor Store & Specialty Retail	
		Application Fee Accepted By The City On Behalf Of The Development Assessment Panel - Planning And Development - Applicant: Planning Solutions - Joshua Carmody - Dap Reference: Dap/15/00813 - Property Address: Lot 2335 (79) Gnangara Road Wangara - Proposal: Modification Of Existing Access To Allow For A New Right-In Entry To Approved Showroom, Warehouse, Recreation Centre And Convenience Store Development	
		Father Dariusz Basiaga	\$1,000.00
		Refund - Street & Verge Bond	
		Fleet Network	\$1,058.13
		Input Tax Credits For Salary Packaging 30.03.2021	
		Payroll Deductions	
		HBF Health Limited	\$643.00
		Payroll Deductions	
		Home Group WA Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
		Homebuyers Centre	\$16,000.00
		Refund - 8 Street & Verge Bonds	
		Landgate	\$7,236.26
		Gross Rental Valuations Chargeable 20.03.2021 - 02.04.2021 - Rates	
		LGRCEU	\$1,547.76

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Payroll Deductions	
		Main Roads WA	\$33,677.55
		Signs & Linemarking - Marmion Avenue Duplication - Assets	
		Maxxia Pty Ltd	\$9,138.93
		Payroll Deductions	
		Miss Gillian Margaret Caie	\$150.00
		Dog Registration Refund - Sterilised	
		Mr Adam Smith	\$150.00
		Dog Registration Refund - Sterilised	
		Mr Adrian Williams	\$1,000.00
		Refund – Street & Verge Bond	
		Mr Anthony Brown	\$2,000.00
		Refund – Street & Verge Bond	
		Mr Carlo Latoza	\$360.00
		Vehicle Crossing Subsidy	
		Mr Dereck Smith	\$1,000.00
		Refund – Street & Verge Bond	
		Mr George Irving	\$30.00
		Dog Registration Refund – Sterilisation	
		Mr Graham Cook	\$1,000.00
		Refund – Street & Verge Bond	
		Mr James Barr	\$1,000.00
		Refund – Street & Verge Bond	
		Mr Kevin Jones	\$2,000.00
		Refund – Street & Verge Bond	
		Mr Luca Zanini	\$360.00
		Vehicle Crossing Subsidy	
		Mr Rocky Postrak	\$2,000.00
		Refund – Street & Verge Bond	
		Mr Simon Ray	\$1,000.00
		Refund – Street & Verge Bond	
		Mr Ty Matson	\$1,350.00
		Study Assistance - 50% Reimbursement - Economics For Managers	
		Mrs Francine Friedli	\$392.00
		Reimbursement - Fitness Australia Accreditation - Aquamotion	
		Reimbursement - Online Fitness Education Course	
		Mrs Gemma Quarrell	\$80.00
		Dog Registration Refund - Deceased	
		Mrs Jade Croot	\$360.00
		Vehicle Crossing Subsidy	
		Mrs Lauren Frame	\$2,000.00
		Refund - Street & Verge Bond	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Mrs Lauren Guagliardo	\$360.00
		Vehicle Crossing Subsidy	
		Ms Leanne Gayle	\$2,000.00
		Refund - Street & Verge Bond	
		Optus	\$1,169.74
		Phone Charges For The City	
		Paragon Homes Group Pty Ltd	\$1,020.18
		Refund - Development Application - Withdrawn	
		Paywise Pty Ltd	\$1,342.31
		Payroll Deductions	
		Smartsalary	\$8,146.36
		Payroll Deductions	
		SSB Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
		Synergy	\$9,875.47
		Power Supplies For The City	
		Ventura Home Group Pty Ltd	\$2,966.81
		Refund - Building Application - Duplicate	
		Water Corporation	\$4,753.73
		Sewerage Manhole - Mirrabooka / Rawlinson - Assets	
		Water Supplies For The City	
00004113	27/04/2021		
		RJ Vincent & Co	\$1,682,534.55
		Payment Certificate 10 - Sports Facilities - Halesworth Park - Assets	
00004114	27/04/2021		
		A & S Butcher	\$3,190.00
		Fit Roller Blinds - Yanchep Beach Road - Place Management	
		Action Glass & Aluminium	\$4,083.42
		Glazing Services For The City	
		Acurix Networks Pty Ltd	\$2,777.50
		Wi-Fi Access Service - Buckingham / Cockman Houses - ICT	
		Advanced Traffic Management	\$8,197.86
		Traffic Control Services For The City	
		Alexander House of Flowers	\$115.00
		Floral Arrangement - G Sinagra - Mayors Office	
		All Perth Fencing	\$5,557.50
		Install Fence - Frangipani Park - Parks	
		Aslab Pty Ltd	\$13,315.50
		Permeability Testing - Hartman Road Sump - Engineering	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Sampling And Testing - Franklin / Rousset - Assets	
		Asphalt Testing - Joondalup Drive - Assets	
		Astro Synthetic Surfaces Pty Ltd	\$12,980.00
		Cricket Pitch Covers - Halesworth Park - Assets	
		Ati-Mirage Training & Business Solutions	\$2,255.00
		Training - Project Management - Community Planning	
		AUSQ Training	\$420.00
		Training - Basic Worksite Traffic Management - Waste Services	
		Australian Airconditioning Services Pty Ltd	\$477.04
		Airconditioning Maintenance For The City	
		Australian Institute of Management Resource Development Centre Incorporated	\$1,420.00
		Training - Applied Project Management 06 - 08.04.2021 - 1 Attendee - Finance	
		AV Truck Service Pty Ltd	\$745.16
		Vehicle Spare Parts - Fleet	
		Ball & Doggett Pty Ltd	\$412.34
		Paper Supplies - Print Room	
		Better Pets and Gardens Wangara	\$221.70
		Animal Care Centre Supplies - Rangers	
		Boral Construction Materials Group	\$3,804.18
		Concrete Mix - Various Locations - Engineering	
		BP Australia Ltd	\$5,105.80
		Unleaded Fuel - Stores Stock	
		Brian Zucal & Associates	\$756.25
		Valuation - 190 Mary Street - Property	
		Bridgestone Australia Limited	\$287.56
		Tyre Fitting Services For The City	
		Bucher Municipal Pty Ltd	\$2,234.56
		Vehicle Spare Parts - Stores	
		Bunnings Pty Ltd	\$102.00
		Safety Traffic Cones - Community Safety	
		Cabcharge	\$296.95
		Cabcharge For The City	
		Car Care Motor Company Pty Ltd	\$62.70
		Vehicle Service - Fleet	
		Carramar Resources Industries	\$1,268.38
		Disposal Of Rubble - Assets / Engineering	
		Castledex	\$528.00
		Tambour Door Cabinet - Community Safety	
		Castledine Gregory	\$30,833.28
		Legal Fees For The City	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Cat Welfare Society Incorporated	\$4,300.00
		Daily Impound Fees - Rangers	
		CDM Australia Pty Ltd	\$36,548.60
		Professional Services - Avaya Server Work - ICT	
		Dell Computers & Accessories - ICT	
		Chandler Macleod Group Limited	\$7,808.89
		Casual Labour For The City	
		Cherry's Catering	\$2,816.09
		Catering Services For The City	
		Chris Kershaw Photography	\$880.00
		Photography - Splendid Park - Events	
		Claire Davenport	\$800.00
		Workshop - All Washed Up 2021 - Cultural Services	
		Clark Equipment Sales Pty Ltd	\$106.71
		Vehicle Spare Parts - Stores	
		Clinipath Pathology	\$173.50
		Medical Fees For The City	
		Coastal Navigation Solutions	\$898.70
		Mosaic Installation - Ridgewood Park - Cultural Services	
		Coca Cola Amatil Pty Ltd	\$238.88
		Beverages For Kingsway	
		Corsign (WA) Pty Ltd	\$13,784.04
		Street Name Plates - Engineering	
		Signs - Parking - Engineering	
		Sign Installation Accessories - Engineering	
		Sign - Wait Until Gate Closed - Engineering	
		Stickers - No Through Road - Engineering	
		Critical Fire Protection & Training Pty Ltd	\$1,567.50
		Fire Protection Equipment Services For The City	
		Daimler Trucks Perth	\$629.31
		Vehicle Filters - Stores	
		Datavoice Communications Pty Ltd	\$34,798.50
		Avaya Maintenance - ICT	
		DDLS Australia Pty Ltd	\$1,320.00
		Training - Power Bi Fundamentals - 08.04.2021 - 1 Attendee - ICT	
		Department of the Premier and Cabinet	\$92.70
		District Planning Scheme No 2 - Amendment No 184 - Planning	
		Direct Communications	\$418.00
		Onsite Call Out - Yanchep Communications 19.03.2021 - Rangers	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Dowsing Group Pty Ltd	\$270,209.12
		Pathway Works - Garden Park Drive And Vincent Road - Assets	
		Labour - Caribbean Court / Melbourne Loop - Assets	
		Drainflow Services Pty Ltd	\$10,719.50
		Drain Cleaning / Road Sweeping Services For The City	
		Driscolls Land Surveyors	\$6,688.99
		Lease Survey - Ground Floor Building 2 Civic Centre - Property	
		Drovers Vet Hospital Pty Ltd	\$1,008.15
		Veterinary Services For The City	
		E & MJ Rosher	\$2,008.88
		Vehicle Spare Parts - Fleet	
		Ecoburbia	\$2,475.00
		3 Sustainability Workshops - Library Services	
		Ecoscape Australia Pty Ltd	\$6,941.00
		EIA Preparation - Neerabup Assessments - Portion 2 - Assets	
		Elliotts Irrigation Pty Ltd	\$36,423.81
		Reticulation Items - Parks	
		Equifax Australasia Workforce Solution Pty Limited	\$415.80
		Australian Criminal History Check - Community Safety	
		Ergolink	\$455.99
		Office Chair - Assets	
		Flick Anticimex Pty Ltd	\$3,954.46
		Sanitary Waste Services For The City	
		Frontline Fire & Rescue Equipment	\$689.34
		Vehicle Spare Parts - Fleet	
		Fusion Applications Pty Ltd	\$11,880.00
		Consultancy Services - ICT	
		Geoff's Tree Service Pty Ltd	\$35,652.26
		Pruning Works For The City	
		Global Drone Solutions	\$240.00
		Drone Pilot Licence - Community Safety	
		Hanson Construction Materials Pty Ltd	\$1,240.80
		Concrete Works - Various Locations - Engineering	
		Hart Sport	\$977.50
		Work Out Mats - Kingsway	
		Hays Personnel Services	\$3,545.21
		Casual Labour For The City	
		Hose Right	\$250.01
		Vehicle Spare Parts - Fleet	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Iconic Property Services Pty Ltd	\$14,335.81
		Cleaning Services For The City	
		Imagesource Digital Solutions	\$187.00
		Printing - Draped Table Cloth - Community Development	
		Instant Toilets & Showers Pty Ltd	\$1,235.30
		Toilet Hire - Driver Reviver Event - Transport And Traffic	
		Integrity Industrial Pty Ltd	\$18,974.37
		Casual Labour For The City	
		Intelife Group	\$20,694.76
		Vehicle Cleaning - Fleet Assets	
		Irri-Tronics	\$148.50
		Repairs - Hunter Decoder Programmer - Parks	
		J Blackwood & Son Ltd	\$4,241.06
		PPE & Uniforms Issues For The City	
		James Bennett Pty Ltd	\$2,150.56
		Book Purchases - Library Services	
		K2 Audiovisual Pty Ltd	\$15,669.78
		65 Inch Display & Video Conferencing & Local Wireless Contact Sharing - Eucalyptus Room - ICT	
		Equipment Service - ICT	
		Kleenheat Gas Pty Ltd	\$4,462.93
		Gas Supplies For The City	
		Kleenit	\$961.15
		Graffiti Removal For The City	
		Landcare Weed Control	\$482.09
		Site Maintenance - Forrest Grove Revegetation - Conservation	
		Latitude Perth Operations Pty Ltd	\$425.00
		Outing - School Holiday Program - Youth Services	
		Laundry Express	\$334.05
		Cleaning Of Linen - Council & Corporate Support	
		LD Total	\$6,822.74
		Landscape Maintenance For The City	
		Lessen with Peg – Rethink Waste	\$1,200.00
		3 Sustainability Workshops - Library Services	
		Let's All Party	\$12,470.00
		Equipment Hire - Various Locations - Events	
		Lobel Events	\$2,200.00
		Festoon Lighting And Generators - Splendid Park - Events	
		Major Motors	\$1,498.97
		Vehicle Spare Parts - Fleet	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Marketforce Pty Ltd	\$20,258.00
		Design & Produce New Waste Plan - Waste Services	
		Advertising Services For The City	
		Mayday Earthmoving	\$23,914.00
		Heavy Equipment Hire For The City	
		McGees Property	\$3,300.00
		Market Valuation Advices - Opportunity Street - Property Services	
		Michael Page International (Australia) Pty Ltd	\$3,998.78
		Casual Labour For The City	
		Mindarie Regional Council	\$581,203.72
		Refuse Disposal For The City	
		Miracle Recreation Equipment Pty Ltd	\$9,827.18
		Playground Equipment Repairs - Various Locations - Parks	
		Moore Australia (WA) Pty Ltd As Agent	\$4,620.00
		Financial Reporting Workshop - 3 Attendees - Finance	
		NAPA - GPC Asia Pacific Pty Ltd	\$895.32
		Vehicle Spare Parts - Fleet / Stores	
		Natural Area Holdings Pty Ltd	\$12,632.58
		Beach Access Way Maintenance - 6 Locations - Parks	
		Navman Wireless Australia Pty Ltd	\$18.15
		Monthly Charge For Access - Fleet Assets	
		Northern Lawnmower & Chainsaw Specialists	\$775.50
		Vehicle Spare Parts - Fleet	
		Nutrien Ag Solutions Limited	\$314.12
		Various Items - Parks	
		On Tap Plumbing & Gas Pty Ltd	\$3,745.14
		Plumbing Maintenance For The City	
		Online Social Butterfly	\$1,100.00
		Economic Recovery Fund - Business Advisory & Support - Oz West Driving Academy - Economic Development	
		Penske Power Systems Pty Ltd	\$997.92
		Vehicle Spare Parts - Stores	
		Play Check	\$18,150.00
		Bi-Annual Playground Audit - 110 Parks - Parks	
		Porter Consulting Engineers	\$4,248.75
		Detailed Design And Documentation - Lenore Road Duplication - Assets	
		Powerhouse Batteries Pty Ltd	\$1,084.51
		Vehicle Battery - Stores	
		Prestige Alarms	\$20,021.32

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Alarm / CCTV Services For The City	
		Print And Sign Co	\$18,542.71
		Banners - 3 Bin Waste Campaign - Waste	
		Floor Graphics - 3 Bin Campaign - Waste	
		Pritchard Francis Consulting Pty Ltd	\$12,475.32
		Engineering Consultancy - Yanchep Lagoon Infrastructure Strategy - Place Management	
		Promolab	\$7,144.50
		5 Full Colour With Logo Tablecloths - Place Management	
		1,200 750ml Sport Drink Bottles & 500 50ml Sunscreen Tubes - Place Management	
		Public Sector Training Solutions Pty Ltd	\$2,175.00
		Training - Certificate IV In Government Investigations - 1 Attendee - Community Safety	
		QLM Label Makers Pty Ltd	\$1,060.18
		Labels - Flatten Boxes - Waste Services	
		Qualcon Laboratories	\$561.00
		Particle Testing - Muchea - Parks	
		RAC Motoring & Services Pty Ltd	\$793.00
		Vehicle Call Out Fees - Fleet Assets	
		Ralph Beattie Bosworth	\$1,980.00
		Make Good Works - Wanneroo Civic Centre - Property	
		Redfish Technologies Pty Ltd	\$176,080.30
		Audio Visual Upgrade - Council Chambers - ICT	
		Reliable Fencing WA Pty Ltd	\$842.16
		Installation Gates - Montrose Park - Projects	
		Rent A Dingo	\$719.00
		Install Goals - Addison Park - Parks	
		Returned & Services League Yanchep-Two Rocks Sub-branch	\$5,000.00
		Community Funding - Support Delivery Of The Anzac Day Commemorations	
		2021 At Yanchep Sports And Social Club And Yanchep National Park	
		Ricoh Australia Pty Ltd	\$1,432.43
		Copier Lease Charges - Print Room	
		Road & Traffic Services	\$253.00
		Spotting For Linemarking - Beach Road - Assets	
		Roads 2000	\$429,388.85
		Granit Asphalt - Engineering	
		Road Works - Berriman Drive Stage 1 & 2 - Assets	
		Road Works - Beretta Road Stage 1 - Assets	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Roy Gripske & Sons Pty Ltd	\$86.39
		Stock - Stores Issues	
		Safety And Rescue Equipment	\$1,845.25
		Height Safety Equipment Inspection - Leatherback Park	
		Relocate Anchor Point - Alexander Care Centre	
		Replace Anchor Point - WRC	
		Replace Signage - Girrawheen Hub & Wanneroo Recreation Centre	
		Disable Anchor Point - The Heights Community House	
		Sanax Medical And First Aid Supplies	\$1,327.28
		Sunscreen - Stores Stock	
		Scott Print	\$1,250.70
		Printing - Business Cards - The CEO	
		Printing - Brochures - Talking My Language - Place Management	
		Seabreeze Landscape Supplies	\$192.00
		Brickies Sand - Parks	
		Site Sentry Pty Ltd	\$7,708.80
		Equipment Hire - WRC - Waste	
		SJ McKee Maintenance Pty Ltd	\$6,295.00
		Repair Works - Various Locations - Waste	
		Skipper Transport Parts	\$248.27
		Vehicle Spare Parts - Stores	
		Smoke & Mirrors Audio Visual	\$1,436.30
		Equipment Hire - Splendid Park - Events	
		Sonic Healthplus Pty Ltd	\$157.85
		Medical Fees For The City	
		Sport and Recreation Surfaces	\$1,870.00
		Tennis Court Maintenance - Elliot - Parks	
		Sports Surfaces	\$3,558.50
		Repair Cracks - Kingsway - Parks	
		St John Ambulance Western Australia	\$4,278.30
		First Aid Supplies / Training For The City	
		Event Health Services - Skate Jam / Coaching Session - Youth Services	
		Stewart & Heaton Clothing Company Pty Ltd	\$106.17
		Freight Charges - March 2021 - Community Safety	
		Suez Recycling & Recovery (Perth) Pty Ltd	\$164,393.17
		Refuse Disposal For The City	
		Suez Recycling & Recovery Pty Ltd	\$6,011.73
		Refuse Disposal For The City	
		Emptying Of Confidential Shredding Bin - Cr Coetzee	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Sunny Industrial Brushware	\$541.20
		Asphalt Rake - Stores Stock	
		Super Clean Bins	\$2,502.50
		175 Bins Cleanup - Waste	
		Tangaroa Blue Foundation Ltd	\$786.50
		Beach Cleanup - All Washed Up Event - Cultural Services	
		Technology One Limited	\$2,197.80
		Training - Analytical CIA 30.03.2021 - 2 Attendees - Payroll	
		Teresa Newton	\$600.00
		Provision Of DJ/MC Services - Splendid Park - Events	
		Terravac Vacuum Excavations Pty Ltd	\$7,485.97
		Locations Of Services For The City	
		The Rigging Shed	\$2,469.61
		Testing / Tagging Equipment - Engineering	
		The Royal Life Saving Society Australia	\$19,057.06
		Pool Inspections - March 2020 - Compliance	
		Toll Transport Pty Ltd	\$41.94
		Courier Services For The City	
		Total Eden Pty Ltd	\$645.17
		Reticulation Items - Fleet	
		Traffic Calming Australia Pty Ltd	\$25,503.50
		Replace Land Dividers - Salerno Drive - Engineering	
		Triton Electrical Contractors Pty Ltd	\$66.00
		Electrical Works - Fleming Park - Parks	
		Trophy Shop Australia	\$13.70
		Name Badge - Community Development	
		UES (Int'L) Pty Ltd	\$378.40
		Toolbox - Fleet	
		Ungerboeck Systems International Pty Ltd	\$473.00
		Remote Consulting - ICT	
		Valvoline (Australia) Pty Ltd	\$1,002.14
		Oil Supplies - Stores Stock	
		Vet 24	\$373.00
		Euthanasia And Cremation Services - Rangers	
		WA Hino Sales & Service	\$367.25
		Vehicle Spare Parts - Stores	
		WA Limestone Contracting Pty Ltd	\$5,435.32
		Quinns Beach Groyne 1 Maintenance & Upgrade Works - Assets	
		WA Ropes & Hardware	\$261.91
		Nylon Rope - Parks	
		Wanneroo Business Association Incorporated	\$990.00

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Workshop Delivery - Save Time And Money In Your Business By Reducing Admin And Paperwork - Economic Development	
		Wanneroo Central Bushfire Brigade	\$141.00
		Reimbursement - PO Box Renewal	
		Wanneroo Electric	\$17,000.87
		Electrical Maintenance For The City	
		Wanneroo Fire Support Brigade	\$1,206.00
		Reimbursement - Toner Cartridges	
		West Coast Turf	\$1,672.00
		Lay Turf - Hainsworth Park - Parks	
		Western Resource Recovery Pty Ltd	\$2,891.68
		Empty Washdown Bay - Workshop - Building Maintenance	
		Servicing Of Grease Trap - Quinns Mindarie Community Centre - Building Maintenance	
		Western Tree Recyclers	\$43,624.72
		Disposal Of Greenwaste - Waste	
		Wildflower Society of WA Incorporated	\$3,750.00
		Community Funding - Northern Suburbs Branch Open Day Event At Lansdale Farm School	
		Wilson Security	\$1,956.90
		Security Services For The City - Rangers	
		Workpower Incorporated	\$341.00
		Herbicide - Hardcastle - Conservation	
		Workshed Children's Mosaics	\$5,500.00
		Conservation Of Public Artwork - Ridgewood Park - Cultural Services	
		Zetta Group	\$308.00
		Jira Service Desk Licences - From March 2021 - ICT	
		Zipform Pty Ltd	\$1,553.14
		Printing & Issue Of Interim Rates - Rates	
00004115	27/04/2021		
		Rates Refund	\$1,500.00
		Rates Refund	\$502.64
		Rates Refund	\$399.09
		Rates Refund	\$459.04
00004116	27/04/2021		
		Alinta Gas	\$605.70
		Gas Supplies For The City	
		Alita Constructions	\$2,000.00
		Refund - Street & Verge Bond	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Australian Taxation Office	\$298,681.00
		Payroll Deductions	
		BDD Australia Pty Ltd	\$268.35
		Milk Deliveries For The City	
		Building & Construction Industry Training Board	\$72,869.07
		Collection Approved Levy Payments - 01.12.2020 - 31.12.2020	
		Celebration Homes Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
		Cr Christopher Baker	\$401.89
		Travel Allowance - 09.02.2021 - 31.03.2021	
		Cr Glynis Parker	\$161.13
		Travel Allowance - 01 - 31.03.2021	
		Cr Lewis Flood	\$523.97
		Travel Allowance 01.02.2021 - 31.03.2021	
		Dale Alcock Homes Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
		Department of Fire & Emergency Services	\$920.00
		False Fire Alarm Attendance - Aquamotion - Building Maintenance	
		Department of Planning, Lands and Heritage	\$8,650.00
		Application Accepted By The City - Applicant, Glen Matyear, Matyear Investments Pty Ltd Atf G & A Consulting Trust Reference - DAP/21/01980 Address - 1369 Wanneroo Road Proposal - Single Storey Funeral Home	
		Department of Primary Industries an Regional Development	\$97.49
		Animal Pathology Testing - Health Services	
		Department of Transport	\$1,097.60
		Vehicle Ownership Search - Community Safety	
		Halpd Pty Ltd Trading As Affordable Living Homes	\$2,000.00
		Refund - Street & Verge Bond	
		Hoai Khanh Tam Nhu	\$360.00
		Vehicle Crossing Subsidy	
		Homebuyers Centre	\$8,000.00
		Refund - 4 Street & Verge Bonds	
		Mr Michael Duke	\$360.00
		Vehicle Crossing Subsidy	
		Mrs Carol Fletcher	\$1,000.00
		Refund - Street & Verge Bond	
		Mrs Emma Butler	\$129.00
		Reimbursement - First Aid Course 15.04.2021	
		Mrs Maureen Dawson	\$1,000.00
		Refund - Street & Verge Bond	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Mrs Pauline Crisp	\$50.00
		Dog Registration Refund - Sterilised	
		Ms Dawn Ogley	\$360.00
		Vehicle Crossing Subsidy	
		Ms Mandeep Jhaji	\$360.00
		Vehicle Crossing Subsidy	
		Ms Paula Nguyen	\$360.00
		Vehicle Crossing Subsidy	
		Paywise Pty Ltd	\$94.38
		Input Tax Credits For Salary Packaging - March 2021 - Finance	
		Quinns Men's Shed Incorporated	\$41,675.47
		Community Funding - Contribution Towards Extension Of Premises - Community Planning & Development	
		Redink Homes Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
		Returned & Services League Quinns Sub Branch	\$5,000.00
		Community Funding - 2021 Anzac Day Ceremony And Gunfire Breakfast - Quinns Rocks Sports Club	
		Smartsalary	\$419.22
		Input Tax Credits For Salary Packaging - March 2021 - Finance	
		Synergy	\$531,682.82
		Power Supplies For The City	
		Tangent Nominees Pty Ltd (Atf The Summit Homes Group Trust)	\$6,300.00
		Refund - 3 Verge Bond Fees - Duplicate Payments	
		Thi Tran	\$294.00
		Refund - Food Business Application & Registration - Withdrawn	
		Water Corporation	\$13,749.58
		Water Supplies For The City	
		Western Power	\$550.00
		Streetlight Design - Nankivell Way Koondoola	
00004117	29/04/2021		
		Rates Refund	\$1,706.74
00004118	30/04/2021		
		City of Wanneroo - Municipal Bank Account	
		Credit Cards & Bank Fees March 2021	
		\$45,516.17 - Breakdown On Page 48	

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Total Director Corporate Services Advance - EFTs	\$12,361,798.59
CANCELLED CHEQUES FROM PREVIOUS PERIOD			
121072	16.02.2021	Australian Gnostic Association Incorporated	-\$540.00
118613	10.12.2019	Ellenbrook Football Club	-\$137.50
118565	10.12.2019	Catherine Cullinane	-\$30.55
118516	03.12.2019	Sara Tawfik	-\$350.00
118514	03.12.2019	Joseph Banks Secondary College P & C	-\$850.00
118466	26.11.2019	Banksia Grove Development Nominees	-\$850.00
118686	17.12.2019	Gypsy Wilson	-\$32.00
118655	17.12.2019	Sonja Holley	-\$1.25
118707	18.12.2019	A & S Butcher	-\$3,190.00
118621	10.12.2019	Louisa Jane Holdings Pty Ltd	-\$330.00
118687	17.12.2019	June Reith	-\$10.00
118677	17.12.2019	Russell McCarthy	-\$100.00
118672	17.12.2019	Tayla Charlton	-\$100.00
118647	17.12.2019	Sunaina Dhanjal	-\$100.00
118420	19.11.2019	Anthony Poidinger	-\$50.00
118596	10.12.2019	Estate of Late Gwenyth Layton	-\$494.00
4084-12921	22.03.2021	Department of Communities	-\$350,546.35
121224	23.03.2021	Mr Spyros Spyrou	-\$2,000.00
		Total	-\$359,711.65
MANUAL JOURNAL			
12461/2021	30.04.2021	Lodgement 07.04.21 25 Unpaid Infringements	\$1,925.00
		Total	\$1,925.00
Town Planning Scheme			
		Cell 4	
		Castledine Gregory - 185 Mary St Wanneroo	\$23,354.73
		Cell 5	
		McLeods - Legal Fees	\$2,275.00
		Cell 8	
		McLeods - Legal Fees	\$4,725.00
		Total	\$30,354.73
GENERAL FUND BANK ACCOUNT			
		06.04.2021	\$1,761,491.29

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		06.04.2021	\$25,033.25
		06.04.2021	\$15,978.01
		07.04.2021	\$251.46
		08.04.2021	\$200.00
		08.04.2021	\$71.22
		20.04.2021	\$1,797,592.93
		20.04.2021	\$25,264.28
		20.04.2021	\$317.66
		20.04.2021	\$3,251.80
		23.04.2021	\$1,528.89
		23.04.2021	\$603,966.74
		Total	\$4,234,947.53
00004118	30/04/2021		
		City of Wanneroo - Municipal Bank Account	
		Bank Fees March 2021	
		GLF Trans Fee	\$50.00
		CBA Merchant Fee	\$20,390.20
		BPay Fee Debtors	\$47.52
		BPay Fee Ungerboeck	\$48.05
		BPay Fee Rates	\$14,358.44
		BPoint Debtors	\$2.31
		BPoint Rates	\$573.73
		CommBiz Fee	\$260.00
		CommBiz Fee	\$215.14
		Account Service Fee	\$244.10
		Payroll Return Fees	\$2.50
		Payroll Return Fees	\$5.00
		Aust Post Dishonour Fee	\$15.00
		Total	\$36,211.99
		Credit Cards March 2021	
		M Dickson	
		Pullman Bunker bay - Accommodation for UDIA WA Annual Conference	\$478.00
		Cafe 48 - UDIA WA Conference - food	\$23.94
		Parking Fees	\$13.13
		Pointsbuild Pty Ltd - Training - Designing in Bushfire Prone Areas	\$55.00
		H Singh	
		Institute of Public Works Engineering Australasia - Registration Fee - IPWEA 2021 State Conference	\$2,283.75

WARRANT OF PAYMENTS APRIL 2021			
PAYMENT	DATE	DESCRIPTION	AMOUNT
		Western Power - Western Power - Installation of Street Light - Butterick Place Girrawheen	\$497.92
		Western Power - Western Power - Installation of Street Light - Hurlston Way Koondoola	\$497.92
		JB HiFi - Samsung Wireless Phone Charger	\$79.00
		N Jennings	
		NTAA (National TAX Accountants Association) - Workshop - Crown Perth 21.04.2021 - 1 Attendee	\$669.00
		Local Government Managers Australia - Finance Professionals Conference 2021 - 3 Attendees	\$3,360.00
		M Yildiz	
		Law Of CPD WA - Compliance Training Points For Executive Managers Annual Practising Requirements	\$879.00
		Parking Fees	\$22.55
		ASIC - Company search	\$9.00
		Ergolink - Ergonomic Mouse	\$172.50
		N Smart	
		Mailchimp - Monthly Subscription Fee	\$13.21
		D Simms	
		Thi Nguyen - Business Hospitality	\$71.70
		Mummas - Business Hospitality	\$16.50
		Qantas Airways - Airfare - ALGA National Assembly 20.06.2021	\$162.06
		Total	\$9,304.18
		Total Bank Fees And Credit Cards	\$45,516.17
		Recoup to Director Corporate Services Advance A/C	\$12,352,091.78
		Direct Payments Total (Includes Payroll, Advance Recoup, Credit Cards And Bank Fees)	\$16,632,555.48

At the close of April 2021 outstanding creditors amounted to \$1,562,223.95.

Consultation

Nil

Comment

The list of payment (cheques and electronic transfers) and the end of month total of outstanding creditors for the month of April 2021 is presented to the Council for information and recording in the minutes of the meeting, as required by the *Local Government (Financial Management) Regulations 1996*.

Statutory Compliance

Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 requires a local government to list the accounts paid each month and total all outstanding creditors at the month end and present such information to the Council at its next Ordinary Meeting after each preparation. A further requirement of this Section is that the prepared list must be recorded in the minutes of the Council meeting.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 Civic Leadership

4.3 Progressive Organisation

4.3.2 Ensure excellence in our customer service”

Risk Management Considerations

“There are no existing Strategic or Corporate risks within the City's existing risk registers which relate to the issues contained in this report.”

Policy Implications

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority

Recommendation

That in accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, Council RECEIVES the list of payments drawn for the month of April 2021, as detailed in this report.

Attachments: Nil

4.14 Review of Accounting Policy

File Ref: 5115 – 21/222222
Responsible Officer: Director, Corporate Strategy & Performance
Disclosure of Interest: Nil
Attachments: 3

Issue

To review the City's Accounting Policy.

Background

The City's current Accounting Policy (the **Policy**) was adopted by Council in May 2020. The contents of this Policy include the significant accounting Policies, which are required to be administrated and thoroughly monitored for compliance and accountability. Of utmost importance, is that the significant accounting Policies will be incorporated as 'Notes' to both the Audited Annual Financial Statements and Annual Budget, which will be available to the general public for usage and viewing.

Detail

The purpose of the Policy is to provide a framework to ensure all City accounts are reported to Council with consistent application of the Australian Accounting Standards and in compliance with statutory requirements under the *Local Government Act 1995* (the **Act**) and *Local Government (Financial Management) Regulations 1996* (the **Regulations**).

The Policy contains a set of specific policies known as '*Summary of Significant Accounting Policies*' to be applied in the preparation of the City's Annual Financial Statements. These include methods, measurement systems and procedures for presenting disclosures as required by the Australian Accounting Standards Board (**AASB**). AASB 101 Presentation of Financial Statements requires the City to use the summary of significant accounting policies to disclose how the City prepared its Annual Financial Statements in order to assist users in making informed decisions.

Consultation

Comments from the City's external Auditors, the Office of Auditor General and Grant Thornton, for the Financial Statement 2019/20 have been considered in the production of this Policy. Relevant internal stakeholders have also been consulted. The draft Accounting Policy has been presented to the Audit & Risk Committee on 25 May 2021 and considered proposed recommendations.

Comment

The following extract from the Audit and Risk Committee Terms of Reference relates to the Committee's role in reviewing the Statutory Accounts:

"To review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or six months after the last report prepared by the auditor is received, whichever is the latest in time."

To review the local government's draft annual financial report, focusing on:

- *Accounting policies and practices;*
- *Changes to accounting policies and practices;*
- *The process used in making significant accounting estimates;*
- *Significant adjustments to the financial report (if any) arising from the audit process;*
- *Compliance with accounting standards and other reporting requirements; and*
- *Significant variances from prior years.*

To consider and recommend adoption of the annual financial report to Council, and to review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed."

Money Paid in Lieu of Public Open Space

Section 154 of the Planning and Development Act 2005 was amended on 20 July 2020. Prior to 20 July 2020 all money received by a local government under section 153 of the *Planning and Development Act 2005* was to be paid into a separate account of the "trust fund" of the local government established under the section 6.9 of the Act. The amendment requires all money received to be paid into a separate "Public Open Space Reserve" of the local government established under the section 6.9 of the Act. The Public Open Space Reserve creation will take place along with the 2021/22 Annual Budget adoption.

The revised Accounting Policy showing tracked changes can be found in **Attachment 2**.

Following the Audit & Risk Committee meeting, further required changes were identified and the following has been added to the Accounting Policy:

AASB 1059 Service Concession Arrangements: Grantors

The City has adopted recent changes in the Australian Accounting Standards AASB 1059 effective from 1 July 2020. The City has assessed the impact of AASB 1059, and concluded that there will be no impact.

AASB 2018-7 Definition of Materiality

The City has adopted the amendment to AASB 2018-7 which will be consistently applied to future periods. The amendment includes additional explanation to expand the definition of what information may be considered material in nature and how presentation may also be an influence.

Section 44 of the *Local Government (Financial Management) Regulations 1996*

Section 44 of the Regulations was amended to include the remuneration for "each person" separately instead of the total amount paid to council members.

Statutory Compliance

The Policy complies with the City accounting requirements as detailed in:

- *The Act;*
- *Local Government (Financial Management) Regulations 1996; and*
- *AASB Standards.*

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 Civic Leadership

4.2 Good Governance

4.2.1 Provide transparent and accountable governance and leadership”

Risk Management Considerations

Risk Title	Risk Rating
Financial Management	Moderate
Accountability	Action Planning Option
Director Corporate Strategy & Performance	Manage

“The above risk/s relating to the issue contained within this report has been identified and considered within the City’s Strategic and Corporate risk register. Action plans have been developed to manage this risk to support existing management systems.”

In pursuing growth under the Economic objectives of the existing Strategic Community Plan, Council should consider the following risk appetite statements:

“Local Jobs

The City is prepared to accept a high level of financial risk provided that the City implements a risk management strategy to manage any risk exposure.

Strategic Growth

The City will accept a moderate level of financial risk for facilitating industry development and growth.

Any strategic objective including ongoing planning, funding and capital investment to develop infrastructure strategic assets carries financial risks.”

Policy Implications

If adopted by Council, the revised Policy will form the major part of Note 1 of the City Annual Financial Report and will supersede the current Policy.

Financial Implications

Adoption of the Policy will ensure consistent application of accounting principles and treatments to aid comparative analysis for decision making.




Voting Requirements

Simple Majority

Recommendation

That Council ADOPTS the proposed revised Accounting Policy as shown in Attachment 3 as recommended by the Audit & Risk Committee.

Attachments:

- | | | |
|--|--|---------------------|
| 1 | <i>Attachment 1 - Accounting Policy - current version</i> | <i>17/34812[v4]</i> |
| 2 | <i>Attachment 2 - Accounting Policy - revised version with track changes</i> | <i>21/200428</i> |
| 3 | <i>Attachment 3 - Accounting Policy - revised version</i> | <i>17/34812[v5]</i> |



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Accounting Policy

Policy Owner: Finance
Contact Person: Manager Finance
Date of Approval: 5 May 2020

POLICY OBJECTIVE

To provide a framework to ensure the City's financial information is reported to Council with consistent application of Australian Accounting Standards and in compliance with statutory requirements under the *Local Government Act 1995* (the "Act"), and *Local Government (Financial Management) Regulations 1996* (the "Regulations").

POLICY STATEMENT

This policy will apply to the development and presentation of the City's;

- Management Accounts;
- Annual Financial Statements;
- Annual Budget; and
- Long Term Financial Plan.

1. Summary of Significant Accounting Policies

(a) Basis of Preparation

The City's financial information is to be prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board (AASB), the Act and accompanying regulations.

Except for cash flow and rate setting information, all financial information will be prepared on an accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of the City's financial information in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are to be based on historical experience and various other factors that are believed to be reasonable under the circumstances. The results of this experience and other factors combine to form the basis of making judgements about carrying values of assets and liabilities not readily apparent from other sources.

(b) The Local Government Reporting Entity

All Funds, through which the City controls resources to carry on its functions, are to be included in the relevant financial information. In the process of reporting on the local government as a single unit, all transactions and balances between those Funds (for example, loans and transfers between Funds) will be eliminated.

All monies held in the Trust Fund are excluded from the financial statements a separate statement of those monies is to be appended to the Annual Financial Statements.



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(c) Goods and Services Tax ("GST")

Revenues, expenses and assets capitalised are to be stated net of any GST recoverable. Receivables and payables in the Statement of Financial Position are stated inclusive of applicable GST.

(d) Cash and Cash Equivalents

Cash and cash equivalents in the Statement of Financial Position comprise cash at bank and on hand and short-term deposits with an original maturity of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Statement of Cash Flows, cash and cash equivalents consist of cash and cash equivalents as defined above, net of outstanding bank overdrafts. Bank overdrafts are included as short-term borrowings in current liabilities on the Statement of Financial Position.

(e) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that the debt will not be collectible.

(f) Inventories

(i) Raw materials and stores, work in progress and finished goods

Raw materials and stores, work in progress and finished goods are stated at the lower of cost and net realisable value. Cost comprises direct materials, direct labour and an appropriate proportion of variable and fixed overhead expenditure, the latter being allocated on the basis of normal operating capacity. Costs are assigned to individual items of inventory on the basis of weighted average costs. Net realisable value is the established selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

(ii) Land held for resale/capitalisation of borrowing costs

Land held for resale is stated at the lower of cost and net realisable value. Cost is assigned by specific identification and includes the cost of acquisition, development and borrowing costs during development. When development is completed, borrowing costs and other holding charges are expensed as incurred. Borrowing costs included in the cost of land held for resale are those costs that would have been avoided if the expenditure on the acquisition and development of the land had not been made. Borrowing costs incurred while active development is interrupted for extended periods are recognised as expenses.

Revenue arising from the sale of property is recognised in the operating statement as at the time when the conditions of a binding contract of sale are met. Land held for resale is classified as current except where it is held as non-current based on the City's intentions to release for sale.

(g) Non-Current Assets

Each class of fixed assets within either property, plant and equipment or infrastructure, is carried



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at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Expenditure on items of equipment under \$5,000 are not capitalised but are placed on an "Attractive & Portable Device Register" list for reference and maintenance.

Mandatory requirement to revalue non current assets

Each asset class must be revalued in accordance with the Regulations and the Australian Accounting Standards.

Relevant disclosures, in accordance with the requirements of Australian Accounting Standards, will be made in the financial statement as necessary.

Initial recognition and measurement between mandatory revaluation dates

All assets are to be initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.

In relation to initial measurement, cost is determined as the consideration paid plus costs incidental to acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the City includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation at the next anniversary date in accordance with the mandatory measurement framework detailed above.

Revaluation

The fair value of fixed assets is determined at least every three years in accordance with the regulatory framework. At the end of each period the valuation is reviewed and where appropriate the fair value is updated to reflect current market conditions. This process is in accordance with Local Government (Financial Management) Regulation 17A (2) which requires property, plant and equipment to be shown at fair value.

Increases in the carrying amount arising on revaluation of asset classes are credited to a revaluation reserve. Decreases in the carrying amount that offset previous increases of the same asset classes are recognised against revaluation reserve, all other decreases are recognised in the Statement of Comprehensive Income.

Land under Control

In accordance with *Local Government (Financial Management) Regulation 16(a)(ii)*, the City is required to include as an asset, Crown Land operated by the local government as a golf course, showground or other sporting or recreational facility of the State or Regional significance.

Land under Roads

In Western Australia, all land under roads is Crown land. The responsibility for managing land under roads is vested in the local government.

Effective as at 1 July 2008, the City elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and *Local Government (Financial Management) Regulation 16(a)(i)*, which prohibits local governments from recognising such land as an asset.



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Whilst such treatment is inconsistent with the requirements of AASB 1051, *Local Government (Financial Management) Regulation 4(2)* provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the City.

Gains and losses on disposal of non current assets

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the Statement of Comprehensive Income. When revalued assets are sold, amounts included in the revaluation reserve relating to that asset are transferred to retained earnings.

(h) Depreciation of Non-Current Assets

All non-current assets that have a limited useful life are separately and systematically depreciated over their useful lives in a manner that reflects the consumption of the future economic benefits embodied in those assets. Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time the assets is completed and held ready for use.

Depreciation for infrastructure assets is calculated from the end of the year in which the asset was completed and brought into account.

Depreciation is recognised on a straight-line basis over the useful life.

The major categories of assets and the useful lives recorded on recognition are:

Buildings	40 years
Bus Shelters*	30 - 50 years
Computer Hardware	3 years
Computer Software	2 years
Pathways*	25 - 70 years
Furniture & Equipment (excluding Artwork & Artefacts **)	10 years
Heavy Vehicles - 1,201 kg to 4,000 kg	6 years/100,000 km's (45% residual)
Heavy Vehicles - 4,001 kg to 9,000 kg	6 years/200,000 km's (40% residual)
Heavy Vehicles - 9,001 kg to 12,000 kg	8 years/500,000 km's (48% residual)
Heavy Vehicles – Refuse	5 years (20% residual)
Irrigation Piping	30 years
Land**	Not Applicable
Light Vehicles	3 years (60% residual)
Other Infrastructure*	10 – 80 years
Other Plant and Equipment	10 years
Parks & Reserves*	12 - 85 years
Mobile Plant	10 years (50% residual)
Reserves/Playground Equipment*	10 - 15 years
Sealed Car Parks – Pavement	40 - 80 years
Road – Kerb	40 years
Road – Seal*	15 - 40 years
Road Pavement *	40 years
Underpasses	40 years
Water Supply Piping & Drainage Systems*	40 -80 years

*Due to useful lives of the individual assets within each asset type varying, despite being of a



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similar nature, the asset types denoted have a range of depreciation periods.

****Land, Artwork and Artefacts are not considered depreciable asset classes.**

Certain elements of a non-current asset useful life can be shorter than the particular asset and this will be depreciated faster than the parent asset.

Residual values, useful lives and residual lives of individual assets are reviewed every three years as part of the revaluation process. Subsequent depreciation is recorded based on assets fair value and residual life.

(i) Financial Instruments

Recognition and derecognition

Financial Instruments, financial assets and financial liabilities are recognised when the City becomes a party to the contractual provisions of the financial instrument.

Financial assets are derecognised when the contractual rights to the cash flows from the financial asset expire, or when the financial asset and substantially all the risks and rewards are transferred. A financial liability is derecognised when it is extinguished, discharged, cancelled or expires.

Classification and initial measurement of financial assets

Except for those trade receivables that do not contain a significant financing component and are measured at the transaction price in accordance with AASB 15, all financial assets are initially measured at fair value adjusted for transaction costs (where applicable).

Financial assets, other than those designated and effective as hedging instruments, are classified into the following categories:

- amortised cost;
- fair value through profit or loss (FVTPL); and
- fair value through other comprehensive income (FVOCI).

The classification is determined by both:

- the City's business model for managing the financial asset; and
- the contractual cash flow characteristics of the financial asset.

All income and expenses relating to financial assets that are recognised in profit or loss are presented within finance costs, finance income or other financial items, except for impairment of trade receivables which is presented within other expenses.

Subsequent measurement of financial assets

Financial assets at amortised cost

Financial assets are measured at amortised cost if the assets meet the following conditions (and are not designated as FVTPL):

- they are held within a business model whose objective is to hold the financial assets and collect its contractual cash flows; and
- the contractual terms of the financial assets give rise to cash flows that are solely payments of principal and interest on the principal amount outstanding.

This category includes non-derivative financial assets like loans and receivables with fixed or determinable payments that are not quoted in an active market. After initial recognition, these are measured at amortised cost using the effective interest method. Discounting is omitted



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where the effect of discounting is immaterial. The City's cash and cash equivalents, trade and most other receivables fall into this category of financial instruments.

Financial assets at fair value through profit or loss (FVTPL)

Financial assets that are held within a different business model than 'hold to collect' or 'hold to collect and sell', and financial assets whose contractual cash flows are not solely payments of principal and interest are accounted for at FVTPL. All derivative financial instruments fall into this category, except for those designated and effective as hedging instruments, for which the hedge accounting requirements apply.

Assets in this category are measured at fair value with gains or losses recognised in profit or loss. The fair values of financial assets in this category are determined by reference to active market transactions or using a valuation technique where no active market exists.

Financial assets at fair value through other comprehensive income (FVOCI)

Financial assets are accounted for at FVOCI if the assets meet the following conditions:

- they are held under a business model whose objective is hold to collect the associated cash flows and sell: and
- the contractual terms of the financial assets give rise to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Any gains or losses recognised in Other Comprehensive Income will be recycled upon derecognition of the asset. This category includes listed securities and debentures.

Classification and measurement of financial liabilities

Financial liabilities are initially measured at fair value, and, where applicable, adjusted for transaction costs unless the City designated a financial liability at fair value through profit or loss.

Subsequently, financial liabilities are measured at amortised cost using the effective interest method except for derivatives and financial liabilities designated at FVTPL, which are carried subsequently at fair value with gains or losses recognised in profit or loss (other than derivative financial instruments that are designated and effective as hedging instruments).

All interest-related charges and, if applicable, changes in an instrument's fair value that are reported in profit or loss are included within finance costs or finance income.

Impairment of Financial assets

The City considers a broad range of information when assessing credit risk and measuring expected credit losses, including past events, current conditions, reasonable and supportable forecasts that affect the expected collectability of the future cash flows of the instrument.

Measurement of the expected credit losses is determined by a probability-weighted estimate of credit losses over the expected life of the financial instrument.

(j) Fair Value Estimation

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes.

The fair value of financial instruments traded in active markets is determined using various valuation techniques. The City will use valuation methods and make assumptions that are based on market conditions existing at each balance date. Quoted market prices or dealer quotes for similar instruments will be used for long-term debt instruments. Other techniques, such as estimated discounted cash flows, will be used to determine fair value for the remaining financial instruments.



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The nominal value less estimated credit adjustments of trade receivables and payables are assumed to approximate fair values. The fair value of financial liabilities for disclosure purposes will be estimated by discounting future contractual cash flows at the current market interest rate that is available to the City for similar financial instruments.

(k) Provisions

Provisions are recognised when the City has a present legal or constructive obligation as a result of past events for which it is probable that an outflow of economic benefits will result, and that outflow can be reliably measured. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow, with respect to any one item included in the same class of obligations, may be small.

(l) Leases

All Leases will be recognised in the Balance Sheet as a liability by capitalising the present value of the minimum lease payments and showing a 'right-of-use' asset, while future lease payments will be recognised as depreciation on the 'right-of-use' asset, and an interest will be charged on the lease liability. The interest charge will be calculated using the effective interest method, which will result in a gradual reduction of interest expense over the lease term.

(m) Investments in Associates

An associate is an entity over which the City has significant influence. Significant influence is the power to participate in the financial operating policy decisions of that entity but is not control or joint control of those policies. Investments in associates are accounted for in the financial statements by applying the equity method of accounting, whereby the investment is initially recognised at cost and adjusted thereafter for the post-acquisition change in the City's share of net assets of the associates. In addition, the City's share of the profit or loss of the associate is included in the City's profit or loss.

The carrying amount of the investment includes, where applicable, goodwill relating to the associate. Any discount on acquisition, whereby the City's share of the net fair value of the associate exceeds the cost of investment, is recognised in profit or loss in the period in which the investment is acquired.

Profits and losses resulting from transactions between the City and the associate are eliminated to the extent of the City's interest in the associate.

When the City's share of losses in an associate equals or exceeds its interest in the associate, the City discontinues recognising its share of further losses. This occurs unless the City has incurred legal or constructive obligations or made payments on behalf of the associate. When the associate subsequently generates a profit, the City will resume recognising its share of those profits once its share of the profits equals the share of the losses not recognised.

(n) Impairment

The City's assets, other than inventories, are tested annually for impairment. Where impairment exists, an estimate of the recoverable amount of the asset is made in accordance with AASB 136 Impairment of Assets and appropriate adjustments made. Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable



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amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use. Impairment losses are recognised in the Statement of Comprehensive Income.

For non-cash generating assets such as roads, drains and public buildings value in use is represented by the asset's written down replacement cost.

(o) Trade and Other Payables

Trade and other payables reflect obligations to make future payments in respect of the purchase of goods and services and are carried at amortised cost.

(p) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid for the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the City has an unconditional right to defer settlement of the liability for at least 12 months after the Statement of Financial Position date. Borrowing costs are recognised as an expense when incurred, except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(q) Employee Benefits

Provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are to be calculated as follows:

Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the City has a present obligation to pay resulting from employees' services provided to balance. The provision is to be calculated at nominal amounts based on remuneration rates the City expects to pay and includes related on-costs.

Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date, using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on state government bonds with terms to maturity and currency that match as closely as possible the estimated future cash outflows.

Where the City does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

(r) Superannuation

Contributions to employee defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

(s) Interests in Joint Arrangements

Joint arrangements represent the contractual sharing of control between parties in a business



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venture where unanimous decisions about relevant activities are required.

Separate joint venture entities providing joint venturers with an interest to net assets are classified as a joint venture and accounted for using the equity method.

Joint operations represent arrangements whereby joint operators maintain direct interests in each asset and exposure to each liability of the arrangement. The City's interests in the assets, liabilities, revenue and expenses of joint operations are included in the respective line items of the financial statements

(t) Rates, Grants, Donations and Other Contributions

Revenue recognition is determined based on what the customer expects to be entitled to (rights and obligations), while measurement encompasses estimation by the entity of the amount expected to be entitled for performing under the contract or in the case of Rates, when the relevant rateable year commences.

AASB 1058 Income of Not-for-Profit Entities is to be considered where AASB 15 does not apply to a transaction. The timing of income recognition will depend on whether a transaction gives rise to a performance obligation, liability or contribution by owners.

(u) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the City's operation cycle. In the case of liabilities where the City does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months. An exception exists for land held for resale, where it is held as non-current based on the City's intentions to release for sale.

(v) Rounding of Figures

All figures in the annual financial statement, other than a rate in the dollar, are rounded to the nearest dollar.

(w) Comparative Figures

Where required, comparative figures will be adjusted to conform with changes in presentation for the current financial year.

When the City applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statement, a statement of financial position as at the beginning of the earliest period will be disclosed.

(x) Budget Comparative Figures

Unless otherwise stated the budget comparative figures shown in the annual financial statement will be the original budget for the relevant item of disclosure.

(y) Investment Property

Investment property, principally comprising freehold office buildings, is held for long-term rental yields. Investment property is carried at fair value, representing open-market value determined annually by external users.

(z) Non-Current Assets (or Disposal Groups) "Held for Sale" & Discontinued Operations

Non-current assets (or disposal groups) that are "held for sale" are classified as held for sale and stated at the lower of either:



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- (i) their carrying amount or
- (ii) fair value less costs to sell.

The exception to this is plant and motor vehicles, which are sold on a regular basis. Plant and motor vehicles are retained in Non-Current Assets under the classification of Property, Plant and Equipment unless the assets are to be traded in after balance date and the replacement assets were already purchased and accounted for as at balance date.

For any assets or disposal groups classified as Non-Current Assets "held for sale", an impairment loss will be recognised when the assets carrying value is greater than its fair value less costs to sell.

Non-current assets "held for sale" are not depreciated or amortised while they are classified as "held for sale".

Non-current assets classified as "held for sale" will be presented separately from the other assets in the balance sheet.

A Discontinued Operation is a component of the City's operations that has been disposed of or is classified as "held for sale". A discontinued operation represents a separate major line of business or geographical area of operations, is part of a single co-ordinated plan to dispose of such a line of business or area of operations, or is a subsidiary acquired exclusively with a view to resale.

The results of discontinued operations are to be shown separately on the face of the Statement of Comprehensive Income.

(aa) Intangible Assets

The City is not expected to classify any assets as Intangible.

(ab) New Accounting Standards and Interpretations for Application in Future Periods

Australian Accounting Standards and Interpretations that have been issued or amended but are not yet mandatory, will not be early adopted by the City. The City will adopt new Accounting Standards and Interpretations for the accounting periods on or after the effective date of the respective standard.

(ac) Provision of Financial Guarantees and Lending Money

In certain circumstances the City may consider pre-funding selected community projects with special approval from Council. The interest is charged at the borrowing cost to the City. The City does not offer financial guarantees to external entities.

2. Budget Variations

In order to maintain sound financial control the City maintains a Revised Budget. Budget revisions (or reallocations) are required in a number of circumstances, and will be actioned as follows:-

Circumstances	Action
(a) Where expenditure is required to be incurred for a purpose for which there was no provision in the budget; or	In accordance with Section 6.8 of the <i>Local Government Act 1995</i> , by way of a report and recommendation to the council seeking authorisation of the expenditure and to endorse the necessary budget variation.
(b) Where grant or other monies are received that necessitate expenditure to be incurred and no provision was included in the budget.	



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(c) Where a material variance has occurred, or is likely to occur.	Variances over 10% and \$100,000 will be reported to Council via the monthly Financial Activity Statement Report.
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To facilitate proper accountability requirements, each Director will be presented with a report summarising all forecast changes within their Directorate for their endorsement.

CONSULTATION WITH STAKEHOLDERS

This policy is prepared in consultation with the Executive Leadership Team (ELT).

IMPLICATIONS (Financial, Human Resources)

At the time of adoption the City maintains sufficient financial and human resources to result in successful implementation of this policy. Further, there are sufficient and appropriate resources to ensure that changes in legislation affecting this policy are monitored and adhered to.

ROLES AND RESPONSIBILITIES

The Chief Executive Officer has a duty to ensure that accounts and records are kept in accordance with this policy. Through the directives of the Chief Executive Officer all staff are required to comply with this policy and other relevant policies, management procedures, documents or delegations to ensure the City is in compliance with the Act, Regulations and relevant Australian Accounting Standards.

DISPUTE RESOLUTION

All disputes in regard to this policy will be referred to the Director Corporate Strategy and Performance in the first instance and in the event that an agreement cannot be reached the matter will be submitted to the Chief Executive Officer for arbitration.

WHO NEEDS TO KNOW ABOUT THIS POLICY?

All City of Wanneroo employees should be aware of the Policy.

EVALUATION AND REVIEW PROVISIONS

Where, as a result of an amendment to legislation the need arises to action contrary to the provisions of this policy, the Director Corporate Strategy and Performance may initiate such variations as deemed necessary.

RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

This policy is supported by the following policies, procedures and delegations:

1. Investment Policy
2. Purchasing Policy
3. Financial (Cash Backed) Reserves Policy
4. Financial (Cash Backed) Reserves Management Procedure
5. Money Handling Procedure
6. Revenue Collection Management Procedure
7. Use of Corporate Credit Cards Management Procedure
8. Processing of Purchase Requisition and Purchase Orders Management Procedure
9. Part 3 Financial Management of the Delegated Authority Registry

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10. Strategic Budget Policy
11. Financial Hardship - Collection of Rates and Service Charges Policy
12. Fee Waivers, Concessions and Debt Write Off Policy
13. Purchasing Card Management Procedure

REFERENCES

- The *Local Government Act 1995*;
- The *Local Government (Financial Management) Regulations 1996*;
- Australian Accounting Standards Board (AASB) Standards; and
- Western Australian Local Government Accounting Manual.

RESPONSIBILITY FOR IMPLEMENTATION

Manager Finance

Versions:	Next Review:	Record No:
1 July 1999		
9 January 2002		
26 April 2005 - GS04-04/05		
28 August 2007 - CS05-08/07	July 2009	892532
May 2010 – CS06-05/10	October 2014	10/1334
November 2014	October 2015	14/289534[v1]
September 2015	September 2016	14/289534[v2]
March 2017	January 2018	17/34812
May 2018	May 2019	17/34812 [v2]
May 2019	May 2020	17/34812 [v3]
May 2020	May 2023	17/34812 [v4]

17/34812[V3]



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Accounting Policy

Policy Owner: Finance
Contact Person: Manager Finance
Date of Approval: ~~May 2021~~ May 2020

POLICY OBJECTIVE

To provide a framework to ensure the City's financial information is reported to Council with consistent application of Australian Accounting Standards and in compliance with statutory requirements under the *Local Government Act 1995* (the "Act"), and *Local Government (Financial Management) Regulations 1996* (the "Regulations").

POLICY STATEMENT

This policy will apply to the development and presentation of the City's;

- Management Accounts;
- Annual Financial Statements;
- Annual Budget; and
- Long Term Financial Plan.

1. Summary of Significant Accounting Policies

(a) Basis of Preparation

The City's financial information is to be prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board (AASB), the Act and accompanying ~~regulations~~ Regulations.

Except for ~~cash~~ Cash flow ~~Flow~~ and ~~rate~~ Rate setting ~~Setting~~ information, all financial information will be prepared on an accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of the City's financial information in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that ~~effect~~ affect the application of policies and reported amounts of ~~assets~~ Assets and ~~liabilities~~ Liabilities, ~~income~~ Income and ~~expenses~~ Expenses. The estimates and associated assumptions are to be based on historical experience and various other factors that are believed to be reasonable under the circumstances. The results of this experience and other factors combine to form the basis of making judgements about carrying values of ~~assets~~ Assets and ~~liabilities~~ Liabilities not readily apparent from other sources.

(b) The Local Government Reporting Entity

All Funds, through which the City controls resources to carry on its functions, are to be included in the relevant financial information. In the process of reporting on the local government as a single unit, all transactions and balances between those Funds (for example, loans and transfers between Funds) will be eliminated.



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All monies held in the Trust Fund are excluded from the financial statements. a separate statement of those monies is to be appended to the Annual Financial Statements.

(c) Goods and Services Tax ("GST")

Revenues, expenses and assets capitalised are to be stated net of any GST recoverable. Receivables and payables in the Statement of Financial Position are stated inclusive of applicable GST.

(d) Cash and Cash Equivalents

Cash and cash equivalents in the Statement of Financial Position comprise cash at bank and on hand and short-term deposits with an original maturity of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Statement of Cash Flows, cash and cash equivalents consist of cash and cash equivalents as defined above, net of outstanding bank overdrafts. Bank overdrafts are included as short-term borrowings in current liabilities on the Statement of Financial Position.

(e) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that the debt will not be collectible.

(f) Inventories

(i) Raw materials and stores, work in progress and finished goods

Raw materials and stores, work in progress and finished goods are stated at the lower of cost and net realisable value. Cost comprises direct materials, direct labour and an appropriate proportion of variable and fixed overhead expenditure, the latter being allocated on the basis of normal operating capacity. Costs are assigned to individual items of inventory on the basis of weighted average costs. Net realisable value is the established selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

(ii) Land held for resale/capitalisation of borrowing costs

Land held for resale is stated at the lower of cost and net realisable value. Cost is assigned by specific identification and includes the cost of acquisition, development and borrowing costs during development. When development is completed, borrowing costs and other holding charges are expensed as incurred. Borrowing costs included in the cost of land held for resale are those costs that would have been avoided if the expenditure on the acquisition and development of the land had not been made. Borrowing costs incurred while active development is interrupted for extended periods are recognised as expenses.

Revenue arising from the sale of property is recognised in the operating statement as at the time when the conditions of a binding contract of sale are met. Land held for resale is classified as current except where it is held as non-current based on the City's intentions to release for sale.



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(iii) Library Books

All library books are expensed at the point of acquisition either through purchase or inheritance.

(g) Non-Current Assets

Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Expenditure on items of equipment under \$5,000 are not capitalised but are placed on an "Attractive & Portable Device Register" list for reference and maintenance.

Mandatory requirement to revalue non current assets

Each asset class must be revalued in accordance with the Regulations and the Australian Accounting Standards.

Relevant disclosures, in accordance with the requirements of Australian Accounting Standards, will be made in the financial statement as necessary.

Initial recognition and measurement between mandatory revaluation dates

All assets are to be initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.

In relation to initial measurement, cost is determined as the consideration paid plus costs incidental to acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition which is nil. The cost of non-current assets constructed by the City includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets that are land, buildings, infrastructure and investment properties (including vested improvements) acquired between initial recognition and the next revaluation of the asset class in accordance ~~acquired between initial recognition and the next revaluation of the asset class in accordance~~ with the mandatory measurement framework, are recognised at cost and disclosed at fair value as management believes cost approximates fair value. detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation at the next anniversary date in accordance with the mandatory measurement framework detailed above.

Revaluation

The fair value of ~~fixed assets~~ land, buildings, infrastructure and investment properties (including vested improvements) is determined at least every three years in accordance with the regulatory framework. At the end of each period the valuation is reviewed and where appropriate the fair value is updated to reflect current market conditions. This process is in accordance with *Local Government (Financial Management) Regulation 17A* ~~-(2)(a)~~ which requires land, buildings, infrastructure, investment properties and invested improvements to be shown at fair value.

Individual assets that are plant and equipment type assets and right-of-use assets are measured using the cost model in accordance with Local Government (Financial Management) Regulation 17A (2)(b) and 17A (2)(c). ~~property, plant and equipment to be shown at fair value.~~

Increases in the carrying amount arising on revaluation of asset classes are credited to a revaluation reserve. Decreases in the carrying amount that offset previous increases of the same asset classes are recognised against revaluation reserve, all other decreases are recognised in



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the Statement of Comprehensive Income.

Land under Control and Land under Roads

~~As a result of amendments to the In accordance with Local Government (Financial Management) Regulations, effective from 1 July 2019, vested land, including land under roads, is treated as right-of-use assets measured at zero cost. Therefore, the previous inconsistency with AASB 1051 in respect of non-recognition of land under roads acquired on or after 1 July 2008 has been removed, even though measurement at zero cost means that land under roads is still not included in the statement of financial position. 16(a)(ii), the City is required to include as an asset, Crown Land operated by the local government as a golf course, showground or other sporting or recreational facility of the State or Regional significance.~~

Land under Roads Vested improvements

~~The measurement of vested improvements at fair value in accordance with Local Government (Financial Management) Regulations 1996 17A (2)(iv) is a departure from AASB 16 which would have required the City to measure the vested improvements as part of the related right-of-use asset at zero cost.~~

~~In Western Australia, all land under roads is Crown land. The responsibility for managing land under roads is vested in the local government.~~

~~Effective as at 1 July 2008, the City elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and Local Government (Financial Management) Regulation 16(a)(i), which prohibits local governments from recognising such land as an asset.~~

~~Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.~~

~~Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the City.~~

Gains and losses on disposal of non current assets

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the Statement of Comprehensive Income. When revalued assets are sold, amounts included in the revaluation reserve relating to that asset are transferred to retained earnings.

(h) Depreciation of Non-Current Assets

All non-current assets that have a limited useful life are separately and systematically depreciated over their useful lives in a manner that reflects the consumption of the future economic benefits embodied in those assets. Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time the assets is completed and held ready for use.

~~Depreciation for infrastructure assets is calculated from the end of the year in which the asset was completed and brought into account.~~

Depreciation is recognised on a straight-line basis over the useful life.

The major categories of assets and the useful lives recorded on recognition are:



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Buildings	40 years
Bus Shelters*	30 - 50 years
Computer Hardware	3 years
Computer Software	2 years
Pathways*	25 - 70 years
Furniture & Equipment (excluding Artwork & Artefacts **)	10 years
Heavy Vehicles - 1,201 kg to 4,000 kg	6 years/100,000 km's (45% residual)
Heavy Vehicles - 4,001 kg to 9,000 kg	6 years/200,000 km's (40% residual)
Heavy Vehicles - 9,001 kg to 12,000 kg	8 years/500,000 km's (48% residual)
Heavy Vehicles – Refuse	5 years (20% residual)
Irrigation Piping	30 years
Land**	Not Applicable
Light Vehicles	3 years (60% residual)
Other Infrastructure*	10 – 80 years
Other Plant and Equipment	10 years
Parks & Reserves*	12 - 85 years
Mobile Plant	10 years (50% residual)
Reserves/Playground Equipment*	10 - 15 years
Sealed Car Parks – Pavement	40 - 80 years
Road – Kerb	40 years
Road – Seal*	15 - 40 years
Road Pavement *	40 years
Underpasses	40 years
Water Supply Piping & Drainage Systems*	40 -80 years

*Due to useful lives of the individual assets within each asset type varying, despite being of a similar nature, the asset types denoted have a range of depreciation periods.

**Land, Artwork and Artefacts are not considered depreciable asset classes.

Certain elements of a non-current asset useful life can be shorter than the particular asset and this will be depreciated faster than the parent asset.

Residual values, useful lives and residual lives of individual assets are reviewed every three years as part of the revaluation process. Subsequent depreciation is recorded based on assets fair value and residual life.

(i) Financial Instruments

Recognition and derecognition

Financial Instruments, financial assets and financial liabilities are recognised when the City becomes a party to the contractual provisions of the financial instrument.

Financial assets are derecognised when the contractual rights to the cash flows from the financial asset expire, or when the financial asset and substantially all the risks and rewards are transferred. A financial liability is derecognised when it is extinguished, discharged, cancelled or expires.

Classification and initial measurement of financial assets

Except for those trade receivables that do not contain a significant financing component and are measured at the transaction price in accordance with AASB 15, all financial assets are initially measured at fair value adjusted for transaction costs (where applicable).

Financial assets, other than those designated and effective as hedging instruments, are



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classified into the following categories:

- amortised cost;
- fair value through profit or loss (FVTPL); and
- fair value through other comprehensive income (FVOCI).

The classification is determined by both:

- the City's business model for managing the financial asset; and
- the contractual cash flow characteristics of the financial asset.

All income and expenses relating to financial assets that are recognised in profit or loss are presented within finance costs, finance income or other financial items, except for impairment of trade receivables which is presented within other expenses.

Subsequent measurement of financial assets

Financial assets at amortised cost

Financial assets are measured at amortised cost if the assets meet the following conditions (and are not designated as FVTPL):

- they are held within a business model whose objective is to hold the financial assets and collect its contractual cash flows; and
- the contractual terms of the financial assets give rise to cash flows that are solely payments of principal and interest on the principal amount outstanding.

This category includes non-derivative financial assets like loans and receivables with fixed or determinable payments that are not quoted in an active market. After initial recognition, these are measured at amortised cost using the effective interest method. Discounting is omitted where the effect of discounting is immaterial. The City's cash and cash equivalents, trade and most other receivables fall into this category of financial instruments.

Financial assets at fair value through profit or loss (FVTPL)

Financial assets that are held within a different business model than 'hold to collect' or 'hold to collect and sell', and financial assets whose contractual cash flows are not solely payments of principal and interest are accounted for at FVTPL. All derivative financial instruments fall into this category, except for those designated and effective as hedging instruments, for which the hedge accounting requirements apply.

Assets in this category are measured at fair value with gains or losses recognised in profit or loss. The fair values of financial assets in this category are determined by reference to active market transactions or using a valuation technique where no active market exists.

Financial assets at fair value through other comprehensive income (FVOCI)

Financial assets are accounted for at FVOCI if the assets meet the following conditions:

- they are held under a business model whose objective is hold to collect the associated cash flows and sell: and
- the contractual terms of the financial assets give rise to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Any gains or losses recognised in Other Comprehensive Income will be recycled upon derecognition of the asset. This category includes listed securities and debentures.

Classification and measurement of financial liabilities

Financial liabilities are initially measured at fair value, and, where applicable, adjusted for transaction costs unless the City designated a financial liability at fair value through profit or loss.



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Subsequently, financial liabilities are measured at amortised cost using the effective interest method except for derivatives and financial liabilities designated at FVTPL, which are carried subsequently at fair value with gains or losses recognised in profit or loss (other than derivative financial instruments that are designated and effective as hedging instruments).

All interest-related charges and, if applicable, changes in an instrument's fair value that are reported in profit or loss are included within finance costs or finance income.

Impairment of Financial assets

The City considers a broad range of information when assessing credit risk and measuring expected credit losses, including past events, current conditions, reasonable and supportable forecasts that affect the expected collectability of the future cash flows of the instrument.

Measurement of the expected credit losses is determined by a probability-weighted estimate of credit losses over the expected life of the financial instrument.

(j) Fair Value Estimation

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes.

The fair value of financial instruments traded in active markets is determined using various valuation techniques. The City will use valuation methods and make assumptions that are based on market conditions existing at each balance date. Quoted market prices or dealer quotes for similar instruments will be used for long-term debt instruments. Other techniques, such as estimated discounted cash flows, will be used to determine fair value for the remaining financial instruments.

The nominal value less estimated credit adjustments of trade receivables and payables are assumed to approximate fair values. The fair value of financial liabilities for disclosure purposes will be estimated by discounting future contractual cash flows at the current market interest rate that is available to the City for similar financial instruments.

(k) Provisions

Provisions are recognised when the City has a present legal or constructive obligation as a result of past events for which it is probable that an outflow of economic benefits will result, and that outflow can be reliably measured. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow, with respect to any one item included in the same class of obligations, may be small.

(l) Leases

All Leases, excluding Peppercorn Leases (concessionary leases), will be recognised in the Balance Sheet as a liability by capitalising the present value of the minimum lease payments and showing a 'right-of-use' asset, while future lease payments will be recognised as depreciation on the 'right-of-use' asset, and an interest will be charged on the lease liability.

Right-of-use assets are measured using the cost model in accordance with Local Government (Financial Management) Regulation 17A (2)(c). This means that all right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost. The interest charge will be calculated using the effective interest method, which will result in a gradual reduction of interest expense over the lease term.



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(m) Investments in Associates

An associate is an entity over which the City has significant influence. Significant influence is the power to participate in the financial operating policy decisions of that entity but is not control or joint control of those policies. Investments in associates are accounted for in the financial statements by applying the equity method of accounting, whereby the investment is initially recognised at cost and adjusted thereafter for the post-acquisition change in the City's share of net assets of the associates. In addition, the City's share of the profit or loss of the associate is included in the City's profit or loss.

The carrying amount of the investment includes, where applicable, goodwill relating to the associate. Any discount on acquisition, whereby the City's share of the net fair value of the associate exceeds the cost of investment, is recognised in profit or loss in the period in which the investment is acquired.

Profits and losses resulting from transactions between the City and the associate are eliminated to the extent of the City's interest in the associate.

When the City's share of losses in an associate equals or exceeds its interest in the associate, the City discontinues recognising its share of further losses. This occurs unless the City has incurred legal or constructive obligations or made payments on behalf of the associate. When the associate subsequently generates a profit, the City will resume recognising its share of those profits once its share of the profits equals the share of the losses not recognised.

(n) Impairment

The City's assets, other than inventories, are tested annually for impairment. Where impairment exists, an estimate of the recoverable amount of the asset is made in accordance with AASB 136 Impairment of Assets and appropriate adjustments made. Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use. Impairment losses are recognised in the Statement of Comprehensive Income.

For non-cash generating assets such as roads, drains and public buildings value in use is represented by the asset's written down replacement cost.

(o) Trade and Other Payables

Trade and other payables reflect obligations to make future payments in respect of the purchase of goods and services and are carried at amortised cost. The amounts are unsecured and are usually paid within 30 days from the date of receipt of the invoice unless otherwise agreed.

(p) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid for the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the City has an unconditional right to defer settlement of the liability for at least 12 months after the Statement of Financial Position date. Borrowing costs are recognised as an expense when incurred, except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.



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(q) **Employee Benefits**

Provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are to be calculated as follows:

Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the City has a present obligation to pay resulting from employees' services provided to balance. The provision is to be calculated at nominal amounts based on remuneration rates the City expects to pay and includes related on-costs.

Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date, using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on state government bonds with terms to maturity and currency that match as closely as possible the estimated future cash outflows.

Where the City does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

(r) **Superannuation**

Contributions to employee defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

(s) **Interests in Joint Arrangements**

Joint arrangements represent the contractual sharing of control between parties in a business venture where unanimous decisions about relevant activities are required.

Separate joint venture entities providing joint venturers with an interest to net assets are classified as a joint venture and accounted for using the equity method.

Joint operations represent arrangements whereby joint operators maintain direct interests in each asset and exposure to each liability of the arrangement. The City's interests in the assets, liabilities, revenue and expenses of joint operations are included in the respective line items of the financial statements

(t) **Rates, Grants, Donations and Other Contributions**

Revenue recognition is determined based on what the customer expects to be entitled to (rights and obligations), while measurement encompasses estimation by the entity of the amount expected to be entitled for performing under the contract or in the case of Rates, when the relevant rateable year commences.

AASB 1058 Income of Not-for-Profit Entities is to be considered where AASB 15 does not apply to a transaction. The timing of income recognition will depend on whether a transaction gives rise to a performance obligation, liability or contribution by owners.

Contract Liabilities

When an amount of consideration is received from a customer / fund provider prior to the City transferring a good or service to the customer, the City presents the funds which exceed revenue recognised as a contract liability. The contract liability remains until the City's



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obligations have been met.

Contract Assets

When a performance obligation is satisfied by transferring a promised good or service to the customer before the customer pays consideration or before payment is due, the City presents this as a contract asset, unless the rights to that amounts of consideration are conditional, in which case the City recognises a receivable.

(u) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the City's operation cycle. In the case of liabilities where the City does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months. An exception exists for land held for resale, where it is held as non-current based on the City's intentions to release for sale.

(v) Rounding of Figures

All figures in the annual financial statement, other than a rate in the dollar, are rounded to the nearest dollar.

(w) Comparative Figures

Where required, comparative figures will be adjusted to conform ~~with~~to changes in presentation for the current financial year.

When the City applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statement, a statement of financial position as at the beginning of the earliest period will be disclosed.

(x) Budget Comparative Figures

Unless otherwise stated the budget comparative figures shown in the annual financial statement will be the original budget for the relevant item of disclosure.

(y) Investment Property

Investment property, principally comprising freehold office buildings, is held for long-term rental yields. Investment property is carried at fair value, representing open-market value determined annually by external users.

(z) Non-Current Assets (or Disposal Groups) "Held for Sale" & Discontinued Operations

Non-current assets (or disposal groups) that are "held for sale" are classified as held for sale and stated at the lower of either:

- (i) their carrying amount or
- (ii) fair value less costs to sell.

The exception to this is plant and motor vehicles, which are sold on a regular basis. Plant and motor vehicles are retained in Non-Current Assets under the classification of Property, Plant and Equipment unless the assets are to be traded in after balance date and the replacement assets were already purchased and accounted for as at balance date.

For any assets or disposal groups classified as Non-Current Assets "held for sale", an impairment loss will be recognised when the assets carrying value is greater than its fair value less costs to sell.



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Non-current assets “held for sale” are not depreciated or amortised while they are classified as “held for sale”.

Non-current assets classified as “held for sale” will be presented separately from the other assets in the balance sheet.

A Discontinued Operation is a component of the City’s operations that has been disposed of or is classified as “held for sale”. A discontinued operation represents a separate major line of business or geographical area of operations, is part of a single co-ordinated plan to dispose of such a line of business or area of operations, or is a subsidiary acquired exclusively with a view to resale.

The results of discontinued operations are to be shown separately on the face of the Statement of Comprehensive Income.

(aa) Intangible Assets

The City is not expected to classify any assets as Intangible.

(ab) Money Paid in Lieu of Public Open Space

Section 154 of the *Planning and Development Act 2005* was amended on 20 July 2020. Prior to 20 July 2020 all money received by a local government under section 153 of the *Planning and Development Act 2005* was to be paid into a separate account of the “trust fund” of the local government established under the section 6.9 of the Act. The amendment requires all money received to be paid into a separate “reserve account” of the local government established under the section 6.9 of the Act.

(ac) Service Concession Arrangements: Grantors

The City has adopted recent changes in the Australian Accounting Standards AASB 1059 effective from 1 July 2020. AASB 1059 applies to arrangements that involve a third-party operator providing public services related to a service concession asset on behalf of a public sector grantor (in this case, local government) for a specified period of time and managing those services. The City has assessed the impact of AASB 1059, and concluded that there will be no impact.

(ad) AASB 2018-7 Definition of Materiality

The City has adopted the amendment to AASB 2018-7. The change includes additional explanation to expand the definition of what information may be considered material in nature and how presentation may also be an influence. Information is material if omitting, misstating or “obscuring” it could reasonably be expected to influence decisions that the primary users of general purpose financial statements make on the basis of those financial statements, which provide financial information about a specific reporting entity.

(ae) Council Members Remuneration

Section 44 of the Regulations was amended to include the remuneration for “each person” instead of the total amount paid to council members.

(afb) New Accounting Standards and Interpretations for Application in Future Periods

Australian Accounting Standards and Interpretations that have been issued or amended but are not yet mandatory, will not be early adopted by the City. The City will adopt new Accounting Standards and Interpretations for the accounting periods on or after the effective date of the respective standard.

(age) Provision of Financial Guarantees and Lending Money

In certain circumstances the City may consider pre-funding selected community projects with special approval from Council. The interest is charged at the borrowing cost to the City. The



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City does not offer financial guarantees to external entities.

2. Budget Variations

In order to maintain sound financial control the City maintains a Revised Budget. Budget revisions (or reallocations) are required in a number of circumstances, and will be actioned as follows:-

Circumstances	Action
(a) Where expenditure is required to be incurred for a purpose for which there was no provision in the budget; or (b) Where grant or other monies are received that necessitate expenditure to be incurred and no provision was included in the budget.	In accordance with Section 6.8 of the <i>Local Government Act 1995</i> , by way of a report and recommendation to the council seeking authorisation of the expenditure and to endorse the necessary budget variation.
(c) Where a material variance has occurred, or is likely to occur.	Variances over 10% and \$100,000 will be reported to Council via the monthly Financial Activity Statement Report.

To facilitate proper accountability requirements, each Director will be presented with a report summarising all forecast changes within their Directorate for their endorsement.

CONSULTATION WITH STAKEHOLDERS

This policy is prepared in consultation with the Executive Leadership Team (ELT).

IMPLICATIONS (Financial, Human Resources)

At the time of adoption the City maintains sufficient financial and human resources to result in successful implementation of this policy. Further, there are sufficient and appropriate resources to ensure that changes in legislation affecting this policy are monitored and adhered to.

ROLES AND RESPONSIBILITIES

The Chief Executive Officer has a duty to ensure that accounts and records are kept in accordance with this policy. Through the directives of the Chief Executive Officer all staff are required to comply with this policy and other relevant policies, management procedures, documents or delegations to ensure the City is in compliance with the Act, Regulations and relevant Australian Accounting Standards.

DISPUTE RESOLUTION

All disputes in regard to this policy will be referred to the Director Corporate Strategy and Performance in the first instance and in the event that an agreement cannot be reached the matter will be submitted to the Chief Executive Officer for arbitration.

WHO NEEDS TO KNOW ABOUT THIS POLICY?

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EVALUATION AND REVIEW PROVISIONS



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Where, as a result of an amendment to legislation the need arises to action contrary to the provisions of this policy, the Director Corporate Strategy and Performance may initiate such variations as deemed necessary.

RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

This policy is supported by the following policies, procedures and delegations:

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2. Purchasing Policy
3. Financial (Cash Backed) Reserves Policy
4. Financial (Cash Backed) Reserves Management Procedure
5. Money Handling Procedure
6. Revenue Collection Management Procedure
7. Use of Corporate Credit Cards Management Procedure
8. Processing of Purchase Requisition and Purchase Orders Management Procedure
9. Part 3 Financial Management of the Delegated Authority Registry
10. Strategic Budget Policy
11. Financial Hardship - Collection of Rates and Service Charges Policy
12. Fee Waivers, Concessions and Debt Write Off Policy
13. Purchasing Card Management Procedure

REFERENCES

- The *Local Government Act 1995*;
- The *Local Government (Financial Management) Regulations 1996*;
- Australian Accounting Standards Board (AASB) Standards; and
- Western Australian Local Government Accounting Manual.

RESPONSIBILITY FOR IMPLEMENTATION

Manager Finance

Versions:	Next Review:	Record No:
1 July 1999		
9 January 2002		
26 April 2005 - GS04-04/05		
28 August 2007 - CS05-08/07	July 2009	892532
May 2010 – CS06-05/10	October 2014	10/1334
November 2014	October 2015	14/289534[v1]
September 2015	September 2016	14/289534[v2]
March 2017	January 2018	17/34812
May 2018	May 2019	17/34812 [v2]
May 2019	May 2020	17/34812 [v3]
May 2020	May 2023	17/34812 [v4]
<u>May 2021</u>	<u>May 2023</u>	<u>17/34812 [v5]</u>

17/34812[V53]



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Accounting Policy

Policy Owner: Finance
Contact Person: Manager Finance
Date of Approval: May 2021

POLICY OBJECTIVE

To provide a framework to ensure the City's financial information is reported to Council with consistent application of Australian Accounting Standards and in compliance with statutory requirements under the *Local Government Act 1995* (the "Act"), and *Local Government (Financial Management) Regulations 1996* (the "Regulations").

POLICY STATEMENT

This policy will apply to the development and presentation of the City's;

- Management Accounts;
- Annual Financial Statements;
- Annual Budget; and
- Long Term Financial Plan.

1. Summary of Significant Accounting Policies

(a) Basis of Preparation

The City's financial information is to be prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board (AASB), the Act and accompanying Regulations.

Except for Cash Flow and Rate Setting information, all financial information will be prepared on an accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of the City's financial information in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of Assets and Liabilities, Income and Expenses. The estimates and associated assumptions are to be based on historical experience and various other factors that are believed to be reasonable under the circumstances. The results of this experience and other factors combine to form the basis of making judgements about carrying values of Assets and Liabilities not readily apparent from other sources.

(b) The Local Government Reporting Entity

All Funds, through which the City controls resources to carry on its functions, are to be included in the relevant financial information. In the process of reporting on the local government as a single unit, all transactions and balances between those Funds (for example, loans and transfers between Funds) will be eliminated.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies is to be appended to the Annual Financial Statements.



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(c) Goods and Services Tax ("GST")

Revenues, expenses and assets capitalised are to be stated net of any GST recoverable. Receivables and payables in the Statement of Financial Position are stated inclusive of applicable GST.

(d) Cash and Cash Equivalents

Cash and cash equivalents in the Statement of Financial Position comprise cash at bank and on hand and short-term deposits with an original maturity of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Statement of Cash Flows, cash and cash equivalents consist of cash and cash equivalents as defined above, net of outstanding bank overdrafts. Bank overdrafts are included as short-term borrowings in current liabilities on the Statement of Financial Position.

(e) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that the debt will not be collectible.

(f) Inventories

(i) Raw materials and stores, work in progress and finished goods

Raw materials and stores, work in progress and finished goods are stated at the lower of cost and net realisable value. Cost comprises direct materials, direct labour and an appropriate proportion of variable and fixed overhead expenditure, the latter being allocated on the basis of normal operating capacity. Costs are assigned to individual items of inventory on the basis of weighted average costs. Net realisable value is the established selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

(ii) Land held for resale/capitalisation of borrowing costs

Land held for resale is stated at the lower of cost and net realisable value. Cost is assigned by specific identification and includes the cost of acquisition, development and borrowing costs during development. When development is completed, borrowing costs and other holding charges are expensed as incurred. Borrowing costs included in the cost of land held for resale are those costs that would have been avoided if the expenditure on the acquisition and development of the land had not been made. Borrowing costs incurred while active development is interrupted for extended periods are recognised as expenses.

Revenue arising from the sale of property is recognised in the operating statement as at the time when the conditions of a binding contract of sale are met. Land held for resale is classified as current except where it is held as non-current based on the City's intentions to release for sale.



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(iii) Library Books

All library books are expensed at the point of acquisition either through purchase or inheritance.

(g) Non-Current Assets

Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Expenditure on items of equipment under \$5,000 are not capitalised but are placed on an "Attractive & Portable Device Register" list for reference and maintenance.

Mandatory requirement to revalue non current assets

Each asset class must be revalued in accordance with the Regulations and the Australian Accounting Standards.

Relevant disclosures, in accordance with the requirements of Australian Accounting Standards, will be made in the financial statement as necessary.

Initial recognition and measurement between mandatory revaluation dates

All assets are to be initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.

In relation to initial measurement, cost is determined as the consideration paid plus costs incidental to acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition which is nil. The cost of non-current assets constructed by the City includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets that are land, buildings, infrastructure and investment properties (including vested improvements) acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework, are recognised at cost and disclosed at fair value as management believes cost approximates fair value. They will be subject to subsequent revaluation at the next anniversary date in accordance with the mandatory measurement framework detailed above.

Revaluation

The fair value of land, buildings, infrastructure and investment properties (including vested improvements) is determined at least every three years in accordance with the regulatory framework. At the end of each period the valuation is reviewed and where appropriate the fair value is updated to reflect current market conditions. This process is in accordance with *Local Government (Financial Management) Regulation 17A (2)(a)* which requires land, buildings, infrastructure, investment properties and invested improvements to be shown at fair value.

Individual assets that are plant and equipment type assets and right-of-use assets are measured using the cost model in accordance with *Local Government (Financial Management) Regulation 17A (2)(b)* and *17A (2)(c)*.

Increases in the carrying amount arising on revaluation of asset classes are credited to a revaluation reserve. Decreases in the carrying amount that offset previous increases of the same asset classes are recognised against revaluation reserve, all other decreases are recognised in the Statement of Comprehensive Income.

Land under Control and Land under Roads

As a result of amendments to the Regulations, effective from 1 July 2019, vested land, including



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land under roads, is treated as right-of-use assets measured at zero cost. Therefore, the previous inconsistency with AASB 1051 in respect of non-recognition of land under roads acquired on or after 1 July 2008 has been removed, even though measurement at zero cost means that land under roads is still not included in the statement of financial position.

Vested improvements

The measurement of vested improvements at fair value in accordance with *Local Government (Financial Management) Regulations 1996 17A (2)(iv)* is a departure from AASB 16 which would have required the City to measure the vested improvements as part of the related right-of-use asset at zero cost.

Gains and losses on disposal of non current assets

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the Statement of Comprehensive Income. When revalued assets are sold, amounts included in the revaluation reserve relating to that asset are transferred to retained earnings.

(h) Depreciation of Non-Current Assets

All non-current assets that have a limited useful life are separately and systematically depreciated over their useful lives in a manner that reflects the consumption of the future economic benefits embodied in those assets. Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time the assets is completed and held ready for use.

Depreciation is recognised on a straight-line basis over the useful life.

The major categories of assets and the useful lives recorded on recognition are:

Buildings	40 years
Bus Shelters*	30 - 50 years
Computer Hardware	3 years
Computer Software	2 years
Pathways*	25 - 70 years
Furniture & Equipment (excluding Artwork & Artefacts **)	10 years
Heavy Vehicles - 1,201 kg to 4,000 kg	6 years/100,000 km's (45% residual)
Heavy Vehicles - 4,001 kg to 9,000 kg	6 years/200,000 km's (40% residual)
Heavy Vehicles - 9,001 kg to 12,000 kg	8 years/500,000 km's (48% residual)
Heavy Vehicles – Refuse	5 years (20% residual)
Irrigation Piping	30 years
Land**	Not Applicable
Light Vehicles	3 years (60% residual)
Other Infrastructure*	10 – 80 years
Other Plant and Equipment	10 years
Parks & Reserves*	12 - 85 years
Mobile Plant	10 years (50% residual)
Reserves/Playground Equipment*	10 - 15 years
Sealed Car Parks – Pavement	40 - 80 years
Road – Kerb	40 years
Road – Seal*	15 - 40 years
Road Pavement *	40 years
Underpasses	40 years
Water Supply Piping & Drainage Systems*	40 -80 years

*Due to useful lives of the individual assets within each asset type varying, despite being of a



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similar nature, the asset types denoted have a range of depreciation periods.

****Land, Artwork and Artefacts are not considered depreciable asset classes.**

Certain elements of a non-current asset useful life can be shorter than the particular asset and this will be depreciated faster than the parent asset.

Residual values, useful lives and residual lives of individual assets are reviewed every three years as part of the revaluation process. Subsequent depreciation is recorded based on assets fair value and residual life.

(i) Financial Instruments

Recognition and derecognition

Financial Instruments, financial assets and financial liabilities are recognised when the City becomes a party to the contractual provisions of the financial instrument.

Financial assets are derecognised when the contractual rights to the cash flows from the financial asset expire, or when the financial asset and substantially all the risks and rewards are transferred. A financial liability is derecognised when it is extinguished, discharged, cancelled or expires.

Classification and initial measurement of financial assets

Except for those trade receivables that do not contain a significant financing component and are measured at the transaction price in accordance with AASB 15, all financial assets are initially measured at fair value adjusted for transaction costs (where applicable).

Financial assets, other than those designated and effective as hedging instruments, are classified into the following categories:

- amortised cost;
- fair value through profit or loss (FVTPL); and
- fair value through other comprehensive income (FVOCI).

The classification is determined by both:

- the City's business model for managing the financial asset; and
- the contractual cash flow characteristics of the financial asset.

All income and expenses relating to financial assets that are recognised in profit or loss are presented within finance costs, finance income or other financial items, except for impairment of trade receivables which is presented within other expenses.

Subsequent measurement of financial assets

Financial assets at amortised cost

Financial assets are measured at amortised cost if the assets meet the following conditions (and are not designated as FVTPL):

- they are held within a business model whose objective is to hold the financial assets and collect its contractual cash flows; and
- the contractual terms of the financial assets give rise to cash flows that are solely payments of principal and interest on the principal amount outstanding.

This category includes non-derivative financial assets like loans and receivables with fixed or determinable payments that are not quoted in an active market. After initial recognition, these are measured at amortised cost using the effective interest method. Discounting is omitted



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where the effect of discounting is immaterial. The City's cash and cash equivalents, trade and most other receivables fall into this category of financial instruments.

Financial assets at fair value through profit or loss (FVTPL)

Financial assets that are held within a different business model than 'hold to collect' or 'hold to collect and sell', and financial assets whose contractual cash flows are not solely payments of principal and interest are accounted for at FVTPL. All derivative financial instruments fall into this category, except for those designated and effective as hedging instruments, for which the hedge accounting requirements apply.

Assets in this category are measured at fair value with gains or losses recognised in profit or loss. The fair values of financial assets in this category are determined by reference to active market transactions or using a valuation technique where no active market exists.

Financial assets at fair value through other comprehensive income (FVOCI)

Financial assets are accounted for at FVOCI if the assets meet the following conditions:

- they are held under a business model whose objective is hold to collect the associated cash flows and sell: and
- the contractual terms of the financial assets give rise to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Any gains or losses recognised in Other Comprehensive Income will be recycled upon derecognition of the asset. This category includes listed securities and debentures.

Classification and measurement of financial liabilities

Financial liabilities are initially measured at fair value, and, where applicable, adjusted for transaction costs unless the City designated a financial liability at fair value through profit or loss.

Subsequently, financial liabilities are measured at amortised cost using the effective interest method except for derivatives and financial liabilities designated at FVTPL, which are carried subsequently at fair value with gains or losses recognised in profit or loss (other than derivative financial instruments that are designated and effective as hedging instruments).

All interest-related charges and, if applicable, changes in an instrument's fair value that are reported in profit or loss are included within finance costs or finance income.

Impairment of Financial assets

The City considers a broad range of information when assessing credit risk and measuring expected credit losses, including past events, current conditions, reasonable and supportable forecasts that affect the expected collectability of the future cash flows of the instrument.

Measurement of the expected credit losses is determined by a probability-weighted estimate of credit losses over the expected life of the financial instrument.

(j) Fair Value Estimation

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes.

The fair value of financial instruments traded in active markets is determined using various valuation techniques. The City will use valuation methods and make assumptions that are based on market conditions existing at each balance date. Quoted market prices or dealer quotes for similar instruments will be used for long-term debt instruments. Other techniques, such as estimated discounted cash flows, will be used to determine fair value for the remaining financial instruments.



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The nominal value less estimated credit adjustments of trade receivables and payables are assumed to approximate fair values. The fair value of financial liabilities for disclosure purposes will be estimated by discounting future contractual cash flows at the current market interest rate that is available to the City for similar financial instruments.

(k) Provisions

Provisions are recognised when the City has a present legal or constructive obligation as a result of past events for which it is probable that an outflow of economic benefits will result, and that outflow can be reliably measured. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow, with respect to any one item included in the same class of obligations, may be small.

(l) Leases

All Leases, excluding Peppercorn Leases (concessionary leases), will be recognised in the Balance Sheet as a liability by capitalising the present value of the minimum lease payments and showing a 'right-of-use' asset, while future lease payments will be recognised as depreciation on the 'right-of-use' asset, and an interest will be charged on the lease liability.

Right-of-use assets are measured using the cost model in accordance with *Local Government (Financial Management) Regulation 17A (2)(c)*. This means that all right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost.

(m) Investments in Associates

An associate is an entity over which the City has significant influence. Significant influence is the power to participate in the financial operating policy decisions of that entity but is not control or joint control of those policies. Investments in associates are accounted for in the financial statements by applying the equity method of accounting, whereby the investment is initially recognised at cost and adjusted thereafter for the post-acquisition change in the City's share of net assets of the associates. In addition, the City's share of the profit or loss of the associate is included in the City's profit or loss.

The carrying amount of the investment includes, where applicable, goodwill relating to the associate. Any discount on acquisition, whereby the City's share of the net fair value of the associate exceeds the cost of investment, is recognised in profit or loss in the period in which the investment is acquired.

Profits and losses resulting from transactions between the City and the associate are eliminated to the extent of the City's interest in the associate.

When the City's share of losses in an associate equals or exceeds its interest in the associate, the City discontinues recognising its share of further losses. This occurs unless the City has incurred legal or constructive obligations or made payments on behalf of the associate. When the associate subsequently generates a profit, the City will resume recognising its share of those profits once its share of the profits equals the share of the losses not recognised.

(n) Impairment

The City's assets, other than inventories, are tested annually for impairment. Where impairment exists, an estimate of the recoverable amount of the asset is made in accordance with AASB 136 Impairment of Assets and appropriate adjustments made. Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised



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for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use. Impairment losses are recognised in the Statement of Comprehensive Income.

For non-cash generating assets such as roads, drains and public buildings value in use is represented by the asset's written down replacement cost.

(o) Trade and Other Payables

Trade and other payables reflect obligations to make future payments in respect of the purchase of goods and services and are carried at amortised cost. The amounts are unsecured and are usually paid within 30 days from the date of receipt of the invoice unless otherwise agreed.

(p) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid for the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the City has an unconditional right to defer settlement of the liability for at least 12 months after the Statement of Financial Position date. Borrowing costs are recognised as an expense when incurred, except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(q) Employee Benefits

Provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are to be calculated as follows:

Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the City has a present obligation to pay resulting from employees' services provided to balance. The provision is to be calculated at nominal amounts based on remuneration rates the City expects to pay and includes related on-costs.

Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date, using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on state government bonds with terms to maturity and currency that match as closely as possible the estimated future cash outflows.

Where the City does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

(r) Superannuation

Contributions to employee defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.



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(s) **Interests in Joint Arrangements**

Joint arrangements represent the contractual sharing of control between parties in a business venture where unanimous decisions about relevant activities are required.

Separate joint venture entities providing joint venturers with an interest to net assets are classified as a joint venture and accounted for using the equity method.

Joint operations represent arrangements whereby joint operators maintain direct interests in each asset and exposure to each liability of the arrangement. The City's interests in the assets, liabilities, revenue and expenses of joint operations are included in the respective line items of the financial statements

(t) **Rates, Grants, Donations and Other Contributions**

Revenue recognition is determined based on what the customer expects to be entitled to (rights and obligations), while measurement encompasses estimation by the entity of the amount expected to be entitled for performing under the contract or in the case of Rates, when the relevant rateable year commences.

AASB 1058 Income of Not-for-Profit Entities is to be considered where AASB 15 does not apply to a transaction. The timing of income recognition will depend on whether a transaction gives rise to a performance obligation, liability or contribution by owners.

Contract Liabilities

When an amount of consideration is received from a customer / fund provider prior to the City transferring a good or service to the customer, the City presents the funds which exceed revenue recognised as a contract liability. The contract liability remains until the City's obligations have been met.

Contract Assets

When a performance obligation is satisfied by transferring a promised good or service to the customer before the customer pays consideration or before payment is due, the City presents this as a contract asset, unless the rights to that amounts of consideration are conditional, in which case the City recognises a receivable.

(u) **Current and Non-Current Classification**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the City's operation cycle. In the case of liabilities where the City does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months. An exception exists for land held for resale, where it is held as non-current based on the City's intentions to release for sale.

(v) **Rounding of Figures**

All figures in the annual financial statement, other than a rate in the dollar, are rounded to the nearest dollar.

(w) **Comparative Figures**

Where required, comparative figures will be adjusted to conform to changes in presentation for the current financial year.

When the City applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statement, a statement of financial position as at the beginning of the earliest period will be disclosed.



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(x) Budget Comparative Figures

Unless otherwise stated the budget comparative figures shown in the annual financial statement will be the original budget for the relevant item of disclosure.

(y) Investment Property

Investment property, principally comprising freehold office buildings, is held for long-term rental yields. Investment property is carried at fair value, representing open-market value determined annually by external users.

(z) Non-Current Assets (or Disposal Groups) "Held for Sale" & Discontinued Operations

Non-current assets (or disposal groups) that are "held for sale" are classified as held for sale and stated at the lower of either:

- (i) their carrying amount or
- (ii) fair value less costs to sell.

The exception to this is plant and motor vehicles, which are sold on a regular basis. Plant and motor vehicles are retained in Non-Current Assets under the classification of Property, Plant and Equipment unless the assets are to be traded in after balance date and the replacement assets were already purchased and accounted for as at balance date.

For any assets or disposal groups classified as Non-Current Assets "held for sale", an impairment loss will be recognised when the assets carrying value is greater than its fair value less costs to sell.

Non-current assets "held for sale" are not depreciated or amortised while they are classified as "held for sale".

Non-current assets classified as "held for sale" will be presented separately from the other assets in the balance sheet.

A Discontinued Operation is a component of the City's operations that has been disposed of or is classified as "held for sale". A discontinued operation represents a separate major line of business or geographical area of operations, is part of a single co-ordinated plan to dispose of such a line of business or area of operations, or is a subsidiary acquired exclusively with a view to resale.

The results of discontinued operations are to be shown separately on the face of the Statement of Comprehensive Income.

(aa) Intangible Assets

The City is not expected to classify any assets as Intangible.

(ab) Money Paid in Lieu of Public Open Space

Section 154 of the *Planning and Development Act 2005* was amended on 20 July 2020. Prior to 20 July 2020 all money received by a local government under section 153 of the *Planning and Development Act 2005* was to be paid into a separate account of the "trust fund" of the local government established under the section 6.9 of the Act. The amendment requires all money received to be paid into a separate "reserve account" of the local government established under the section 6.9 of the Act.

(ac) Service Concession Arrangements: Grantors

The City has adopted recent changes in the Australian Accounting Standards AASB 1059 effective from 1 July 2020. AASB 1059 applies to arrangements that involve a third-party operator providing public services related to a service concession asset on behalf of a public



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sector grantor (in this case, local government) for a specified period of time and managing those services. The City has assessed the impact of AASB 1059, and concluded that there will be no impact.

(ad) AASB 2018-7 Definition of Materiality

The City has adopted the amendment to AASB 2018-7. The change includes additional explanation to expand the definition of what information may be considered material in nature and how presentation may also be an influence. Information is material if omitting, misstating or "obscuring" it could reasonably be expected to influence decisions that the primary users of general purpose financial statements make on the basis of those financial statements, which provide financial information about a specific reporting entity.

(ae) Council Members Remuneration

Section 44 of the Regulations was amended to include the remuneration for "each person" instead of the total amount paid to council members.

(af) New Accounting Standards and Interpretations for Application in Future Periods

Australian Accounting Standards and Interpretations that have been issued or amended but are not yet mandatory, will not be early adopted by the City. The City will adopt new Accounting Standards and Interpretations for the accounting periods on or after the effective date of the respective standard.

(ag) Provision of Financial Guarantees and Lending Money

In certain circumstances the City may consider pre-funding selected community projects with special approval from Council. The interest is charged at the borrowing cost to the City. The City does not offer financial guarantees to external entities.

2. Budget Variations

In order to maintain sound financial control the City maintains a Revised Budget. Budget revisions (or reallocations) are required in a number of circumstances, and will be actioned as follows:-

Circumstances	Action
(a) Where expenditure is required to be incurred for a purpose for which there was no provision in the budget; or (b) Where grant or other monies are received that necessitate expenditure to be incurred and no provision was included in the budget.	In accordance with Section 6.8 of the <i>Local Government Act 1995</i> , by way of a report and recommendation to the council seeking authorisation of the expenditure and to endorse the necessary budget variation.
(c) Where a material variance has occurred, or is likely to occur.	Variances over 10% and \$100,000 will be reported to Council via the monthly Financial Activity Statement Report.

To facilitate proper accountability requirements, each Director will be presented with a report summarising all forecast changes within their Directorate for their endorsement.

CONSULTATION WITH STAKEHOLDERS

This policy is prepared in consultation with the Executive Leadership Team (ELT).



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At the time of adoption the City maintains sufficient financial and human resources to result in successful implementation of this policy. Further, there are sufficient and appropriate resources to ensure that changes in legislation affecting this policy are monitored and adhered to.

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9. Part 3 Financial Management of the Delegated Authority Registry
10. Strategic Budget Policy
11. Financial Hardship - Collection of Rates and Service Charges Policy
12. Fee Waivers, Concessions and Debt Write Off Policy
13. Purchasing Card Management Procedure

REFERENCES

- The *Local Government Act 1995*;
- The *Local Government (Financial Management) Regulations 1996*;
- Australian Accounting Standards Board (AASB) Standards; and
- Western Australian Local Government Accounting Manual.



Policy Manual

RESPONSIBILITY FOR IMPLEMENTATION

Manager Finance

Versions:	Next Review:	Record No:
1 July 1999		
9 January 2002		
26 April 2005 - GS04-04/05		
28 August 2007 - CS05-08/07	July 2009	892532
May 2010 – CS06-05/10	October 2014	10/1334
November 2014	October 2015	14/289534[v1]
September 2015	September 2016	14/289534[v2]
March 2017	January 2018	17/34812
May 2018	May 2019	17/34812 [v2]
May 2019	May 2020	17/34812 [v3]
May 2020	May 2023	17/34812 [v4]
May 2021	May 2023	17/34812 [v5]

17/34812[V5]

Property Services

4.15 Proposed Closure of Portions of Unnamed and Unconstructed Road Reserve in the Pinjar Region

File Ref:	3633V03 – 21/221472
Responsible Officer:	Director, Corporate Strategy & Performance
Disclosure of Interest:	Nil
Attachments:	2

Issue

To consider the permanent closure of portions of unnamed and unconstructed road reserve in the Pinjar region.

Background

The DPLH contacted the City in relation to several unnamed and unconstructed road reserves throughout the Pinjar region (**Attachment 1** refers).

The City receive a request from the DPLH as the landowner of the unnamed and unconstructed road reserves, requesting the road reserves be permanently closed.

Detail

The eight road reserves in question run parallel and perpendicular to Old Yanchep Road, Pinjar. The section of road reserves that the DPLH wishes to close permanently are delineated in red (**Attachment 1** refers).

The road reserves are currently zoned either Conservation (Bush Forever) or Parks and Recreation. The DPLH believe the road reserves were used in the late 1800's and early 1900's for stock routes from Old Yanchep Road and have subsequently become redundant. The closing of these road reserves will formalise management of the land and support the protection of the water mound and conservation area. The road reserves will be amalgamated with the adjoining lots.

Consultation

In accordance with Section 58 of the LAA a local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication of the proposed closure in a newspaper circulating in its district and the local government has considered any objections made within that period.

Initial consultation was carried out in May 2020 by way of letters to relevant government agencies. The City received five responses from servicing authorities and government agencies (including Western Power, ATCO Gas, Water Corporation, Telstra and DPLH). No objections or concerns were raised. **Attachment 2** provides a summary of the responses received.

Initial consultation was also carried out with relevant internal service units within the City, with no objection to the closure of the road reserve.

Subject to Council's support, the formal Public Consultation period prescribed in Section 58 of the LAA will commence via newspaper advertisements and on the City's website for a period of 35 days.

Comment

The unconstructed portions of the road reserve do not currently provide any benefit to property access or traffic flow, and will not provide any such benefit in the future due to the zonings. The road reserves are therefore considered by Administration to be redundant.

Administration supports the request of the DPLH to permanently close the unnamed and unconstructed reserves as per **Attachment 1**, which will ensure the protection of the water mound and conservation area.

Statutory Compliance

The City must comply with section 58 of the LAA and regulation 9 of the *Land Administration Regulations 1998*, dealing with public advertising, objections and service agency responses to the proposed road closure and must formally resolve to 'close the road', prior to advising the DPLH and requesting the Minister of Lands to consider the closure.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 *Civic Leadership*

4.1 *Working with Others*

4.1.1 *Build effective partnerships and demonstrate leadership in local government at regional, state and national levels”*

Risk Management Considerations

There are no existing Strategic or Corporate risks within the City's existing risk registers which relate to the issues contained in this report.

Policy Implications

Land disposal will be managed in accordance with the City's Strategic Land Use Policy.

Financial Implications

The DPLH will be responsible for all costs related to purchase of the subject road reserve including advertising.

Voting Requirements



Simple Majority

Recommendation

That Council:-

1. **SUPPORTS** the closure of the portions of the unnamed and unconstructed road reserve in the Pinjar region as shown on Attachment 1 (subject to survey);
2. **AUTHORISES** Administration to commence public consultation as prescribed by Section 58 of the *Land Administration Act 1997*;
3. **NOTES** that if submissions are received a further report will be presented to Council; and
4. If no submissions are received from the public consultation, pursuant to Section 58 of the *Land Administration Act 1997* **AUTHORISES** a request be made to the Minister for Lands for the permanent closure of the unnamed and unconstructed road reserve portions in the Pinjar region.

Attachments:

- | | | |
|---|---|-----------|
| 1  | Attachment 1 - Map Location | 21/221471 |
| 2  | Attachment 2 - Response from Consultation | 21/221996 |



Response from Consultation Proposed Closed Road Reserve:

Various locations in the Pinjar region.

Respondent	TRIM – Request for comment	TRIM – Response from Respondent	Response	Administration Comments
DBYD	21/221631	N/A		
Telstra	21/221631	21/221759	Standard response through DBYD.	Plans show no assets.
ATCO Gas	21/221631	21/221639	Response through DBYD - ATCO Gas has no assets in the vicinity.	Plans show no assets.
Western Power	21/221631	21/221650	Standard response through DBYD.	Plans show no assets.
Water Corporation	21/221631	21/221660	Response through DBYD – Water Corp has no assets in the vicinity.	Plans show no assets.
NBN	21/221631	21/221973	Response through DBYD - NBN has no in the vicinity.	Plans show no assets.
Land Development	21/109556	21/110996	No objection	
Parks and Conservation	21/109556	21/113775	No objection	
Traffic	21/109556	21/110999	No objection	

Council & Corporate Support

4.16 Donations to be Considered by Council - June 2021

File Ref: 2855V03 – 21/188468
 Responsible Officer: Manager Council & Corporate Support
 Disclosure of Interest: Nil
 Attachments: Nil

Issue

To consider requests for donations and youth sponsorships in accordance with the City's Donations and Youth Sponsorships Policy (Policy).

Background

The Policy requires applications over \$500.00 from individuals and organisations to be determined by Council. Consequently, a report is prepared for Council meetings, coinciding with a period where applications of this nature have been received.

With respect to requests for sponsorships, the Policy specifies that for National Events the amount provided will be \$200.00 per individual, capped at \$600.00 per team, and for International Events the amount provided is \$500.00 per individual capped at \$1,500.00 per team. Schools are capped at \$2,000.00 per school per financial year.

Detail

During this period, the City has received four sponsorship requests and one community donation request, which are summarised as follows. Copies of the full applications are available from Administration upon request.

Comment

Sponsorship Donations

Applicant 1 – High Flyers Trampoline and Gymnastics Academy – HPE 21/180910	
Name of Individual/s	<p>National Level 7 Female Tumbling – Chloe Gillespie</p> <p>Youth International Under 15 Female Double Mini Trampoline, Youth International Under 15 Tumbling, WA International Double Mini Trampoline and WA International Tumbling Team – Molly Van Roon</p> <p>Youth International Under 13 Male Trampoline, Youth International Under 13 Male Double Mini Trampoline and WA International Trampoline Team – Ellis Scanlon</p> <p>Youth International Under 15 Male Trampoline – Jayden Friend</p>
Reside in City of Wanneroo	Yes
18 years of age or under	Yes

Applicant 1 – High Flyers Trampoline and Gymnastics Academy – HPE 21/180910	
Event Details	Australian Gymnastics Championships, Carrara, QLD 12 – 17 May 2021
Commitment to providing a written report regarding the event	Yes
Commitment to acknowledgement of the City of Wanneroo	Yes
Eligibility Level	National (\$200.00 each)
Comments	As per the Policy, \$200.00 per individual (capped at \$600.00 per team to a maximum of four teams per event)
Recommendation	APPROVE a request for sponsorship in the sum of \$600.00 to High Flyers Trampoline and Gymnastics Academy for the participation of Chloe Gillespie, Molly Van Roon, Ellis Scanlon and Jayden Friend at the Australian Gymnastics Championships being held in Carrara, QLD from 12 – 17 May 2021
	This request is in accordance with Council's Policy

Applicant 2 – Wanneroo Giants Charter Junior League Team - HPE 21/190361	
Name of Individual/s	Lucas Santich, Tom Hewett, Bailey Thompson, Rhys Hards, Nikora Bryan, Owen Capes and Dean Lovett
Reside in City of Wanneroo 18 years of age or under	Yes Yes
Event Details	2021 Australian Junior League Baseball Championships West Beach, SA 16-20 May 2021
Commitment to providing a written report regarding the event	Yes
Commitment to acknowledgement of the City of Wanneroo	Yes
Eligibility Level	National (\$200.00 each)
Comments	As per the Policy, \$200.00 per individual (capped at \$600.00 per team to a maximum of four teams per event)
Recommendation	APPROVE a request for sponsorship in the sum of \$600.00 to Wanneroo Giants Charter Junior League Team for the participation of Lucas Santich, Tom Hewett, Bailey Thompson, Rhys Hards, Nikora Bryan, Owen Capes and Dean Lovett at the 2021 Australian Junior League Baseball Championships to be held in West Beach, SA from 16-20 May 2021
	This request is in accordance with Council's Policy

Applicant 3 – Wanneroo Giants Charter Intermediate League Team - HPE 21/190361	
Name of Individual/s	Cameron Bahr, Rhien Bridges, Tristan Clark, Raf Diblasi, Oliver Newham, Chase Shortland and Anneliese Wood
Reside in City of Wanneroo 18 years of age or under	Yes Yes
Event Details	2021 Australian Intermediate League Baseball Championships Mildura, Vic 25-29 May 2021
Commitment to providing a written report regarding the event	Yes
Commitment to acknowledgement of the City of Wanneroo	Yes
Eligibility Level	National (\$200.00 each)
Comments	As per the Policy, \$200.00 per individual (capped at \$600.00 per team to a maximum of four teams per event)
Recommendation	APPROVE a request for sponsorship in the sum of \$600.00 to Wanneroo Giants Charter Intermediate League Team for the participation of Cameron Bahr, Rhien Bridges, Tristan Clark, Raf Diblasi, Oliver Newham, Chase Shortland and Anneliese Wood at the 2021 Australian Intermediate League Baseball Championships to be held in Mildura, Vic from 25-29 May 2021
	This request is in accordance with Council's Policy

Applicant 4 – Wanneroo Giants Charter Senior League Team - HPE 21/190361	
Name of Individual/s	Jacob Santich, Dawson George, Rhys Kelly, Cooper Sherwood and Patrick Anderson
Reside in City of Wanneroo 18 years of age or under	Yes Yes
Event Details	2021 Australian Senior League Baseball Championships Lismore, NSW 8-12 May 2021
Commitment to providing a written report regarding the event	Yes
Commitment to acknowledgement of the City of Wanneroo	Yes
Eligibility Level	National (\$200.00 each)
Comments	As per the Policy, \$200.00 per individual (capped at \$600.00 per team to a maximum of four teams per event)

Applicant 4 – Wanneroo Giants Charter Senior League Team - HPE 21/190361	
Recommendation	APPROVE a request for sponsorship in the sum of \$600.00 to Wanneroo Giants Charter Senior League Team for the participation of Jacob Santich, Dawson George, Rhys Kelly, Cooper Sherwood and Patrick Anderson at the 2021 Australian Senior League Baseball Championships to be held in Lismore, NSW from 8-12 May 2021
	This request is in accordance with Council's Policy

Community Group Donations

Applicant 5 – Hudson Park Primary School, Girrawheen HPE 21/186682	
Request amount	\$1,000.00
Description of request	Request a donation for the purchase of six poles and the services of an artist to paint the six aboriginal seasons on the poles with the project commencing on 30 June 2021, at Hudson Park Primary School
Criteria	Evaluation
Potential for income generation	Nil
Status of applicant organisation	School
Exclusivity of the event or project	Hudson Park Primary School students and Faculty
Alignment with Council's existing philosophies, values and strategic direction	Strategic Implications: "1 Society 1.3 Distinctive Places 1.3.1 Create distinctive places based on identity of areas"
Alternative funding sources available or accessed by the organisation	Nil
Contribution to the event or activity made by the applicant or organisation	\$1,000.00
Previous funding assistance provided to the organisation by the City	Nil
Commitment to acknowledge the City of Wanneroo	Yes

Applicant 5 – Hudson Park Primary School, Girrawheen HPE 21/186682	
Comments	<p>Hudson Park Primary School request for a donation is not supported as the application does not meet criteria or intent of the Donations and Youth Sponsorship Policy as follows:</p> <p>Clause 4.1 Community Group Donations are available for <i>‘not-for-profit or non-government organisations that have a charitable or community service oriented purpose’</i>.</p> <p>This application is from a government education agency.</p> <p>Scope: The application does not demonstrate benefit to the wider City of Wanneroo community through either the:</p> <ul style="list-style-type: none"> • <i>level of Public awareness of the activity or project attendance; or</i> • <i>Public attendance at events held; or</i> • <i>Involvement of volunteers</i> <p>Exclusions: Council will not consider funding applications for donations and youth sponsorships for:</p> <p><i>2.10 State or Federal government organisations (unless substantial benefit to the City of Wanneroo community is established)</i></p> <p>This request is from a government education agency to install the poles direct onto government owned property.</p> <p>Should this request be approved, it would set a precedence of providing donations directly to state government education agencies and it is considered appropriate that such an installation be funded by and through the financial assistance of the state government. Therefore it is recommended that this request is not approved.</p>
Recommendation	NOT APPROVE a donation in the sum of \$1,000.00 to Hudson Park Primary School, Girrawheen for the purchase of six poles and the services of an artist to paint the six aboriginal seasons on the poles with the project commencing on 30 June 2021, at Hudson Park Primary School
Reason	This request is not in accordance with Council's Policy

Statutory Compliance

Nil

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“1 Society

1.1 Healthy and Active People

1.1.1 Create opportunities that encourage community wellbeing and active and healthy lifestyles”

“1 Society

1.3 Distinctive Places

1.3.1 Create distinctive places based on identity of areas”

Risk Management Considerations

There are no existing Strategic or Corporate risks within the City's existing risk registers which relate to the issues contained in this report.

Policy Implications

The Policy states that sponsorship applications for attendance at National Events will be capped at \$600.00 per team (up to four teams) and Regional or State capped at \$600.00 per club. International events will be capped at \$1,500.00 per team and schools capped at \$2,000.00 per school per financial year.

Financial Implications

Budget 2020/2021	\$110, 000.00
Amount expended to date (as at 17 May 2021)	\$20,200.00
Balance	\$89,800.00
Total of requests for this round: Donations (\$3,400.00):	
Total this Round (recommended)	\$2,400.00
BALANCE	\$87,400.00

Voting Requirements

Simple Majority

Recommendation

That Council:-

- 1. APPROVE a request for sponsorship in the sum of \$600.00 to High Flyers Trampoline and Gymnastics Academy for the participation of Chloe Gillespie, Molly Van Roon, Ellis Scanlon and Jayden Friend at the Australian Gymnastics Championships to be held in Carrara, QLD from 12–17 May 2021;**
- 2. APPROVE a request for sponsorship in the sum of \$600.00 to Wanneroo Giants Charter Junior League Team for the participation of Lucas Santich, Tom Hewett, Bailey Thompson, Rhys Hards, Nikora Bryan, Owen Capes and Dean Lovett at the 2021 Australian Junior League Baseball Championships to be held in West Beach, SA from 16-20 May 2021;**
- 3. APPROVE a request for sponsorship in the sum of \$600.00 to Wanneroo Giants Charter Intermediate League Team for the participation of Cameron Bahr, Rhien Bridges, Tristan Clark, Raf Diblasi, Oliver Newham, Chase Shortland and Anneliese Wood at the 2021 Australian Intermediate League Baseball Championships to be held in Mildura, Vic from 25-29 May 2021;**
- 4. APPROVE a request for sponsorship in the sum of \$600.00 to Wanneroo Giants Charter Senior League Team for the participation of Jacob Santich, Dawson George, Rhys Kelly, Cooper Sherwood and Patrick Anderson at the 2021 Australian Senior League Baseball Championships to be held in Lismore, NSW from 8-12 May 2021; and**
- 5. NOT APPROVE a donation in the sum of \$1,000.00 to Hudson Park Primary School, Girrawheen for the purchase of 6 poles and an Artist to paint the poles for the Aboriginal Message Sticks for the 6 Seasons project commencing on 30 June 2021, at Hudson Park Primary School.**

Attachments: Nil

Chief Executive Office

Advocacy & Economic Development

4.17 Neerabup Industrial Area : Application for Subdivision - Lot 9100 Mather Drive, Neerabup

File Ref:	28620 – 21/200187
Responsible Officer:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	2

Issue

To seek Council approval to lodge the Lot 9100 subdivision with the Western Australian Planning Commission (WAPC) for approval.

Background

In August 2020 (CEO3-08/20), Council unanimously supported the development of the subdivision engineering design for Lot 9100 in the Neerabup Industrial Area (NIA). The August 2020 report included concept designs for the proposed subdivision to indicate the likely layout of lots on the site. The concept plans were presented to Council Forums on 24 March and 9 June 2020. The June 9 Council Forum in particular provided the opportunity for Council Members to ask questions and seek clarification regarding the concept plan for the subdivision of Lot 9100.

In order for the engineering design for Lot 9100 to be completed and for the site to become development ready, it is important for the City to obtain WAPC approval for the subdivision.

Detail

Following Council support to continue with the development of the engineering design for Lot 9100 the preliminary engineering design was commenced by Wave International and Taylor Burrell Barnett (TBB) were engaged for the development of the subdivision management plans and applications for Lot 9100. TBB has now produced the Plan of Subdivision Lot 9100, Mather Drive, Neerabup (**Attachment 1**) and has completed the planning application package to be lodged with the WAPC. To provide additional context and background to the development of the Plan of Subdivision, the previous concept plans for Lot 9100 are shown at **Attachment 2**.

It should be noted that the subdivision is likely to be undertaken in two stages with the northern section to be the second stage. If demand for the lots is higher than expected, the development can be delivered in a single stage.

The northern section of the subdivision plan indicates two temporary cul-de-sacs that have been included for the subdivision application but ultimately there will be a road (Road 5) connecting to Mather drive and removing the need for the cul-de-sacs. Road 5 has not been included for the current subdivision application due to Development WA being unable to provide support in the short term due to their Lot 2001 being subject to environmental assessment. This means that a commitment to sharing the road cannot be made by Development WA at the current time but this commitment is expected to be made in the near future.

The general order of works required to progress Lot 9100 through to development stage is indicated below.

Lot 9100 Subdivision Progress and Schedule of Work Activities

1. 2015 – Lot 9100 concept plan adopted by Council (complete);
2. 2020 – Lot 9100 final concept plan developed (complete);
3. 2021 – Lot 9100 final concept plan presented to Council and the development of the subdivision engineering design for Lot 9100 supported (complete);
4. 2021 – Lot 9100 preliminary engineering design commenced (complete);
5. 2021 – Lot 9100 subdivision management plans and application package completed ready to be lodged with the WAPC (complete);
6. 2021 – Council support to lodge Lot 9100 subdivision application with the Western Australia Planning Commission (pending);
7. 2021 – Approval from the Western Australia Planning Commission (valid for 5 years) (approximately September 2021);
8. 2021 – Expression of Interest process calling for interested businesses to locate at the development ready Lot 9100 under a leasehold model (approximately September 2021);
9. 2021 – Complete the Pre-Calculation plan;
10. 2022 – Complete Lot 9100 Subdivision engineering design and business plan;
11. 2023 – Subdivision implementation including:
 - a) supplementary planning reports,
 - b) business plan advertising,
 - c) project documentation,
 - d) tender documentation and assessment process,
 - e) contract award; and
 - f) subdivision construction commencement.

It is proposed that all works up to subdivision implementation (up to and including activity 10 above) will be undertaken consistent with Council's previous decision. Prior to any subdivision works taking place on Lot 9100 (activity 11), Administration will prepare appropriate detailed financial projections, a business plan and tender documentation for Council to consider for approval.

It should also be noted that subdivision applications to the WAPC often inform the wider planning of infrastructure by agencies such as the Water Corporation. The submission of a subdivision application to the WAPC will also provide a signal to the market that the City is advancing the project towards development stage. In alignment with this, it is proposed that the EOI process calling for interested businesses to locate at the development ready Lot 9100 under a leasehold model be timed to coincide with subdivision approval.

Consultation

The consultation undertaken on the project has been delivered through the Neerabup Industrial Area Working Group, Council Forums and Council meetings. Administration also meets regularly with Development WA to share information as appropriate to ensure the NIA develops in a timely manner.

Comment

The City's landholding at Neerabup is a key asset that has the potential to provide a significant long-term revenue stream to the City as well as significant regional economic benefits.

Finalising the Lot 9100 Detailed Design and going to market seeking EOIs for businesses to locate to the land under a leasehold model will provide the City with critical information to make a decision on which development scenario will provide the best return and outcome for the City. This will enable an appropriate Business Plan to be developed for consideration by Council

The next stage in the process of enabling the project to become development ready is to lodge the Lot 9100 subdivision application with the WAPC.

Statutory Compliance

Section 3.59 of the *Local Government Act 1995* (LGA) sets out the steps required for commercial enterprises by local governments and Section 10 of the *Local Government (Functions and General) Regulations 1996* sets out the requirements for a business plan for a major trading undertaking.

As required by Section 3.59 of the LGA, local governments undertaking commercial enterprises are required to:

1. Prepare a business plan;
2. Undertake local and state wide advertising of the business plan; and
3. Consider any submissions received.

Administration will develop a business plan for the development of the City's landholdings at Neerabup in accordance with the LGA for advertising at the appropriate time.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“2 *Economy*

2.2 *Strategic Growth*

2.2.6 *Focus on industry development in key strategic areas such as Neerabup*”

Risk Management Considerations

Risk Title	Risk Rating
ST-S12 Economic Growth	Moderate
Accountability	Action Planning Option
Chief Executive Officer	Manage

The above risk relating to the issue contained within this report has been identified and considered within the City's Strategic risk register. Action plans have been developed to manage this risk to support existing management systems.

This proposal aligns with the Economy objective of the existing Strategic Community Plan. Council should therefore consider the following risk appetite statement: 2.1 Local jobs

The City's defined risk appetite for 2.1 Local Jobs is articulated through the risk appetite statement that refers to the development of “*strong economic hubs for growth and employment within the region*” including Neerabup. The City's risk appetite statement concludes that “***the City is prepared to accept a high level of financial risk provided that the City implements a risk management strategy to manage any risk exposure.***”

Policy Implications

The Elected Members are to be aware of the requirement to operate in alignment with the City's Strategic Land Policy.

Financial Implications

The financial implications for this project are significant. The financial modelling carried out shows that while costs of development are significant, the potential for revenue to the City is also significant with a high project Internal Rate of Return expected.

It should be noted that the ability to develop the City's landholdings will be subject to available funding determined through the Long Term Financial Plan and annual budgeting process, in the context of the current constrained financial environment. Further detail on the financial implications will be outlined in future detailed financial projections as well as the business plan.



Voting Requirements

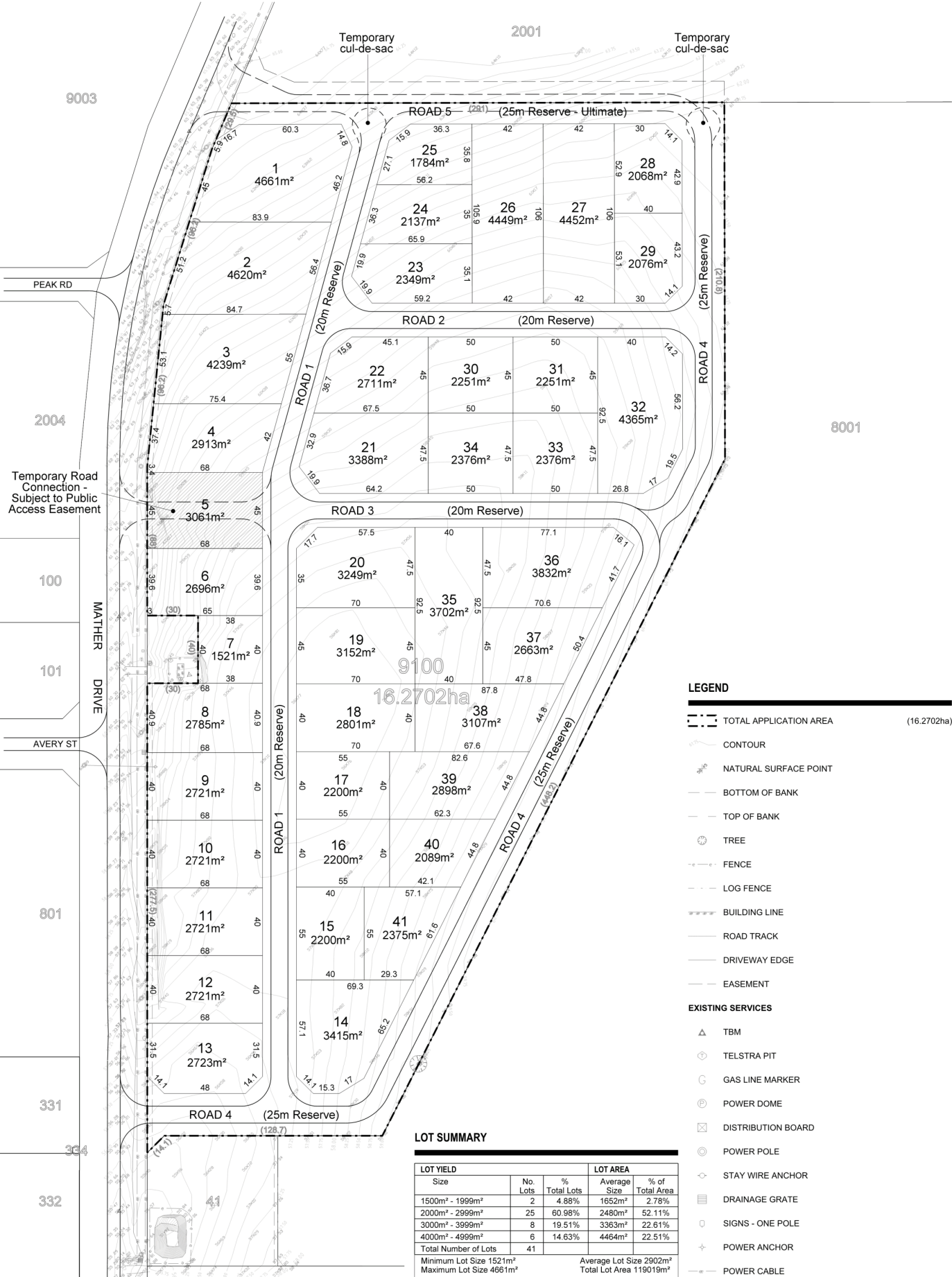
Simple Majority

Recommendation

That Council APPROVES lodgement of the Lot 9100 subdivision application with the Western Australian Planning Commission for approval as detailed in Attachment 1.

Attachments:

- | | | |
|---|--|--------------|
| 1  | Attachment 1 - Plan of Subdivision - Freehold - Lot 9100, Mather Drive, Neerabup | 21/12117[v3] |
| 2  | Attachment 2 - Lot 9100 Concept Designs - Neerabup Industrial Area | 20/199880 |

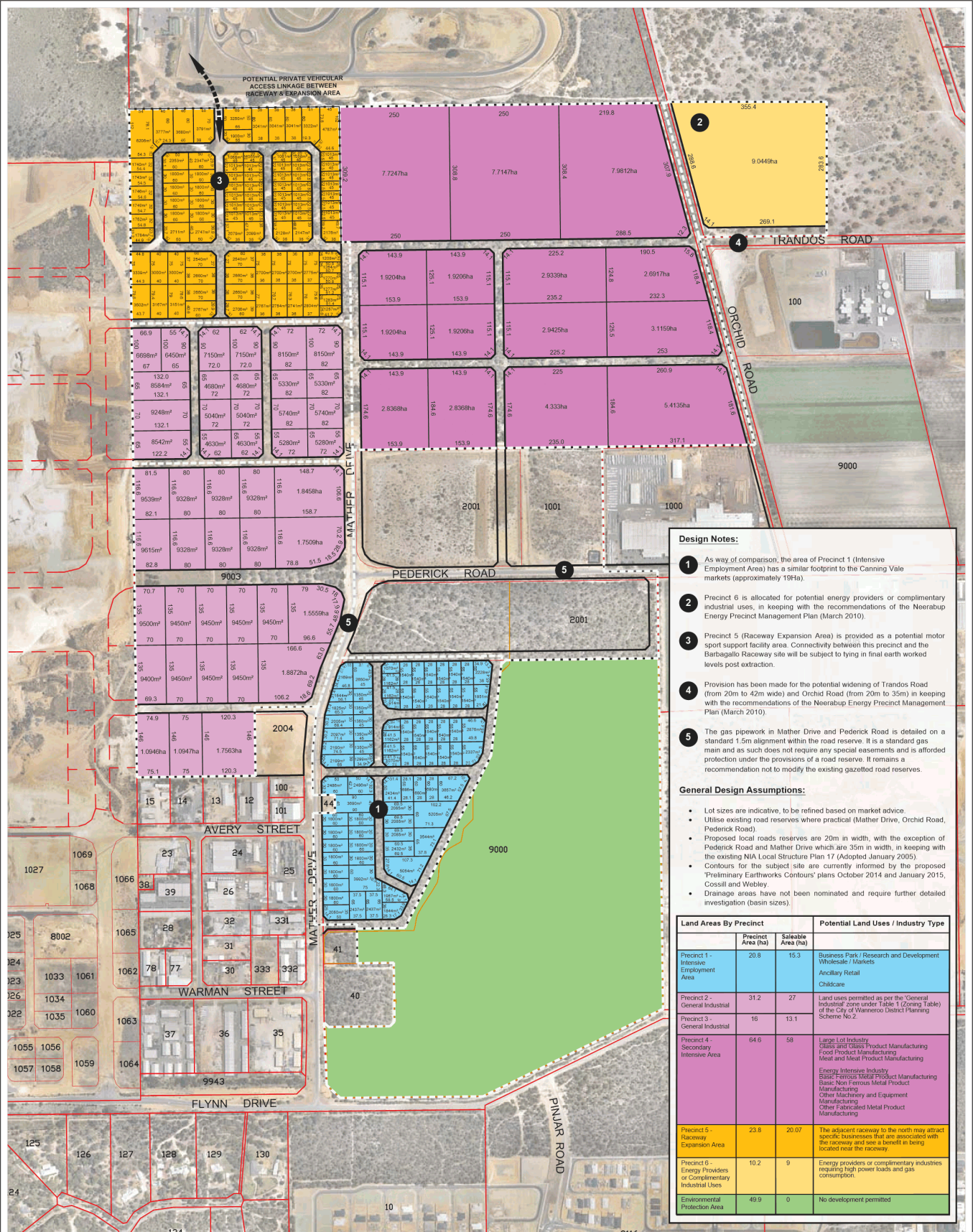


Plan of Subdivision - Freehold
LOT 9100, MATHER DRIVE, NEERABUP

A City of Wanneroo Project

plan: 201089/003A date: 27 May 2021 designed: Taylor Burrell Barnett Town Planning & Design
scale: 1:2000@A3 | 1:1000@A1 grid: PCG 94 checked: JR Level 7, 160 St Georges Terrace, Perth WA 6000
0 20 40m aerial: N/A drawn: MH e: admin@tbbplanning.com.au p: (08) 9226 4276





Design Notes:

- 1 As way of comparison, the area of Precinct 1 (Intensive Employment Area) has a similar footprint to the Canning Vale markets (approximately 19Ha).
- 2 Precinct 6 is allocated for potential energy providers or complementary industrial uses, in keeping with the recommendations of the Neerabup Energy Precinct Management Plan (March 2010).
- 3 Precinct 5 (Raceway Expansion Area) is provided as a potential motor sport support facility area. Connectivity between this precinct and the Barbagallo Raceway site will be subject to final earth worked levels post extraction.
- 4 Provision has been made for the potential widening of Trandos Road (from 20m to 42m wide) and Orchid Road (from 20m to 35m) in keeping with the recommendations of the Neerabup Energy Precinct Management Plan (March 2010).
- 5 The gas pipework in Mather Drive and Pederick Road is detailed on a standard 1.5m alignment within the road reserve. It is a standard gas main and as such does not require any special easements and is afforded protection under the provisions of a road reserve. It remains a recommendation not to modify the existing gazetted road reserves.

General Design Assumptions:

- Lot sizes are indicative, to be refined based on market advice.
- Utilise existing road reserves where practical (Mather Drive, Orchid Road, Pederick Road).
- Proposed local roads reserves are 20m in width, with the exception of Pederick Road and Mather Drive which are 35m in width, in keeping with the existing NIA Local Structure Plan 17 (Adopted January 2005).
- Contours for the subject site are currently informed by the proposed Preliminary Earthworks Contours' plans October 2014 and January 2015, Cossall and Webby.
- Drainage areas have not been nominated and require further detailed investigation (basin sizes).

Land Areas By Precinct			Potential Land Uses / Industry Type
Precinct	Area (ha)	Area (ha)	
Precinct 1 - Intensive Employment Area	20.8	15.3	Business Park / Research and Development Wholesale / Markets Ancillary Retail Childcare
Precinct 2 - General Industrial	31.2	27	Land uses permitted as per the 'General Industrial' zone under Table 1 (Zoning Table) of the City of Wanneroo District Planning Scheme No.2.
Precinct 3 - General Industrial	16	13.1	
Precinct 4 - Secondary Intensive Area	64.6	58	Large Lot Industry Oils and Glass Product Manufacturing Food Product Manufacturing Meat and Meat Product Manufacturing Energy Intensive Industry Basic Ferrous Metal Product Manufacturing Basic Non Ferrous Metal Product Manufacturing Other Machinery and Equipment Manufacturing Other Fabricated Metal Product Manufacturing
Precinct 5 - Raceway Expansion Area	23.8	20.07	The adjacent raceway to the north may attract specific businesses that are associated with the raceway and see a benefit in being located near the raceway.
Precinct 6 - Energy Providers or Complementary Industrial Uses	10.2	9	Energy providers or complementary industries requiring high power loads and gas consumption.
Environmental Protection Area	49.9	0	No development permitted

- LEGEND
- Existing Cadastre
 - Indicative Lot Design
 - Proposed Precinct Boundaries
 - Proposed General Industrial
 - Secondary Intensive Employment
 - Area subject to Environmental Protection (Non-Developable)
 - Energy Providers
 - Potential Raceway Expansion Area
 - Intensive Employment

This concept has been prepared for the purpose of meeting client specifications. The drawing does not constitute an invitation, agreement or contract (or any part thereof) of any kind whatsoever.

Although care has been taken in the compilation of this drawing by The Planning Group WA Pty Ltd, all parties associated with the proposed property development disclaim all responsibility for any errors or omissions. The right is reserved to change the plan at any time.

Liability is expressly disclaimed by The Planning Group WA Pty Ltd for any loss or damage which may be sustained by any person acting on any visual impression gained from this drawing.



SUBDIVISION CONCEPT PLAN
STRATEGIC EMPLOYMENT
CENTRE SCENARIO
LOTS 600, 9000 & 9003
NEERABUP

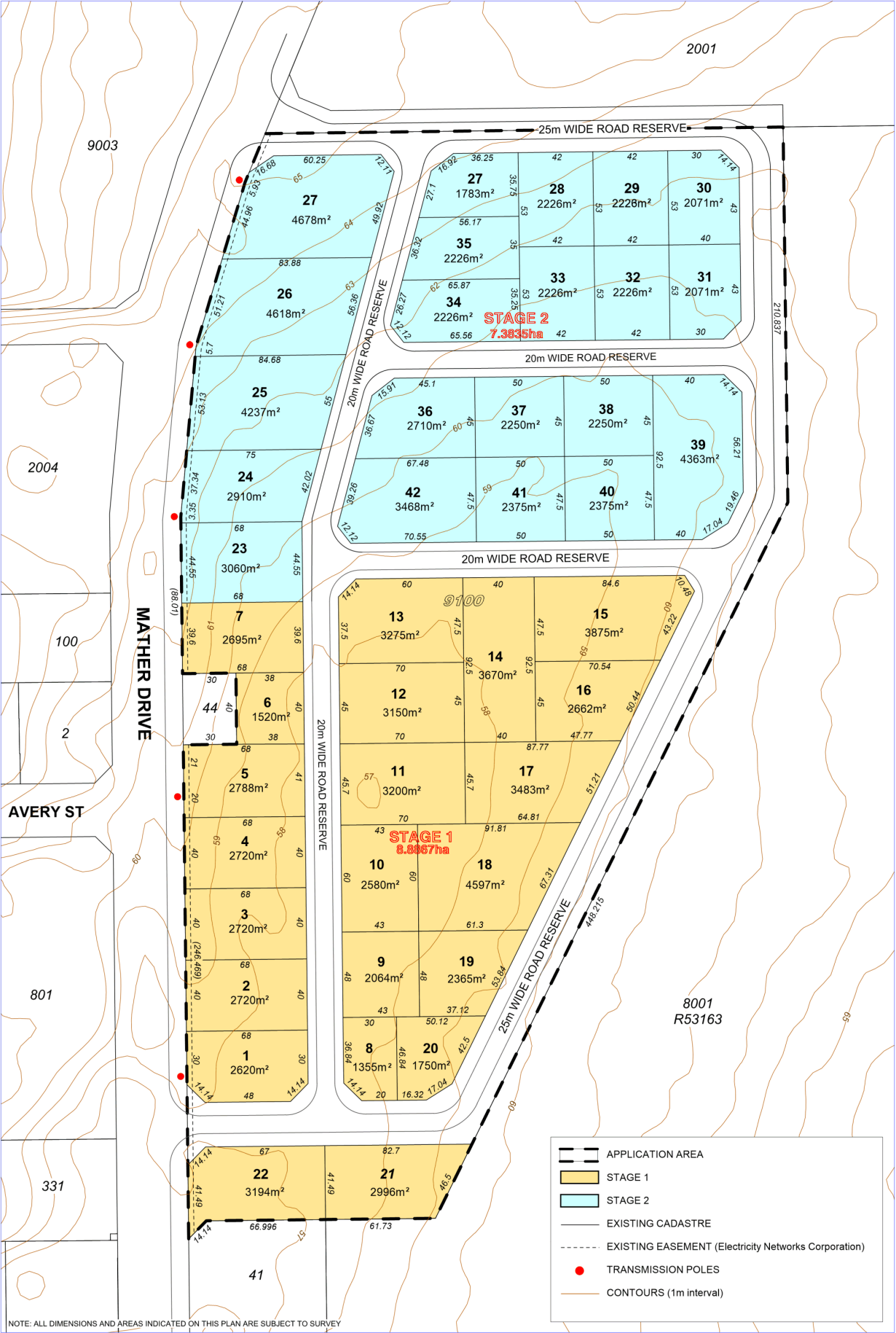
Date: 21 Jul 2015
Scale: 1:8,000 @ A3
Drawing No: 714-116 PL base.dwg

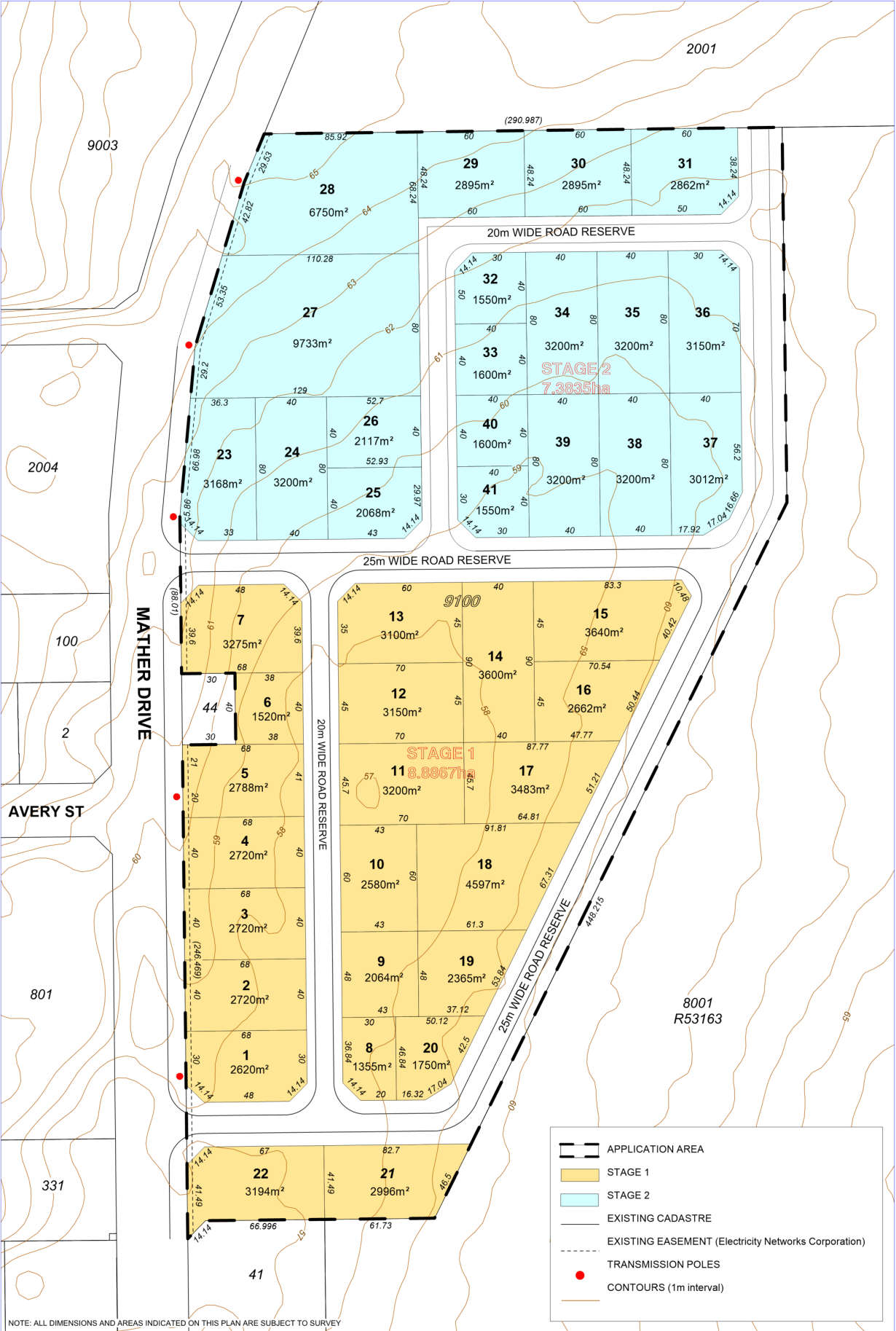
Designer: MR
Drawn: GW

TOWN PLANNING
AND URBAN DESIGN



Level 7, 162 St Georges Terrace Perth Western Australia 6000 PD Box 7375 Clifton Square Perth Western Australia 6001 Telephone +61 8 9281 8300 Facsimile +61 8 921 4786 www.tpg.com.au The Planning Group WA Pty Ltd ABN 26 607 773 222







SUBDIVISION PLAN

LOT 9100 (60) MATHER DRIVE NEERABUP

SCALE: 1:2000

DATE: October 2019

REF: 2019-10 NIA cow concept alternative

NOTE: While the City of Wanneroo has made every effort to ensure the accuracy and completeness of data it accepts no responsibility or liability for any errors or omissions within the information presented. Based on information provided by and with the permission of the Western Australian Land Authority trading as LANDGATE (2012).

Governance & Legal

4.18 Strategic Risk Profile

File Ref:	2286V02 – 21/221778
Responsible Officer:	Executive Manager Governance and Legal
Disclosure of Interest:	Nil
Attachments:	Nil

Issue

To consider the recommendation of the Audit and Risk Committee to adopt the City's updated Strategic Risk profile as recommended by the Audit and Risk Committee on Tuesday 25 May 2021.

Background

A Strategic Risk Register Review Workshop for the Executive was held on 25 March 2021.

As a result of the discussion, the risks and inputs identified during the Strategic Risk Review Workshop, the Strategic Risk Register was presented to the Audit and Risk Committee on 25 May 2021 for consideration. The Audit and Risk Committee recommends Council endorse the City's Strategic risk profile.

Detail

The Strategic Risk Register workshop resulted in robust discussion around the City's Risk Management Framework, review of the City's Strategic Risks, the positives and challenges the City had experienced in the past year from a COVID-19 financial and operational perspective with consideration against the City's vision, mission, goals and objectives.

Discussions around the external and internal environment and the current economic climate together with issues and risk associated with COVID-19 identified some of the greatest impacts/opportunities presented to Council. As such a risk at the Corporate Risk level CO-O20 Productive Communities has been elevated to Strategic Risk level – ST-S26 Resilient and Productive Communities. The risk description of ST-S26 Resilient and Productive Communities is - Lack of planning to deliver healthy, safe, vibrant and connected communities impacts on the ability of the Community to have productive lives and (respond) recover from adversity.

Consultation

The Audit and Risk Committee reviews the City's Strategic Risk Register biannually.

Comment

The updated details of the City's Strategic Risk Profile are set out in the below and was presented to the Audit and Risk Committee on 25 May 2021 for consideration. The Audit and Risk Committee has recommended for Council to endorse the City's Strategic risk profile.

Strategic Risks

Risk Title	Risk Description	Risk Rating
ST-G09 Long Term Financial Planning	Ineffectiveness in long term financial planning leads to poor financial management including efficiency and timing of service and asset provision impacting the City's sustainability	Low
ST-S04 Integrated Infrastructure & Utility Planning	Infrastructure is not delivered in a timely and coordinated way leading to issues with access and service levels and/or additional expenses (Not City of Wanneroo infrastructure)	Low
ST-S05 Water Availability	Ineffective City preparedness for potential reduced water availability impacts business and community service delivery	Moderate
ST-S06 Climate Change	Lack of preparedness to respond and adapt to climate change impacts leading to community and financial implications	Moderate
ST-S12 Economic Growth	Ineffective economic development intervention results in limited opportunity to create local employment opportunities impacting on the City's vision to create sustainable communities	Moderate
ST-S20 Strategic Community Plan	Inadequate strategic community planning results in misaligned strategies between the City and the Community	Low
ST-S23 Stakeholder Relationships	Ineffective engagement with stakeholders leads to, lost opportunities and negatively impacts on the quality of the relationship	Low
ST-S24 Strategic Asset Management	Inadequate asset management processes and systems impacts on the City's ability to manage assets strategically	Moderate
ST-S25 Legislative Reform or Changes	Lack of preparedness to accommodate Legislative reform changes impacts on the City's ability to deliver the CBP, stakeholder commitments and operational effectiveness requires diversion of resources from current priorities and activities	Moderate
New Strategic Risk		
ST-S26 Resilient and Productive Communities	Lack of planning to deliver healthy, safe, vibrant and connected communities impacts on the ability of the Community to have productive lives and (respond) recover from adversity	Moderate

Statutory Compliance

Nil

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 Civic Leadership

4.2 Good Governance

4.2.1 Provide transparent and accountable governance and leadership”

Risk Management Considerations

Risk Title	Risk Rating
CO-O17 Risk Management	Low
Accountability	Action Planning Option
Executive Manager Governance and Legal	Manage

The above risks relating to the issue contained within this report have been identified and considered within the City's Corporate risk register. Action plans have been developed to manage this risk to support existing management systems. Alignment with the following risk appetite statement, under the strategic theme of Civic Leadership should also be considered:

4.2 Good Governance

The City places a high priority on the importance of maintaining good governance and has no appetite for deliberate act or omission by any party that jeopardises this. The City provides appropriate systems and processes to realise its values and achieve good governance. Decisions are aligned to policy to ensure non-compliance impacts are reduced as low as reasonably practicable (ALARP) and reputational damage is restricted to low. **Therefore the City accepts low or ALARP of compliance and governance risk.**

Policy Implications

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority

Recommendation

That Council ACCEPTS the recommendation of the Audit and Risk Committee and ENDORSES the updated City of Wanneroo Strategic Risk Profile.

Attachments: Nil

4.19 Annual Delegated Authority Review 2020/2021

File Ref: 9167V06 – 21/204054
 Responsible Officer: Executive Manager Governance and Legal
 Disclosure of Interest: Nil
 Attachments: 1

Issue

To consider amendments to the City's Delegated Authority Register (the **Register**) as a result of the annual review required under the *Local Government Act 1995* (the **Act**).

Background

Sections 5.18 and 5.46(2) of the Act require that the City's delegated statutory authorities are reviewed at least once each financial year by the delegator (Council and the CEO). The last annual review of the Register was undertaken in June 2020.

Detail

To satisfy the legislative requirement to undertake an annual review, Governance, in conjunction with delegated officers and the Executive, undertook to review: -

- relevant legislation to ensure the delegation remains current and compliant;
- drafting of delegation instrument to ensure clarity of intent and execution;
- whether the delegation and sub-delegation are to the appropriate officer level;
- whether there is a requirement for new delegations to improve efficiencies and subject to satisfactory documented guidance for consistent decision making;
- one off delegations granted by Council to ascertain whether they are still required;
- policies or procedures that support the delegation; and
- delegation instruments against the WALGA model templates delegation instruments.

Consultation

There was no consultation with external parties in relation to the content of this report.

Comment

The table below summarises the outcomes and recommendations resulting from the review. The proposed amendments that relate to a Council decision are noted in the fourth column. A marked-up version of the proposed changes to the Register are shown at (**Attachment 1**).

The table does not detail the administrative amendments proposed as these do not impact on the intent of the delegation. These changes relate to:

- removing superfluous information;
- providing further clarification of the function being delegated;
- update of compliance links; and
- update of legislative references.

Del. No.	Title	Proposed Change	Council / CEO decision or Administrative
1.1.2	Performing Functions Outside the District	Added condition on Council's Conditions on Delegation: <ul style="list-style-type: none"> - "A decision to undertake a function outside the District can only be made under this delegation where there is a relevant budget allocation and the performance of the functions does not negatively impact service levels within the District. Where these conditions are not met the matter must be referred for Council Decision." This change is based on the WALGA Model of Delegations.	Council
1.1.3	Compensation for Damage Incurred when Performing Functions	<ul style="list-style-type: none"> • Addition to Council's Conditions on Delegation: <ul style="list-style-type: none"> - "Delegation is limited to settlements which do not exceed \$20,000". • There is a statutory power to sub-delegate that has not been extended. • The Record Keeping Statement has been expanded to include that Council Members will be notified of decisions made through the Council Members Hub. 	Council
1.1.5	Powers of Entry	Removal of Manager Asset Planning as a sub-delegate. This Manager has not exercised the delegation and does not believe any benefit will be gained by maintaining the position as a sub-delegate.	CEO
1.1.26	Agreement as to Payment of Rates and Service Charges	<ul style="list-style-type: none"> • Improved wording of this delegation proposed to provide greater clarity to those making the decisions under this delegation. These changes do not provide greater decision making authority other than those already extended by Council. • Addition of Manager Finance and Coordinator Rates and Accounts as Sub-delegates. 	Council and CEO
1.1.33	Grant of Concession on Council Rates	Improved wording of this delegation proposed to provide greater clarity to those making the decisions under this delegation. These changes do not provide greater decision making authority other than those already extended by Council.	Council
2.1.7	Building Regulations 2012 – Appointment of Authorised Officers – Infringement Notices	<ul style="list-style-type: none"> • An amendment to this instrument is proposed to reflect that legislation provides for a power of delegation from the Council to the CEO. • The proposed change provides for a delegation to the CEO to appoint authorised officers for issuing infringement notices under the Building Regulations 2012. • This change reflects the instrument presented in the WALGA Model of Delegations. 	Council
2.1.8	Building Regulations 2012 – Appointment of Approved Officer –	<ul style="list-style-type: none"> • An amendment to this instrument is proposed to reflect that legislation provides for a power of delegation from Council to the CEO. • The proposed change provides for a delegation to the CEO to appoint approved officers for the withdrawal of infringements or an extension of time 	Council

Del. No.	Title	Proposed Change	Council / CEO decision or Administrative
	Infringement Notices	to pay infringements under the Building Regulations 2012. • This change reflects the instrument presented in the WALGA Model of Delegations.	
2.9.1	Strata Titles Act 1985 - Certificate of Approval	• Title changed to 'Strata Titles Act 1985 – Approvals' to reflect the change in legislation. • Addition of two functions as per the change in delegation by the WAPC: 2) Power to determine applications under section 21 of the Strata Titles Act 1985; 3) Power to determine applications under section 22 of the Strata Titles Act 1985. • Update to the Statutory Power of Delegation to reflect the delegation from the WAPC. • Addition of Coordinator Planning Services and Senior Planners as Delegated Officers under the delegation.	Council / CEO
2.10.1	Structure Planning	• Addition to the title to more accurately reflect the legislation and the function delegated. • Applicants seeking to amend a local development plan can no longer request Council to determine the application. • The proposed amendments are consistent with Council's request for Administration to consider modifying the delegation to approve modifications to the Jindee Design Codes with the power to sub-delegate this function. Council will still be advised of amendments as per current practice. • There are also changes as a result of amendments to the Planning and Development (Local Planning Scheme) Regulations 2015 following gazettal of Planning Regulations Amendment Regulations 2020, some of which came into effect on the 15 February 2021. These include the removal of legislative references that no longer exist within the regulations and the removal of the term 'activity centre plan'.	Council
2.10.3	Development Control	• Change of title to more accurately reflect the legislation and the function delegated. • The proposed changes to the delegation are to ensure efficiencies in the review of Development Applications. Currently, any application that has an objection needs to be presented to Council for determination. The proposed changes allow for Administration to determine applications even where objections have been received. Council continues to have the ability to review these applications where a written request is submitted by a Council Member. • A condition has been added where Administration will refer applications to Council for determination in certain circumstances.	Council

Statutory Compliance

The Act provides for the delegation of certain powers and duties of Council to the CEO who may, (unless prohibited by Council's instrument of delegation or the respective legislation), further on-delegate powers and duties to employees. A power can only be delegated if it exists under legislation, and the legislation allows the delegation to take place.

- *Section 5.42* of the Act prescribes that Council may delegate functions or duties to the CEO and *Section 5.43* prescribes the limitations on such delegations.
- *Section 5.44* of the Act prescribes that the CEO may delegate powers and duties vested in their office and sub-delegate powers and duties delegated to the office of CEO to other local government employees.

All delegations made by Council must be by absolute majority as prescribed by *Section 5.42* of the Act. In accordance with *Section 59* of the *Interpretations Act 1984* and the requirements of *Sections 5.16 and 5.42* of the Act, the City is required to record statutory delegated authorities in written instruments of delegation contained in the City's Register.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 *Civic Leadership*

4.2 *Good Governance*

4.2.1 *Provide transparent and accountable governance and leadership”*

Risk Management Considerations

Risk Title	Risk Rating
CO-C01 Compliance Framework	Low
Accountability	Action Planning Option
Executive Manager Governance & Legal	Manage

The above risk/s relating to the issue contained within this report have been identified and considered within the City's Corporate risk register. Action plans through the development of policies and procedures have been developed to accept and manage this risk.

The City's defined risk appetite for 4.2 Good Governance is articulated through the risk appetite statement as - The City places a high priority on the importance of maintaining good governance and has no appetite for deliberate act or omission by any party that jeopardises this. The City provides appropriate systems and processes to realise its values and achieve good governance. Decisions are aligned to policy to ensure non-compliance impacts are reduced as low as reasonably practicable (ALARP) and reputational damage is restricted to low.

Policy Implications

Policies and Procedures will be updated where they are impacted in changes to delegations.

Financial Implications

Nil

Voting Requirements


Absolute Majority

Recommendation

That Council:-

1. **ACCEPTS** the review of the City of Wanneroo Delegated Authority Register as required in accordance with sections 5.18 and 5.46(2) of the *Local Government Act 1995*; and
2. **ADOPTS BY ABSOLUTE MAJORITY** the City's Delegated Authority Register as shown at Attachment 1 accepting all marked up amendments.

Attachments:

1  Attachment 1 - 2020/21 Annual Review - Proposed Changes to Delegated Authority Register 21/124595



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1 LOCAL GOVERNMENT ACT 1995

1.1 COUNCIL TO CEO

1.1.1 AUTHORITY TO MAKE DECISIONS ON BEHALF OF THE CITY DURING COUNCIL RECESS.

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	To make decisions on behalf of the City during Council recess.	
Statutory Power being Delegated:	The powers and duties of the City under the Local Government Act 1995.	
Power is originally assigned to:	Local Government	
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO	
Power Delegated to:	Chief Executive Officer	
Council’s Conditions on Delegation:	The delegation is subject to any decisions being made by agreement with the Mayor (or in their absence the Deputy Mayor). Those matters prescribed in Section 5.43 of the Local Government Act 1995 are exempt.	
Statutory Power to Sub-Delegate:	Nil	
CEO’s Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A	
CEO’s Conditions on Sub-delegation:	N/A	
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	A report on those decisions made is to be provided to Council at the conclusion of the delegation period.	
Compliance Links	<i>Financial Interest Return required - Yes</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. CE06-05/17	6.	11.
2. CE01-06/18	7.	12.
3.	8.	13.
4.	9.	14.

1.1.2 PERFORMING FUNCTIONS OUTSIDE THE DISTRICT

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Determine the circumstances where it is appropriate for the Local Government's functions to be performed outside the District and prior to implementing such a decision, obtain the consent of the landowner/s and occupier/s and any other person that has control or management of the land impacted by the performance of the function [s.3.20(1)].
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.3.20(1) Performing functions outside district
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<p>1) This delegation is not to be sub-delegated.</p> <p>2) <u>A decision to undertake a function outside the District, can only be made under this delegation where there is a relevant budget allocation and the performance of the functions does not negatively impact service levels within the District.</u></p> <p><u>Where these conditions are not met, the matter must be referred for Council decision.</u></p>
Statutory Power to Sub-Delegate:	N/A
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A
CEO's Conditions on Sub-delegation:	N/A
Record Keeping Statement (LGA 1995) s5.46(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."	Details of actions taken are to be recorded on the appropriate file or record and a report presented to Council at its next ordinary meeting.
Compliance Links	<i>Financial Interest Return required - Yes</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-06/18	6.
2.	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

1.1.3 COMPENSATION FOR DAMAGE INCURRED WHEN PERFORMING FUNCTIONS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly through the from performance by the local government of its functions <u>under the Local Government Act 1995</u> and make payment of compensation [s.3.22(1)]. 2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.	
Statutory Power being Delegated:	Local Government Act 1995 s.3.22(1) Compensation s.3.23 Arbitration	
Power is originally assigned to:	Local Government	
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO	
Power Delegated to:	Chief Executive Officer	
Council's Conditions on Delegation:	Nil <u>Delegation is limited to settlements which do not exceed \$20,000</u>	
Statutory Power to Sub-Delegate:	Nil <u>Local Government Act 1995:</u> <u>s.5.44 CEO may delegate some powers and duties to other employees</u>	
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A <u>Nil</u>	
CEO's Conditions on Sub-delegation:	N/A	
Record Keeping Statement (LGA 1995) s5.46(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."	Details of decisions actions taken are to be recorded on the appropriate file or record and Council Members to be notified through the Council Members Hub a report presented to Council at its next ordinary meeting.	
Compliance Links	Financial Interest Return required - Yes	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. CE01-06/18	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.

1.1.4 APPOINTMENT OF AUTHORISED PERSONS REFER DELEGATION 1.2.7**1.1.5 POWERS OF ENTRY**

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to exercise powers of entry to enter onto land to perform any of the Local Government functions under this Act, other than entry under a Local Law [s.3.28]. 2. Authority to give notice of entry [s.3.32]. 3. Authority to seek and execute an entry under warrant [s.3.33]. 4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Authority to give notice and effect of entry by opening a fence [s.3.36].
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.3.28 – Enter Land s.3.32 – Notice of Entry s.3.33 – Entry under warrant s.3.34 – Entry in an emergency s.3.36 – Opening fences
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Nil
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	All Directors Manager Health & Compliance Manager Community Safety & Emergency Management Manager Asset Planning Manager Parks & Conservation Maintenance Manager Asset Maintenance Manager Approval Services Manager Waste Services
CEO's Conditions on Sub-delegation:	Nil
Record Keeping Statement (LGA 1995) s5.46(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."	Details of the notice must be recorded in the appropriate record.

Compliance Links		Financial Interest Return required - Yes	
Delegation Administration:			
Decision Reference		Decision Reference	Decision Reference
1.	Annual Review – May 2014	6.	18/274278
2.	CE06-05/17	7.	19/376416
3.	07/02/18 Administrative	8.	19/394864
4.	CE01-06/18	9.	
		11.	
		12.	
		13.	
		14.	

1.1.6 DECLARING A VEHICLE TO BE AN ABANDONED VEHICLE WRECK

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)]	
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.3.40A(4) Abandoned vehicle wreck may be taken	
Power is originally assigned to:	Local Government	
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO	
Power Delegated to:	Chief Executive Officer	
Council’s Conditions on Delegation:	Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.1.7 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision.	
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees.	
CEO’s Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Community & Place Manager Community Safety and Emergency Management Coordinator Community Safety	
CEO’s Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.	
Record Keeping Statement (LGA 1995) s5.46(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."	The declaration is to be recorded in appropriate record to meet legislative requirements.	
Compliance Links	<i>Financial Interest Return required - Yes</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. 14/196797	6.	11.
2. CE01-06/18	7.	12.
3. 18/274278	8.	13.
4.	9.	14.

1.1.7 DISPOSING OF CONFISCATED OR UNCOLLECTED GOODS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<ol style="list-style-type: none"> 1. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable; and 2. In accordance with the Disposal of Property other than Land and Buildings Management Procedure
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Community & Place Director Planning & Sustainability Manager Health & Compliance Manager Community Safety and Emergency Management Coordinator Community Safety
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.
Record Keeping Statement (LGA 1995) s5.46(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."	The sale or disposal of goods or vehicles is to be recorded in the appropriate record.
Compliance Links	Disposal of Property Other Than Land and Buildings Management Procedure Financial Interest Return required - Yes
Delegation Administration:	
Decision Reference	Decision Reference
1. 14/196797	6.
2. CE01-06/18	7.
3. 18/274278	8.
4.	9.
	11.
	12.
	13.
	14.

1.1.8 DISPOSAL OF SICK OR INJURED IMPOUNDED ANIMALS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)]. 2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Nil
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Community & Place Manager Community Safety and Emergency Management Coordinator Community Safety
CEO's Conditions on Sub-delegation:	Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
Record Keeping Statement (LGA 1995) s5.46(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."	The details of sick or injured animals disposed of are to be recorded in the appropriate record.
Compliance Links	<i>Financial Interest Return required - Yes</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. 14/196797 2. 16/254349 3. CE01-06/18 4. 18/203840	6. 18/274278 7. 8. 9.
	11. 12. 13. 14.

1.1.9 CLOSE THOROUGHFARES TO VEHICLES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ul style="list-style-type: none"> • give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and • consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A] 5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s.3.51].
Statutory Power being Delegated:	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	The permanent closure of thoroughfares to be referred to Council for determination
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Assets Director Planning & Sustainability For Function 4 - Partial Closures only:- Manager Asset Maintenance Manager Infrastructure Capital Works Manager Land Development Manager Parks and Conservation Management

CEO's Conditions on Sub-delegation:	As per Council's conditions to the CEO		
Record Keeping Statement (LGA 1995) s5.46(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."	<p>Action taken to close thoroughfares (not partial closures for repairs or maintenance) must be recorded in the appropriate register and elected members advised accordingly.</p> <p>Details of partial closures for repairs or maintenance to be recorded on the appropriate record.</p>		
Compliance Links	<ul style="list-style-type: none">• If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].• Maintain access to adjoining land [s.3.52(3)]; <p><i>Financial Interest Return required – Yes</i></p>		
Delegation Administration:			
Decision Reference		Decision Reference	
1. CE01-06/18		11.	
2. 18/203840		12.	
3. 18/306398		13.	
4.		14.	
6.			
7.			
8.			
9.			

1.1.10 CONTROL OF RESERVES AND CERTAIN UNVESTED FACILITIES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)]. 2. Authority to do anything for the purpose of controlling and managing land under the control and management of the City of Wanneroo that the City of Wanneroo could do under s.5 of the Parks and Reserves Act 1895 . [s.3.54(1)].
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Nil
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Planning and Sustainability Director Assets
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.
Record Keeping Statement (LGA 1995) s5.46(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."	Details of actions taken are to be recorded on the appropriate file or record and a report presented to Council at its next ordinary meeting.
Compliance Links	<i>Parks and Reserves Act 1895</i> <i>Land Administration Act 1997</i> <i>Financial Interest Return required - Yes</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-06/18	6.
2. 18/203840	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

1.1.11 DETERMINING THAT TENDERS DO NOT HAVE TO BE INVITED FOR THE SUPPLY OF GOODS AND SERVICES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G r.11 (2)(f)].
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.3.57 Tenders for providing goods or services <i>Local Government (Function and General) Regulations 1996</i> r.11(2)(f) When tenders have to be publicly invited
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	The determination is to be supported by a detailed report; and subject to the requirements and conditions of Council's Purchasing Policy.
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Nil
CEO's Conditions on Sub-delegation:	N/A
Record Keeping Statement (LGA 1995) s5.46(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."	The determination is to be recorded in the appropriate record.
Compliance Links	<i>Local Government (Function and General) Regulations 1996</i> City of Wanneroo Purchasing Policy Procurement Corporate Guideline Financial Interest Return required - Yes
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-06/18	6.
2.	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

1.1.12 TENDERS TO BE INVITED FOR CERTAIN CONTRACTS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Prior to tenders being publicly invited, the determination, in writing, of the criteria for deciding which tender should be accepted; and 2. Publicly invite tenders before entering into a contract for the supply of goods or services if the consideration under the contract is, or is expected to be, worth more than \$250,000. 3. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)].
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.3.57(1) Tenders for providing goods or services <i>Local Government (Function and General) Regulations 1996</i> r.11(1) When tenders have to be publicly invited r.14(2a) & (5) Publicly inviting tenders, requirements for.
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<p>Tenders can only be invited for those goods and services identified in the Annual Budget, Corporate Business Plan or separately approved by Council.</p> <p>Acceptance of the most advantageous tender is subject to Section 3.57(1) of the Local Government Act 1995, Regulation 11(1) of the Local Government (Functions and General) Regulations 1996 and Delegation 1.1.14.</p> <p>Subject to the requirements and conditions of Council's Purchasing Policy.</p>
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	<p>All Directors</p> <p>Manager Contracts & Procurement is appointed for the purposes of Function 3 only.</p>
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.

Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	The invitation to tender is to be entered into the Tender Register in the manner prescribed.
Compliance Links	<i>Local Government (Function and General) Regulations 1996</i> City of Wanneroo Purchasing Policy Procurement Corporate Guideline Financial Interest Return required – Yes
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-06/18	6.
2. 18/313146	7.
3. 18/306398	8.
4. 19/394864	9.
	11.
	12.
	13.
	14.

1.1.13 EXTENSION OF CONTRACTS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Subject to the terms of the existing contract, approve an extension to a contract.	
Statutory Power being Delegated:	<i>Local Government (Function & General) Regulations 1996</i> r.11(2)(j) When tenders have to be publicly invited	
Power is originally assigned to:	Local Government	
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO	
Power Delegated to:	Chief Executive Officer	
Council's Conditions on Delegation:	Subject to the: <ul style="list-style-type: none">tender specifying the provisions of the option term;contract providing for the extension;extension being on the same terms and conditions as the last year of the original term but does allow for price increases in line with the contract provisions (if any) for price.	
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 - CEO may delegate powers or duties to other employees	
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	All Directors	
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.	
Record Keeping Statement (LGA 1995) s5.46(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."	Details of the extension must be recorded in the appropriate record.	
Compliance Links	<i>Local Government (Function and General) Regulations 1996</i> <i>Contract Management Corporate Guideline</i> <i>Financial Interest Return required – Yes</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. CE01-06/18	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.

1.1.14 CHOICE OF MOST ADVANTAGEOUS TENDER

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. To consider the most advantageous tender to accept by means of a written evaluation of the extent of which each tender satisfies the criteria and has not been rejected in accordance with Regulations 18(1), 18(2) or 18(3) of the Local Government (Function and General) Regulations 1996. 2. To decline to accept any tender.
Statutory Power being Delegated:	<i>Local Government (Function and General) Regulations 1996</i> r.18(4), (4a) & (5) Rejecting and accepting tenders
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	<p>Function 1 is subject to a provision in the adopted Annual Budget and / or the Long Term Financial Plan and limited to:</p> <ul style="list-style-type: none"> • Tenders resulting from the expiry of a recurring contract - \$5 million (life of contract). • Supply of plant and equipment - to a maximum amount of \$2,000,000. • All other tenders - to a maximum amount of \$1,000,000.
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	<p>All Directors (execution of contractual documents only)</p> <p>Where the CEO has a conflict of interest that precludes the CEO from exercising this delegation of authority, the CEO delegates to a Director the authority to exercise this function providing that the Director is not the same Director making the recommendation to the CEO.</p>
CEO's Conditions on Sub-delegation:	Once the tender has been accepted by the CEO or Director, the CEO or any Director may execute the contractual documents relating to the acceptance of the tender in accordance with the City's Execution of Documents Policy.
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	Acceptance must be recorded in the appropriate record and in the Tender Register as required by Regulation 17 of the Local Government (Functions and General) Regulations 1996.

Compliance Links	<u>Local Government (Function and General) Regulations 1996</u>		
	Delegation 4.5.4 – Execution of Documents		
	City of Wanneroo Execution of Documents Policy and Management Procedure		
	<u>Purchasing Policy</u>		
	<u>Procurement Corporate Guideline</u>		
Financial Interest Return required - Yes			
Delegation Administration:			
Decision Reference		Decision Reference	
1. CE04-12/16		6. CE01-04/20	
2. 16/421025		7. CE02-06/20	
3. 17/335505		8.	
4. CE01-06/18		9.	
		11.	
		12.	
		13.	
		14.	

1.1.15 MINOR VARIATION IN GOODS OR SERVICES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	With the approval of the tenderer, make a minor variation in a contract for goods or services before entering into the contract with the successful tenderer.
Statutory Power being Delegated:	<i>Local Government (Function and General) Regulations 1996</i> r.20(1) Variation of requirements before entry into contract
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	That the variation is minor having regard to the total goods or services that tenderers were invited to supply
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	All Directors - \$10,000
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.
Record Keeping Statement (LGA 1995) s5.46(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."	Details of the minor variation must be recorded in the appropriate record.
Compliance Links	<i>City of Wanneroo Purchasing Policy</i> Procurement Corporate Guideline <i>Financial Interest Return required - Yes</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-06/18	6.
2.	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

1.1.16 SELECTING THE NEXT MOST ADVANTAGEOUS TENDER

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	If the successful tenderer is unwilling or unable to accept the contract with the variation or the local government and the tenderer cannot reach agreement, select the next most advantageous tenderer.
Statutory Power being Delegated:	<i>Local Government (Function and General) Regulations 1996</i> r.20(2) Variation of requirements before entry into contract
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Subject to:- <ul style="list-style-type: none"> • r.20(2) of the Local Government (Functions and General) Regulations 1996; and • A provision in the adopted Annual Budget and / or the Long Term Financial Plan and limited to: <ul style="list-style-type: none"> ○ Tenders resulting from the expiry of a recurring contract - \$5 million (life of contract). ○ Supply of plant and equipment - to a maximum amount of \$2,000,000. ○ All other tenders – to a maximum amount of \$1,000,000.
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	All Directors (execution of contractual documents only) Where the CEO has a conflict of interest that precludes the CEO from exercising this delegation of authority, the CEO delegates to a Director the authority to exercise this function providing that the Director is not the same Director making the recommendation to the CEO.
CEO's Conditions on Sub-delegation:	Once the tender has been accepted by the CEO or Director, the CEO or any Director may execute the contractual documents relating to the acceptance of the tender in accordance with the City's Execution of Documents Policy.
Record Keeping Statement (LGA 1995) <i>s.46(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."</i>	Acceptance must be recorded in the appropriate record and in the Tender Register as required by regulation 17 of the Local Government (Functions and General) Regulations 1996.

Compliance Links	Delegation 4.5.4 – Execution of Documents		
	City of Wanneroo Execution of Documents Policy and Management Procedure		
	Purchasing Policy		
	Procurement Corporate Guideline		
	Financial Interest Return required - Yes		
Delegation Administration:			
Decision Reference		Decision Reference	Decision Reference
1. CE06-05/17		6.	11.
2. CE01-06/18		7.	12.
3.		8.	13.
4.		9.	14.

1.1.17 SEEKING EXPRESSIONS OF INTEREST FOR GOODS AND SERVICES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23].
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Nil
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	<u>Sub-delegation for Function 1 only:</u> Director Assets Director Corporate Strategy & Performance
CEO's Conditions on Sub-delegation:	
Record Keeping Statement (LGA 1995) s5.46(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."	Details of the expression of interest sought, received and accepted must be recorded in the appropriate record and in the Tender Register as required by Regulation 17 of the Local Government (Functions and General) Regulations 1996.
Compliance Links	<i>Local Government (Functions & General) Regulations 1996</i> <u><i>r.21 and r.22</i></u> <i>City of Wanneroo Purchasing Policy</i> Procurement Corporate Guideline Financial Interest Return required - Yes
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-06/18	6.
2. 18/203840	7.
3. 18/313146	8.
4. 19/394864	9.
	11.
	12.
	13.
	14.

1.1.18 VARIATION TO CONTRACT FOR THE SUPPLY OF GOODS AND SERVICES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Vary a contract with the successful contractor for the supply of goods and services in accordance with Regulation 21A of the <i>Local Government (Function and General) Regulations 1996</i> .	
Statutory Power being Delegated:	<i>Local Government (Function and General) Regulations 1996</i> r .21A Varying a contract for the supply of goods or services	
Power is originally assigned to:	Local Government	
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO	
Power Delegated to:	Chief Executive Officer	
Council's Conditions on Delegation:	Nil	
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 - CEO may delegate powers or duties to other employees	
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	All Directors Manager Asset Maintenance Manager Infrastructure Capital Works Manager Parks & Conservation Management Manager Waste Services	
CEO's Conditions on Sub-delegation:	The amount of the variation limited to the sub-delegates purchasing approval limit; and The amount of the variation must be within the approved budget.	
Record Keeping Statement (LGA 1995) s5.46(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."	Details of the variation must be recorded in the appropriate record.	
Compliance Links	<i>City of Wanneroo Purchasing Policy</i> <i>Procurement Corporate Guideline</i> <i>Contracts Management Corporate Guideline</i> <i>Financial Interest Return Required – Yes</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. 17/102900	6.	11.
2. CE01-06/18	7.	12.
3. 19/394864	8.	13.
4.	9.	14.

1.1.19 PANELS OF PRE-QUALIFIED SUPPLIERS FOR GOODS AND SERVICES

<p>Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i></p>	<ol style="list-style-type: none"> 1. Authority to establish a panel of pre-qualified suppliers to supply particular goods or services [F&G r.24AB]. 2. Authority to determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&G r.24AC(1)(b)]. 3. Authority to determine, before inviting submissions, the written criteria for deciding which application should be accepted for inclusion in a panel of pre-qualified suppliers [F&G r.24AD(3)]. 4. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to ensure that each person who has enquired or submitted an application is provided notice of the variation [F&G r.24AD(6)]. 5. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&G r.24AH(2)]. 6. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&G r.24AH(3)]. 7. Authority to request clarification of information provided in a submission by an applicant [F&G r.24AH(4)]. 8. Authority to decline to accept any application [F&G r.24AH(5)]. 9. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&G r.24AJ(1)].
<p>Statutory Power being Delegated:</p>	<p><i>Local Government (Functions and General) Regulation 1996</i></p> <p>r.24AB Local government may establish panels of pre-qualified suppliers</p> <p>r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers</p> <p>r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers</p> <p>r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers</p> <p>r.24AJ(1) Contracts with pre-qualified suppliers</p>
<p>Power is originally assigned to:</p>	<p>Local Government</p>

Statutory Power of Delegation	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to CEO		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	a) In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the total consideration under the resulting contract is included in the adopted Annual Budget; and b) Subject to compliance with the City's Purchasing Policy		
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers or duties to other employees		
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	All Directors Executive Manager Governance & Legal Manager Contracts & Procurement		
CEO's Conditions on Sub-delegation:	Subject to:- a) The conditions on delegation to the CEO; and b) Individual contracts entered into with prequalified suppliers in accordance with function 9 not exceeding \$500,000 for Directors and \$250,000 for the Executive Manager Governance & Legal; and c) Manager Contracts & Procurement is only delegated the authority to undertake functions 4 and 7 <u>to</u> vary <u>a</u> panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to <u>provide</u> each person who has enquired or submitted an application <u>is provided</u> notice of the variation.		
Record Keeping Statement (LGA 1995) s5.46(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."	Details of the panel and any actions taken by the panel are to be recorded in the appropriate record.		
Compliance Links	Purchasing Policy Procurement Corporate Guideline Contract Management Corporate Guideline Financial Interest Return Required – Yes		
Delegation Administration:			
Decision Reference		Decision Reference	
1. CS05-05/17		11.	
2. CE01-06/18		12.	
3. 18/203840		13.	
4. CE01-08/18		14.	

1.1.20 DISPOSING OF PROPERTY (PUBLIC AUCTION, PUBLIC TENDER OR PRIVATE TREATY)

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> Authority to dispose of property to: <ol style="list-style-type: none"> to the highest bidder at public auction [s.3.58(2)(a)]. to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)] Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.3.58(2) & (3) Disposing of Property
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<p>Subject to:</p> <ol style="list-style-type: none"> The disposal of property being less than \$250,000, except for land. The disposal of land by sale being: <ol style="list-style-type: none"> identified in the City's Annual Budget and valued up to \$600 000 excluding GST; or based on two independent market valuations engaged by the City, for an amount not exceeding \$250 000.
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	<p>Director Assets - \$150,000</p> <p>Director Corporate Strategy & Performance - \$150,000</p> <p>Manager Asset Maintenance - \$50,000</p> <p>Manager Contracts & Procurement \$50,000</p> <p>Manager Property Services \$150,000</p>

CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO. The delegation to the Manager Property Services is for the disposal of land only.		
Record Keeping Statement (LGA 1995) s5.46(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."	The full details of the transaction including copies of the advertisements to be recorded on the appropriate record and or register.		
Compliance Links	Section 3.58 of the Local Government Act 1995 Strategic Land Policy and Management Procedure Disposal of Property other than Land and Buildings Management Procedure Financial Interest Return required - Yes		
Delegation Administration:			
Decision Reference	Decision Reference	Decision Reference	
1. CE06-05/17	6.	11.	
2. CE01-06/18	7.	12.	
3. 19/394864	8.	13.	
4.	9.	14.	

1.1.21 DISPOSING OF PROPERTY (LAND) BY LEASE OR LICENCE

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authority for the disposal of property (Land) by lease or licence.
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.3.58 Disposing of Property
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<p>The grant of a lease or licence in relation to:</p> <ol style="list-style-type: none"> 1. freehold land owned by the City; or 2. crown land managed/leased by the City; is further subject to: <ul style="list-style-type: none"> • Disposal by Lease: <ol style="list-style-type: none"> a) The disposal of property by lease being subject to: <ol style="list-style-type: none"> i. The lease being in accordance with the City's Leasing Policy (as then applicable); ii. The term of the lease being no greater than ten (10) years (including option periods); iii. The rental fee payable being no greater than \$75,000 (plus GST) per annum during the initial year of the lease term (exclusion of any rental incentives or abatements); and iv. The area leased being no greater than 1500m². b) An agreement to vary, or an agreement arising from the terms of a lease including but not limited to novations, terminations, surrenders, renewal options, assignments (including consent to a deemed assignment), subletting, special conditions or payment schedules of a lease subject to: <ol style="list-style-type: none"> i. In the case of a variation, the variation being minor in nature in accordance with the City's Leasing Policy (as then applicable); and ii. In the case of an extension: <ol style="list-style-type: none"> A. the lease providing for an option for extension and specifying the applicable terms of that option term; B. the exercise of the option for extension being in accordance with the terms of the option provisions of the original lease, and in

	<p>particular that the lessee is not in a material and unremedied breach of that lease; and</p> <p>C. the extension being in accordance with the option provisions of the original lease.</p> <ul style="list-style-type: none"> • Disposal by Licence: <p>a) The disposal of property by licence being subject to:</p> <ul style="list-style-type: none"> i. The licence being in accordance with the City's Leasing Policy (as then applicable); ii. The granting of a licence being permitted under the City's management order or lease; iii. The term of the licence being no greater than ten (10) years; iv. The fee payable being no greater than \$20,000 (plus GST) per annum during the initial year of the licence term; and v. The area licenced being no greater than 2000m². <p>b) An agreement to vary, or an agreement arising from the terms of a licence including but not limited to novations, terminations, surrenders, renewal options, assignments (including consent to a deemed assignment), sublicensing, special conditions or payment schedules of a licence subject to:</p> <ul style="list-style-type: none"> i. In the case of a variation, the variation being minor in nature in accordance with the City's Leasing Policy (as then applicable); and ii. In the case of an extension: <ul style="list-style-type: none"> A. the licence providing for an option for extension and specifying the applicable terms of that option term; B. the exercise of the licence being in accordance with the terms of the option provisions of the original licence, and in particular that the licensee is not in a material and unremedied breach of that licence; and C. the extension being in accordance with the option provisions of the original licence
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy & Performance Manager Property Services
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.

Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	The full details of the transaction including copies of the advertisements to be recorded on the appropriate record and or register.										
Compliance Links	<p><i>Local Government Act 1995</i> <i>s. 3.58 Disposing of Property</i></p> <p><i>NOTE: Section 3.58(1) defines:</i> <i>'dispose' as includes to sell, lease, or otherwise dispose of, whether absolutely or not; and</i> <i>'property' as includes the whole or any part of the interest of a local government in property, but does not include money.</i></p> <p><i>City of Wanneroo Leasing Policy and Management Procedure</i></p> <p><i>Financial Interest Return required - Yes</i></p>										
Delegation Administration:											
Decision Reference 1. CE03-10/17 2. 17/347558 3. CE01-06/18 4.	<table border="1"> <thead> <tr> <th data-bbox="587 808 954 831">Decision Reference</th> <th data-bbox="954 808 1358 831">Decision Reference</th> </tr> </thead> <tbody> <tr> <td data-bbox="587 831 954 853">6.</td> <td data-bbox="954 831 1358 853">11.</td> </tr> <tr> <td data-bbox="587 853 954 875">7.</td> <td data-bbox="954 853 1358 875">12.</td> </tr> <tr> <td data-bbox="587 875 954 898">8.</td> <td data-bbox="954 875 1358 898">13.</td> </tr> <tr> <td data-bbox="587 898 954 900">9.</td> <td data-bbox="954 898 1358 900">14.</td> </tr> </tbody> </table>	Decision Reference	Decision Reference	6.	11.	7.	12.	8.	13.	9.	14.
Decision Reference	Decision Reference										
6.	11.										
7.	12.										
8.	13.										
9.	14.										

1.1.22 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	The power to make appointments to the position of acting Chief Executive Officer for a period not exceeding three months in accordance with the Appointment of Acting Chief Executive Officer Policy.
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.5.39C Policy for temporary employment or appointment of CEO
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer Executive Manager Governance and Legal (Conditional)
Council's Conditions on Delegation:	The appointment is subject to the Appointment of Acting Chief Executive Officer Policy (CE04-04/21)
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Nil
CEO's Conditions on Sub-delegation:	N/A
Record Keeping Statement (LGA 1995) s5.46(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."	Details of appointments made under this delegation are to be retained on the appropriate file or record.
Compliance Links	Appointment of Acting CEO Policy Financial Interest Return required - Yes
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-06/18	6.
2. 20/34041	7.
3. CE04-04/21	8.
4.	9.
	11.
	12.
	13.
	14.

1.1.23 PAYMENTS FROM THE MUNICIPAL FUND AND TRUST FUND

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	The authority to make payments from the municipal fund or the trust fund.
Statutory Power being Delegated:	<i>Local Government (Financial Management) Regulations 1996</i> r.12(1)(a). Payments from municipal fund or trust fund, restrictions on making.
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> s.5.42 – Delegation of some power or duties to the CEO s.5.43 – Limitations on delegation to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Subject to the requirements of Regulation 13 of the Local Government (Financial Management) Regulations 1996. Each payment from the municipal fund or the trust fund is to be noted on a list compiled for each month which is to be presented at the next ordinary meeting of Council.
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Group A: Director Corporate Strategy & Performance Director Community & Place Director Assets Director Planning & Sustainability Manager Finance Coordinator Financial & Strategic Accounting Group B: Team Leader Financial Accounting Coordinator Rates & Accounts Financial Accountant Strategic Finance Business Partner Capital Analyst
CEO's Conditions on Sub-delegation:	<ul style="list-style-type: none"> Each invoice is required to be approved for payment by instigating officer and approving officer in accordance to the requirements of the Procurement Corporate Guideline. When authorising payments each payment voucher is to be authorised as follows before payment is processed: <ul style="list-style-type: none"> Up to \$50,000 – One signature is required (either group A or B) \$50,001- and over – Two signatures required (either 2 from group A, or 1 from group A and 1 from group B) The actual transmission of the funds by EFT is authorised using password protected banking software by any 2 officers (either group A or B).

	<ul style="list-style-type: none">• Internal Fund Transfers* – One signature is required (either group A or B)• Payroll Transfers** – One signature is required (either group A or B) <p>* Internal fund transfers are transfers between the City's trading accounts (excludes the City's Trust Account and the daily cash management account).</p> <p>** Subject to certification by officer preparing payroll and any 2 officers (either group A or B).</p>	
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	As per the requirements of Regulation 13 of the Local Government (Financial Management) Regulations 1996.	
Compliance Links	Local Government (Financial Management) Regulations 1996 Local Government (Audit) Regulations 1996 City of Wanneroo Purchasing Policy Procurement Corporate Guidelines <i>Financial Interest Return required - Yes</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. CS05-11/14	6. 18/313146	11.
2. CE06-05/17	7. 19/376416	12.
3. CE01-06/18	8. 19/394864	13.
4. 18/203840	9.	14.

1.1.24 WAIVER, GRANT OF CONCESSION OR WRITE OFF OF MONIES OWING

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. The waiver or grant of concessions in relation to any amount of money that it is owed to the City (but specifically excludes rates and service charges); or 2. The write off of any amount of money that it is owed to the City. <p>Note that:</p> <ul style="list-style-type: none"> • Function 1 applies to fees and charges as they are incurred; and • Function 2 applies to debts owed to the City.
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.6.12(1) (b) & (c) Power to defer, grant discounts, waive or write off debts
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> s.5.42 – Delegation of some power or duties to the CEO s.5.43 – Limitations on delegation to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<p>Subject to:</p> <ol style="list-style-type: none"> a) Section 6.12(2) of the Act which states that Section 6.12 (1) (b) “<i>wave or grant concessions</i>” does not apply to an amount of money owing in respect of rates and service charges; b) the waiver, concession or write off of money owing not exceeding \$10,000. All waivers, concessions or write offs of money owing greater than \$5001 to be reported to the Audit and Risk Committee; and c) <u>Fee Waivers, Concessions and Debt Write Off Policy and Management Procedure and</u> Council's Accounting Policy.
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy & Performance Director Community & Place Director Assets Director Planning & Sustainability <u>Manager Finance</u>
CEO's Conditions on Sub-delegation:	<ol style="list-style-type: none"> 1. Subject to the conditions on delegation to the CEO. 2. <u>Manager Finance is delegated Function 2 only to a maximum value of \$50.00.</u>

Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	The full details of the waiver, concession or write off to be recorded on the appropriate financial record.
Compliance Links	Accounting Policy Fee Waivers, Concessions and Debt Write Off Policy Fee Waivers, Concessions and Debt Write Off Management Procedure Financial Interest Return required - Yes
Delegation Administration:	
Decision Reference	Decision Reference
1. 17/46347	6. CE02-06/20
2. CE01-06/18	7. CE04-08/20
3. 19/470186	8. 21/223785
4. CE01-04/20	9.
	11.
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1.1.25 AMENDING THE RATE RECORD

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year.
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.6.39(2)(b) Rate record
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Delegates must comply with the requirements of s.6.40 of the Act.
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy & Performance Manager Finance
CEO's Conditions on Sub-delegation:	N/A
Record Keeping Statement (LGA 1995) s5.46(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."	The full details of the determination to be recorded in the appropriate rate record.
Compliance Links	<i>Financial Interest Return required - Yes</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-06/18	6.
2. 19/376416	7.
3. 19/394864	8.
4.	9.
	11.
	12.
	13.
	14.

1.1.26 AGREEMENT AS TO PAYMENT OF RATES AND SERVICE CHARGES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authority to make an agreement with a person for the payment of rates or service charges.
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.6.49 - Agreement as to payment of rates and service charges
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Subject to: (a) — the arrangements agreed on the basis that the total debt outstanding will be extinguished 12 months from the date of the arrangement, in accordance with the criteria determined by the Director Corporate Strategy and Performance in the relevant management procedure; or (b) — if the Financial Hardship — Collection of Rates and Service Charges Policy applies, the arrangements agreed to being on the basis that the total debt outstanding will be extinguished three years from the date of the arrangement.
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy & Performance Chief Operating Officer <u>Manager Finance</u> <u>Coordinator Rates and Accounts</u>
CEO's Conditions on Sub-delegation:	Nil <u>a) Subject to Council's conditions on delegation; and</u> <u>a)b) the criteria determined by the Director Corporate Strategy and Performance detailed in the 'Collection of Rates and Service Charges' Management Procedure.</u>
Record Keeping Statement (LGA 1995) s5.46(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."	The full details of the determination to be recorded in the appropriate rate record.

Compliance Links	<i>Financial Hardship – Collection of Rates and Service Charges Policy</i> <i>Collection of Rates and Service Charges Management Procedure</i> <i>Financial Interest Return required - Yes</i>		
Delegation Administration:			
Decision Reference		Decision Reference	Decision Reference
1.	CE06-05/17	6.	19/394864
2.	CE01-06/18	7.	20/418596
3.	CS03-06/19 Insertion of (b) under conditions.	8.	21/86894
4.	19/376416	9.	
		11.	
		12.	
		13.	
		14.	

1.1.27 RECOVERY OF RATES OR SERVICE CHARGES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].	
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.6.56 Rates or service charges recoverable in court	
Power is originally assigned to:	Local Government	
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO	
Power Delegated to:	Chief Executive Officer	
Council's Conditions on Delegation:	Nil	
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees	
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy & Performance Manager Finance Chief Operating Officer	
CEO's Conditions on Sub-delegation:	<u>N/A Subject to the Collection of Rates and Service Charges Management Procedure and the Financial Hardship Collection of Rates and Service Charges Policy and Procedure.</u>	
Record Keeping Statement (LGA 1995) s5.46(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."	The full details of the determination to be recorded in the appropriate rate record.	
Compliance Links	<u>Collection of Rates and Service Charges Management Procedure</u> <u>Financial Hardship – Collection of Rates and Services Charges Policy and Management Procedure</u> Financial Interest Return required - Yes	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. CE01-06/18	6.	11.
2. 19/376416	7.	12.
3. 19/394864	8.	13.
4.	9.	14.

1.1.28 RECOVERY OF RATES DEBTS - REQUIRE LESSEE TO PAY RENT

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the City of Wanneroo [s.6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.6.60 Local Government may require lessee to pay rent
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Nil
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy & Performance
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.
Record Keeping Statement (LGA 1995) s5.46(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."	The full details of the determination to be recorded in the appropriate rate record.
Compliance Links	<i>Local Government Act 1995</i> s.6.60(3) <i>the City is to give the lessor a copy of the notice with an endorsement that the original of it has been given to the lessee</i> <u>Collection of Rates and Services Charges Management Procedure</u> Financial Interest Return required - Yes
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-06/18	6.
2.	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

1.1.29 RATE RECORD - OBJECTIONS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)]. 2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.6.76 Grounds of objection
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	An extension is not to be granted for a period exceeding six weeks. A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this delegation.
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy & Performance Manager Finance
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.
Record Keeping Statement (LGA 1995) s5.46(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."	The full details of the determination to be recorded in the appropriate rate record.
Compliance Links	<i>Financial Interest Return required - Yes</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-06/18	6.
2. 19/376416	7.
3. 19/394864	8.
4.	9.
	11.
	12.
	13.
	14.

1.1.30 PUBLIC THOROUGHFARE – DANGEROUS EXCAVATIONS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)]. 3. Authority to impose conditions on granting permission [ULP r.11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].
Statutory Power being Delegated:	Local Government (Uniform Local Provisions) Regulations 1996: r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<ol style="list-style-type: none"> 1. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> a) Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works. b) Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. c) Provided evidence of sufficient Public Liability Insurance. d) Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Assets Director Planning & Sustainability
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.

Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	The permission and notice issued to be in writing and recorded on the appropriate record.
Compliance Links	<i>Local Government (Uniform Local Provisions) Regulations 1996</i> <i>Financial Interest Return required - Yes</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE06-05/17 2. CE01-06/18 3. 18/313146 4. 18/306398	6. 7. 8. 9.
	11. 12. 13. 14.

1.1.31 CROSSING – CONSTRUCTION, REPAIR AND REMOVAL

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r.12(1)]. 2. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 3. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].
Statutory Power being Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Nil
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	<p>Function 1 only: Director Planning & Sustainability Manager Approval Services Manager Land Development Coordinator Building Services Senior Building Surveyors</p> <p>Function 2 only: Manager Health & Compliance Coordinator Compliance</p> <p>Functions 2 & 3 to be undertaken by the following delegates: Director Assets Manager Asset Maintenance</p>
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.
Record Keeping Statement (LGA 1995) s5.46(3) "A person to whom a power or duty is delegated"	The approval is to be in writing and recorded on the appropriate record.

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."	
Compliance Links	Local Government (Uniform Local Provisions) Regulations 1996 Crossovers Subsidy Policy Financial Interest Return required - Yes
Delegation Administration:	
Decision Reference	Decision Reference
1. 16/329065 & 17/47779	6. 19/241380
2. CE01-06/18	7. 19/2895800
3. 18/313146	8.
4. 18/306398	9.
	11.
	12.
	13.
	14.

1.1.32 PRIVATE WORKS ON, OVER OR UNDER PUBLIC PLACES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].
Statutory Power being Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996</i> r.17 Private works on, over, or under public places — Sch. 9.1 cl. 8
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<ol style="list-style-type: none"> 1. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> a) Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works. b) Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works. c) Provided evidence of sufficient Public Liability Insurance. d) Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Assets Director Planning & Sustainability
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.
Record Keeping Statement (LGA 1995) s5.46(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."	The approval is to be in writing and recorded on the appropriate record.

Compliance Links	Local Government (Uniform Local Provisions) Regulations 1996		
	Local Government Act 1995		
	Schedule 3.1, Division 2, Item 3		
	s.3.25		
	Public Places and Local Government Property Local Law		
Financial Interest Return required - Yes			
Delegation Administration:			
Decision Reference		Decision Reference	
1. CE01-06/18		6.	
2.		7.	
3.		8.	
4.		9.	
		11.	
		12.	
		13.	
		14.	

1.1.33 FINANCIAL HARDSHIP – AGREEMENT AS TO PAYMENT AND GRANT OF A CONCESSION ON COUNCIL RATES AND SERVICE CHARGES ~~GRANT OF CONCESSION ON COUNCIL RATES~~

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<p>The authority to:-</p> <p>(1) <u>Determine an alternative payment agreement with a person for the payment of rates or service charges (s.6.49); and/or</u></p> <p>(2) <u>grant a concession on Council rates (s.6.47)</u></p> <p><u>in respect of financial hardship application.</u></p>
Statutory Power being Delegated:	<p>Local Government Act 1995</p> <p><u>s.6.49 Agreement as to payment of rates and service charges</u></p> <p><u>s.6.47 Concession</u></p>
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<p><i>Local Government Act 1995</i></p> <p>s.5.42 Delegation of some powers or duties to the CEO</p> <p>s.5.43 Limitations on delegations to the CEO</p>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<p>Subject to <u>the Financial Hardship – Collection of Rates and Service Charges Policy:-</u></p> <p>(1) <u>The CEO being satisfied that the applicant(s) meet the criteria of experiencing Financial Hardship;</u></p> <p>(2) <u>Concessions to all or part of the late payment interest incurred (excluding the late payment interest applicable to the Emergency Services Levy), not to exceed \$400;</u></p> <p>(3) <u>In circumstances where the CEO is satisfied that the applicant(s) meet the criteria of experiencing severe financial hardship due to the COVID-19 pandemic then the following additional assistance applies;</u></p> <p><u>(a) A waiver of the \$30 administration fee associated with a payment arrangement; and/or</u></p> <p><u>(b) A moratorium on the late payment interest on Council rates and charges and State Government Emergency Services Levy.</u></p> <p>(1)(4) <u>The payment arrangement agreed to being on the basis that the total debt outstanding will be extinguished within three years from the date of the arrangement.</u></p> <p>b) The CEO being satisfied that the applicant(s) meet the criteria of experiencing Financial Hardship due to the COVID-19 Pandemic;</p> <p>c) The concession not exceeding \$100; and</p> <p>(2)(5) <u>The status of each approved application to be reviewed every 3 (three) months to monitor the arrangement.</u></p>

Statutory Power to Sub-Delegate:	Local Government Act 1995 s.5.44 CEO may delegate some powers and duties to other employees		
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy & Performance Chief Operations Officer		
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.		
Record Keeping Statement (LGA 1995) s5.46(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."	The full details of the determination waiver, concession or write off to be recorded in the appropriate financial record and rate record .		
Compliance Links	<u>Financial Hardship – Collection of Rates and Services Charges Policy and Management Procedure</u> Financial Interest Return required - Yes		
Delegation Administration:			
Decision Reference		Decision Reference	
1. SCS04-07/20		11.	
2.		12.	
3.		13.	
4.		14.	

1.1.34 OBSTRUCTION OF FOOTPATHS AND THOROUGHFARES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> a) prevent damage to the footpath; or b) prevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. 2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)]. 3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)]. 4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A]. 5. Authority to require an owner/occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].
Statutory Power being Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> <i>r.5 (2) Interfering with, or taking from, local government land</i> <i>r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)</i> <i>r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b)</i> <i>r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)</i>
Power is originally assigned to:	Local Government
Statutory Power of Delegation	<i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Actions under this Delegation must comply with procedural requirements detailed in the <u>Local Government (Uniform Local Provisions) Regulations 1996</u> .
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> <i>s5.44 CEO may delegate powers or duties to other employees</i>

CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	<p>Functions 1, 4 and 5 only Director Community & Place Manager Community Safety & Emergency Management Coordinator Community Safety Senior Rangers</p> <p>Functions 2 and 3 only <u>Director</u> Planning & Sustainability Manager Approval Services Coordinator Building Services Senior Building Surveyors</p>
CEO's Conditions on Sub-delegation:	<p>a) Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</p> <p>b) Permission may only be granted where, the proponent has:</p> <ul style="list-style-type: none"> i) Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii) Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii) Provided evidence of sufficient Public Liability Insurance. iv) Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Record Keeping Statement (LGA 1995) s5.46(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."	The permission and notice issued to be in writing and recorded on the appropriate record.
Compliance Links:	<p>Local Government (Uniform Local Provisions) Regulations 1996.</p> <p><i>Financial Interest Return Required – Yes</i></p>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE02-03/21 2. 3. 4.	6. 7. 8. 9. 11. 12. 13. 14.

1.2 CEO TO EMPLOYEES

1.2.1 DETERMINATION OF THE WARD OF RATEABLE PROPERTY

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authority to determine the ward for an enrolment eligibility claim in respect of rateable property situated in one ward and partly in another ward, where the ward was not nominated by the owner or occupier making the claim.
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.4.31(1B)(a) Rateable property: ownership and occupation
Power is originally assigned to:	CEO
Statutory Power of Delegation	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees
Power Delegated to: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy & Performance Manager Council & Corporate Support
CEO's Conditions on Sub-delegation:	
Record Keeping Statement (LGA 1995) s5.46(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."	All documentation relative to the claim is to be retained as required by legislation.
Compliance Links	<i>Local Government Act 1995</i> s.4.31 Rateable property: ownership and occupation Financial Interest Return required - Yes
Delegation Administration:	
Decision Reference	Decision Reference
1. CE06-05/17	6.
2.	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

1.2.2 ELECTORAL ENROLMENT ELIGIBILITY CLAIMS AND ELECTORAL ROLL

<p>Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i></p>	<ol style="list-style-type: none"> 1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)]. 2. Authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)]. 3. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.3.42(5A)]. 4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)]. 5. Authority to approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their family's safety at risk [Elections r.13(2)]. 6. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)]. 7. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34]. 8. Authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination. 9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)]. 10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day [s.4.37(3)].
<p>Statutory Power being Delegated:</p>	<p><i>Local Government Act 1995</i> s.4.32(4), (5A) & (5) Eligibility to enrol under s.4.30, how to claim s.4.34 Accuracy of enrolment details to be maintained s.4.35 Decision that eligibility to enrol under s.4.30 has ended s.4.37 New roll for each election <i>Local Government (Elections) Regulations 1997</i> r.11(1a) Nomination of co-owners or co-occupiers — s.4.31 r.13(2) & (4) Register - s.4.32(6)</p>
<p>Power is originally assigned to:</p>	<p>CEO</p>
<p>Statutory Power of Delegation:</p>	<p><i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

Power Delegated to: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy & Performance Manager Council & Corporate Support
CEO's Conditions on Sub-delegation:	Subject to the requirements of the relevant legislation
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	All documentation relative to the claim is to be retained as required by legislation.
Compliance Links	<u>Local Government (Elections) Regulations 1997</u> <i>Financial Interest Return required - Yes</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE06-05/17	6.
2. 18/203840	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

1.2.3 DESTRUCTION OF LOCAL GOVERNMENT ELECTION MATERIAL

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authority to, after a period of 4-years, destroy the parcels of election papers in the presence of at least 2 other employees [Elect. r.82(4)].	
Statutory Power being Delegated:	<i>Local Government (Elections) Regulations 1997</i> r.82(4) Keeping election papers – s4.84(a)	
Power is originally assigned to:	CEO	
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees	
Power Delegated to: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy & Performance Manager Council & Corporate Support	
CEO's Conditions on Sub-delegation:	The authorisation is subject to the requirements of the State Records Act 2000 and its subsidiary legislation and with Regulation 82 of the Local Government (Elections) Regulations 1997.	
Record Keeping Statement (LGA 1995) s5.46(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."	Disposal Authority Approval to be recorded by the City's Archivist as appropriate	
Compliance Links	<i>State Records Act 2000</i> <i>Local Government (Elections) Regulations 1997</i> <i>Financial Interest Return required - Yes</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. CE06-05/17	6.	11.
2. 18/203840	7.	12.
3.	8.	13.
4.	9.	14.

1.2.4 INFORMATION TO BE AVAILABLE TO THE PUBLIC

<p>Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i></p>	<ol style="list-style-type: none"> 1. Authority to determine the public right to inspect information does not extend to unconfirmed minutes of Council or Committee meetings, by determining if the information requested relates to a part of a meeting that could have been closed to members of the public but was not, unless the information to be inspected is a record of a decision made at the meeting [Admin. r.29(2)]. 2. Authority to determine the public right to inspect information in notice papers and agenda, reports and other documents which are to be tabled at a meeting or have been produced for presentation at a meeting and have been made available to members of the Council, in an agenda or minutes, by determining if the information requested would be part of the meeting which is likely to be closed to members of the public [Admin. r.29(3)]. 3. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s.5.95(1)(b)]. 4. Authority to determine not to provide a right to inspect information contained in notice papers, agenda, minutes, or information tabled at a meeting, where it is considered that that part of the meeting could have been closed to members of the public but was not closed [s.5.94(3)(b)].
<p>Statutory Power being Delegated:</p>	<p><i>Local Government (Administration) Regulations 1996:</i> r.29(2) &(3) Information to be available for public inspection (Acts s.5.94) r.29B Copies of certain information not to be provided (Act s.5.96) <i>Local Government Act 1995:</i> s.5.95(1)(b) & (3)(b) Limits on right to inspect local government information</p>
<p>Power is originally assigned to:</p>	<p>CEO</p>
<p>Statutory Power of Delegation:</p>	<p><i>Local Government Act 1995</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<p>Power Delegated to: <i>The exercise of the delegated power does not include the power of delegation</i></p>	<p>Director Corporate Strategy & Performance Manager Council & Corporate Support</p>
<p>CEO's Conditions on Sub-delegation:</p>	<p>The manner and form by which a person may request copies of rates record information or owners and occupiers register and electoral rolls and authority to make the information available, if satisfied that the information will not be used for commercial purposes has been set out in the Requests for Information about Owner Occupiers, Electors & Ratepayers Management Procedure.</p>

Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	All documentation relative to the decision to deny the person the right to inspect information is to be retained on the appropriate file and the CEO informed.
Compliance Links	<i>Local Government Act 1995 s.5.95 Freedom of Information Act 1995 Requests for Information about Owner Occupiers, Electors & Ratepayers Management Procedure Financial Interest Return required – Yes</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE06-05/17	6.
2. 18/203840	7.
3. 18/313146	8.
4.	9.
	11.
	12.
	13.
	14.

1.2.5 INFRINGEMENT NOTICE REVIEW – LOCAL GOVERNMENT ACT 1995, REGULATIONS AND LOCAL LAWS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to consider that a vehicle that is the subject of an infringement notice has been stolen or unlawfully taken at the time of the alleged offence [s.9.13(6)(b)]. 2. Authority to extend the 28 day period within which payment of a modified penalty may be paid, whether or not the period of 28 days has elapsed. 3. Authority to withdraw an infringement notice (within one year after the date of the notice was given) whether or not the modified penalty has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20].
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.9.13(6)(b) Onus of proof in vehicle offences may be shifted s.9.19 Extension of time s.9.20 Withdrawal of notice
Power is originally assigned to:	CEO
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees
Power Delegated to: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Community & Place Director Planning & Sustainability Manager Community Safety & Emergency Management Manager Health & Compliance
CEO's Conditions on Sub-delegation:	A delegate, who participated in a decision to issue an infringement notice, must NOT determine any matter related to that infringement notice under this Delegation.
Record Keeping Statement (LGA 1995) s5.46(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."	Details of any reviews of infringement notices need to be recorded in the appropriate file.
Compliance Links	<i>Local Government Act 1995</i> s.9.20 Withdrawal of notice Infringement Notice Review and Withdrawal Management Procedures Financial Interest Return required – Yes
Delegation Administration:	
Decision Reference	Decision Reference
1. 16/396766 2. 18/274278 3. 4.	6. 7. 8. 9.
	11. 12. 13. 14.

1.2.6 PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY LOCAL LAW

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<p>a) Application for a licence: An application for a licence under the Public Places and Local Government Property Local Law must be in the form determined by the CEO. (s8.1)(2)(a).</p> <p>b) Renewal of a licence: An application for renewal must be in the form determined by the CEO. (s8.9).</p> <p>c) Suspension of licence: The CEO may, subject to clause 8.12, by written notice given to the licensee, suspend a licence under the provisions of s8.11 and 8.12 of the Public Places and Local Government Property Local Law. (s8.11 & 8.12).</p> <p>d) Revocation of suspension: The CEO must, by written notice given to the licensee, revoke the suspension of a licence if the CEO is satisfied that the steps specified in the suspension notice have been taken; or may, by written notice given to the licensee, revoke the suspension if the CEO considers that it is appropriate to do so in the circumstances of a particular case. (s8.13 and 8.14).</p> <p>e) Cancellation of a licence: A licence may be cancelled by the CEO under the provisions of s8.15 of the Public Places and Local Government Property Local Law. (s8.15).</p>
Statutory Power being Delegated:	s8.1, s8.9, s8.11, s8.12, s8.13, s8.14 and s8.15 of the Public Places and Local Government Property Local Law
Power is originally assigned to:	CEO
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s5.44 CEO may delegate some powers and duties to other employees
Power Delegated to:	Director Assets Director Community and Place Manager Community Facilities Manager Place Management
CEO's Conditions on Delegation:	<p>a) The licence must be signed by the applicant, provide the information required by the form and be forwarded to the CEO (or his delegate) together with any fee imposed by the Council under sections 6.16 to 6.19 of the Local Government Act 1995.</p> <p>b) The application for renewal must be signed by the licensee, provide the information required by the form; and be forwarded to the CEO (or his delegate) no later than 28 days before the expiry of the licence, or within a shorter period that the CEO (or his delegate) in a particular case, permits; and be accompanied by any fee imposed by the Council under section 6.16 to 6.19 of the Local Government Act 1995.</p> <p>c) The suspension notice must conform to the provisions of s8.11 (2) and s8.12 of the Public Places and Local Government Property Local Law.</p>

	<p>d) The revocation of the suspension is subject to the provisions of s8.14.</p> <p>e) The cancellation of a licence is subject to the provisions of s8.15.</p>
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	<i>Any decision made under this delegation is to be recorded in the appropriate file or register</i>
Compliance Links:	<i>Public Places and Local Government Property Local Law</i> <i>Financial Interest Return required – Yes</i>

Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. 19/217438	6.	11.
2. 19/362166	7.	12.
3. 20/13521 and 20/25373	8.	13.
4.	9.	14.

1.2.7 APPOINTMENT OF AUTHORISED PERSONS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<p>Authority to appoint persons or classes of persons as authorised persons [s.3.24 and s.9.10] for the purpose of fulfilling functions of an authorised person prescribed in the following legislation inclusive of subsidiary legislation made under each Act i.e. Regulations:</p> <ul style="list-style-type: none"> (a) Local Government Act 1995 and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and Local Laws made under the Local Government Act. (b) <i>Caravan Parks and Camping Grounds Act 1995</i>; (c) <i>Cat Act 2011</i>; (e) <i>Control of Vehicles (Off-road Areas) Act 1978</i>; (f) <i>Dog Act 1976</i>; and (g) any other legislation prescribed for the purposes of s.9.10 of the <i>Local Government Act 1995</i>.
Statutory Power being Delegated:	<p><i>Local Government Act 1995</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons</p>
Power is originally assigned to:	Chief Executive Officer
Statutory Power to Sub-Delegate:	<p><i>Local Government Act 1995</i> s.5.44 CEO may delegate powers and duties to other employees</p>
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	<p>All Directors Executive Manager Governance & Legal Manager Approval Services Manager Community Safety & Emergency Management Manager Health & Compliance</p>
CEO's Conditions on Sub-delegation:	<ol style="list-style-type: none"> 1. The CEO (in consultation with the Executive Manager Governance & Legal) is to appoint authorised officers for the purposes of s.9.29(2) Representing Local Government in Court; 2. Executive Manager Governance & Legal is limited to the appointment of Authorised Officers for the purposes of: <ul style="list-style-type: none"> ○ s.9.31 Certifying documents as evidence in legal proceedings; and ○ s.9.38 Evidence of documents coming from the City 3. Manager Approval Services is limited to the appointment of members of the Approval Services team as Authorised Officers. The appointment of Authorised Officers for the purposes of s 9.29(2) Representing local government in court and s.9.31 Certifying documents as evidence in legal proceedings is specifically excluded.

	<p>4. Manager Community Safety & Emergency Management is limited to the appointment of members of the Community Safety & Emergency Management team as Authorised Officers. The appointment of Authorised Officers for the purposes of s 9.29(2) Representing local government in court and s.9.31 Certifying documents as evidence in legal proceedings is specifically excluded.</p> <p>5. Manager Health & Compliance is limited to the Appointment of members of the Health & Compliance team as Authorised Officers. The appointment of Authorised Officers for the purposes of s 9.29(2) Representing local government in court and s.9.31 Certifying documents as evidence in legal proceedings is specifically excluded.</p> <p>6. Each person authorised is to be issued a certificate stating that the person is so authorised.</p>
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	<p>The appointment of authorised officers is to be facilitated through Governance.</p>
Compliance Links	<ul style="list-style-type: none"> • s.3.25 Certain provisions about land • s.3.39(1) Remove and impound goods • s.3.40A(1) Remove and impound an abandoned vehicle wreck • s.9.13 Onus of proof in vehicle offences may be shifted • s.9.16 Giving a notice (infringement notice) • s.9.29(2) Representing local government in court • s.9.31 Certifying documents as evidence in legal proceedings • s.9.38 Evidence of documents coming from the City <p><i>Financial Interest Return required - Yes</i></p>
Delegation Administration:	
Decision Reference	Decision Reference
1. 17/17699	6. 18/274278
2. CE06-05/17	7. 20/533822 / 20/559662
3. CE01-06/18	8.
4. 18/203840	9.
	11.
	12.
	13.
	14.

2 OTHER LEGISLATION

2.1 BUILDING ACT 2011

2.1.1 BUILDING ACT 2011 - BUILDING PERMIT

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and (3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].
Statutory Power being Delegated:	<p><i>Building Act 2011</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit</p> <p><i>Building Regulations 2012</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))</p>
Power is originally assigned to	Local Government
Statutory Power of Delegation:	Building Act 2011 s.127 Delegation: special permit authorities and local governments
Power Delegated to:	Chief Executive Officer
Conditions on Delegation:	Nil
Statutory Power to Sub-Delegate:	Building Act 2011 s.127(6a) Delegation: special permit authorities and local governments
CEO's Sub-Delegation: <i>The exercise of the delegated</i>	Director Planning & Sustainability

power does not include the power of delegation	Manager Approval Services Coordinator Building Services Senior Building Surveyors Building Surveyors	
CEO's Conditions on Sub-delegation:	<u>Business Practice Condition:</u> The ability for Building Surveyors to exercise the functions of this delegation is limited to: 1) Certified Swimming pool barriers; 2) Certified Applications where a Development Approval has been granted. In all other circumstances is dependent on a satisfactory peer review of the application being conducted by the Senior Building Surveyor or Coordinator Building Services	
Record Keeping Statement (LGA 1995) s5.46(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."	Details of actions taken under this delegation are to be retained on the appropriate file or record.	
Compliance Links	<i>In undertaking the functions of this delegation, all delegates must be employed by the City of Wanneroo in accordance with s.5.36 of the Local Government Act 1995</i> Building Act 2011 Building Regulations 2012 <i>Financial Interest Return required - No</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. CB02-09/11	6.	11.
2. 16/436067	7.	12.
3. CE06-05/17	8.	13.
4. CF01-06/18	9.	14.

2.1.2 BUILDING ACT 2011 - DEMOLITION PERMIT

<p>Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i></p>	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and (3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. <ol style="list-style-type: none"> a. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]. b. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].
<p>Statutory Power being Delegated:</p>	<p><i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit</p> <p><i>Building Regulations 2012</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))</p>
<p>Power is originally assigned to</p>	<p>Local Government</p>
<p>Statutory Power of Delegation:</p>	<p>Building Act 2011 s.127 Delegation: special permit authorities and local governments</p>
<p>Power Delegated to:</p>	<p>Chief Executive Officer</p>
<p>Conditions on Delegation:</p>	<p>Delegation does not apply to places listed on the State's Register of Heritage Places or Council's Heritage Register, or to places classified by the National Trust.</p>
<p>Statutory Power to Sub-Delegate:</p>	<p>Nil</p>

CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Planning & Sustainability Manager Approval Services Coordinator Building Services Senior Building Surveyors	
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.	
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	Details of actions taken under this delegation are to be retained on the appropriate file or record.	
Compliance Links	<i>Local Government Act 1995</i> <i>s.5.36 Local government employees</i> <i>Building Act 2011</i> <i>Building Regulations 2012</i> <i>Financial Interest Return required - No</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. 16/436067	6.	11.
2. CE06-05/17	7.	12.
3. CE01-06/18	8.	13.
4.	9.	14.

2.1.3 BUILDING ACT 2011 - OCCUPANCY PERMIT OR BUILDING APPROVAL CERTIFICATE

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any document or information required in order to determine an application. [s55]. 2. Authority to grant or refuse to grant or modify the occupancy permit or building approval certificate in accordance with Section 58. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit or building approval certificate in accordance with Section 62. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].
Statutory Power being Delegated:	<i>Building Act 2011</i> s.55 Further Information s.58 Grant of Occupancy Permit, Building Approval Certificate s.62(1) and (3) Conditions imposed by Permit Authorities s.65(4) Extension of period of duration <i>Building Regulations 2012</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Building Act 2011</i> s.127 Delegation: special permit authorities and local governments
Power Delegated to:	Chief Executive Officer
Conditions on Delegation:	Nil
Statutory Power to Sub-Delegate:	Building Act 2011 s.127(6a) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Planning & Sustainability Manager Approval Services Coordinator Building Services Senior Building Surveyors
CEO's Conditions on Sub-delegation:	Nil

Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	Details of actions taken under this delegation are to be retained on the appropriate file or record.
Compliance Links	Local Government Act 1995 s.5.36 Local government employees <i>Building Act 2011</i> <i>Building Regulations 2012</i> <i>Financial Interest Return required - No</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. 16/436067	6.
2. CE06-05/17	7.
3. CE01-06/18	8.
4.	9.
	11.
	12.
	13.
	14.

2.1.4 BUILDING ACT 2011 - BUILDING ORDERS

<p>Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i></p>	<ol style="list-style-type: none"> 1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> a) Building work b) Demolition work c) An existing building or incidental structure [s.110(1)]. 2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)]. 3. Authority to revoke a building order [s.117]. 4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> a) take any action specified in the order; or b) commence or complete any work specified in the order; or c) if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. 5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)]. 6. Authority to initiate a prosecution pursuant to s.133(1) for non-compliance with a building order made pursuant to s.110 of the Building Act 2011.
<p>Statutory Power being Delegated:</p>	<p><i>Building Act 2011</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act</p>
<p>Power is originally assigned to:</p>	<p>Local Government</p>
<p>Statutory Power of Delegation:</p>	<p>Building Act 2011 s.127 Delegation: special permit authorities and local governments</p>
<p>Power Delegated to:</p>	<p>Chief Executive Officer</p>
<p>Conditions on Delegation:</p>	<p>In undertaking the functions of this delegation, the delegate may:</p> <ul style="list-style-type: none"> • Refer notices to the City Lawyer or Executive Manager Governance & Legal where it is considered appropriate; and • Determine that an order is to remain in effect in accordance with section 117(2) of the Building Act 2011 where it is considered appropriate.
<p>Statutory Power to Sub-Delegate:</p>	<p><i>Building Act 2011</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)</p>

CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Planning & Sustainability Manager Approval Services Manager Health & Compliance Coordinator Building Services Coordinator Compliance Services		
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.		
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	Details of actions taken under this delegation are to be retained on the appropriate file or record.		
Compliance Links	<i>Building Act 2011</i> <i>Financial Interest Return required - No</i>		
Delegation Administration:			
Decision Reference	Decision Reference	Decision Reference	
1. 16/436067	6.	11.	
2. CE06-05/17	7.	12.	
3. CE01-08/17	8.	13.	
4. CE01-06/18	9.	14.	

2.1.5 BUILDING ACT 2011 - DESIGNATE EMPLOYEES AS AUTHORISED PERSONS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	1. Authority to designate an employee as an authorised person [s.96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].
Statutory Power being Delegated:	s.96 (3) of the <i>Building Act 2011</i>
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Building Act 2011</i> s.127 Delegation: special permit authorities and local governments
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Nil
Statutory Power to Sub-Delegate:	Building Act 2011 s.127 Delegation: special permit authorities and local governments
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Planning & Sustainability Manager Health & Compliance Manager Approval Services
CEO's Conditions on Sub-delegation:	N/A
Record Keeping Statement (LGA 1995) s5.46(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."	Appointment of Authorised Officers is to be facilitated through Governance. Copies of action under this appointment are to be retained on the appropriate file or record.
Compliance Links	<i>Building Act 2011</i> <i>Financial Interest Return required - No</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE06-05/17	6.
2. CE01-06/18	7.
3. 18/203840	8.
4.	9.
	11.
	12.
	13.
	14.

2.1.6 BUILDING ACT 2011 - PRIVATE SWIMMING POOL BARRIERS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926. 1 [r.51(2)]. 2. Authority to approve a door for the purposes of complying with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)]. 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].
Statutory Power being Delegated:	<i>Building Regulations 2012:</i> r.51 Approvals by permit authority
Power is originally assigned to:	Local Government (Permit Authority)
Statutory Power of Delegation:	Building Act 2011 s.127(1) & (3) Delegation: special permit authorities and local government
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Nil
Statutory Power to Sub-Delegate:	Building Act 2011 s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Manager Approval Services Coordinator Building Services Senior Building Surveyors
CEO's Conditions on Sub-delegation:	<u>Business Practice Condition:</u> In undertaking the functions of this delegation, all delegates must be employed by the City of Wanneroo in accordance with section 5.36 of the <i>Local Government Act 1995</i> . The ability to exercise the functions of this delegation is limited to: <ol style="list-style-type: none"> 1) The property being located on the high side of a 3m high retaining wall with a minimum 1.2m boundary barrier in lieu of a 1.8m high complaint boundary barrier; 2) A performance solution to the pool barrier gate is permitted only if a person with a disability as defined by the Building Regulations 2012 r.51(1) resides at the dwelling and no children under the age of 5 reside in the property.

	In all circumstances, a review will be made of the performance solution every 4 years with the swimming pool inspection and may be subject to change.	
Record Keeping Statement (LGA 1995) s5.46(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."	Details of actions taken under this delegation are to be retained on the appropriate file or record.	
Compliance	<u>Building Act 2011</u> <u>Building Regulations 2012</u> <i>Financial Interest Return Required – No</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.

2.1.7 BUILDING REGULATIONS 2012 – APPOINTMENT OF AUTHORISED OFFICERS – INFRINGEMENT NOTICES

Function Delegated Appointment: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authority to appoint an authorised officer for the purposes of the Criminal Procedures Act 2004, Part 2, section 6(b) in relation to infringement notices that may be issued, a person appointed under the Local Government Act 1995 section 9.10 and authorised for the purpose of performing functions under section 9.16 of that Act.
Statutory Power being Delegated Appointed:	<u>Building Regulations 2012</u> s.70(2) - Building Regulations 2012 <u>Criminal Procedures Act 2004</u> s.6 <u>Other matters to be prescribed by prescribed acts</u> s.8 <u>Issuing infringement notices</u> and 8 — Criminal Procedures Act 2004
Power is originally assigned to:	Local Government
Statutory Power of Delegation Appointment :	<u>Building Act 2011</u> s.127(1) Delegation: special permit authorities and local governments <u>Building Regulations 2012</u> r.70. Approved officers and authorised officers
Positions Appointed: Power Delegated to:	<u>Chief Executive Officer</u> Coordinator Compliance Services — Authorised Officer All Compliance Officers — Authorised Officer
Council's Conditions on Delegation Appointment:	Nil
Statutory Power to Sub-Delegate:	Nil <u>Building Act 2011</u> s.127(6A) Delegation: special permit authorities and local governments
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A <u>Director Planning and Sustainability</u> <u>Manager Health & Compliance</u>
CEO's Conditions on Sub-delegation:	N/A <u>Nil</u>
Record Keeping Statement (LGA 1995) s5.46(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."	<u>Appointment of Authorised Officers is to be facilitated through Governance.</u> Copies of all notices issued are to be retained on the appropriate file or record.
Compliance Links	Building Regulations 2012 <u>r.70(3) Each authorised officer must be issued a certificate of appointment</u> Schedule 7 (format for an Infringement Notice) <i>Financial Interest Return required – No</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-05/17	6.
2. 20/533822	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

2.1.8 BUILDING REGULATIONS 2012 – APPOINTMENT OF APPROVED OFFICER – INFRINGEMENT NOTICES

Function Delegated Appointment: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<p>Authority to appoint of an approved officer in relation to infringement notices that may be issued for the prescribed offence for the purposes of the Criminal Procedures Act 2004, Part 2, s.6(a) (a specified employee of the local government).</p> <p>“Specified employee means an employee, as defined in the Local Government Act 1995 s.1.4, to whom power to perform a function under s.9.19 or 9.20 of that Act is delegated under s.5.4491) of that Act.”</p> <p><u>As defined in the Local Government Act 1995:</u></p> <p>s. 9.19. Extension of time The CEO of a local government may, in a particular case, extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed.</p> <p>s. 9.20. Withdrawal of notice (1) Within one year after the notice was given the CEO of the local government may, whether or not the modified penalty has been paid, withdraw an infringement notice by sending to the alleged offender a notice in the prescribed form stating that the infringement notice has been withdrawn.</p> <p>(2) Where an infringement notice is withdrawn after the modified penalty has been paid, the amount is to be refunded.</p>
Statutory Power being Delegated Appointed:	<i>Building Regulations 2012</i> s.70(1) Approved Officers and Authorised Officers <i>Criminal Procedures Act 2004</i> s.6 Other matters to be prescribed by prescribed Acts s.8 Issuing infringement notices
Power is originally assigned to:	CEO <u>Local Government</u>
Statutory Power of Delegation Appointment :	<i>Building Act 2011</i> Regulations 2012 s.127(1) Delegation: special permit authorities and local governments Regulation r.70. Approved officers and authorised officers
Positions Delegated Appointed:	Chief Executive Officer Director Planning & Sustainability Manager Health & Compliance
Council's Conditions on Appointment:	<u>This delegation is not to be sub-delegated</u> Nil
Statutory Power to Sub-Delegate:	Nil N/A
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A
CEO's Conditions on Sub-delegation:	N/A

Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	Copies of all notices issued are to be retained on the appropriate file or record.
Compliance Links	<u>Local Government Act 1995</u> <u>s.9.19 Extension of time</u> <u>s.9.20 Withdrawal of notice</u> <u>Criminal Procedure Act 2004</u> <u>s.6(a) and (b) Other matters to be prescribed by acts</u> <u>s7(1) Authorised and approved officers</u> Financial Interest Return required – No
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-05/17	6.
2.	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

2.2 BUSH FIRES ACT 1954

2.2.1 BUSH FIRES ACT 1954 – POWERS, DUTIES AND FUNCTIONS OF A LOCAL GOVERNMENT

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authority to perform all of the powers, duties and functions of the local government under the Bush Fires Act 1954 and Bush Fires Regulations 1954	
Statutory Power being Delegated:	<i>Bush Fires Act 1954</i> <i>Bush Fire Regulations 1954</i>	
Power is originally assigned to:	Local Government	
Statutory Power of Delegation:	<i>Bush Fires Act 1954</i> s.48 Delegation by local government	
Power Delegated to:	Chief Executive Officer	
Council's Conditions on Delegation:	Excludes powers and duties that; <ul style="list-style-type: none">are subject to separate delegated authority within this Register as set out below;<ul style="list-style-type: none">Delegation 2.2.3 – Appointment of Bush Fire Control Officers;Delegation 2.2.2 – Variation of Prohibited Burning Times; andDelegation 2.2.4 - Prosecutions;are prescribed in the Act with a requirement for a resolution of the local government; andare prescribed by the Act for performance by appointed officers.	
Statutory Power to Sub-Delegate:	Nil	
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A	
CEO's Conditions on Sub-delegation:	N/A	
Record Keeping Statement (LGA 1995) s5.46(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."	All actions taken must be recorded in writing in the appropriate file or record.	
Compliance Links	<i>Bush Fires Act 1954</i> <i>Financial Interest Return required - No</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. CE03-10/17	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.

2.2.2 BUSH FIRES ACT 1954 - VARIATION OF RESTRICTED AND PROHIBITED BURNING TIMES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Where considered that the seasonal conditions warrant a variation of the prohibited or restricted burning times in the local government's district, to so vary prohibited or restricted burning times and give notice of such variation. If the prohibited or restricted burning times relate to forest land in the district, only after consultation with an authorised CALM Act Officer, to so vary prohibited or restricted burning times.	
Statutory Power being Delegated:	<i>Bush Fires Act 1954</i> s17(7) and (8) (vary prohibited burning times) s18(5), (5B) and (5C) (vary restricted burning times)	
Power is originally assigned to:	Local Government	
Statutory Power of Delegation:	<i>Bush Fires Act 1954</i> s.17(10) (Prohibited and Restricted burning times)	
Power Delegated to:	Mayor and Chief Bush Fire Control Officer jointly	
Council's Conditions on Delegation:	Nil	
Statutory Power to Sub-Delegate:	Nil	
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A	
CEO's Conditions on Sub-delegation:	N/A	
Record Keeping Statement (LGA 1995) s5.46(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."	Copies of all notices issued are to be retained on the appropriate file or record.	
Compliance Links	<i>Bush Fires Act 1954</i> s.17(7B) and (8) Prohibited burning times may be declared by Minister s.18(5B) and (5C) Restricted burning times may be declared by FES Commissioner Variation to Prohibited Burning Times Management Procedure Financial Interest Return required - No	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. CD04-10/15	6.	11.
2. CE01-06/18	7.	12.
3. CE05-06/19 inserted provisions for restricted burning times (Annual Review)	8.	13.
4.	9.	14.

2.2.3 BUSH FIRES ACT 1954 - APPOINTMENT OF BUSH FIRE CONTROL OFFICERS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<div>1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and<div>a. Of those Officers, appoint 2 as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer; and</div>b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].</div> <div>2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the City of Wanneroo [s.38(5A)]</div>	
Statutory Power being Delegated:	<i>Bush Fires Act 1954</i> s.38 Local government may appoint bush fire control officer	
Power is originally assigned to:	Local Government	
Statutory Power of Delegation:	<i>Bush Fires Act 1954</i> s.48 Delegation by local governments	
Power Delegated to:	Chief Executive Officer	
Council's Conditions on Delegation:	Excludes powers and duties that: <ul style="list-style-type: none">are prescribed in the Act with the requirement for a resolution by the local governmentare prescribed in the Act for performance by prescribed offices; orare subject to separate delegated authority within this register.	
Statutory Power to Sub-Delegate:	Nil	
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A	
CEO's Conditions on Sub-delegation:	N/A	
Record Keeping Statement (LGA 1995) s5.46(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."	<div>Appointment of Authorised Officers is to be facilitated through Governance.</div> <div>All actions taken must be recorded in writing in the appropriate file or record.</div>	
Compliance Links	<div>Bush Fire Brigades Local Law 2001</div> <div>Financial Interest Return required - No</div>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. 15/428120	6.	11.
2. CE01-06/18	7.	12.
3.	8.	13.
4.	9.	14.

2.2.4 BUSH FIRES ACT 1954 - PROSECUTIONS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to institute and carry on proceedings in the name of the local government against any person alleged to have committed any of those offences in the district in accordance with section 59 of the Bush Fires Act 1954; and 2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].
Statutory Power being Delegated:	<i>Bush Fires Act 1954</i> s.59(3) Prosecution of Offences s.59A(2), (4) & (5) Alternative Procedure – Infringement Notices
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Bush Fires Act 1954</i> s.48 Delegation by Local Government
Power Delegated to:	Chief Executive Officer Director Community & Place Manager Community Safety and Emergency Management Senior Rangers Rangers
Conditions on Delegation:	<ol style="list-style-type: none"> a) Rangers and Senior Rangers are appointed as for the purposes of 2) only. b) The determination to institute and carry on proceedings is only to be exercised on the recommendation of the Coordinator Community Safety and with agreement of the Manager Community Safety and Emergency Management and the Director Community & Place or CEO in consultation with the Executive Manager Governance & Legal or City Lawyer.
Statutory Power to Sub-Delegate:	Nil
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A
CEO's Conditions on Sub-delegation:	N/A
Record Keeping Statement (LGA 1995) s5.46(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."	Copies of all notices issued are to be retained on the appropriate file or record.

Compliance Links	Bush Fires (Infringements) Regulations 1978 r.4(a) Prescribed officers Infringement Notice Review and Withdrawal Management Procedure Financial Interest Return required - No		
	Delegation Administration:		
	Decision Reference	Decision Reference	Decision Reference
	1. 14/196797 2. 15/428120 3. 17/46341 4. CE06-05/17	6. CE02-02/18 7. 07/07/18 Administrative 8. CE01-06/18 9.	11. 12. 13. 14.

2.3 CAT ACT 2011

2.3.1 CAT ACT 2011 – LOCAL GOVERNMENT FUNCTIONS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	All the powers and duties of the local government under the Cat Act 2011, Cat Regulations 2012 and Cat (Uniform Local Provisions) Regulations 2013.
Statutory Power being Delegated:	Cat Act 2011 Cat Regulations 2012 Cat (Uniform Local Provisions) Regulations 2013
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	Cat Act 2011 s.44 Delegation by local government
Power Delegated to:	Chief Executive Officer
Conditions on Delegation:	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011 and r.11 of the Cat (Uniform Local Provisions) Regulations 2013 as applicable.
Statutory Power to Sub-Delegate:	Cat Act 2011 s.45 Delegation by CEO of local government
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Community & Place Manager Community Safety and Emergency Management Coordinator Community Safety
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.
Record Keeping Statement (LGA 1995) s5.46(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."	Decisions made under this delegation are to be recorded in the appropriate file or register <i>Appointment of Authorised Officers under all legislation is to be facilitated through Governance</i>
Compliance Links	Cats Local Law 2016 <i>Financial Interest Return required - No</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. 14/196797	6.
2. CE01-09/16	7.
3. CE01-06/18	8.
4. 18/274278	9.
	11.
	12.
	13.
	14.

2.4 DOG ACT 1976

2.4.1 DOG ACT 1976 – LOCAL GOVERNMENT FUNCTIONS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	All the powers and duties of the local government under the Dog Act 1976 and Dog Regulations 2013.
Statutory Power being Delegated:	<i>Dog Act 1976 Dog Regulations 2013</i>
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Dog Act 1976 s.10AA Delegation of local government powers and duties</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<ol style="list-style-type: none"> 1. The grant of an exemption to particular premises for the keeping of more dogs than is allowed under the City's local laws pursuant to s.26(3) of the Dog Act 1976 is subject to: <ol style="list-style-type: none"> a) s.2.2(2) of the City of Wanneroo Dogs Local Law 2016. All applications are assessed against the City's Guidelines and Score sheet for keeping more than two dogs; b) Rangers inspecting the premises to ensure means exist to effectively confine the dogs within the premises. 2. Proceeds from the sale of dogs are to be directed into the Municipal Fund. 3. Notices of decisions must include advice as to Objection and Review rights in accordance with the relevant section of the Dog Act 1976.
Statutory Power to Sub-Delegate:	<i>Dog Act 1976 s.10AA (3) Delegation of local government powers and duties</i>
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Community & Place Manager Community Safety & Emergency Management Coordinator Community Safety
CEO's Conditions on Sub-delegation:	<p>Subject to the conditions on delegation to the CEO; and</p> <ul style="list-style-type: none"> • Manager Community Safety & Emergency Management to review decisions of Coordinator Community Safety. • Director Community & Place to review and determine appeals of decisions made by Manager Community Safety & Emergency Management. • CEO to review and determine appeals of decisions made by Director Community & Place.

Record Keeping Statement (LGA 1995) s5.46(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."	Decisions made under this delegation are to be recorded in the appropriate file or register <i>Appointment of Authorised Officers under all legislation is to be facilitated through Governance</i>
Compliance Links	<u>Dogs Local Law 2016</u> <i>Financial Interest Return required - No</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CD01-08/15	6. 18/274278
2. CE01-09/16	7.
3. 07/02/18 Administrative amendment	8.
4. CE01-06/18	9.
	11.
	12.
	13.
	14.

2.5 FOOD ACT 2008

2.5.1 FOOD ACT 2008 - PROHIBITION ORDERS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)]. 2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. 3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].
Statutory Power being Delegated:	<i>Food Act 2008</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
Power is originally assigned to:	Local Government (Enforcement Agency)
Statutory Power of Delegation:	s.118 of the Food Act 2008
Power Delegated to:	Manager Health & Compliance
Conditions on Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. <u>Business Practice Condition</u> The power to prosecute any person is only exercised by agreement of the Manager Health & Compliance and Director Planning & Sustainability in consultation with advice from the Executive Manager Governance & Legal.
Statutory Power to Sub-Delegate:	Nil
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A
CEO's Conditions on Sub-delegation:	N/A
Record Keeping Statement (LGA 1995) s5.46(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."	All actions taken must be recorded in writing in the appropriate file or record.
Compliance Links	Food Act 2008 Financial Interest Return required – No
Delegation Administration:	
Decision Reference	Decision Reference
1. CE06-05/17	6.
2. CE01-06/18	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

2.5.2 FOOD ACT 2008 – FOOD BUSINESS REGISTRATIONS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112].	
Statutory Power being Delegated:	<i>Food Act 2008</i> s.110 Registration of food businesses; and s.112 Variation of conditions or cancellation of registration of food businesses	
Power is originally assigned to:	Local Government (Enforcement Agency)	
Statutory Power of Delegation:	<i>Food Act 2008</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations	
Power Delegated to:	Manager Health & Compliance Coordinator Health Services Senior Environmental Health Officers	
Council's Conditions on Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.	
Statutory Power to Sub-Delegate:	Nil	
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A	
CEO's Conditions on Sub-delegation:	N/A	
Record Keeping Statement (LGA 1995) s5.46(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."	All actions taken must be recorded in writing in the appropriate file or record.	
Compliance Links	<i>Food Act 2008</i> <i>Financial Interest Return required - No</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. CE06-05/17	6.	11.
2. CE01-06/18	7.	12.
3.	8.	13.
4.	9.	14.

2.5.3 FOOD ACT 2008 - APPOINTMENT OF AUTHORISED AND DESIGNATED OFFICERS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)]. 2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the F 2016, to be a Designated Officer for the purposes of issuing Infringement Notices under the Food Act 2008 [s.126(13)]. 3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].
Statutory Power being Delegated:	<i>Food Act 2008</i> s122 Appointment of Authorised Officers s126 Infringement Notices
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Food Act 2008</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Power Delegated to:	Chief Executive Officer Director Planning & Sustainability Manager Health & Compliance
Council's Conditions on Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. <u>Business Practice Condition</u> The power to prosecute any person is only exercised by agreement of the Manager Health & Compliance and Director Planning & Sustainability in consultation with the City Lawyer or Executive Manager Governance & Legal.
Statutory Power to Sub-Delegate:	Nil
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A
CEO's Conditions on Sub-delegation:	N/A

Record Keeping Statement (LGA 1995) s5.46(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."	<i>Appointment of Authorised Officers under all legislation is to be facilitated through Governance</i> All actions taken must be recorded in writing in the appropriate file or record.										
Compliance Links	Food Act 2008 Financial Interest Return required – No										
Delegation Administration:											
Decision Reference 1. CE06-05/17 2. CE01-06/18 3. CE01-07/18 4.	<table border="1"> <thead> <tr> <th data-bbox="587 539 954 560">Decision Reference</th> <th data-bbox="954 539 1362 560">Decision Reference</th> </tr> </thead> <tbody> <tr> <td>6.</td> <td>11.</td> </tr> <tr> <td>7.</td> <td>12.</td> </tr> <tr> <td>8.</td> <td>13.</td> </tr> <tr> <td>9.</td> <td>14.</td> </tr> </tbody> </table>	Decision Reference	Decision Reference	6.	11.	7.	12.	8.	13.	9.	14.
Decision Reference	Decision Reference										
6.	11.										
7.	12.										
8.	13.										
9.	14.										

2.5.4 FOOD ACT 2008 – DETERMINE COMPENSATION

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<div>1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)].</div> <div>2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].</div>	
Statutory Power being Delegated:	<i>Food Act 2008</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation	
Power is originally assigned to:	Local Government	
Statutory Power of Delegation:	<i>Food Act 2008</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations	
Power Delegated to:	Director Planning & Sustainability	
Council's Conditions on Delegation:	<div>a) In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</div> <div>b) Compensation under this delegation may only be determined upon documented losses up to a maximum of \$5000. Compensation requests above this value are to be presented to Council for determination.</div>	
Statutory Power to Sub-Delegate:	Nil	
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A	
CEO's Conditions on Sub-delegation:	N/A	
Record Keeping Statement (LGA 1995) s5.46(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."	All actions taken must be recorded in writing in the appropriate file or record.	
Compliance Links	Food Act 2008 Financial Interest Return required - No	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. CE01-08/18	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.

2.6 GRAFFITI VANDALISM ACT 2016

2.6.1 GRAFFITI VANDALISM ACT 2016 – LOCAL GOVERNMENT FUNCTIONS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	All the powers and duties of the local government under the <i>Graffiti Vandalism Act 2016</i> .
Statutory Power being Delegated:	<i>Graffiti Vandalism Act 2016</i> Part 3 Local government powers
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Graffiti Vandalism Act 2016</i> s.16 Delegation by local government
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Hearing or determining of an objection of a kind referred to under s.22 is excepted.
Statutory Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016</i> s.17 Delegation by CEO of local government
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Assets Manager Asset Maintenance
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.
Record Keeping Statement (LGA 1995) s5.46(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."	Copies of all notices issued are to be retained on the appropriate file or record.
Compliance Links	Graffiti Vandalism Act 2016 <i>Financial Interest Return required – No</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE01-06/18	6.
2.	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

2.7 HEALTH (ASBESTOS) REGULATIONS 1992

2.7.1 HEALTH (ASBESTOS) REGULATIONS 1992 - APPOINTMENT OF AUTHORISED AND APPROVED OFFICERS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	The appointment in writing of persons or classes of persons to be authorised officers or approved officers for the purposes of the Criminal Procedure Act 2004 Part 2 in relation to infringement notices under the Health (Asbestos) Regulations 1992.
Statutory Power being Delegated:	<i>Health (Asbestos) Regulations 1992</i> r. 15D(5) Appointment of authorised and approved officers for the purposes of the <i>Criminal Procedures Act 2004</i> Part 2.
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Health (Asbestos) Regulations 1992</i> r. 15D. Infringement notices. (7) A local government may delegate a power or duty conferred or imposed on it by this regulation to the chief executive officer of the local government.
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Nil
Statutory Power to Sub-Delegate:	Nil
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A
CEO's Conditions on Sub-delegation:	N/A
Record Keeping Statement (LGA 1995) s5.46(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."	<i>Appointment of Authorised Officers under all legislation is to be facilitated through Governance.</i>
Compliance Links	Health (Asbestos) Regulations 1992 Criminal Procedures Act 2004 Financial Interest Return required – No
Delegation Administration:	
Decision Reference	Decision Reference
1. CE03-10/17	6.
2.	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

2.8 PUBLIC HEALTH ACT 2016

2.8.1 PUBLIC HEALTH ACT 2016 – APPOINTMENT OF AUTHORISED OFFICERS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Designate a person or class of persons as authorised officers under the <i>Public Health Act 2016</i>
Statutory Power being Delegated:	<i>Public Health Act 2016</i> s.24 Designation of authorised officers
Power is originally assigned to:	Local Government (Enforcement Agency)
Statutory Power of Delegation:	<i>Public Health Act 2016</i> Sections 21 Enforcement agency may delegate
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	The designation of authorised officers is to be in accordance with ss.25 of the <i>Public Health Act 2016</i> . Authorised officers may be appointed under the <i>Public Health Act 2016</i> for the purposes of the <i>Food Act 2008</i> .
Statutory Power to Sub-Delegate:	Nil
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A
CEO's Conditions on Sub-delegation:	N/A
Record Keeping Statement (LGA 1995) s5.46(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."	<i>Appointment of Authorised Officers under all legislation is to be facilitated through Governance</i>
Compliance Links	Public Health Act 2016 <i>Financial Interest Return required – No</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. CE02-03/17	6.
2. CE06-05/17	7.
3. 17/313208	8.
4.	9.
	11.
	12.
	13.
	14.

2.9 STRATA TITLES ACT 1985

2.9.1 STRATA TITLES ACT 1985 – ~~APPROVALS~~ CERTIFICATE OF APPROVAL SUBDIVISION APPROVAL OF STRATA SCHEME

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<p>1) Power to determine applications under section 15 of the <i>Strata Titles Act 1985</i>, except those applications that:-</p> <ul style="list-style-type: none"> (a) propose the creation of a vacant lot; (b) propose vacant air stratas in multi-tiered strata scheme developments; (c) propose the creation or postponement of a leasehold scheme; (d) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to:- <ul style="list-style-type: none"> i. a type of development; and/or ii. land within an area, <p>which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.</p> <p><u>2) Power to determine applications under section 21 of the Strata Titles Act 1985;</u></p> <p><u>3) Power to determine applications under section 22 of the Strata Titles Act 1985.</u></p>
Statutory Power being Delegated:	<p><i>Strata Titles Act 1985;</i> s.15: <u>Subdivision approval of strata scheme Certificates of Approval</u> s.21 <u>Approval for modification of restricted use condition</u> s.22 <u>Approval under planning (scheme by-laws) condition</u></p>
Power is originally assigned to:	<p>Local Government</p>

Statutory Power of Delegation:	<u>Planning and Development Act 2005 Section 16</u> <u>*DEL 2020/01:</u> <u>On 20 January 2021, pursuant to section 16 of the Act, the WAPC resolved to delegate to local governmentsgovernments, and to members and officers of those local governments its powers and functions under:</u> <u>1) section 15 of the Strata Titles Act 1985 as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;</u> <u>2) sections 21 and 22 of the Strata Titles Act 1985 as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;</u> <u>Planning and Development Act 2005 Section 16</u> <u>*DEL 2020/01:</u> On 19 March 2020, pursuant to section 16 of the Planning and Development Act 2005, the WAPC resolved to delegate to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the Strata Titles Act 1985 as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 2 of Schedule 1.	
Power Delegated to:	Director Planning & Sustainability Manager Approval Services Coordinator Building Services Senior Building Surveyors <u>Coordinator Planning Services</u> <u>Senior Planners</u>	
Conditions on Delegation:	At the conclusion of each financial year in accordance with and in the format prescribed by the WAPC, data on all applications determined under Instrument of Delegation 2020/01 is to be provided to the WAPC.	
Statutory Power to Sub-Delegate:	Nil	
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A	
CEO's Conditions on Sub-delegation:	N/A	
Record Keeping Statement (LGA 1995) s5.46(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."	Copies of all notices issued are to be retained on the appropriate file or record.	
Compliance Links	<u>Strata Titles Act 1985;</u> <u>Planning and Development Act 2005 Section 16</u> <i>Financial Interest Return required - No</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference

1.	16/436067	6.		11.	
2.	CE01-06/18	7.		12.	
3.	20/310315	8.		13.	
4.		9.		14.	

2.10 PLANNING & DEVELOPMENT ACT 2005

2.10.1 STRUCTURE PLANNING (STRUCTURE PLANS, LOCAL DEVELOPMENT PLANS AND JINDEE DESIGN CODES)

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<p>The Council may require the preparation and presentation to it of a structure plan as a prerequisite to:</p> <ul style="list-style-type: none"> the Council's support for a proposal to rezone or reclassify land in the District; the Council's support for an application to subdivide or amalgamate lots; or the Council's consideration of an application for Planning Approval. <p>All decisions to amend under Clauses 17, 18, 19, 20, 29(3), 33, 34, 35, 36, 45(3), 49, 50 and 52 relating to structure plans and local development plans pursuant to Parts 4 (<u>Structure Plans</u>), 5 and 6 (<u>Local Development Plans</u>) of the deemed provisions.</p>
Statutory Power being Delegated:	Decisions relating to structure plans and local development plans under Parts 4, 5 and 6 of Schedule 2 of <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (the deemed provisions).
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	Clause 82 of the <i>Planning & Development (Local Planning Schemes) Regulations 2015</i> (the deemed provisions).
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<p>The exercise of this delegated authority is conditional on the following:</p> <p><u>Structure Plans</u></p> <p>a) <u>All new structure plans shall be referred to Council for consideration after being advertised for public comment;</u></p> <p>b) Compliance with all applicable Local Planning Policies adopted by Council;</p> <p>b) Prior to commencement of advertising of any new structure plan or local development plan, or amendment thereto, Council Members must be notified of the proposal in writing advising the dates when the public comment period will start and finish; the means by which the proposal will be advertised, and each Council Member provided with copies of relevant plans and information relating to the proposal.;</p> <p>c) Advertising of an amendment to a structure plan or an activity centre plan may be waived under Part 4 Clause 29(3) or 45(3), respectively, of the deemed provisions where, in the opinion of the delegate, it is of a minor nature in which the change or departure does not:</p> <ul style="list-style-type: none"> materially alter the purpose and intent of the structure plan;

- change the intended lot/ dwelling yield by more than 10 per cent or adversely impact upon the amenity of adjoining landowners and occupiers;
- restrict the use and development of adjoining land; or
- significantly impact on infrastructure provision or impact upon the environment.

NOTE: Under Clauses 29(3) ~~and 45(3)~~ of the deemed provisions, the WAPC is also required to be of an opinion that an amendment to a structure plan ~~/activity centre plan~~ is of a minor nature prior to advertising being waived.

~~d) All new structure plans shall be referred to Council for consideration after being advertised for public comment;~~

~~ed) Endorsement of a recommendation for an amendment The delegate may approve an amendment to a structure plan or an activity centre plan under Clause 20(2) or 36(2) respectively Part 4 of the deemed provisions by the delegate after being advertised for public comment provided that:-~~

- ~~If objections are raised on valid planning grounds that cannot be addressed through modification to the structure plan, the amendment application will be referred to Council for determination; Any objection received does not, in the opinion of the delegate, raise relevant planning considerations that cannot be specifically overcome by modification to that plan;~~
- Council Members are notified in writing of the delegate's intention to do so and provided with a summary of submissions and Administration's recommendations in respect of those submissions; and
- ~~Council Members are provided with at least five working days in which to request that the proposal be referred to Council for consideration and recommendation.~~

~~ef) Endorsement of a recommendation for an amendment The delegate may approve an amendment to a structure plan or an activity centre plan under Clause 20(2) or 36(2), respectively, Part 4 of the deemed provisions by the delegate where advertising has been waived~~

~~f) An application to amend a structure plan shall be referred to Council for consideration and recommendation or determination (whichever appropriate), where requested by the applicant in writing.~~

Local Development Plans

~~a) Prior to commencement of advertising of any new local development plan, or amendment thereto, Council Members must be notified of the proposal in writing advising the dates when the public comment period will start and finish; the means by which the proposal will be advertised, and each Council Member provided with copies of relevant plans and information relating to the proposal.~~

	<p>a)b) This delegation allows the determination of The delegate may approve a Local Development Plan or amendment to a Local Development Plan under Part 6 of the deemed provisions a local development plan or amendment thereto under Part 6 of the deemed provisions, by the delegate after being advertised for public comment provided that:</p> <ul style="list-style-type: none"> Any objection received does not, in the opinion of the delegate raise relevant planning considerations that cannot be specifically overcome by modification to that plan; Council Members have been notified in writing of the delegate's intention to do so and provided with a summary of the submissions and Administration's recommendations in respect of those submissions; and Council Members are provided with at least five working days in which to request that the proposal be referred to Council for determination. <p><u>Jindee Design Codes</u></p> <p><u>The delegate may determine an amendment to the Jindee Design Code where in the opinion of the delegate, the amendment is minor in nature and does not:</u></p> <ul style="list-style-type: none"> <u>i) Materially alter the purpose and intent of the structure plan;</u> <u>ii) Change the intended lot / dwelling yield by more than 10 per cent or adversely impact upon the amenity of adjoining landowners and occupiers;</u> <u>iii) Restrict the use and development of adjoining land; or</u> <u>iv) Significantly impact on infrastructure provision or impact upon the environment.</u> <p>h) A structure plan, detailed area plan or amendment to either such plan shall be referred to Council for consideration and recommendation or determination (whichever appropriate), where requested by the applicant in writing.</p>
Statutory Power to Sub-Delegate:	<p><i>Planning and Development (Local Planning Schemes) Regulations 2015 (the deemed provisions)</i> Clause 83</p>
<p>CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i></p>	<p><u>Director Planning & Sustainability and Manager Approval Services</u> <u>All decisions under Part 4 (Structure Planning) Clauses 17, 18, 19, 20, 22 and 29(3) and Part 6 (Local Development Plans) Clauses 49, 50 and 52.</u></p> <p><u>Jindee Design Codes in accordance with Councils conditions and Clause 3.25 DPS2.</u></p> <p>Director Planning & Sustainability: All decisions under Clauses 17, 18, 19, 20, 29(3), 33, 34, 35, 36, 45(3) 49, 50 and 52.</p> <p>Manager Approval Services: All decisions under clauses 17, 18, 19, 29(3), 33, 34, 35, 45(3), 50 and 52</p>

	<p>Coordinator Planning Approvals Services</p> <p>All decisions under <u>Part 4 (Structure Planning) Clauses 17, 33</u> and <u>Part 6 (Local Development Plans) Clause 49</u>.</p>
<p>CEO's Conditions on Sub-delegation:</p>	<p><u>As per Council's conditions on delegation to the CEO.</u> The exercise of this delegated authority is conditional on the following:</p> <ul style="list-style-type: none"> a) Compliance with all applicable Local Planning Policies adopted by Council; b) Prior to commencement of advertising of any new structure plan or local development plan, or amendment thereto, Elected Members must be notified of the proposal in writing, advising the dates when the public comment period will start and finish; the means by which the proposal will be advertised, and each Elected Member provided with copies of relevant plans and information relating to the proposal; c) Advertising of an amendment to a structure plan or an activity centre plan may be waived under Clause 29(3) or 45(3), respectively, of the deemed provisions where, in the opinion of the delegate, it is of a minor nature in which the change or departure does not: materially alter the purpose and intent of the structure plan; change the intended lot/ dwelling yield by more than 10 per cent or adversely impact upon the amenity of adjoining landowners and occupiers; restrict the use and development of adjoining land; or significantly impact on infrastructure provision or impact upon the environment. <p>NOTE: Under Clauses 29(3) and 45(3) of the deemed provisions, the WAPC is also required to be of an opinion that an amendment to a structure plan / activity centre plan is of a minor nature prior to advertising being waived.</p> <ul style="list-style-type: none"> d) All new structure plans shall be referred to Council for consideration after being advertised for public comment; e) Endorsement of a recommendation for an amendment to structure plan or activity centre plan under Clause 20(2) or Clause 36(2) of the deemed provisions by the delegate after being advertised for public comment provided that:- <p>Any objection received does not, in the opinion of the delegate, raise relevant planning considerations that cannot be specifically overcome by modification to that plan; Elected Members are notified in writing of the delegate's intention to do so and provided with a summary of submissions and Administration's recommendations in respect of those submissions; and</p> <p>Elected Members are provided with at least five working days in which to request that the proposal be referred to Council for consideration and recommendation.</p>

	<p>f) — Endorsement of a recommendation for an amendment to a structure plan or an activity centre plan under Clause 20(2) or 36(2), respectively, of the deemed provisions by the delegate where advertising has been waived.</p> <p>g) — Determination of a local development plan by the delegate after being advertised for public comment provided that:-</p> <p>Any objection received does not, in the opinion of the delegate, raise relevant planning considerations that cannot be specifically overcome by modification to that plan;</p> <p>Elected Members are notified in writing of the delegate's intention to do so and provided with a summary of submissions and Administration's recommendations in respect of those submissions; and</p> <p>Elected Members are provided with at least five working days in which to request that the proposal be referred to Council for determination.</p> <p>h) — A structure plan, local development plan or amendment to either such plan shall be referred to Council for consideration and recommendation or determination (whichever appropriate), where requested by the applicant in writing.</p>
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	Copies of all decisions made are to be retained on the appropriate file or record.
Compliance Links	<u>Planning & Development (Local Planning Schemes) Regulations 2015</u> Local Planning Policies Financial Interest Return required - No
Delegation Administration:	
Decision Reference	Decision Reference
1. PS11-10/15	6.
2. CE06-05/17	7.
3. CE03-10/17	8.
4.	9.
	11.
	12.
	13.
	14.

2.10.2 PLANNING & DEVELOPMENT ACT 2005 - DIRECTION NOTICES

<p>Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i></p>	<ol style="list-style-type: none"> 1. The authority, under section 214(2) of the Planning and Development Act 2005, to issue a written direction to stop and not recommence a development for a development, or any part of a development that is undertaken in contravention of the District Planning Scheme No. 2 or an interim development order or in contravention of planning control area requirements. 2. The authority, under section 214(3) of the Planning and Development Act 2005, to issue a written direction to remove, pull down, take up or alter the development and to restore the land as nearly practicable to its condition immediately before the development started for a development has been undertaken in contravention of the District Planning Scheme No. 2 or an interim development order or in contravention of planning control area requirements. 3. The authority, under section 214(5) of the Planning and Development Act 2005, to issue a written direction to execute work for a delay in the execution of any work to be executed under the District Planning Scheme No. 2 or an interim development order which would prejudice the effective operation of District Planning Scheme No. 2 or interim development order.
<p>Statutory Power being Delegated:</p>	<p><i>Planning and Development Act 2005</i> s.214(2), (3) and (5) Illegal development, responsible authority's powers as to</p>
<p>Power is originally assigned to:</p>	<p>Local Government</p>
<p>Statutory Power of Delegation:</p>	<p><i>Local Government Act 1995</i> s.5.42(1)(b) Delegation of some powers or duties to the CEO</p>
<p>Power Delegated to:</p>	<p>Chief Executive Officer</p>
<p>Council's Conditions on Delegation:</p>	<p>A written direction under Section 214 of the Planning and Development Act 2005 may be issued by the delegate.</p> <p><u>Business Practice Conditions</u></p> <ol style="list-style-type: none"> a) The authority to prosecute under Part 13 of the Planning and Development Act 2005 is only exercised on recommendation from the Manager Approval Services, Manager Health & Compliance or Director Planning & Sustainability and with the written approval of the Chief Executive Officer or his delegate in consultation with the Executive Manager Governance & Legal or City Lawyer. b) The authority to determine a position with respect to any prosecution action commenced in accordance with a) above may be exercised by the Chief Executive Officer or his delegate, having regard to the advice of the Director Planning & Sustainability, Manager Approval Service or Manager Health & Compliance.

	<p>c) The authority to apply for an injunction to the Supreme Court under Section 216 of the Planning and Development Act 2005 may only be exercised by the Chief Executive Officer on recommendation from the Director Planning & Sustainability.</p> <p>d) The authority to determine a position with respect to any mediation process resulting from an appeal against a decision made under delegated authority is granted to the Chief Executive Officer or his delegate.</p>
Statutory Power to Sub-Delegate:	<i>Planning and Development (Local Planning Schemes) Regulations 2015 (the deemed provisions) Clause 83</i>
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	<p>Director Planning & Sustainability</p> <p>Manager Approval Services</p> <p>Manager Health & Compliance</p>
CEO's Conditions on Sub-delegation:	<p>A written direction under Section 214 of the Planning and Development Act 2005 may be issued Director Planning & Sustainability, Manager Approval Services or Manager Health & Compliance.</p> <p><u>Business Practice Conditions</u></p> <p>a) The authority to prosecute under Part 13 of the Planning and Development Act 2005 is only exercised on recommendation from the Manager Health & Compliance or Manager Approval Services and with the written approval of the Director Planning & Sustainability in consultation with the Executive Manager Governance & Legal or City Lawyer.</p> <p>b) The authority to determine a position with respect to any prosecution action commenced in accordance with a) above may be exercised by the Director Planning & Sustainability, having regard to the advice of the Manager Approval Services or Manager Health & Compliance.</p> <p>c) The authority to apply for an injunction to the Supreme Court under Section 216 of the Planning and Development Act 2005 may only be exercised by the Chief Executive Officer on recommendation from the Director Planning & Sustainability.</p> <p>d) The authority to determine a position with respect to any mediation process resulting from an appeal against a decision made under delegated authority is granted to the Director Planning & Sustainability.</p>
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	Copies of all comments or recommendations made are to be retained on the appropriate file or record.
Compliance Links	<p><i>Planning and Development (Local Planning Schemes) Regulations 2015</i></p> <p><i>Financial Interest Return required - Yes</i></p>
Delegation Administration:	
Decision Reference	Decision Reference
Decision Reference	Decision Reference

1.	PS11-10/15	6.		11.	
2.	CE06-05/17	7.		12.	
3.	CE01-06/18	8.		13.	
4.	18/203840	9.		14.	

2.10.3 DEVELOPMENT CONTROL PLANNING APPROVALS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. Determination of applications for planning approval (including the exercise of discretion under District Planning Scheme No. 2 and the Residential Design Codes); and 2. All matters which arise out of the imposition of conditions on planning approvals under the District Planning Scheme No. 2
Statutory Power being Delegated:	The power to determine applications for planning approvals lodged pursuant to Clause 60 <u>Part 7</u> of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (the deemed provisions) and Clause 28 of the Metropolitan Region Scheme including all applicable decisions under the District Planning Scheme No. 2 and the Metropolitan Region Scheme.
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (the deemed provisions) Clause 82
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<p><u>Council and Business Practice Condition</u></p> <p>a) Any application will be referred to Council for determination if where an Council Elected Member makes a written request to the CEO, Director Planning and Sustainability or requests such referral by written request to the Manager Approval Services;</p> <p><u>i) An application will be referred to Council for determination where the Director considers that:</u></p> <p><u>i) Key planning aspects of the proposal are not addressed by the planning framework where there is no planning scheme provision, policy, or strategy at a local or state level to effectively guide decision making;</u></p> <p><u>ii) Where the planning matters raised in the proposal and submissions received demonstrate that it will be in the interest of the proponent and community for a decision to be made by Council.</u></p> <p><u>c) Determination of a development application subject of an order by the SAT under s.31(1) of the State Administrative Tribunal Act 2004 where the development application was originally determined by Council will be reconsidered by Council. Any application for determination by the City that has been advertised for public comment shall be referred to Council for determination if any objection has been received that, in the opinion of the Chief Executive Officer, raises relevant planning considerations that cannot be specifically addressed or overcome by:</u></p> <p><u>modification of the proposal;</u></p> <p><u>imposition of appropriate conditions of approval; or</u></p> <p><u>compliance with the applicable deemed-to-comply provisions and/or design principles of the R-Codes;</u></p>

	<p>compliance with the objectives and provisions of DPS2 and the relevant considerations under the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 67 Matters to be considered by local government.</p> <p>e) Any application for determination by the City will be referred to Council for determination if requested by the applicant in writing;</p> <p>d) Any application for an Industry – Extractive, Industry – General, Industry – Hazardous, or Concrete Batching Plant, may be determined under delegation.</p>
Statutory Power to Sub-Delegate:	<i>Planning and Development (Local Planning Schemes) Regulations 2015, Clause 83</i>
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Planning & Sustainability Manager Approval Services Coordinator Planning Services Coordinator Building Services Specialist Planner – Approval Services Specialist Project Planner Senior Planners Senior Building Surveyors
CEO's Conditions on Sub-delegation:	<p>The exercise of this delegated authority is conditional on the following:</p> <p>a) a) As per Council's conditions on delegation to the CEO;</p> <p>Any application will be referred to Council for determination if an Elected Member requests such referral by written request to the Manager Approval Services;</p> <p>b) Any application for determination by the City that has been advertised for public comment shall be referred to Director Planning and Sustainability for determination if any objection has been received that, in the opinion of the Manager Approval Services, raises relevant planning considerations that cannot be specifically addressed or overcome by: modification of the proposal; imposition of appropriate conditions of approval; or compliance with the applicable deemed-to-comply provisions and/or design principles of the R-Codes.</p> <p>c) Any application for determination by the City will be referred to Council for determination if requested by the applicant in writing;</p> <p>c) Any application for an Industry – Hazardous or Concrete Batching Plant, may be determined by the Director Planning & Sustainability, Manager Approval Services or Coordinator Planning Services. Any application for Industry – Extractive may be determined by Director Planning & Sustainability, Manager Approval Services, Coordinator Planning Services, Specialist Planner – Approval Services or Specialist Project Planner. Any application for Industry – General may be determined by Director Planning & Sustainability, Manager Approval Services,</p>

Coordinator Planning Services or Senior Planners.

- b) Any application for determination by the City that has been advertised for public comment shall be referred to the Director Planning and Sustainability for determination if more than 10 objections have been received.
- c) Any application for determination by the City that has been advertised for public comment shall be referred to the Manager Approval Services for determination if 6-10 objections have been received.
- d) Any application for determination by the City for more than 10 grouped or multiple dwellings shall be referred to the Manager Approval Services or Director Planning and Sustainability.
- e) Any application for the establishment of the following land uses (excluding additions and alterations):
- i. Industry – hazardous;
 - ii. concrete batching plant;
 - iii. service station;
 - iv. tavern;
 - v. liquor store;
 - vi. drive-through food outlet; and
 - vii. childcare centre.
- as per the land use definitions in DPS2 may be determined by the Manager Approval Services or the Director Planning and Sustainability.
- f) Determination of a development application subject of an order by the SAT under s.31(1) of the State Administrative Tribunal Act 2004 where the development application was determined under delegated authority will be reconsidered by the Director Planning and Sustainability or the Manager Approval Services.

This delegated authority is limited for the Coordinator Building Services and Senior Building Surveyors as follows:

- a) to only make decisions related to applications seeking variation/s to the deemed-to-comply requirements of the R-Codes or provisions of a relevant structure plan or local development plan for a Single House located in a Residential Zone or any of the following on the same lot as a Single House:
- i) outbuildings, garages or carports;
 - ii) patios or verandas;
 - iii) street walls or fences; and
 - iv) retaining walls, and
- b) Providing that the application for development (outlined in point **ab**) above) is **not** located in a place that is:-
- Entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or
 - Included on a heritage list prepared in accordance with DPS 2;
 - Within an area designated under DPS 2 as a heritage area; or

	<ul style="list-style-type: none"> The subject of a heritage agreement entered into under the <i>Heritage of Western Australia Act</i> section 29.
Record Keeping Statement (LGA 1995) s5.46(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."	Copies of approvals given and reports of actions taken are to be retained on the appropriate file or record.
Compliance Links	Planning and Development (Local Planning Schemes) Regulations 2015 State Administrative Tribunal Act 2004 Financial Interest Return required - No
Delegation Administration:	
Decision Reference	Decision Reference
1. CB01-11/14 and OC01-11/14	6. CE06-05/17
2. PS11-10/15	7. CE01-06/18
3. 16/436067	8. 18/203840
4. CE03-03/17 & 17/73467	9. 18/455559
	11. 19/104903
	12. CE01-04/20
	13. CE02-06/20
	14.

2.10.4 LANDSCAPE ENHANCEMENT ZONE BUILDING ENVELOPES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<ol style="list-style-type: none"> 1. The power to adopt a plan defining a building envelope. 2. The power to approve development outside of the building envelope defined on the plan adopted under 3.26.4 of DPS 2.
Statutory Power being Delegated:	City of Wanneroo District Planning Scheme No. 2 Clause 3.26.4 Clause 3.26.5
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 – Deemed provisions for local planning schemes Clause 82 Delegations by local government
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<ol style="list-style-type: none"> 1. Compliance with all applicable Local Planning Policies adopted by Council. 2. A proposed building envelope plan shall be referred to Council for determination: <ol style="list-style-type: none"> (i) where requested by an ElectedCouncil Member or by the applicant in writing, or (ii) if an objection to a proposed building envelope is received by the City as part of a submission made in response to advertising of an application for planning approval, and the objection involves a relevant planning issue that cannot be specifically overcome by modification to the proposal, as determined by the Director Planning and Sustainability. 3. A proposed development which is outside of an approved building envelope shall be referred to Council under the same conditions as b) above.
Statutory Power to Sub-Delegate:	<i>Planning and Development (Local Planning Schemes) Regulations 2015 (the deemed provisions)</i> Clause 83 Local government CEO may delegate powers
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Planning & Sustainability Manager Approval Services Coordinator Planning Approvals Senior Planners
CEO's Conditions on Sub-delegation:	Subject to the conditions on delegation to the CEO.

Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	Any decision made under this delegation is to be recorded in the appropriate file or register										
Compliance Links	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>City of Wanneroo District Planning Scheme No. 2</i> <i>Local Planning Policies</i> <i>Financial Interest Return required – No</i>										
Delegation Administration:											
Decision Reference 1. PS06-08/16 2. 16/292302 3. CE06-05/17 4.	<table border="1"> <thead> <tr> <th data-bbox="587 607 954 629">Decision Reference</th> <th data-bbox="954 607 1358 629">Decision Reference</th> </tr> </thead> <tbody> <tr> <td data-bbox="587 629 954 651">6.</td> <td data-bbox="954 629 1358 651">11.</td> </tr> <tr> <td data-bbox="587 651 954 674">7.</td> <td data-bbox="954 651 1358 674">12.</td> </tr> <tr> <td data-bbox="587 674 954 696">8.</td> <td data-bbox="954 674 1358 696">13.</td> </tr> <tr> <td data-bbox="587 696 954 707">9.</td> <td data-bbox="954 696 1358 707">14.</td> </tr> </tbody> </table>	Decision Reference	Decision Reference	6.	11.	7.	12.	8.	13.	9.	14.
Decision Reference	Decision Reference										
6.	11.										
7.	12.										
8.	13.										
9.	14.										

2.10.5 DISTRICT PLANNING SCHEME NO 2 – APPOINTMENT OF AUTHORISED OFFICERS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	The appointment of officers as an authorised officer for the purposes of the Clause 79 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> within the City of Wanneroo.	
Statutory Power being Delegated:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Clause 79 Entry and inspection powers	
Power is originally assigned to:	CEO	
Statutory Power of Delegation	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Clause 83 Local government CEO may delegate powers	
Power Delegated to: <i>The exercise of the delegated power does not include the power of delegation</i>	Director Planning & Sustainability Manager Health & Compliance Manager Approval Services	
CEO's Conditions on Sub-delegation:	All authorisations are to be in writing and recorded on the Governance Register of Authorised Officers and the person's personnel file.	
Record Keeping Statement (LGA 1995) s5.46(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."	<i>Appointment of Authorised Officers under all legislation is to be facilitated through Governance</i>	
Compliance Links	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Financial Interest Return required – No</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. 16/335215	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.

3 CITY OF WANNEROO LOCAL LAWS

3.1.1 CITY OF WANNEROO LOCAL LAWS – APPOINTMENT OF AUTHORISED PERSONS

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	A local government may, in writing, appoint persons or classes of persons to be authorised for the purpose of performing particular functions.		
Statutory Power being Delegated:	<i>Local Government Act 1995</i> s.9.10 Appointment of authorised persons.		
Power is originally assigned to:	Chief Executive Officer		
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995</i> s.5.44 CEO may delegate powers or duties to other employees		
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	All Directors Manager Approval Services Manager Asset Maintenance Manager Community Facilities Manager Community Safety & Emergency Management Manager Health & Compliance Manager Property Manager Waste Services		
CEO's Conditions on Sub-delegation:	a) The appointment of persons is to relate to those functions of an "authorised person" under the City of Wanneroo Local Laws; and b) The delegation to the Manager Community Facilities applies only to the appointment of members of surf lifesaving clubs recommended by Surf Life Saving WA as sufficiently qualified and experienced, as Authorised Persons under the Public Places and Local Government Property Local Law 2015 to undertake the powers set out in section 5.6(1) in relations to beaches. c) The delegation to the Manager Property applies only to the appointment of Golf Course Controllers and subsidiary staff at the Carramar and Marangaroo golf courses under the Local Government & Public Property Local Law 2015.		
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	Appointment of Authorised Officers under all legislation is to be facilitated through Governance		
Compliance Links	City of Wanneroo Local Laws <i>Financial Interest Return required - Yes</i>		
Delegation Administration:			
Decision Reference	Decision Reference	Decision Reference	
1. 14/196797	6. 18/274278	11.	
2. 16/422068	7. 20/533822	12.	
3. CE01-06/18	8.	13.	
4. 18/203840	9.	14.	

3.1.2 CITY OF WANNEROO LOCAL LAWS – ADMINISTRATION

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authority to administer the City's local laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the local government under the City's Local Laws.
Statutory Power being Delegated:	<i>City of Wanneroo Animals Local Law 1999 City of Wanneroo Bee Keeping Local Law 2016 City of Wanneroo Bush Fire Brigades Local Law 2001 City of Wanneroo Cats Local Law 2016 City of Wanneroo Dogs Local Law 2016 City of Wanneroo Extractive Industries Local Law 1998 City of Wanneroo Fencing Local Law 2016 City of Wanneroo Health Local Law 1999 City of Wanneroo Parking Local Law 2015 City of Wanneroo Penalty Units Local Law 2015 City of Wanneroo Private Property Local Law 2001 City of Wanneroo Public Places and Local Government Property Local Law 2015 City of Wanneroo Signs Local Law 1999 City of Wanneroo Site Erosion and Sand Drift Prevention Local Law 2016 City of Wanneroo Standing Orders Local Law 2008 City of Wanneroo Waste Local Law 2016</i>
Power is originally assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 Delegation of some powers or duties to the CEO</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Determinations and decisions under the City of Wanneroo Local Laws having regard to the relevant Council policies in force at the time.
Statutory Power to Sub-Delegate:	<i>Local Government Act 1995 s.5.44 CEO may delegate powers or duties to other employees</i>

<p>CEO's Sub-Delegation: The exercise of the delegated power does not include the power of delegation</p>	<p><u>City of Wanneroo Animals Local Law 1999</u> Director Community & Place Director Planning & Sustainability Manager Community Safety and Emergency Management Manager Health & Compliance Coordinator Community Safety Coordinator Health Services Senior Environmental Health Officers <u>City of Wanneroo Bee Keeping Local Law 2016</u> Manager Health & Compliance Coordinator Health Services <u>City of Wanneroo Bush Fire Brigades Local Law 2001</u> Manager Community Safety and Emergency Management <u>City of Wanneroo Cats Local Law 2016</u> Director Community & Place Manager Community Safety and Emergency Management Coordinator Community Safety <u>City of Wanneroo Dogs Local Law 2016</u> Director Community & Place Director Planning & Sustainability Manager Community Safety and Emergency Management Manager Health & Compliance Coordinator Community Safety <u>City of Wanneroo Extractive Industries Local Law 1998</u> Director Planning & Sustainability Manager Approval Services Coordinator Planning Approvals Specialist Planner – Approval Services <u>City of Wanneroo Fencing Local Law 2016</u> Director Planning & Sustainability Manager Health & Compliance <u>City of Wanneroo Health Local Law 1999</u> Director Planning & Sustainability Manager Health & Compliance Coordinator Health Services <u>City of Wanneroo Parking Local Law 2015</u> Director Assets Director Community & Place Director Planning & Sustainability Manager Community Safety & Emergency Management <u>City of Wanneroo Penalty Units Local Law 2015</u> Nil <u>City of Wanneroo Private Property Local Law 2001</u> Director Planning & Sustainability Director Corporate Strategy & Performance Director Assets Manager Health & Compliance <u>City of Wanneroo Public Places and Local Government Property Local Law 2015</u> Director Assets Director Community & Place Director Planning & Sustainability Manager Asset Maintenance Manager Parks & Conservation Maintenance Manager Community Safety & Emergency Management</p>
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	<p><u>City of Wanneroo Signs Local Law 1999</u> Director Planning & Development Manager Approval Services Coordinator Building Services Senior Building Surveyors <u>City of Wanneroo Site Erosion and Sand Drift Prevention Local Law 2016</u> Director Planning & Sustainability Manager Health & Compliance <u>City of Wanneroo Standing Orders Local Law 2008</u> Nil <u>City of Wanneroo Waste Local Law 2016</u> Director Assets Manager Waste Services</p>
CEO's Conditions on Sub-delegation:	<p>Subject to the conditions on delegation to the CEO; and <u>City of Wanneroo Animals Local Law 1999</u></p> <ul style="list-style-type: none"> • The setting aside a reserve or foreshore or portion of a reserve or foreshore as an area upon which a person may ride or drive a horse or into which a person may bring a horse under Section 26(1); and • The setting of fees and charges under section 6.16 and 6.19 of the Local Government Act 1995; are excluded. <p><u>City of Wanneroo Extractive Industries Local Law 1998</u></p> <ul style="list-style-type: none"> • Subject to the City's District Planning Scheme No. 2; and • The setting of annual fees under sections 6.16 and 6.19 of the Local Government Act 1995 is excluded. <p><u>City of Wanneroo Health Local Law 1999</u></p> <ul style="list-style-type: none"> • Approvals must meet all the requirements of the Health Local Law, District Planning Scheme No. 2 and Building Code. • The setting of annual fees under sections 6.16 and 6.19 of the Local Government Act 1995 is excluded. <p><u>City of Wanneroo Parking Local Law 2015</u> Setting of fees for the amount payable for parking under Section 6.16 and 6.19 of the Local Government Act 1995 is excluded.</p> <p><u>City of Wanneroo Private Property Local Law 2001</u> Subject to:</p> <ul style="list-style-type: none"> • City's District Planning Scheme No. 2 • Dividing Fences Act 1961 • Schedule 3.1 of the Local Government Act 1995 <p><u>City of Wanneroo Public Places and Local Government Property Local Law 2015</u> Subject to Council's –</p> <ul style="list-style-type: none"> • Facility Hire and Use Policy • Circuses Policy • Local Planning Policy 4.3 Public Open Space • Sports Floodlighting Policy
<p>Record Keeping Statement (LGA 1995) s5.46(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."</p>	<p><i>Appointment of Authorised Officers under all legislation is to be facilitated through Governance</i></p>

Compliance Links		City of Wanneroo Local Laws <i>Financial Interest Return required – Yes</i>
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. 14/196797	6. 18/203840	11. 18/389558
2. 16/254349	7. 18/274278	12. 19/85822
3. CE01-08/17	8. 18/313146	13.
4. CE01-06/18	9. CO01-08/18	14.

4 APPOINTMENTS AND AUTHORISATIONS

4.1 ~~CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 – APPOINTMENT OF AUTHORISED PERSONS~~ REFER DELEGATION 1.2.7

4.2 ~~CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978 – APPOINTMENT OF AUTHORISED PERSONS~~ REFER DELEGATION 1.2.7

4.3 LITTER ACT 1979 - APPOINTMENT OF PERSONS TO WITHDRAW INFRINGEMENT NOTICES

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	1. To determine if an infringement is to be withdrawn; and 2. To sign withdrawal notice sent under subsection 4 of the Litter Act 1979
Statutory Power being Delegated:	<i>Litter Act 1979.</i> Section 30(4) and 30(4a)
Power is originally assigned to:	Local Government
Statutory Power of Appointment	<i>Litter Act 1979.</i> Section 30(4a)
Appointment:	Director Community & Place Manager Community Safety and Emergency Management
Council's Conditions on Delegation:	All requests for the withdrawal of an infringement are to be processed in accordance with the Infringement Notice Review Management Procedure.
Statutory Power to Sub-Delegate:	N/A
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A
CEO's Conditions on Sub-delegation:	N/A
Record Keeping Statement (LGA 1995) s5.46(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."	Withdrawal notices are to be retained on the appropriate file or record.
Compliance Links	<u><i>Litter Act 1973</i></u> <i>Financial Interest Returns Required - No</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. 14/196797	6.
2. 17/46341	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

4.4 LOCAL GOVERNMENT ACT 1995

4.4.1 AUTHORISATION TO ACKNOWLEDGE RECEIPT OF PRIMARY AND ANNUAL RETURNS

Function Authorised: <i>This text is provided as a reference only. Authorised Officers shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authorisation to provide written acknowledgement of the receipt of Primary and Annual Returns in accordance with section 5.77 of the Local Government Act 1995.	
Statutory Power being Authorised:	Local Government Act 1995 S 5.77 Acknowledging receipt of returns	
Power is originally assigned to:	CEO	
Statutory Power of Authorisation	Local Government Act 1995 s5.45(2)(b) Other matters relevant to delegations under this Division	
Positions Authorised:	Director Corporate Strategy & Performance Manager Council & Corporate Support	
CEO's Conditions on Authorisation:	Nil	
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	Signed acknowledgement of receipt of Returns to be saved in the appropriate container in the City's Electronic Document Management System.	
Compliance Links	<i>Financial Interest Returns Required – N/A</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1. 14/185803	6.	11.
2. CE06-05/17	7.	12.
3. 18/203840	8.	13.
4.	9.	14.

4.4.2 AUTHORISATION FOR RECEIPT OF GIFT, BENEFIT AND TRAVEL DISCLOSURE

Function Authorised: <i>This text is provided as a reference only. Authorised Officers shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authorisation to receive Gift, Benefit and Travel Disclosures		
Statutory Power being Authorised:	<i>Local Government Act 1995</i> s.5.103 Codes of Conduct		
Power is originally assigned to:	CEO		
Statutory Power of Authorisation	<i>Local Government Act 1995:</i> s5.45(2)(b) Other matters relevant to delegations under this Division		
Positions Authorised:	Director Corporate Strategy & Performance Manager Council & Corporate Support Coordinator Corporate Support		
CEO's Conditions on Authorisation:	Subject to the City of Wanneroo Conflict of Interest and Gifts and Benefits Policy and Management Procedure		
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	All declarations are to be recorded on the appropriate register.		
Compliance Links	<i>Financial Interest Returns Required – N/A</i>		
Delegation Administration:			
Decision Reference		Decision Reference	Decision Reference
1. 18/203840	6.	11.	
2.	7.	12.	
3.	8.	13.	
4.	9.	14.	

4.4.3 AUTHORISATION FOR ATTESTING TO THE AFFIXING OF THE COMMON SEAL

Function Authorised: <i>This text is provided as a reference only. Authorised Officers shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authorisation to attest to the affixing of the Common Seal to City documents in conjunction with the Mayor.		
Statutory Power being Authorised:	Local Government Act 1995 Section 9.49A (1), (2) and (3)		
Power is originally assigned to:	CEO		
Statutory Power of Authorisation	<i>Local Government Act 1995:</i> s5.45(2)(b) Other matters relevant to delegations under this Division		
Positions Authorised:	All Directors		
CEO's Conditions on Authorisation:	As per the City's Execution of Document Policy.		
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	All documentation relative to the decision is to be retained as required by legislation.		
Compliance Links	<i>Execution of Documents Policy and Procedure</i> <i>Financial Interest Returns Required – No</i>		
Delegation Administration:			
Decision Reference		Decision Reference	
Decision Reference		Decision Reference	
1. 14/185803	6.	11.	
2. 18/203840	7.	12.	
3.	8.	13.	
4.	9.	14.	

4.4.4 AUTHORISATION FOR EXECUTION OF DOCUMENTS

Function Authorised: <i>This text is provided as a reference only. Authorised Persons shall only act in full understanding of the statutory power, inclusive of conditions [see below].</i>	The authority to execute various classes of documents on behalf of the local government.		
Statutory Power being Authorised:	<i>Local Government Act 1995</i> Section 9.49A Execution of documents		
Power is originally assigned to:	Local Government		
Statutory Power of Authorisation	<i>Local Government Act 1995</i> Section 9.49A(4) Execution of documents		
Authorisation:	Execution to be in accordance with the City of Wanneroo Execution of Documents Policy and Management Procedure.		
CEO's Conditions on Sub-delegation:	Nil		
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	<i>All uses of the City's common seal are to be recorded in a register maintained for this purpose.</i>		
Compliance Links	<i>Execution of Documents Policy and Procedure</i> <i>Financial Interest Return Required – No</i>		
Administration:			
Decision Reference	Decision Reference	Decision Reference	
1.	6.	11.	
2.	7.	12.	
3.	8.	13.	
4.	9.	14.	

4.4.5 AUTHORISATION FOR PRESIDING AT A COMMITTEE MEETING TO ELECT A PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER

Function Authorised: <i>This text is provided as a reference only. Authorised Officers shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authorisation to preside at a committee meeting until the office of presiding member and deputy presiding member (if applicable) is filled in accordance with Section 5.12 and Schedule 2.3 of the Local Government Act 1995.
Statutory Power being Authorised:	Local Government Act 1995 Schedule 2.3 (3) CEO to Preside
Power is originally assigned to:	CEO
Statutory Power of Authorisation	<i>Local Government Act 1995:</i> s5.45(2)(b) Other matters relevant to delegations under this Division
Positions Authorised:	All Directors
CEO's Conditions on Authorisation:	The person presiding should be the Director directly involved with the Administration of the Committee
Record Keeping Statement (LGA 1995) s5.46(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."	Record of person presiding to be retained in meeting minutes. <i>Financial Interest Return Required – N/A</i>
Compliance Links	<i>Local Government Act 1995</i> <i>Section 5.12 Presiding Members and deputies, election of</i> <i>Schedule 2.3 When and how mayors, presidents, deputy mayors and deputy presidents are elected by the Council</i> <i>Financial Interest Returns Required – No</i>
Delegation Administration:	
Decision Reference	Decision Reference
1.	6.
2.	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

4.4.6 AUTHORISATION FOR ADMINISTRATIVE CHANGES TO THE DELEGATED AUTHORITY REGISTER

Function Authorised: <i>This text is provided as a reference only. Authorised Officers shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authorisation to effect administrative, non-substantive changes to the Delegated Authority Register.		
Statutory Power being Authorised:	<i>Local Government Act 1995</i> s5.46 Register of, and records relevant to, delegations to CEO and employees		
Power is originally assigned to:	CEO		
Statutory Power of Authorisation	<i>Local Government Act 1995:</i> s5.46(2)(b) Other matters relevant to delegations under this Division		
Positions Authorised:	Executive Manager Governance & Legal		
CEO's Conditions on Authorisation:	N/A		
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	A record is to be maintained of all changes authorised		
Compliance Links	<i>Financial Interest Return Required – No</i>		
Delegation Administration:			
Decision Reference		Decision Reference	Decision Reference
1. 18/333025		6.	11.
2.		7.	12.
3.		8.	13.
4.		9.	14.

4.4.7 AUTHORISATION FOR ADMINISTRATIVE CHANGES TO THE CODE OF CONDUCT

Function Authorised: <i>This text is provided as a reference only. Authorised Officers shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authorisation to effect administrative, non-substantive changes to the Code of Conduct.	
Statutory Power being Authorised:	<i>Local Government Act 1995</i> s5.103(1) Codes of conduct	
Power is originally assigned to:	CEO	
Statutory Power of Authorisation	<i>Local Government Act 1995:</i> s5.46(2)(b) Other matters relevant to delegations under this Division	
Positions Authorised:	Executive Manager Governance & Legal	
CEO's Conditions on Authorisation:	N/A	
Record Keeping Statement (LGA 1995) s5.46(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."	A record is to be maintained of all changes authorised	
Compliance Links	<i>Financial Interest Return Required – No</i>	
Delegation Administration:		
Decision Reference	Decision Reference	Decision Reference
1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.

4.5 HEALTH (MISCELLANEOUS PROVISION) ACT 1911 - APPOINTMENT AND AUTHORISATION OF DEPUTY

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Appoints and authorises any person to be its Health (Miscellaneous Provisions) Act 1911 deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe. Such appointment shall not affect the exercise or discharge by the local government itself of any power or function.
Statutory Power being Delegated:	<i>Health (Miscellaneous Provisions) Act 1911</i> Section 26 Powers of local government
Power is originally assigned to:	Local Government
Statutory Power of Appointment	<i>Health (Miscellaneous Provisions) Act 1911</i> Section 26 Powers of local government
Positions Appointed:	Director Planning & Sustainability Manager Health & Compliance Coordinator Health Services Senior Environmental Health Officers Environmental Health Officers Health Technical Officers
Council's Conditions on Delegation:	<ol style="list-style-type: none"> 1. The giving of notices and certificates of approval under the Health (Miscellaneous Provisions) Act 1911 and its subsidiary legislation is only to be exercised by the Manager Health & Compliance, Coordinator Health Services and Senior Environmental Health Officers. 2. The power to prosecute is only to be exercised on recommendation from the Manager Health & Compliance and with the written approval of the Director Planning & Sustainability in consultation with the Executive Manager Governance & Legal or the City Lawyer. 3. The granting of approvals and permits under the <i>Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974</i> is to be exercised by the Manager Health & Compliance, Coordinator Health Services, Senior Environmental Health Officers and Environmental Health Officers 4. Health Technical Officers are only appointed as a deputy for the purposes of administration of the Fly Eradication Regulations. The power to serve notice is to be undertaken by an authorised officer under the Public Health Act 2016.
Statutory Power to Sub-Delegate:	Nil
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A

CEO's Conditions on Sub-delegation:	N/A
Record Keeping Statement (LGA 1995) s5.46(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."	s5.46(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." Appointment of Authorised Officers under all legislation is to be facilitated through Governance
Compliance Links	Health (Miscellaneous Provisions) Act 1911 Financial Interest Returns Required – No
Delegation Administration:	
Decision Reference	Decision Reference
1. CE04-03/17	6.
2. 18/203840	7.
3. 20/311419	8.
4.	9.
	11.
	12.
	13.
	14.

4.6 CORRUPTION CRIME AND MISCONDUCT ACT 2003 – AUTHORISATION TO SUBMIT NOTIFICATIONS

Function Authorised: <i>This text is provided as a reference only. Authorised persons shall only act in full understanding of the statutory power, inclusive of conditions [see below].</i>	<div>1. Authorisation to notify the Corruption and Crime Commissioner, on behalf of the principal officer, in writing of any matter which is suspected on reasonable grounds concerns or may concern serious misconduct.</div> <div>2. Authorisation to notify the Public Sector Commissioner, on behalf of the principal officer, in writing of any matter which is suspected on reasonable grounds concerns or may concern minor misconduct.</div>		
Statutory Power being Authorised:	<i>Corruption Crime and Misconduct Act 2003.</i> Section 28 Certain officers obliged to notify serious misconduct Section 45H Certain officers obliged to notify minor misconduct		
Power is originally assigned to:	Principal Officer (Chief Executive Officer)		
Statutory Power of Appointment			
Appointment:	Executive Manager Governance & Legal		
Conditions on Appointment:	Notifications to be made in consultation with the CEO		
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	All notifications are to be recorded in the appropriate file or register		
Compliance Links	<i>Financial Interest Returns Required - No</i>		
Delegation Administration:			
Decision Reference		Decision Reference	Decision Reference
1.	18/333025	6.	11.
2.		7.	12.
3.		8.	13.
4.		9.	14.

5 DELEGATIONS TO CHIEF EXECUTIVE OFFICER AND OTHER OFFICERS FROM STATUTORY AUTHORITIES

5.1 DEPARTMENT OF LANDS – DEVELOPMENT APPLICATIONS MADE UNDER THE AUSPICES OF THE PLANNING & DEVELOPMENT ACT 2005

DoL FILE 1738/2002v8; 858/2001v9

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF AUTHORISATION

I, **Donald Terrence Redman MLA**, Minister for Lands, a body corporate continued by section 7(1) of the *Land Administration Act 1997*, under section 267A of the *Planning and Development Act 2005*, HEREBY authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.

Dated the *2nd* day of *June* 2016



HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

SCHEDULE

This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the *Planning and Development Act 2005*

Column 1

The power to sign as owner in respect of Crown land that is:

- a reserve managed by the local government pursuant to section 46 of the *Land Administration Act 1997* and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or
- the land is a road of which the local government has the care, control and management under section 55(2) of the *Land Administration Act 1997* and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the Building Regulations 2012 (Regulation 45A), or is an "awning, verandah or thing" (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road,

in respect of development applications being made under or referred to in:

- (i) section 99(2) of the *Planning and Development Act 2005* in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);
- (ii) section 103(2) of the *Planning and Development Act 2005* in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);
- (iii) section 115 of the *Planning and Development Act 2005* in respect of development within a planning control area (as that term is defined in that Act);
- (iv) section 122A of the *Planning and Development Act 2005* in respect of which approval is required under an improvement scheme (as that term is defined in that Act);
- (v) section 162 of the *Planning and Development Act 2005* in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);

Column 2

City of Albany
City of Armadale
Shire of Ashburton
Shire of Augusta-Margaret River
Town of Bassendean
City of Bayswater
City of Belmont
Shire of Beverley
Shire of Boddington
Shire of Boyup Brook
Shire of Bridgetown-Greenbushes
Shire of Brookton
Shire of Broome
Shire of Broomehill-Tambellup
Shire of Bruce Rock
City of Bunbury
Shire of Busseton
Town of Cambridge
City of Canning
Shire of Capel
Shire of Carnamah
Shire of Carnarvon
Shire of Chapman Valley
Shire of Chittering
Shire of Christmas Island
Town of Claremont
City of Cockburn
Shire of Cocos (Keeling) Islands
Shire of Collie
Shire of Coolgardie
Shire of Coorow
Shire of Corrigin
Town of Cottesloe
Shire of Cranbrook
Shire of Cuballing
Shire of Cue
Shire of Cunderdin
Shire of Dalwallinu
Shire of Dandaragan
Shire of Dardanup
Shire of Denmark
Shire of Derby/West Kimberley
Shire of Donnybrook-Balingup
Shire of Dowerin
Shire of Dumbleyung
Shire of Dundas
Town of East Fremantle
Shire of East Pilbara
Shire of Esperance
Shire of Exmouth
City of Fremantle
City of Greater Geraldton

Column 3

In accordance with and subject to approved Government Land policies.

Any signature subject to the following endorsement:
Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the *Planning and Development Act 2005* (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.

- | | | |
|-------|---|--|
| (vi) | section 163 of the <i>Planning and Development Act 2005</i> in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the <i>Heritage of Western Australia Act 1990</i> , or of which such a place forms part; | Shire of Gingin
Shire of Gnowangerup
Shire of Goomalling
City of Gosnells
Shire of Halls Creek
Shire of Harvey
Shire of Irwin
Shire of Jarramungup
City of Joondalup
Shire of Kalamunda
City of Kalgoorlie-Boulder
Shire of Katanning
Shire of Kellerberrin
Shire of Kent
Shire of Kojonup
Shire of Kondinin
Shire of Koorda
Shire of Kulin
City of Kwinana
Shire of Lake Grace
Shire of Laverton
Shire of Leonora
City of Mandurah
Shire of Manjimup
Shire of Meekatharra
City of Melville
Shire of Menzies
Shire of Merredin
Shire of Mingenew
Shire of Moora
Shire of Morawa
Town of Mosman Park
Shire of Mount Magnet
Shire of Mt Marshall
Shire of Mukinbudin
Shire of Mundaring
Shire of Murchison
Shire of Murray
Shire of Nannup
Shire of Narembeen
Shire of Narrogin
Town of Narrogin
City of Nedlands
Shire of Ngaanyatjaraku
Shire of Northam
Shire of Northampton
Shire of Nungarin
Shire of Peppermint Grove
Shire of Perenjori
City of Perth
Shire of Pingelly
Shire of Plantagenet
Town of Port Hedland
Shire of Qualradung
Shire of Ravensthorpe
City of Rockingham
Shire of Roebourne
Shire of Sandstone
Shire of Serpentine Jarrahdale
Shire of Shark Bay
City of South Perth
City of Stirling
City of Subiaco
City of Swan |
| (vii) | section 171A of the <i>Planning and Development Act 2005</i> in respect of a prescribed development application (as that term is defined in that section of that Act). | |

Refer to TRIM 16/226784 for full details

5.2 DEPARTMENT OF ENVIRONMENTAL REGULATIONS – APPROVAL OF NOISE MANAGEMENT PLANS FOR OUT OF HOURS CONSTRUCTION WORK

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Approval of noise management plans in respect to a construction site for construction work outside the hours of 7am to 7pm Monday to Saturday in accordance with Regulation 13 of the Environmental Protection (Noise) Regulations 1997
Statutory Power being Delegated:	<i>Environmental Protection (Noise) Regulations 1997</i> 13. Construction sites (3)(c)
Power is originally assigned to:	Chief Executive Officer of the Department of Environmental Regulation
Statutory Power of Delegation:	<p><i>Environmental Protection Act 1986</i> 20. Delegation by CEO <i>Government Gazette No. 232 20 December 2013</i> Part 2 Environment Delegation No. 111</p> <p>6282 GOVERNMENT GAZETTE, WA 20 December 2013</p> <hr/> <p>ENVIRONMENT</p> <hr/> <p>EV401*</p> <p>ENVIRONMENTAL PROTECTION ACT 1986 DELEGATION No. 111</p> <p>I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the <i>Environmental Protection Act 1986</i> ("the Act"), and pursuant to section 20 of the Act, hereby delegate to—</p> <p>(a) the holder for the time being of the offices of—</p> <ul style="list-style-type: none"> (i) Chief Executive Officer under the <i>Local Government Act 1995</i>; (ii) Director, Environmental Regulation Division, Department of Environment Regulation; (iii) Manager, Noise Regulation Branch, Environmental Regulation Division, Department of Environment Regulation; and (iv) Principal Environmental Officer, Noise Regulation Branch, Environmental Regulation Division, Department of Environment Regulation; and <p>(b) to any employee of a local government under the <i>Local Government Act 1995</i> who is appointed as an Authorised Person under section 87 of the Act,</p> <p>all my powers and duties in relation to noise management plans under regulation 13 of the Environmental Protection (Noise) Regulations 1997 other than this power of delegation.</p> <p>Under section 59(1)(e) of the <i>Interpretation Act 1984</i>, Delegation No. 79, gazetted 9 May 2008 is hereby revoked.</p> <p>Dated the 12th day of December 2013.</p> <p style="text-align: right;">JASON BANKS, Acting Chief Executive Officer.</p> <p>Approved by—</p> <p style="text-align: right;">JOHN DAY, Acting Minister for Environment; Heritage.</p>
Power Delegated to:	The holder for the time being of the officer of Chief Executive Officer under the Local Government Act 1995 and; any employee of a local government under the Local Government Act 1995 who is appointed as an Authorised Person under section 87 of the Act.
Conditions on Delegation:	Business Practice Condition Noise Management Plans are to be approved by Coordinator Health Services and authorised by Manager Health and Compliance. A copy of the approved plan is to be forwarded to the Manager Land Development when related to subdivision works.
Statutory Power to Sub-Delegate:	Nil

CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A
CEO's Conditions on Sub-delegation:	N/A
Record Keeping Statement (LGA 1995) s5.46(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."	<i>Any noise management plan determinations will be recorded in the appropriate register or file.</i>
Compliance Links	<i>Financial Interest Return required – No</i>
Delegation Administration:	
Decision Reference	Decision Reference
1. 16/238647	6.
2.	7.
3.	8.
4.	9.
	11.
	12.
	13.
	14.

5.3 ENVIRONMENTAL PROTECTION ACT 1986 – ENVIRONMENTAL PROTECTION NOTICE

Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.
Statutory Power being Delegated:	<i>Environmental Protection (Noise) Regulations 1997</i> 13. Construction sites (3)(c)
Power is originally assigned to:	Chief Executive Officer of the Department of Environmental Regulation
Statutory Power of Delegation:	<p><i>Environmental Protection Act 1986</i> <i>Section 20</i> <i>Delegation No. 52</i> <i>Government Gazette No. 47 19 March 2004</i></p> <p>EV401</p> <p style="text-align: center;">ENVIRONMENTAL PROTECTION ACT 1986 Section 20 Delegation No. 52</p> <p>Pursuant to section 20 of the <i>Environmental Protection Act 1986</i>, the Chief Executive Officer hereby delegates as follows—</p> <p>Powers and duties delegated—</p> <p>All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.</p> <p>Persons to whom delegation made—</p> <p>This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the <i>Local Government Act 1995</i>.</p> <p>Pursuant to section 59(1)(e) of the <i>Interpretations Act 1984</i>, Delegation No. 32, dated 4 February 2000 is hereby revoked.</p> <p>Dated this 9th day of January 2004.</p> <p>Approved—</p> <p>FERDINAND TROMP, A/Chief Executive Officer.</p> <p>Dr JUDY EDWARDS MLA, Minister for the Environment.</p>
Power Delegated to:	The holder for the time being of the officer of Chief Executive Officer under the <i>Local Government Act 1995</i>
Conditions on Delegation:	
Statutory Power to Sub-Delegate:	Nil

CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A		
CEO's Conditions on Sub-delegation:	N/A		
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	<i>Any notices issued under this delegation are to be recorded in the appropriate container or register.</i>		
Compliance Links	<i>Financial Interest Return required – No</i>		
Delegation Administration:			
Decision Reference	Decision Reference	Decision Reference	
1.	6.	11.	
2.	7.	12.	
3.	8.	13.	
4.	9.	14.	

5.4 ENVIRONMENTAL PROTECTION ACT 1986 – NOISE MANAGEMENT PLANS – KEEPING LOG BOOKS, NOISE CONTROL NOTICES, CALIBRATION AND APPROVAL OF NON-COMPLYING EVENTS

<p>Function Delegated: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i></p>	<p>The powers and duties of the Chief Executive Officer of the Department of Environment Regulation under the <i>Environmental Protection (Noise) Regulations 1997</i> in relation to:</p> <ul style="list-style-type: none"> a) Waste collection and other works – noise management plans relating to specified works under regulation 14A or 14B; b) Bellringing or amplified calls to worship – the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi); c) Community activities – noise control notices in respect of community noise under regulation 16; d) Motor sport venue – noise management plans in relation to motor sport venues under Part 2 Division 3; e) Shooting venues – noise management plans in relation to shooting venues under Part 2 Division 4; f) Calibration results – requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4; g) Sporting, cultural and entertainment venues – approval of event or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation: <ul style="list-style-type: none"> i. Sub regulation 18(13)(b) is not delegated.
<p>Power is originally assigned to:</p>	<p>Chief Executive Officer of the Department of Environmental Regulation</p>
<p>Statutory Power of Delegation:</p>	<p><i>Environmental Protection Act 1986</i> <i>Delegation No. 112</i> <i>Government Gazette No. 232 20 December 2013</i></p> <p>EV402*</p> <p style="text-align: center;">ENVIRONMENTAL PROTECTION ACT 1986 DELEGATION NO. 112</p> <p>I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the <i>Environmental Protection Act 1986</i> ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the <i>Local Government Act 1995</i>, my powers and duties under the <i>Environmental Protection (Noise) Regulations 1997</i>, other than this power of delegation, in relation to—</p> <ul style="list-style-type: none"> (a) waste collection and other works—noise management plans relating to specified works under regulation 14A or 14B; (b) bellringing or amplified calls to worship—the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi); (c) community activities—noise control notices in respect of community noise under regulation 16; (d) motor sport venues—noise management plans in relation to motor sport venues under Part 2 Division 3; (e) shooting venues—noise management plans in relation to shooting venues under Part 2 Division 4; (f) calibration results—requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4; (g) sporting, cultural and entertainment events—approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation— <ul style="list-style-type: none"> (i) Subregulation 18(13)(b) is not delegated. <p>Under section 59(1)(e) of the <i>Interpretation Act 1984</i>, Delegation No. 68, gazetted 22 June 2007 is hereby revoked.</p> <p>Dated the 12th day of December 2013.</p> <p style="text-align: right;">JASON BANKS, Acting Chief Executive Officer.</p> <p>Approved by—</p> <p style="text-align: right;">JOHN DAY, Acting Minister for Environment, Heritage.</p>

Power Delegated to:	The holder for the time being of the officer of Chief Executive Officer under the Local Government Act 1995		
Conditions on Delegation:			
Statutory Power to Sub-Delegate:	Nil		
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A		
CEO's Conditions on Sub-delegation:	N/A		
Record Keeping Statement (LGA 1995) <i>s5.46(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."</i>	<i>Any notices issued or determinations made under this delegation are to be recorded in the appropriate register or file.</i>		
Compliance Links	<i>Financial Interest Return required – No</i>		
Delegation Administration:			
Decision Reference	Decision Reference	Decision Reference	
1.	6.	11.	
2.	7.	12.	
3.	8.	13.	
4.	9.	14.	

5.5 DEPARTMENT OF ENVIRONMENTAL PROTECTION – APPOINTMENT OF DESIGNATED PERSON - INFRINGEMENT NOTICE REVIEW

Function Authorised: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Authorised to accept payments and exercise those powers in relation to modified penalties relating to infringement notices served under Section 99J of the Act by an Inspector authorised under section 88 of the Act and employed by the relevant local government.		
Statutory Power being Delegated:	<i>Environmental Protection Act 1986</i> 99K Content of infringement notice 99M Extending time to pay modified penalty 99N Withdrawing infringement notice		
Power is originally assigned to:	Chief Executive Officer of the Department of Environmental Regulation		
Statutory Power of Delegation:	<i>Environmental Protection Act 1986</i> 20. Delegation by CEO <i>Government Gazette No. 28 11 February 2000</i> Part 2 Environmental Protection Designation No. 01		
Power Delegated to:	Any person for the time being holding or acting in the Office of the Chief Executive Officer of a local government		
Conditions on Delegation:	Nil		
Statutory Power to Sub-Delegate:	Nil		
CEO's Sub-Delegation: <i>The exercise of the delegated power does not include the power of delegation</i>	N/A		
CEO's Conditions on Sub-delegation:	N/A		
Record Keeping Statement (LGA 1995) s5.46(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."	<i>Any infringements reviewed under this delegation are to be recorded in the appropriate register or file.</i>		
Compliance Links	<i>Financial Interest Return required – No</i>		
Delegation Administration:			
Decision Reference		Decision Reference	
1. 16/427246		11.	
2.		12.	
3.		13.	
4.		14.	
6.			
7.			
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9.			

5.6 WESTERN AUSTRALIAN PLANNING COMMISSION – DELEGATION OF CERTAIN POWERS AND FUNCTIONS OF THE WESTERN AUSTRALIAN PLANNING COMMISSION RELATING TO THE METROPOLITAN REGION SCHEME

PL403

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2017/02 Powers of Local Governments and Department of Transport

Metropolitan Region Scheme

Delegation of certain powers and functions of the Western Australian Planning Commission relating to the Metropolitan Region Scheme

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function to an officer of a public authority or to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

30 May 2017

GOVERNMENT GAZETTE, WA

2739

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 24 May 2017, pursuant to section 16 of the Act, the WAPC resolved—

- A. To delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B;
- B. To delegate to the Managing Director, Policy, Planning and Investment—Transport, of the Department of Transport, and the person or persons from time to time holding or acting in that office, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme (MRS), of applications for approval to commence and carry out development specified in clause 3, Section A, subject to the conditions set out in clause 5 of Section B.
- C. To revoke its delegation of powers and functions to local governments as detailed in the notice entitled "DEL 2011/02 Powers of local governments (MRS)" published in the *Government Gazette* on 10 June 2014, to give effect to this delegation.

KERRINE BLENKINSOP, Secretary,
Western Australian Planning Commission.

PLANNING AND DEVELOPMENT ACT 2005 INSTRUMENT OF DELEGATION

SECTION A—Types of Development

1. Development on zoned land

Applications for development on land zoned under the MRS except—

- (a) where the land is subject to a resolution under Clause 32 of the MRS; or
- (b) where the land is subject to the declaration of a planning control area under Section 112 of the *Planning and Development Act 2005*; or
- (c) where that land is partly within the development control area described in section 10 of the *Swan and Canning Rivers Management Act 2006* or is outside the development control area but abuts waters within the development control area; or
- (d) where the local government is of the opinion that the application should be determined by the WAPC on the grounds that the proposal is of State or regional importance or is in the public interest; or
- (e) in respect of public works undertaken by public authorities.

2. Development on regional road reservations

Applications for developments on or abutting land that is reserved in the MRS for the purpose of a regional road, but excluding any application relating to large format digital signage.

3. Large Format Digital Signage applications

Applications from any public authority for development in relation to large format digital signage, on land reserved under the MRS for the purpose of a Primary Regional Road.

SECTION B—Conditions

1. Referral requirements for development on land within or abutting a regional road reservation

The following applications for development on land that abuts or is fully or partly reserved as regional road reservation (classified as Category 1, 2 and 3) shall be referred to Main Roads WA (MRWA) or the Department of Planning (DoP), as applicable, for transport planning related comments and recommendations before being determined by the local government subject to the process explained in clause 4, Section B.

Type of regional road reservation in the MRS	Classification on plans SP 693 (PRR) and SP 694 (ORR)	Referral Agency
Primary Regional Road (PRR)	Category 1, 2 and 3	Main Roads WA
Other Regional Road (ORR)	Category 1, 2 and 3	Department of Planning

The regional road network (PRR and ORR) changes periodically with amendments to the MRS. This clause relates to all regional road reservations in the MRS as amended from time to time. Regional roads subject to this notice and the relevant agency that is responsible for their planning are shown on accompanying editions of plans SP 693 (PRR, MRWA) and SP 694 (ORR, WAPC).

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The road categories shown on plans SP 693 (PRR) and SP 694 (ORR) classify the regional roads based on—

- (a) the permissible vehicular access arrangements to the subject land via the regional road frontage
 - **Category 1 road** means that frontage access is not allowed (control of access);
 - **Category 2 road** means that frontage access may be allowed subject to approval; and
- (b) the legibility and statutory powers of current road land requirements defined for the purpose of regional road reservation in the MRS
 - **Category 3 road** means that the subject regional road reservation is not accurately defined or is subject to review by the agency that is responsible for planning of the regional road.

“**Category 1 road**” applies where regional roads—

- (a) are constructed or planned to a fully controlled and grade separated freeway standard; or
- (b) are constructed or planned to an access controlled arterial standard, (i.e. functioning as Primary Distributor or Integrator Arterial (District Distributor) road with widely spaced signalised intersections or roundabouts, and a few, if any, direct access points to individual sites or local streets.

“**Category 2 road**” applies where regional roads—

- (a) are constructed or planned to a partially access controlled arterial standard, (i.e. a primary or district distributor road with direct connections to local streets and driveways to larger sites, but with some restriction of direct frontage access to individual properties); or
- (b) have direct frontage access to abutting properties due to the historic development of the road and properties.

“**Category 3 road**” applies where regional road reservation is not accurately defined or is under review.

For enquiries and assistance regarding—

- (a) PRR Category 1, 2 and 3—call Main Roads WA on 138 138.
- (b) ORR Category 1, 2 and 3—call Department of Planning on (08) 6551 9000.

Tables 1, 2 and 3 below outline the category of the regional road reservation and the criteria for referring development applications to agencies for comment in accordance with this instrument of delegation.

Table 1—Referral process of development applications with respect to Category 1 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. Where a development application has one or more of the following characteristics— <ul style="list-style-type: none"> (a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or (b) Development with potential for a significant increase in traffic using any access, either directly or indirectly, onto the road reservation; or (c) Development, which involves direct vehicle access to and/or from the regional road reservation. 	1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.

Table 2—Referral process of development applications with respect to Category 2 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. Where a development application has one or more of the following characteristics— <ul style="list-style-type: none"> (a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or (b) Development with potential for a significant increase in traffic on the regional road using any access, either directly or indirectly, onto the road reservation; or 	1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.

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Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
(c) Development, which involves the retention of more than one existing access; or additional, relocated or new access between the subject land and the road reservation; or (d) Development, which proposes retention of an existing access between the subject land and the road reservation, where alternative access is or could be made available from side or rear streets or from rights of way at rear; or (e) Development on a lot affected by the regional road reservation where— <ul style="list-style-type: none"> all or part of the proposed development is within the regional road reservation; and has a construction value greater than \$20 000; or (f) Development on a lot affected by the regional road reservation where— <ul style="list-style-type: none"> none of the proposed development is within the regional road reservation; and has a construction value greater than \$150 000 	

Table 3—Referral process of development applications with respect to Category 3 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. All development applications, other than those where local government first decides to refuse it.	1. Where the local government first decides to refuse the application under the MRS

Notes—

- (1) Copies of plans SP 693 (PRR) and SP 694 (ORR) are available from the WAPC's website: "Resolutions and instruments of delegation—WAPC Powers of local governments (MRS)". (<http://www.planning.wa.gov.au/1212.asp>)
- (2) In determining applications under this delegation, local governments shall have due regard to relevant WAPC and MRWA policy and guidelines, including but not limited to the Commission's D C Policy—5.1 *Regional Roads (Vehicular Access)*, the Transport Impact Assessment Guidelines, and MRWA *Driveways Policy*, which set out the principles and requirements to be applied when considering proposals for vehicle access to or from developments abutting certain categories of regional roads.
(<http://www.planning.wa.gov.au/publications/812.asp>; and
<https://www.mainroads.wa.gov.au/BuildingRoads/StandardsTechnical/RoadandTrafficEngineering/GuidetoRoadDesign/Pages/Driveways.aspx>)
- (3) Local governments shall ensure that sufficient transport information accompanies the development application to assist the referral agency in assessing the transport implications of the proposal. This information should be provided in accordance with the WAPC's *Transport Impact Assessment Guidelines*.
<http://www.planning.wa.gov.au/publications/1197.asp>
- (4) With regard to proposals for new noise-sensitive developments, the local government shall have due regard to the provisions of Commission's *State Planning Policy—5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning*. (<http://www.planning.wa.gov.au/publications/1182.asp>)
- (5) With regard to development application for the display of advertisements on land reserved under the MRS local government should have regard to the Commission's DC Policy 5.4 *Advertising on Reserved Land*. (<http://www.planning.wa.gov.au/publications/825.asp>)

2. Referral requirements for development on land abutting the Swan River Trust Development Control Area

Applications for development on land that is outside the development control area but abutting land that is in the development control area, or which in the opinion of the local government are likely to affect waters in the development control area, shall be referred to the Swan River Trust for comment and recommendation before being determined by the local government.

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3. Referral requirements for development on land abutting other reservations

Applications for development on land abutting land reserved in the MRS for purposes other than regional roads or Parks and Recreation (where the reservation corresponds with the Swan River Trust development control area and is covered by Clause 2, Section B of this notice) shall be referred to the public authority responsible for that reserved land for comment and recommendation before being determined by the local government.

In the case of land reserved for the purpose of Parks and Recreation, which is not vested or owned by another public authority, the applications shall be referred to the Department of Planning before being determined by the local government.

4. For the purpose of this Instrument of Delegation (excluding applications under clause 3, Section A)—

- (a) Where an application is referred by the local government to a public authority for comment and recommendation, the public authority shall provide comment and a recommendation, if any, within 30 days of receipt of the application. If no comment or recommendation is received within that 30 day period the local government may determine the application on the available information.
- (b) Where the recommendation provided by the public authority specified in the delegation notice is not acceptable to the local government the application, together with the recommendations provided by all public authorities consulted and the reasons why the recommendation is not acceptable to the local government, shall be referred immediately to the WAPC for determination.
- (c) The powers delegated to a member or officer of a local government may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development within the local government district under the local government's local planning scheme.

5. Referral Requirements for applications from a public authority for large format digital signage development on land within a Primary Regional Road reservation

Where applications for large format digital signage development relate to land that is reserved as Primary Regional Roads (PRR) reservation in the MRS, the following shall apply—

- (a) DoT shall refer the application to the relevant local government and Main Roads WA for comment and recommendation;
- (b) the local government and Main Roads WA shall provide their comments and recommendations, if any, to the delegate within 30 days of receipt of the application;
- (c) Once the 30 day period has elapsed, the delegate may determine the application, even in the absence of comments and recommendations; and
- (d) the delegate is not bound to follow any recommendation received.

Interpretation

In this Instrument of Delegation, unless the context otherwise requires—

- A reference to a 'position' or 'classification' contemplates and includes a reference to its successor in title.
- "access" means both entry and exit from either a road or abutting development by a vehicle.
- "Commission" or "WAPC" means the "Western Australian Planning Commission".
- "development" has the same meaning given to it in and for the purposes of the *Planning and Development Act 2005* or "development means the development or use of any land, including—
 - (a) any demolition, erection, construction, alteration of or addition to any building or structure on the land;
 - (b) the carrying out on the land of any excavation or other works;
 - (c) in the case of a place to which a Conservation Order made under section 59 of the *Heritage of Western Australia Act 1990* applies, any act or thing that—
 - (i) is likely to change the character of that place or the external appearance of any building; or
 - (ii) would constitute an irreversible alteration of the fabric of any building".
- "DoT" means the Department of Transport
- "Large format digital signage" means an electronic billboard whether freestanding or attached to another structure with a display area of greater than 13m² "local government" means a local government within the area covered by the MRS.
- "local road" means a public road other than a private road or a road subject of reservation under Part II of the MRS.
- "not acceptable" means that the local government wishes to determine the application, as a delegate of the WAPC, in a manner that is inconsistent with the recommendation received from the public agency to which the local government was required to consult under this Notice of Delegation.
- Main Roads WA means Main Roads Western Australia
- "Public authority" means any of the following—
 - (a) a Minister of the Crown in right of the State;

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- (b) a department of the Public Service, State trading concern, State instrumentality or State public utility;
- (c) any other person or body, whether corporate or not, who or which, under the authority of a written law, administers or carries on for the benefit of the State, a social service or public utility;
- "regional road" means any road designated under the region Scheme as follows—
 - (a) land coloured red in the Scheme Map—Primary Regional Roads; and
 - (b) land coloured dark blue in the Scheme Map—Other Regional Roads.
- "reserved land" means land reserved under Part II of the MRS.
- "road reservation" means land reserved for the purposes of a regional road in the MRS.
- "significant increase in traffic" means generating more than 100 vehicle trips in the peak hour and would therefore require a transport assessment to accompany the development application. Refer to the Commission's *Transport Impact Assessment Guidelines*

Extract from Government Gazette #104 30 May 2017 page 2738 18/187735

PLANNING

PL101

CORRECTION

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2017/02 Powers of Local Governments and Department of Transport
Metropolitan Region Scheme

Certain typographical errors were recorded in the Instrument of Delegation, made under the *Planning and Development Act 2005*, and published on 30 May 2017 from page 2738 to 2743 of the *Government Gazette*.

The errors are corrected as follows—

1. On page 2739, the text of Resolution C is deleted and replaced with the following words—
"TO REVOKE its delegation of powers and functions to local governments and the Department of Transport as detailed in the notice entitled "DEL 2015/02 Powers of local governments and Department of Transport (MRS)" published in the *Government Gazette* on 18 December 2015, to give effect to this delegation."

Extract from Government Gazette #105 2 June 2017 page 2761 18/187738

18 December 2018

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PLANNING AND DEVELOPMENT ACT 2005

AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF LOCAL GOVERNMENT AND DoT

Notice of amendment to the Instrument of Delegation, Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme, as gazetted on 30 May 2017

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 12 December 2018, pursuant to section 16 of the Act, the WAPC resolved—

- A. To amend the Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme as gazetted on 30 May 2017, as set out in Schedule 1 below.

SAM FAGAN, Secretary,
Western Australian Planning Commission.

Schedule 1

1. Instrument of delegation amended

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme, as gazetted on 30 May 2017 and as amended.

2. Amendment to Section A

1. The word "but excluding any application relating to large format digital signage" are deleted from clause 2.

2. Clause 3 is deleted.

3. Amendments to Section B

1. The words in brackets "(excluding applications under clause 3, Section A)" are deleted from the title to clause 4.

2. Clause 5 is deleted.

3. In the interpretation section the terms "Large format digital signage" and "Public Authority" and their respective definitions, are deleted.

PL403**PLANNING AND DEVELOPMENT ACT 2005****AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF OFFICERS**

Notice of amendment to the Instrument of Delegation to committees of certain functions of the Western Australian Planning Commission, as gazetted on 16 October 2015 and as amended.

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 12 December 2018, pursuant to section 16 of the Act, the WAPC resolved—

- A. To amend the Instrument of Delegation 2018/01 Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 3 October 2018, as set out in Schedule 1 below.

SAM FAGAN, Secretary,
Western Australian Planning Commission.

Schedule 1**1. Instrument of delegation amended**

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2018/01—Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 3 October 2018.

2. Amendment to Schedule 9

Any reference to the title "Manager, Strategic Property Unit" is deleted and replaced with the title "Chief Property Officer."

Any reference to the "Property Operations Manager" is deleted and replaced with the title "Manager, Acquisitions, Management, Disposals."

3. Amendment to Schedule 9

The following row is inserted into to Schedule 9 after item 9.25 on page 3843 of the *Gazette*—

9.26. All powers and functions of the WAPC, pursuant to regulation 1 of the <i>Power of Entry and Inspection Regulations</i> .	<ul style="list-style-type: none"> Any Compliance Officer Any other Officer of the Department 	Subject to the statutory limitations prescribed under regulation 1. With respect to any other Officer of the Department, only if accompanying a Compliance Officer
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Extract from Government Gazette #193 18 December 2018 page 4825 20/190775

Power Delegated to:	Director Planning & Sustainability Manager Approval Services Coordinator Planning Services Specialist Planner – Approval Services Specialist Project Planner Senior Planners		
Conditions on Delegation:	Nil		
Statutory Power to Sub-Delegate:	Nil		
Record Keeping Statement (LGA 1995) s5.46(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."	Any determinations made under this delegation are to be recorded in the appropriate register or file.		
Compliance Links	Financial Interest Return required – No		
Delegation Administration:			
Decision Reference	Decision Reference	Decision Reference	
1.	6.	11.	
2.	7.	12.	
3.	8.	13.	
4.	9.	14.	

REVISIONS

Review	Council Item	Trim Ref	Details
15.12.09	CE01-12/09	10/4539	
14.12.10	CS04-12/10	10/70284	
13.12.11	CS04-12/11	11/141585v1-2	
11.12.12	CS04-12/12	11/141585v3	
30.04.13	CS08-04/13	11/141585v4	
28.05.13	CS03-05/13	11/141585v4	
24.06.14	CS04-06/14	14/141221	
23.06.15	CS06-06/15	14/141221	
08.12.15	CS08-12/15	14/180898	
08.12.15	CS07-12/15	14/180898	
28.06.16	CE02-06/16	14/180898	
06.12.16	CE04-12/16	14/180898	
07.02.17	CE01-02/17	14/180898	
07.02.17	CE02-02/17	14/180898	
07.03.17	CE03-03/17	14/180898	Amendment to Delegation 8.3 - District Planning Scheme No. 2 - Development Control
07.03.17	CE02-03/17	14/180898	New Delegation of Authority - Public Health Act 2016 – Appointment of Authorised Officers
09.05.17	CE01-05/17	14/180898	New Delegation – Criminal Procedure Act 2004 – Appointment of Authorised and Approved Officers – Building Regulations 2012
09.05.17	CE04-05/17	14/180898	New Delegation – Health (Miscellaneous Provisions) Act 1911 – Appointment and Authorisation of Deputy
09.05.17	CS05-05/17	14/180898	New Delegations – Pre-Qualified Supplier Panels (Delegations 6.11 – 6.14)
30.05.17	CE06-05/17	14/180898	Annual Review see 17/134814 for details
15.09.17	Administrative	14/180898	Administrative amendment to Delegation 7.29 – Public Health Act 2016 – Appointment of Authorised Officers
19.09.17	CE02-09/17	14/180898	Amendment to Delegation 7.30 – Health (Miscellaneous Provisions) Act 1911
09.10.17	Administrative	14/180898	Review of sub-delegations for Delegation 5.2 – Crossing from Public Thoroughfare to private land or private thoroughfare see 16/329065 for details
10.10.17	CE03-10/17	14/180898	Changes and Amendments to Delegations
13.10.17	Administrative	14/180898	Minor Amendment to Delegation 6.4 - Choice of Most Advantageous Tender
07.02.18	CE02-02/18	14/180898	Amendment to Delegation 7.10 – Bush Fires Act 1954 – Prosecutions
	Administrative	14/180898	Changes to position titles see 18/48479 for details
25.06.18	CE01-06/18	14/180898	Council Approval of Annual Review
20.07.18	18/203840	14/180898v2	CEO approval of annual review and renumbering of sub-delegations
20.02.18	18/274278	14/180898v2	Extension of sub-delegations to Operations Manager Community Service Delivery and Coordinator Community Safety
24.07.18	CE01-07/18	14/180898v2	Amendment to delegation Food Act 2008 – appointment of Authorised and Designated Officers
03.08.18	Administrative	14/180898v2	Administrative amendments. See 18/313146 for details
16.08.18	Administrative	14/180898v2	Administrative amendments. See 18//33025 for details
21.08.18	CE01-08/18	14/180898v2	Amendments to delegations
28.08.18	18/333701	14/180898v2	Removal of sub-delegations to Operations Manager Community Service Delivery
21.09.2018	18/389558	14/180898v2	Extension of sub-delegations for administration of the City of Wanneroo Bee Keeping Local Law 2016

Review	Council Item	Trim Ref	Details
18.10.2018	18/306398	14/180898v2	Amendments to delegations
24.10.2018	18/455559	14/180898v2	Administrative amendment to Delegation 2.10.3 Development Control
04/06/2019	19/197120	14/180898V2 14/180898V3	Annual Review Amended Version (Current)
12/07/2019	CEO	19/217438	Addition of Delegation 1.2.6 Public Places and Local Government Property Local Law
26/09/2019	Administrative	19/376416	Changes to position titles
11/10/2019	Administrative	19/394864	Removal of Operations Manager Business and Finance and removal of Operations Manager Asset Operations and Services
25/10/2019	CEO	19/362166	Additional sub-delegation to Delegation 1.2.6 Public Places and Local Government Property Local Law
2/12/2019	CEO	19/470186	Additional sub-delegation to Delegation 1.1.24 Waiver, Grant of Concession or Write Off of Monies Owning
22/01/2020	CEO	20/13521	Change of Delegation 1.2.6 from Manager Communications and Brand to Manager Place Management following restructure of respective service units.
29/01/2020	Administrative	20/34041	Clarification of how 35 days is calculated.
30/06/2020	CE01-06/20	14/180898v4	Annual Review
20/07/2020	SCS01-07/20	20/291734	Addition of Delegation 1.1.33 – Grant of Concession on Council Rates
22/07/2020	Administrative	20/310315	Change to delegation 2.9.1 – Strata Titles Act in line with change to legislation
23/07/2020	Administrative	20/311419	Change to delegation 4.5 – Health (Miscellaneous Provision) Act 1911 – Appointment and Authorisation of Deputy to provide clarity to the function and the positions appointed.
4/11/2020	CEO	20/418596	Change to delegation 1.1.26 – Removal of sub-delegation from Manager Finance and Coordinator Rates & Accounts and ability for Director Corporate Strategy & Performance to exercise delegation of condition b) from Council.
7/12/2020	Administrative	20/533822	Changes made due to changes in legislation.
16/12/2020	Administrative	20/559662	Additional changes made due to legislative amendments relating to authorisations (SL 2020/213 and 2020/212)
16/03/2021	CE02-03/21	21/60182	Addition of Delegation 1.1.34 – Obstruction of Footpaths and Thoroughfares
19/03/2021	CEO	21/86894	Change to Delegation 1.1.26 – Removal of condition to limit decisions under condition b) of the delegation to be limited to CEO and DCSP.

4.20 Review of the City of Wanneroo Animals Local Law and amendment to the Bee Keeping Local Law

File Ref:	30736V04 – 21/181764
Responsible Officer:	Executive Manager Governance and Legal
Disclosure of Interest:	Nil
Attachments:	4
Previous Items:	3.7 - Review of the City of Wanneroo Animals Local Law and amendment to the Bees Local Law - Forum - 03 May 2021 5:30pm (Special)

Issue

To consider:-

- (1) adopting a new Animals Local Law 2021 and to repeal the current Animals Local Law 1999; and
- (2) an amendment to the Bee Keeping Local Law to correct a drafting anomaly.

Background

The City is continually reviewing its local laws notwithstanding the requirement to undertake a review every eight years in accordance with the *Local Government Act 1995* (the **Act**).

The City's approach in developing or amending its local laws has been to consider the WALGA Model Template local laws and those widely used by the local government sector in Western Australia, as they relate to the City.

The Animals Local Law was made in August 1999 with several minor amendments enacted since that time as set out in **Attachment 1**. Of particular note is the removal of provisions relating to the regulation of dogs, cats, bees and fencing following the introduction of relevant legislation and the subsequent making of separate local laws for these matters. The amendments were gazetted according to the local law making process.

Animals Local Law 1999

Apart from the requirement to reformat the local law due to the deletions, a review of the remaining provisions against the WALGA Model Template Local Law and the local laws of the sector highlighted the need to develop a contemporary version encompassing better plain English drafting and provisions not previously covered to ensure the appropriate regulation of animals within the district.

Bee Keeping Local Law 2017

Provisions relating to bees previously covered under Part 6 of the Animals Local Law are now included in a separate Bees Local Law made in January 2017 as set out in **Attachment 3**. A drafting anomaly has been identified that requires correction.

Detail

Animals Local Law 2021

The purpose of the proposed Animals Local Law is to provide for the regulation, control and management of the keeping of large animals, poultry and pigeons.

A summary of the provisions are as follows:

Provision	Summary of Proposed Amendment
Cats and Dogs	References to cats and dogs have been removed due to changes in legislation and the subsequent adoption of the Cats Local Law and Dogs Local Law respectively.
Livestock	These provisions remain largely the same with the exception of references to fencing on property covered by the Dividing Fences Act and the City's Fencing Local Law.
Horse Exercise Area	These provisions remain the same but moved to appropriately reflect the part relating to animals. The provisions are now reflected under Part 3 – Animals, subsection 3.5.
Pigeons and Poultry	<p>Moved to become a new Part that incorporates pigeons as well as poultry. The provisions remain are largely the same except for:-</p> <ul style="list-style-type: none"> • A Certificate of Registration is still required for the keeping of Pigeons however this certificate will not expire in June each year. The registered pigeon owner will be required to advise the City should any of the conditions of the registration change. • A limitation has been placed on the number of poultry that can be kept according to lot size. • Setbacks on smaller properties have been reduced to allow poultry to be kept on smaller lots but with restrictions on the number to assist in protecting neighbour's amenity. • Requirements for poultry enclosures are now less prescriptive to allow residents to purchase pre-made chicken coups from retail stores. This will give residents more choice and will allow one or two chickens to be kept in a smaller cage. • Ducks may only be kept on lot sizes greater than 800m². • The keeping of a rooster, goose, turkey, peafowl remains prohibited in a residential area. • References to ostrich and emu have been moved to Part 3 which deals with the keeping of large animals and continues to preclude them from being kept on any residential, commercial or industrial property. • Specific conditions for keeping poultry are applied based on lot sizes.
Large Animals	<p>Part 3 provides for the keeping of Large Animals. Provisions are largely the same with the exception of:-</p> <ul style="list-style-type: none"> • Miniature horse or pig is not specifically referred to however the definition of 'horse' includes a miniature horse, which in turn is defined as a 'large animal'. • The separate section relating to 'pigs' has been removed and 'pigs' are included under the definition of 'large animal'. • Reference to "stables" has been removed as conditions relating to this are met through planning provisions relating to setbacks.
Penalties	The remainder of the local law deals with enforcement provisions, which are also linked to the City's Penalty Units Local Law 2015.

The drafting of an amendment local law is overly complex and given the numerous proposed amendments, Administration considers it appropriate to recommend that Council repeal the 1999 Animals Local Law and adopt the new Animals Local Law as set out in **Attachment 2**.

Bee Keeping Local Law 2021

The drafting anomaly relates to *Section 2.1 - Permit required to keep bees*. The current drafting of the local law requires a permit for bees to be kept on General Rural, Special Residential, Special Rural, Rural Community, Urban Deferred or Rural Resource zones without being a registered beekeeper, unless required by regulations. The original intent is that beekeepers in these zones should not have to apply for a permit to keep bees but must in all cases be a registered beekeeper.

An amendment is therefore required to state that *section 2.1 - subclause 2* refer to *subclause (1)(b)* rather than *subclause (1)* in its entirety.

'Section 2.1 - Permit required to keep bees.

- (1) *Subject to this clause, a person must not keep bees or allow bees to be kept on land:*
 - (a) *unless that person is a registered beekeeper if required by the Regulations; and*
 - (b) *in accordance with a valid permit issued in relation to the land.*
- (2) *Subclause (1)(b) does not apply where –*
 - (a) *the land is zoned General Rural, Special Residential, Special Rural, Rural Community, Urban Deferred or Rural Resource under a local planning scheme –*
.....

The process in accordance with section 3.12 of the Act requires that an 'amendment local law' be drafted and adopted to effect this amendment. The Bee Keeping Amendment Local Law 2021 is set out at **Attachment 4**.

Consultation

Relevant internal stakeholders have been consulted and the local law making process provides members of the public and government departments to have their say on the proposed local law and their relevance within the community.

The local government is to give local public notice stating that the local government proposes to make a local law the purpose and effect of which is summarised in the notice and provide a copy of the proposed local law at locations specified in the notice. Section 1.7 of the Act states that the notice must be given in at least 3 of the ways prescribed. The notice will be published on the City's website, on the City's notice boards at the Civic Centre and all libraries and through the City's social media.

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 six weeks after the notice is given and as soon as the notice is given, is to provide a copy of the proposed local law and a copy of the notice to the Minister.

Comment

The Council is required to make the local law in accordance with section 3.12 of the Act and approve the giving of State-wide public notice in order to seek public comment.

The agenda and the minutes of the Ordinary Council meeting at which the local law is considered is to include the purpose and effect of the proposed local law, which are set out below.

Animals Local Law

Purpose

The purpose of this local law is to provide for the regulation, control and management of the keeping of large animals, poultry and pigeons within the City of Wanneroo district.

Effect

The effect of this local law is to establish the requirements with which owners and occupiers of land within the City of Wanneroo district must comply in order to keep domestic animals such as large animals, poultry and pigeons and provides the means of enforcing the local law.

Bees Local Law

Purpose

The purpose of this local law is to amend the City of Wanneroo Bees Local Law 2016.

Effect

The effect of this local law is to correct a drafting anomaly to provide that all persons in the City of Wanneroo district who keep bees must be a registered Beekeeper if required by the Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013.

Role of Joint Standing Committee on Delegated Legislation (JSDCL)

The Joint Standing Committee on Delegated Legislation is a committee of the Western Australian Parliament consisting of eight members, with equal representation from the Legislative Council and Legislative Assembly.

Once a local law is gazetted, it is referred to the committee to consider under its terms of reference. Where the JSDCL finds that a local law offends one or more of its terms of reference, it will usually seek a written undertaking from the local government to amend or repeal the instrument in question.

Where a local government does not comply with the JSDCL's request for an undertaking, the JSDCL may, as a last resort, resolve to report to the Parliament recommending the disallowance of the instrument in the Legislative Council.

The JSDCL's Terms of Reference require the JSDCL to consider whether the instrument:

- is within power (for example; is an unreasonable exercise of the delegated legislative power, is procedurally invalid, abrogates a fundamental common law principle without express or necessarily implied authority from the empowering Act, is inconsistent with its empowering Act or other legislation).
- has any unintended effect on any person's existing rights or interests (such as; reversal of onus of proof, excluding procedural fairness, acquisition of property without compensation, access to the Courts or judicial review).
- provides an effective mechanism for the review of administrative decisions.
- contains only matters that is appropriate for subsidiary legislation.

The proposed new Animals Local Law, is based on comparable local laws that have passed the scrutiny of the JSDCL.

Statutory Compliance

Section 3.12 of the Act prescribes the procedures for making and finalising the process of adopting Local Laws.

Whilst the Act does not expressly prescribe a time frame in which the procedural requirements for making Local Laws are to be completed, the procedures should be undertaken with "all convenient speed" in line with the Interpretations Act 1984.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

“4 Civic Leadership

4.2 Good Governance

4.2.1 Provide transparent and accountable governance and leadership”

Risk Management Considerations

There are no existing Strategic or Corporate risks within the City's existing risk registers which relate to the issues contained in this report.

Policy Implications

Nil

Financial Implications

The cost of giving public notice, advertising and gazettal is met through an operational budget.

Voting Requirements

Simple Majority

Recommendation

That Council:-

1. In accordance with sections 3.12(3)(a) of the *Local Government Act 1995*, GIVES local public notice stating that it proposes to make an Animals Local Law 2021 and a Bee Keeping Amendment Local Law 2021 a summary of the purpose and effect of the local laws being;

Animals Local Law 2021

Purpose

The purpose of this local law is to provide for the regulation, control and management of the keeping of large animals, poultry and pigeons within the City of Wanneroo district.

Effect

The effect of this local law is to establish the requirements with which owners and occupiers of land within the City of Wanneroo district must comply in order to keep domestic animals such as large animals, poultry and pigeons and provides the means of enforcing the local law.

Bee Keeping Amendment Local Law 2021

Purpose

The purpose of this local law is to amend the City of Wanneroo Bee Keeping Local Law 2016.

Effect

The effect of this local law is to correct a drafting anomaly to provide that all persons in the City of Wanneroo district who keep bees must be a registered Beekeeper if required by the Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013.

2. NOTES that:
 - a) Copies of the proposed local laws may be inspected at the City's offices and will be made available on the City's website;
 - b) Submissions about the proposed local laws may be made to the City within a period of not less than 6 weeks after the notice is given;
 - c) In accordance with section 3.12(3)(b) of the *Local Government Act 1995*, as soon as the notice is given, a copy of the proposed local laws will be supplied to the Minister for Local Government and in the case of the Bee Keeping Amendment Local Law 2021, to the Minister of Agriculture;
 - d) In accordance with section 3.12(3)(c) of the *Local Government Act 1995*, a copy of the proposed local laws will be supplied to any person requesting it; and
3. NOTES that all submissions received will be presented to Council for consideration.

Attachments:

1	Attachment 1 - Consolidated Animals Local Law 1999 - as amended January 2017	16/270727
2	Attachment 2 - Animals Local Law 2021	21/182114
3	Attachment 3 - City of Wanneroo Bee Keeping Local Law 2016 - Administration Version	16/420150
4	Attachment 4 - Bee Keeping Amendment Local Law 2021	21/157220



CITY OF WANNEROO ANIMALS LOCAL LAW 1999

Published in the Government Gazette on 27 August 1999, number 163.

Amended:

Government Gazette on 30 August 2002, Number 158

Government Gazette on 12 December 2003, Number 195

Government Gazette on 7 December 2004, Number 209

Government Gazette on 1 December 2006, Number 200

Government Gazette on 9 April 2009, Number 058

Government Gazette on 28 July 2016, Number 137

Government Gazette on 13 January 2017, Number 11

Disclaimer:

This version is an administrative version and while every attempt to ensure it is correct, only the Gazetted version as amended should be relied on. In particular, text boxes and notes in this version do not form part of the local law.

DOG EXERCISE AREAS AND PLACES WHERE DOGS ARE PROHIBITED

Resolutions by Council under the Dog Act 1976

[Council Resolution PS04 02/14](#)

[Extension to Yanchep Dog Beach](#)

**LOCAL GOVERNMENT ACT 1995
DOG ACT 1976**

CITY OF WANNEROO ANIMALS LOCAL LAW 1999

Under the powers of the Local Government Act 1995 and by all other powers, the Council of the City of Wanneroo resolved to make the following local law on the 13th July, 1999.

ARRANGEMENT

PART 1—PRELIMINARY.....	Clauses 1 6
PART 2—DOGS.....	Clauses 7 14
PART 3—APPROVED DOG KENNEL ESTABLISHMENT.....	Clauses 15 2
PART 4—LIVESTOCK.....	Clauses 23 27
PART 5—PIGEONS.....	Clauses 28 36
PART 6—BEES.....	Clause 37
PART 7—ANIMALS, BIRDS AND POULTRY.....	Clauses 38 50
PART 8—MISCELLANEOUS.....	Clauses 51 54
PART 9—PENALTIES.....	Clauses 55 59
SCHEDULES 1 34	

[Schedule 4 added Government Gazette No. 209, 7 December 2004;

[Parts 2 & 3 Deleted Government Gazette #137 28 July 2016]

[Schedule 2, 3 and 4 deleted Government Gazette #137 28 July 2016]

[Part 6 deleted Government Gazette #11 13 January 2017]

PART 1—PRELIMINARY

Title

1. This local law may be referred to as the City of Wanneroo Animals Local Law 1999.

Commencement

2. This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

Purpose and Intent

3. (1) The purpose of this local law is to provide for the regulation, control and management of the keeping of animals within the City of Wanneroo.
- (2) The effect of this local law is to establish the requirements with which owners and occupiers of land within the district must comply in order to keep animals and provides the means of enforcing the local law.

Repeal

4. The following by laws of the former City of Wanneroo:
 - By Law B2: Keeping of Bees, published in the Government Gazette 19 August

- 1983;
- By Law D2: Dog Kennels, published in the Government Gazette 1 February 1980 and amendments;
 - By Law D3: Relating to Dogs, published in the Government Gazette 21 November 1986 and amendments;
 - Local Law P6: Keeping of Pigeons, published in the Government Gazette 27 February 1998;
 - Clauses 9 and 9A, By Law R3: Reserves and Foreshores, published in the Government Gazette 28 September 1990 and amendments;

are repealed on the day this local law comes into operation.

Application of Local Law

5. This local law applies throughout the district.

Definitions

6. In this local law unless the context otherwise requires:

“Act” means the Local Government Act 1995;

“application” means the completed form lodged by an applicant as required by this local law;

“applicant” means a person who has lodged an application for an approval, certificate or licence required for any activity by this local law;

“approved fees” means the fees and charges determined by the local government from time to time, for putting into effect the provisions of this local law;

“authorised person” means a person authorised by the local government under section 9.10 of the Act, to carry into effect the provisions of this local law;

“beehive” means a moveable or fixed structure, container or object in which a colony of bees is kept;

“caravan park” means an area of land on which caravans or caravans and camps situated for habitation;

“cattery keeper” means a person registered to keep a cattery;

“certificate of registration” means a certificate of registration to keep pigeons issued pursuant to this local law;

“Code of Practice” means the Code of Practice—Pigeon Keeping and Pigeon Racing, International Standard Book Number (ISBN 0 958 6677 0 5), Part 1 (ISBN 0 958 6677 2 1), Part 2 (ISBN 0 958 6677 1 3) published May 1994 as amended from time to time and approved by the Pigeon Racing Federation of WA (Incorporated) and the Independent Racing Pigeon Federation Inc;

“cow” includes an ox, calf or bull;

“district” means the district of the City;

“Dog Act” means the Dog Act 1976;

~~“environmental health officer” means an environmental health officer appointed under the Health Act 1911 and includes an acting or assistant environmental health officer;~~
[Definition deleted by Animals Amendment Local Law 2008 Government Gazette No. 58, 9 April 2009]

“food premises” means a premises where food is stored, kept, prepared, manufactured,

“food premises” means a premises where food is stored, kept, prepared, manufactured, processed, cooked or served or otherwise dealt with for subsequent sale to the public either directly or indirectly;

“grouped dwelling” means a dwelling which is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise;

“horse” includes an ass, mule, donkey, shetland pony or pony;

“land” means land in the district and includes houses, buildings, works and structures, in or upon the land;

“large animal” includes a sheep, cow, goat, horse (excluding a miniature horse), deer, alpaca, pig (excluding a miniature pig) or any other animal so classified by the local government;

“livestock” means any horse, cattle, sheep, goat, swine, buffalo, deer, camel, llama and alpaca;

“local government” means the City of Wannon;

“lot” means a defined portion of land for which a separate certificate of title has been issued and includes a strata lot;

“miniature horse” means a horse that does not exceed 870 millimetres in height as an adult and is classified as a miniature by the Miniature Horse Association of Australia;

“miniature pig” means a pig that does not exceed 650 millimetres in height as an adult and weighs between 45—55 kilograms;

“multiple dwelling” means a dwelling in a group of more than one where any part of a dwelling is vertically above part of any other;

“nuisance” means:

- (a) any activity, thing, condition, circumstance or state of affairs caused or contributed to by a person which is injurious or dangerous to the health of another person of normal susceptibility, or which has a disturbing effect on the state of

reasonable physical, mental or social well being of another person;

- (b) any thing a person does or permits or causes to be done which interferes with or is likely to interfere with the enjoyment or safe use by another person of any public place; or
- (c) any thing a person does on public or private land which unreasonably detracts from or interferes with the enjoyment or value of land owned by another person, provided that any thing done in accordance with the law or a legal right or which is consistent with the standard of behaviour in the relevant locality shall not be unreasonable for the purpose of this local law;

“pigeon” includes homing pigeon and racing pigeon;

“poultry” means any domestic fowl or chicken, bantam, duck, goose, guinea fowl, pheasant, turkey, peahen or peacock;

“pound” means a building or yard established by the local government or authorised person for the impounding of dogs or animals for the purposes of this local law;

“public place” means any place to which the public has access;

“residential area” means any land situated within a residential zone as classified by the town planning scheme and includes land predominately used for residential purposes;

“rural area” means any land situated within a rural zone as classified by the town planning scheme;

“special rural area” means any land situated within a special rural zone as classified by the town planning scheme;

“stablehand room” means a room or rooms used for occasional overnight occupation to facilitate husbandry to pregnant or sick animals;

“town planning scheme” means any town planning scheme for the time being applying zoning or classification to land within the district;

“young birds” means any pigeon under 24 days of age and, unless the contrary can be shown, a pigeon shall be deemed under this local law to be a young bird if it is without feathers on the flesh under the wings.

PART 2 — DOGS

Pound

- ~~7. The local government may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Dog Act or this local law.~~

Impounding Dogs

- ~~8. A dog seized by the Police or by a person authorised by the local government may be placed in a pound.~~

Pound Fees

9. ~~The fees and charges in relation to the seizure and impounding of a dog and maintenance thereof in a pound payable under section 29(4) of the Dog Act, are those approved by the local government from time to time.~~

Dog Exercise Areas

10. ~~All public reserves vested in or under the care, control and management of the local government, excluding road and street reserves and the areas specified in the Second and Fourth Schedule to this local law, are designated as dog exercise areas for the purposes of the Dog Act.~~

[‘and Fourth’ added Government Gazette No. 200, 1 December 2006]

[‘and the areas specified in the Second and Fourth Schedule to this local law’ deleted in Government Gazette No. 58, 9 April 2009]

Prohibited Places

11. (a) (1) ~~A person liable for the control of a dog shall prevent that dog from entering or being in or on any public building, shop or business premises, with the exception of a shop or business premises where dogs are sold.~~

~~———— (2) Subclause (1) does not apply to a person with a vision impairment or who is a trainer accompanied by a bona fide guide dog.~~

- (b) ~~Dogs are allowed to be exercised whilst being held on a lead at all times in “Restricted Dog Exercise Areas” specified in the Second Schedule of this local law.~~

[Clause 11(b) added by Government Gazette No. 158, 30 August 2002]

[Clause 11 deleted Government Gazette No. 209, 7 December 2004]

Places where dogs are prohibited absolutely—

11. (1) ~~A person liable for the control of a dog shall prevent that dog from being in or on any place specified in the Second and Fourth Schedule to this local law.~~

~~———— (2) Subclause (1) does not apply to a person with vision impairment accompanied by a bona fide guide dog or a dog trainer accompanied by a bona fide guide dog.”~~

[Clause 11 added Government Gazette No. 209, 7 December 2004]

[‘Second and’ added to subclause (1) after ‘specified in the’ Government Gazette No. 58, 9 April 2009]

Fouling of Streets and Public Places

12. ~~Any person liable for the control of a dog who permits that dog to excrete on any street or public place or on any land within the local government without the consent of the occupier of that land commits an offence unless the excreta is removed forthwith and disposed of either on private land with the written consent of the occupier or in such other manner as the local government may approve.~~

Fencing Requirements

13. (1) ~~The owner or occupier of premises within the local government on which a dog is kept shall cause the portion of those premises on which the dog is kept to be fenced in a manner capable of confining the dog to that portion and in a manner which complies with this clause.~~

- ~~— (2) The fence used to confine a dog and every part of the fence shall be of a type, height and construction which, having regard to the species, age, size and physical condition of the dog, prevents the dog from passing over, under or through the fence.~~
- ~~— (3) Subsections (1) and (2) shall not apply to any rural area.~~

[Clause 13(3) Deleted Government Gazette No.58, 9 April 2009]

Maximum Number of Dogs

14. ~~A person shall not keep or permit to be kept on any premises more than—~~

- ~~(a) 2 dogs over the age of 3 months and the young of those dogs under that age; or~~
- ~~(b) 6 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a rural area or comprise a lot in a special rural area on a lot having an area of 4 hectares or more,~~

~~unless the premises are licensed as an approved kennel establishment or have been granted exemption pursuant to section 26 (3) of the Dog Act and have planning approval under the town planning scheme.~~

[‘within a rural area or comprise a lot in a special rural area’ in subclause (b) deleted and ‘on a lot’ inserted Government Gazette No. 58, 9 April 2009]

Footnote:

~~The provisions of section 29 of the Dog Act will apply to dogs seized and placed in a pound in relation to—~~

- ~~• Notification of Owner;~~
- ~~• Release of dogs from the pound;~~
- ~~• Sale of dogs; and~~
- ~~• Destruction of dogs.~~

PART 3—APPROVED DOG KENNEL ESTABLISHMENT

Approved Kennel Establishment Licence

15. ~~A person shall not keep a kennel establishment without having first obtained a licence under this local law and a planning approval under the town planning scheme.~~

Notice of Application for Kennel Establishment Licence

16. ~~An applicant for a licence to keep an approved kennel establishment shall—~~

- ~~(a) publish in a newspaper circulating in the district a notice of his intention to submit an application for a licence, being that of Form 1 of the Third Schedule, specifying that any interested person may within 21 days after the date of such publication object to or make representations in respect of the application in writing directly to the local government; and~~
- ~~(b) forward a notice, being that of Form 1 of the Third Schedule to the owners and occupiers of all land within a radius of 275 metres of the boundaries of the land upon which it is proposed to establish the kennel.~~

Application for Kennel Establishment Licence

17. ~~An application for a licence to keep an approved kennel establishment shall be on Form 2 of the Third Schedule and shall be accompanied by—~~

- ~~(a) evidence that notice of the proposed use of the land has been given in accordance with clause 16 (a) and (b);~~
- ~~(b) a plan showing the details and specifications of all kennels, adjacent yards and the distances from the kennels to the boundaries of the land the subject of the application and all buildings on the land together with such information as the local government may require; and~~
- ~~(c) a report of an acoustic consultant verifying that the various plant, machinery and operational noise levels will comply with the requirements of the Environmental Protection (Noise) Regulations 1997.~~

Determination of Application

18. ~~(1) The local government may refuse an application for a licence—~~

- ~~(a) that does not comply with the requirements of clause 17;~~
- ~~(b) for which the processes required by clause 16 have not been completed;~~
- ~~(c) after considering any submissions or representations received within the specified period in accordance with clause 16 (a);~~
- ~~(d) where planning approval for use of the land as an approved dog kennel establishment has not first been obtained under any relevant town planning scheme.~~

~~— (2) The local government may, in respect of an application for a licence—~~

- ~~(a) refuse the application; or~~
- ~~(b) approve the application on such terms and conditions, if any, as it sees fit.~~

Licence and Fees

19. ~~A licence to keep an approved kennel establishment shall be that of Form 3 in the Third Schedule and fees payable to the local government on the issue and renewal of such licences shall be as approved by the local government.~~

Duties of Licence Holder

20. ~~The holder of a licence to keep an approved kennel establishment shall—~~

- ~~— (a) maintain the establishment in a clean, sanitary and tidy condition;~~
- ~~— (b) dispose of all refuse, faeces and food waste daily in a manner approved by the local government; and~~
- ~~— (c) take all practical measures for the destruction of fleas, flies and other vermin.~~

Limit on Number and Breed of Dogs

21. ~~A person who conducts an approved kennel establishment shall not keep or permit to be kept thereon more than the number of dogs specified in the licence or dogs of a breed different to the breed or breeds (if any) specified in the licence without the written approval of the local government.~~

Kennel Establishment Requirements

22. ~~Dogs in an approved kennel establishment shall be kept in kennels and yards appropriate to the breed or kind in question, be sufficiently secured, sited and maintained to a standard not less than the following—~~

- ~~— (a) each kennel shall have an adjacent yard;~~
- ~~— (b) each kennel and each yard and every part thereof shall be at a distance of not less than 15 metres from the boundaries of the land in the occupation of the occupier;~~
- ~~— (c) each kennel and each yard and every part thereof shall be at a distance of not less than 24 metres from the front road or street;~~
- ~~— (d) each kennel and each yard and every part thereof shall be at a distance of not less than 10 metres from any dwelling house;~~
- ~~— (e) each yard shall be secured with a fence not less than 1.8 metres in height;~~
- ~~— (f) the upper surface of the floor of each kennel shall be set at least 100mm above the surface of the surrounding ground and shall be constructed of granolithic cement finished to a smooth surface and shall have a fall of not less than 1 in 100. The entire yard shall be surrounded by a drain which shall be properly laid, ventilated and trapped. All floor washings shall pass through this drain and shall be disposed of in accordance with the health requirements of the local government;~~
- ~~— (g) the floor of any yard shall be constructed in the same manner as the floor of any kennel and as provided in paragraph (f);~~
- ~~— (h) for each dog kept therein every kennel shall have not less than 1.8m² of floor space and every yard not less than 2.5m²;~~
- ~~— (i) all kennels and yards and all feeding and drinking vessels shall be maintained in a clean condition and cleaned and disinfected when so ordered by a person authorised by the local government.~~

[Parts 2 & 3 Deleted Government Gazette #137 28 July 2016]

PART 4—LIVESTOCK

Livestock Not to Stray

23. The owner or person in charge of livestock shall not permit that livestock to stray or to be at large in a street, public place or upon private property without the consent of the property owner.

Property to be Fenced

16/270727

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24. (1) The owner or occupier of a property on which livestock is kept, shall cause the property or a portion of the property to be fenced in a manner capable of confining the livestock, to that portion where the livestock is kept.
- (2) The minimum fencing requirements to confine livestock in a rural or special rural area, shall be a fence of post and wire construction, as specified as a sufficient fence in the Third Schedule of the City of Wannon Private Property Local Law 2001, being—
- (a) wire shall be high tensile wire and not less than 2.5mm. A minimum of five wires shall be used, these to be generally with the lower wires spaced closer together than the higher wires so as to prevent smaller stock passing through, and connected to posts in all cases, and threaded through 12mm holes in posts to all fences;
 - (b) posts shall be of indigenous timber or other suitable material including timber impregnated with a termite and fungicidal preservative cut not less than 1.8m long x 100mm diameter at small end of round or 125mm x 60mm if split or sawn. Posts to be set minimum 600mm in the ground and 1.2m above the ground; and
 - (c) strainer posts shall be not less than 2.25m long and 150mm diameter at the small end and shall be cut from indigenous timber or other suitable material. These shall be placed a minimum of 1m in the ground. ~~a sufficient fence in the Third Schedule of the City of Wannon Private Property Local Law 2001, being:~~
- ~~(a) wire shall be high tensile wire and not less than 2.5mm. A minimum of five wires shall be used, these to be generally with the lower wires spaced closer together than the higher wires so as to prevent smaller stock passing through, and connected to posts in all cases, and threaded through 12mm holes in posts to all fences;~~
 - ~~(b) posts shall be of indigenous timber or other suitable material including timber impregnated with a termite and fungicidal preservative cut not less than 1.8m long x 100mm diameter at small end of round or 125mm x 60mm if split or sawn. Posts to be set minimum 600mm in the ground and 1.2m above the ground; and~~
 - ~~(c) strainer posts shall be not less than 2.25m long and 150mm diameter at the small end and shall be cut from indigenous timber or other suitable material. These shall be placed a minimum of 1m in the ground.~~

[Clause 24 amended Government Gazette No. 58, 9 April 2009]

Livestock may be Impounded

25. (1) An authorised person may impound livestock found straying in contravention of clause 23.
- (2) Livestock being impounded shall be placed in:

- (a) a pound established and maintained by the local government; or
- (b) a secured portion of private property with the consent of the property owner.

Horse Exercise Area

26. (1) The local government may set aside a reserve or foreshore or portion of a reserve or foreshore as an area upon which a person may ride or drive a horse or into which a person may bring a horse.
- (2) A person shall not ride, drive or bring a horse onto any reserve or foreshore or any part thereof that has not been set aside for that purpose.
- (3) A person shall not ride, drive, exercise or train a horse on any part of a reserve or foreshore set aside under subsection (1), faster than walking pace or in a manner so as to create a danger or become a nuisance to the public or to any person.
- (4) A person shall not ride, drive or bring a horse onto any reserve or foreshore or any part thereof that is set aside specifically for the exercise of dogs.
- (5) A person may exercise a dog on an area of reserve or foreshore set aside as a horse exercise area provided the dog remains under full control on a leash at all times.

Fouling of Streets and Public Places

27. Any person liable for the control of a horse who permits that horse to excrete on any public place or on any land within the local government without the consent of the occupier of that land commits an offence unless the excreta is removed forthwith and disposed of either on private land with the written consent of the occupier or in such other manner as the local government may approve.

PART 5—PIGEONS

Certificate of Registration

28. (1) A person shall not keep pigeons on any land in the district without having first obtained a certificate of registration from the local government.
- (2) A certificate of registration shall be valid from its date of issue until the next 30 June.

Application for Certificate of Registration

29. An application for certificate of registration shall be:
- (1) lodged by the applicant on the form approved by the local government from time to time.

- (2) lodged with specifications, site and construction plans of proposed cages, enclosure or lofts; and
- (3) lodged with the registration fee set by the local government.

Adjoining Owners to be Consulted

30. Prior to granting any certificate of registration, the applicant shall seek the written opinion of all owners and occupiers whose land is adjacent to the land owned by the applicant.

Approval Limitations

31. (1) Pigeons shall not be kept within a caravan park or on any land on which is situated a group dwelling or multiple dwellings except for land on which 2 grouped dwellings are permitted.
- (2) Unless previously approved by the local government prior to this local law coming into effect, pigeons shall not be kept on any land which has an area of less than 600m².

Duties of Certificate Holder

32. The holder of a certificate of registration to keep pigeons shall:
- (a) keep all pigeons confined continuously in cages, enclosures and lofts approved by the local government except that homing pigeons and racing pigeons registered in accordance with this local law may be released in accordance with this local law;
 - (b) keep all cages, enclosures, lofts and their immediate surrounds clean and maintained in good order and condition at all times and the minimum standard to be adhered to shall be that which is specified in the Code of Practice; and
 - (c) dispose of all loft litter by immediate burial or by being bagged and deposited in a household rubbish bin to ensure no nuisance occurs.

Limit on Number of Pigeons

33. (1) Subject to subclause (2), the maximum number of pigeons which shall be kept on land the subject of a certificate of registration pursuant to each certificate of registration shall not exceed 20, excluding young birds.
- (2) A person who on or before 30 June each year produces to the local government, satisfactory proof that the person is a current financial member of a recognised incorporated racing pigeon body, or is a registered pigeon fancier, may be permitted by the local government to keep up to 150 pigeons, excluding young birds, in any residential area, rural area or special rural area.

Cage, Enclosure or Loft Requirements

34. (1) An approved cage, enclosure or loft used to house pigeons shall aesthetically

blend with its surrounds, be constructed of new materials and shall be constructed to the following minimum requirements:

- (a) the base floor of any loft shall be of 50mm thick concrete;
 - (b) in the case of an elevated loft the suspended floor shall be constructed and maintained in accordance with the requirements in the Code of Practice;
 - (c) cladding of a loft, including the roof shall be of smooth fibro cement sheeting, sheet metal or other smooth material;
 - (d) except as provided in paragraph (e), a loft height shall not exceed 2.4 metres at any point when measured from ground level; and
 - (e) where a loft has a gable roof the loft height shall not exceed 3 metres at any point when measured from ground level.
- (2) A cage, enclosure or loft shall not be located nearer than:
- (a) 1.2 metres from the boundary of any land adjacent to the land, the subject of an application;
 - (b) 9 metres from any dwelling house, except the dwelling house on which the cage, enclosure or loft is situated, church, school room, hall, factory, dairy or food premises; or
 - (c) 9 metres from any road reserve or street.

[Clause 34(2)(b) amended 'except the dwelling house on which the cage, enclosure or loft is situated,' added after 'dwelling house' Government Gazette No. 58, 9 April 2009]

Exercise of Pigeons

35. (1) A person who is approved to keep registered homing pigeons or racing pigeons may only release such homing pigeons or racing pigeons for exercise between the hours set out in the Code of Practice, unless otherwise authorised by the local government.
- (2) A person shall not release more than 60 registered homing or racing pigeons for exercise or training at any one time.

Alteration, Cancellation or Refusal of Certificate of Registration

36. (1) At any time the local government may amend the conditions contained in or relating to a certificate of registration and without limiting the generality of the same, where any complaint of a nuisance is received, the local government may vary the hours for release of pigeons and impose any other conditions deemed necessary to minimise any nuisance from the keeping of pigeons or any associated activity.
- (2) The local government may cancel, refuse to approve or refuse to renew a

certificate of registration for any one or more of the following reasons:

- (a) the land is not maintained in accordance with this local law;
- (b) the cages, enclosures or loft have fallen into disrepair, are unclean or infested with vectors of disease;
- (c) the pigeons are being released outside the times permitted in clause 35 34;
- (d) a condition imposed in accordance with this local law or a certificate of registration has not been complied with in the time limits set out for doing so;
- (e) the applicant or holder of the certificate of registration as the case may be, has two or more convictions under this local law; or
- (f) non payment of registration fees.

~~—[Clause 36(2)(c) amended Government Gazette No. 58, 9 April 2009]~~

PART 6—KEEPING OF BEES

- ~~37. (1) A person shall not keep a beehive in a residential area or a special rural area without written approval of the local government.~~
- ~~(2) A person shall remove a beehive kept in contravention of this local law when directed to do so by the local government.~~

~~[Part 6 – Bees Deleted Government Gazette No. 11, 13 January 2017]~~

PART 7—ANIMALS, BIRDS AND POULTRY

General

38. The owner or occupier of a premises where a dog, cat or other animal is kept shall:
- (a) keep the premises free from excrement, filth, food waste and all other matter that is likely to become offensive or injurious to health or to attract rats, vermin or insects;
 - (b) when so directed by an ~~environmental health officer~~ authorised person, clean and disinfect the premises; and
 - (c) keep the premises, so far as possible, free of flies and when directed by an ~~environmental health officer~~ authorised person, spray the premises with a residual insecticide or use any other effective means to kill and repel flies.

~~[Replacement of environmental health officer with authorised person by Animals Amendment Local Law 2008 Government Gazette No. 58, 9 April 2009]~~

Keeping of Large Animals

39. An owner or occupier of a premises shall:
- (a) not keep a large animal on any land less than 2000m² in area;
 - (b) not permit any large animal to approach within 9 metres of a habitable room, shop, church or any premises where food is stored, manufactured or sold.

Keeping a Miniature Horse

40. (1) An owner or occupier of a premises may keep a sterilised miniature horse on land of not less than 1000m² in area, provided it is registered with the local government and the approved annual registration fee is paid.
- (2) An owner or occupier of a premises shall:
- (a) not keep more than one miniature horse on land zoned residential, special residential or special rural, without the written approval of the local government; and
 - (b) not permit a miniature horse within 9 metres of any house.
- (3) The local government may prohibit the keeping of a miniature horse on any land or may state the conditions under which a miniature horse may be kept.

Keeping of Pigs

41. (1) Except for a miniature pig, no person shall keep a pig or pigs, in any residential area or special rural area or on any land zoned commercial or industrial under the town planning scheme.
- (2) Except on a licensed piggery, no person shall keep more than 2 pigs in any rural area without prior written approval of the local government.
- (3) The local government may prohibit the keeping of pigs, including a miniature pig, on any land or state the conditions under which they may be kept.
- (4) A person may keep 1 miniature pig in any residential or special rural area provided it is registered with the local government and the approved annual registration fee is paid.
- (5) The occupier of any premises where a miniature pig is kept shall:
- (a) only keep a sterilised animal and retain written proof of its sterilisation;
 - (b) confine the animal on the property at all times;
 - (c) ensure the animal does not cause a nuisance to any neighbour regarding noise, dust or odour; and

- (d) maintain documentary evidence that the animal's veterinary treatment against roundworm and tape worm is current.

Stables

42. (1) The owner or occupier of any land where a stable is erected shall:
- (a) not permit a stable within 9 metres of a house or other building;
 - (b) have a floor area of 6m² per animal;
 - (c) ensure the stable has walls and a roof, constructed of impervious material;
 - (d) have on all sides of the building between the walls and the roof, a clear opening of at least 50 millimetres in height; and
 - (e) provide a floor, which shall have an upper surface:
 - (i) at least 75 millimetres above the ground; and
 - (ii) be constructed of cement, concrete, compacted limestone or similar approved material.
- (2) The owner or occupier of a premises where a stable is located shall:
- (a) keep all parts of the stable free from flies; and
 - (b) when directed by an ~~environmental health officer~~ authorised person, spray the stable, or such parts as may be indicated, with a residual insecticide.

[Replacement of environmental health officer with authorised person by Animals Amendment Local Law 2008 Government Gazette No. 58, 9 April 2009]

Stablehand Room

43. The owner or occupier of a premises shall not permit a habitable room, including a stablehand's room, to open directly into a stable area.

Manure Receptacle

44. An owner or occupier of a premises where a large animal, miniature horse or miniature pig is kept shall:
- (a) provide in a convenient position, an impervious receptacle with a tight fitting lid, for storage of manure;
 - (b) keep the lid of the receptacle closed except when manure is being deposited or removed;
 - (c) cause the receptacle to be emptied at least once a week and more often as

necessary to prevent it becoming offensive or a breeding place for flies or other insects; and

- (d) cause all manure produced on the premises to be collected daily and placed in the receptacle.

Keeping of Cats

45. ~~(1) Subject to sub clause (2) and (3), a person shall not keep or allow to be kept on any premises more than 3 cats over the age of 3 months.~~

~~————— [Clause (1) amended Government Gazette No. 200, 1 December 2006]~~

- ~~(2) A person who breeds cats may, with the written approval of the local government, keep up to 6 adult breeding cats on a property in the district, subject to—~~

- ~~(a) each cat being permanently confined in an effective cage system on the property; and~~

- ~~(b) under such terms and conditions that may be imposed by the local government from time to time.~~

- ~~(3) A person may keep more than 3 cats over the age of 3 months in any rural area, if the owner or occupier of such lot has—~~

- ~~(a) obtained written approval from the local government to establish a cattery;~~

- ~~(b) paid to the local government, the annual fee for registration and certification of the premises as a cattery;~~

~~(The annual registration and certification fee shall be due each June 30th, except for the first issue which may be paid on a pro rata basis.)~~

- ~~(c) provided for each cat on the lot, a properly constructed shelter with an enclosure, which complies with the following specifications—~~

- ~~(i) a floor area of not less than 0.56m² for each cat;~~

- ~~(ii) the area of the enclosure adjacent to any shelter or group of shelters forming a cattery shall be at least 3 times the area of the shelter or the group of shelters;~~

- ~~(iii) no shelter or enclosure shall be closer than 9 meters from the boundary of the lot of the keeper or any other building on the property of the keeper; and~~

- ~~(iv) all enclosures, yards, runs and shelters within a cattery shall be maintained in a clean condition and shall be cleaned, disinfected or otherwise dealt with as an environmental health officer authorised person may direct.~~

~~[Replacement of environmental health officer with authorised person by Animals Amendment Local Law 2008 Government Gazette No. 58, 9 April 2009]~~

- ~~(3) A registration issued by the local government shall lapse upon the keeper vacating~~

~~the premises although a transfer of the registration may be effected if the cattery operation remains continuous and the approved transfer fee is paid to the local government.~~

[Clause 45 Keeping of Cats repealed by the City of Wanneroo Cats Local Law 2016 Government Gazette #137 28 July 2016]

Burial of Animals

46. (1) The operators of commercial poultry farms, licensed piggeries and similar intensive animal or bird farming shall not dispose of any dead animals or birds on their premises without written approval from the local government.
- (2) Owners and occupiers of properties in any rural or special rural area who occasionally need to bury an animal on their property, shall cover the carcass with lime before burial.

Keeping of Ostrich or Emu

47. (1) A person shall not keep an ostrich or emu on any land in any residential area, or any land zoned commercial or industrial under the town planning scheme.
- (2) A person shall not keep an ostrich or emu in any special rural area without the written approval of the local government.
- (3) A person shall not keep more than 3 adult pairs of ostrich or emu for each 2 hectares of land and no single pair shall be confined in any area less than 0.1 hectares.
- (4) The local government may prohibit the keeping of any ostrich and emu on any land or state the conditions under which they may be kept.

Keeping Poultry in Residential Areas

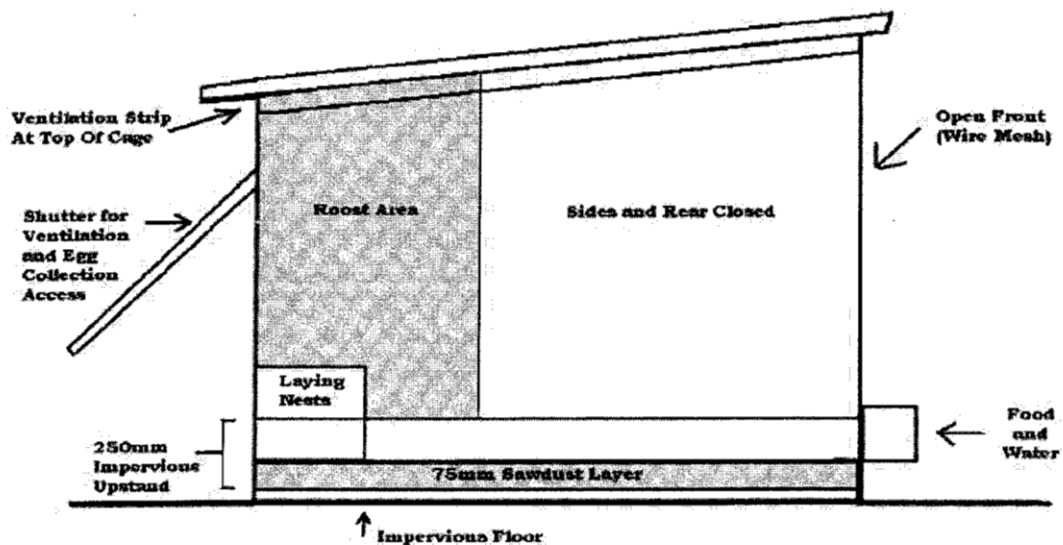
48. (1) A person shall not keep or suffer to remain, in any residential area a rooster, turkey, goose or geese, peacock or a peahen.
- (2) Notwithstanding sub clause (1), the owner or occupier of a premises situated in any residential area shall not keep thereon or permit to be kept thereon any poultry otherwise than under the following conditions:
 - (a) no poultry shall be kept in an open yard;
 - (b) poultry must be kept in a shed or hut designed to permit a deep litter system in accordance with the diagram which follows this clause and the following specifications:
 - (i) the floor shall be concrete, brick paving, compressed limestone or any other suitable impervious surface;
 - (ii) frames shall be of timber, steel, brick or other approved material;

- (iii) cladding shall be of sheet metal, brick, weatherboard or other materials approved by an ~~environmental health officer~~ authorised person;
 - (iv) the roof shall have sufficient slope to shed storm water;
 - (v) the poultry shed to be constructed in a sound and weatherproof manner and to be between 1.5m to 2.0 m in height;
 - (vi) provision must be made for adequate ventilation to the shed during hot weather;
 - (vii) the minimum size of any shed must allow for at least 0.3m² for each and every bird kept therein;
 - (viii) the roof, walls, floor, doors and ventilating panels must be maintained in good order and condition at all times;
 - (ix) the floor must be covered with a layer of dry sand or sawdust at least 75 millimetres deep; and
 - (x) the sawdust or sand must be kept dry at all times and be changed at least once every 6 months or when directed by an ~~environmental health officer~~ authorised person.
- (3) A person shall not permit a poultry shed to be nearer than 1 metre from the boundary of land in other occupation or 9 metres from any dwelling house or street.
- (4) A person shall not keep more than 12 poultry (including a maximum of 2 ducks) in any residential area.

[Replacement of environmental health officer with authorised person by Animals Amendment Local Law 2008 Government Gazette No. 58, 9 April 2009]

DIAGRAM

Specification for a domestic deep litter poultry shed



Keeping of Poultry in Special Rural Areas

49. The occupier of premises situated in any special rural area, shall not keep or permit to be kept thereon, poultry other than under the following conditions:
- in a shed designed to permit the use of a deep litter system or in open yards with a shed that has concrete floor at least 50 millimetres thick;
 - the shed shall be of sound construction and its yard shall be maintained in a clean condition at all times;
 - the shed must be between 1.5m to 1.8m in height to allow easy entry for cleaning;
 - the shed shall not be nearer than 1 metre from the boundary of land in other occupation or 15 metres from any dwelling house or 15 metres from a street; and
 - no more than 25 head of poultry without the written approval of the local government.

Keeping Poultry in Rural Areas

50. The occupier of premises in any rural area, shall not keep or permit to be kept thereon, more than 50 head of poultry, without written approval from the local government.

PART 8—MISCELLANEOUS

False or Misleading Statement

51. A person shall not make a false or misleading statement in connection with any application, requirement or demand under this local law.

Licence Fees and Charges

52. All licence fees and charges applicable under this local law shall be as determined by the local government from time to time in accordance with section 6.16 of the Act.

Limit on Liability

53. ~~A person, owner, occupier or licensee is not entitled to make any claim by way of damages or otherwise, against an authorised person, local government employee, local government appointed subcontractor or other person authorised by the local government, to enter the land and carry out all or part of the works and do all things necessary that the owner, occupier or licensee was required to do to comply with this local law.~~

[Clause 53 deleted Government Gazette No. 58, 9 April 2009]

Date of Birth to be Given on Demand

5354. (1) An authorised person or member of the Police Force who finds a person committing, or who on reasonable grounds suspects a person of having committed a breach of the provisions of this local law, may demand from the person that person's date of birth.
- (2) A person who refuses to give his or her date of birth, or who states a false date of birth on a demand being made, commits an offence.

PART 9—PENALTIES

Offences

5455. (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) An offence against a clause specified in the First Schedule of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (3) Any person who commits an offence under this local law shall be liable, upon conviction, to a penalty not exceeding \$1,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of a day during which the offence has continued.

Infringement and Infringement Withdrawal Notices

5556. For the purposes of this local law:

- (a) the form of the infringement notice referred to in section 9.17 of the Act is Form 2 in the First Schedule of the Local Government (Functions and General Regulations) 1996; and
- (b) the form of the infringement withdrawal notice referred to in section 9.20 of the Act is Form 3 in the First Schedule of the Local Government (Functions and

General) Regulations 1996; and

Offence Description and Modified Penalty

5657. The amount appearing in the final column of the First Schedule directly opposite an offence described in that Schedule is the modified penalty for that offence.

Prosecution for Offences

5758. A penalty for an offence against this local law (not being a modified penalty) may be recovered by the local government by taking proceedings against the alleged offender in a ~~Court of Petty Sessions~~ Magistrates Court.

[Clause 58 amended Government Gazette No. 58, 9 April 2009]

Records to be Kept

5859. The local government shall cause adequate records to be kept of all infringement notices served and modified penalties received.

Footnote:

1. When the local government makes a decision as to whether it will:
 - (a) grant a person a licence or certificate of registration under this local law; or
 - (b) renew, vary, or cancel a licence or certificate of registration that a person has under this local law, the provisions of Division 1 of Part 9 of the Act and regulations 33 and 34 of the Local Government (Functions and General) Regulations 1996 apply to that decision.

[Clauses 54 59 renumbered 53 58 Government Gazette No. 58, 9 April 2009]

FIRST SCHEDULE

CITY OF WANNEROO

ANIMALS LOCAL LAW 1999

Offences and Modified Penalties

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
Part 2 — Dogs			
1	10	Permitting a dog to be in a Reserve prohibited as a Dog Exercise Area.....	100
2	11	Permitting a dog to be in a public building, shop or Business premises	100
3	12	Permitting a dog to excrete on a street, public place or other land and failing to remove excreta in an approved manner	100
4	13(1)	Failing to install and maintain a fence capable of confining a dog to the premises	100
5	13(2)	Fence not adequate to confine dog of the species, age, size and physical condition to the premises	100
6	13(3)(a)	Failing to keep gate closed when the dog is at the premises.....	100
7	13(3)(b)	Failing to have a gate fitted with self closing/self latching and/or permanently locking mechanisms	100
8	14	Keeping more than permitted number of dogs without Approval.....	100

Item No	Clause No	Nature of the Offence	Modified Penalty	Dangerous Dog Modified penalty
Part 2 Dogs				
1	10	Permitting a dog to be in an area not designated as a Dog Exercise Area	100	200
2	11	Permitting a dog to be in or on any place specified in the Second and Fourth Schedule	100	200
3	12	Permitting a dog to excrete on a street, public place or other land and failing to remove excreta in an approved manner	100	200
4	13(1)	Failing to install and maintain a fence capable of confining a dog to the premises	100	200
5	13(2)	Fence not adequate to confine dog of the species, age, size and physical condition to the premises	100	200
6	14	Keeping more than permitted number of dogs without approval	100	200

[Part 2 replaced Government Gazette No. 58, 9 April 2009]

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
Part 3 Approved Dog Kennel Establishments			
9	15	Keeping a kennel establishment without a licence	100
10	20(a)	Failing to maintain establishment in a clean, sanitary and tidy condition	100
11	20(b)	Failing to dispose of refuse, faeces and food waste daily in approved manner	100
12	20(c)	Failing to take practical measures to destroy fleas, flies and other vermin	100
13	21	Keeping a greater number or breed of dogs than specified in the licence	100

Part 4 Livestock

1214	23	Permitting livestock to stray or be at large in a street, public place or private property without consent	100
1315	24	Failing to keep property fenced in a manner capable of confining livestock	100
1416	26(2)	Ride, drive or bring an animal onto a reserve or foreshore not set aside for the purpose	100
1517	26(3)	Ride, drive, exercise or train an animal on a reserve or foreshore so as to create a danger or cause a nuisance	100
1618	26(4)	Ride, drive or bring an animal on to a reserve or foreshore set aside for exercise of dogs	100
1719	27	Permitting a horse to excrete on a street, public place or other land and failing to remove excreta in an approved manner	100

Part 5 Pigeons

1820	28	Keeping of pigeons without Council approval	100
1921	31(1)	Keeping of Pigeons within: <ul style="list-style-type: none"> • a caravan park; • a grouped dwelling (not being one of only two grouped dwellings) • a premises classified as part of a "multiple dwelling" 	100
2022	32(b)	Failing to keep cages, enclosures and lofts maintained to minimum standard specified in Code of Practice	100
2123	32(c)	Failing to dispose of loft litter in approved manner to ensure no nuisance occurs	100
2224	33(1)	Keeping more than 20 pigeons for each Certificate of Registration	100
2325	33(2)	Keeping more than maximum number of birds approved	100
2426	35(1)	Releasing registered pigeons outside hours permitted	100
2527	35(2)	Releasing more than 60 pigeons for exercise or training at any one time	100

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
Part 6 Keeping of Bees			
2628	37(1)	Keeping a beehive in a residential area or special rural area without approval	100
2729	37(2)	Failing to remove a beehive when directed	100
Part 7 Animals, Birds and Poultry			
2830	38(a)	Fail to keep premises free from excrement, filth, food waste and other matter likely to be offensive or injurious to health, attract rats, vermin or insects	100
2934	38(b)	Fail to clean and disinfect premises when directed by an environmental health officer authorised person	100
3032	38(c)	Fail to keep premise free of flies or when directed by an environmental health officer authorised person spray premises with residual insecticide other means to kill or repel flies	100
3133	39(a)	Keep large animal on land less than 2000m ² in area	100
3234	39(b)	Permit large animal to approach within 9 m of habitable room, shop, church, or any premises where food is stored, manufactured or sold	100
3335	40(1)	Keep a sterilised miniature horse on land less than 1000m ² not registered with local government and registration fee paid	100
3436	40(2)(a)	Keep more than one miniature horse on land zoned residential, special residential or special rural without approval	100
3537	40(2)(b)	Permit a miniature horse within 9m of a house	100
3638	41(1)	Keep a pig on land zoned residential, special rural, commercial or industrial area	100
3739	41(2)	Keep more than two pigs in rural area without prior written approval of local government	100
3840	41(4)	Keep an unregistered miniature pig in residential or special rural area and/or not pay registration fee	100
3941	41(5)(a)	Keep an unsterilised pig or fail to retain written proof of its sterilization	100
4042	41(5)(b)	Fail to confine animal on property at all times	100
4143	41(5)(c)	Fail to ensure animal does not cause a nuisance to any neighbour through noise, dust or odour	100
4244	41(5)(d)	Fail to maintain documentary evidence that an animal's veterinary treatment against roundworm and tapeworm is current	100
4345	42(1)(a)	Permit a stable within 9m of house or other building	100
4446	42(1)(b)	Fail to have stable floor area of 6m ² per animal	100
4547	42(1)(c)	Fail to have stable floor or roof constructed of impervious material	100
4648	42(1)(d)	Fail to have on all sides of stable building clear opening 50mm in height between all walls and roof	100

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
Part 7 Animals, Birds and Poultry – Continued			
4749	42(1)(e)(i)	Fail to have upper surface of stable floor at least 75mm above ground	100
4850	42(1)(e)(ii)	Fail to have upper surface of stable floor constructed of cement, concrete, compacted limestone or approved material	100
4951	42(2)(a)	Fail to keep stable free from flies	100
5052	42(2)(b)	Fail to spray stable with residual insecticide when directed by environmental health officer authorised person	100
5153	43	Permit a habitable room including a stablehand's room to open directly into a stable	100
5254	44(a)	Fail to provide in convenient position, an impervious receptacle with tight fitting lid, for manure	100
5355	44(b)	Fail to keep lid of manure receptacle closed except when manure being deposited or removed	100
5456	44(c)	Fail to empty manure receptacle once a week or more often to prevent it becoming offensive or breeding place for flies	100
5557	44(d)	Fail to collect all manure produced on premises and place in receptacle	100
5658	45(1)	Keep more than 3 cats over three months	100
5759	45(2)	Keep more than 3 adult cats for breeding without written approval of the local government.	100
5860	45(2)(a)	Fail to confine cats in effective cage system on the property.	100
5961	45(2)(b)	Fail to comply with conditions imposed by the local government.	100
6062	45(3)(a)	Keep more than 3 cats over 3 months in rural area without approval to establish a cattery.	100
6163	45(3)(b)	Fail to pay the annual registration and certification fee for a cattery.	100
6264	45(3)(c)	Fail to provide for each cat a properly constructed shelter/ enclosure to comply with specifications.	100
6365	46(1)	Dispose of dead animals or birds without written approval of the local government	100
6466	46(2)	Fail to cover the carcass of dead animal with lime before burial on any rural or special rural area	100
6567	47(1)	Keep an ostrich or emu on any land in residential area or land zoned commercial or industrial	100
6668	47(2)	Keep an ostrich or emu on any special rural area without written approval of the local government	100
6769	47(3)	Keep more than 3 adult pairs of ostrich or emu for each 2 hectares or single pair in less than 0.1 hectares	100
6870	48(1)	Keep or suffer to remain in a residential area a rooster, turkey, goose or geese, peacock or a peahen	100
6971	48(2)	Keep or permit to be kept in any residential area any poultry, not in accordance with conditions of local law	100
7072	48(3)	Construct or permit a poultry shed to be nearer than 1m from boundary of occupied land or 9m from any dwelling or street	100
7173	48(4)	Keep more than 12 poultry (including maximum 2 ducks) in any residential area	100

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
Part 7 Animals, Birds and Poultry – Continued			
7274	49	Keep or permit to be kept in any special rural area any poultry, not in accordance with conditions	100
7375	50	Keep or permit to be kept in any rural area more than 50 head of poultry without written approval of the local government	100
Part 8 Miscellaneous			
7476	53(2)54(2)	Refusal to give date of birth, or give a false date on a demand being made	100
7577		Other offences not specified	100

[Items 31,32 & 52 amended Government Gazette No 58, 9 April 2009]

[Item 76 amended Government Gazette No. 58, 9 April 2009]

[Items 9 through 77 redesignated 7 through 75 Government Gazette No. 58, 9 April 2009]

[Items 1 11 and 56 to 62 deleted Government Gazette #137 28 July 2016]

SECOND SCHEDULE

City of Wanneroo

*Animals Local Law 1999***Prohibited Dog Exercise Areas****Places that are not dog exercise areas**

~~Kingsway Sporting Complex, Madeley, being Reserve No. 28058, other than those parts of Kingsway Sporting Complex that are places where dogs are prohibited absolutely as specified in the Fourth Schedule of this local law or that have been designated as a Dog Exercise Park adjacent to the north east corner of the main entrance to Kingsway Sporting Complex, Madeley on Hepburn Avenue, 400 metres west of the intersection of Skeit Road and Hepburn Avenue identified as a fenced area signposted as a Dog Exercise Park.~~

~~[Kingsway Sporting Complex added Government Gazette No. 200, 1 December 2006]~~

~~1. — Frederick J Stubbs Grove, Quinns Rocks, being Reserve No. 22915~~

~~— Wanneroo Showgrounds, Wanneroo, being Reserve No. 12990~~

~~— Kingsway Sporting Complex, Landsdale, being Reserve No. 28058~~

~~[Kingsway Sporting Complex deleted Government Gazette No. 158, 30 August 2002]~~

~~Kingsway Sporting Complex, Madeley, being Reserve No 28058, other than those parts of Kingsway Sporting Complex that are places where dogs are prohibited absolutely as specified in the Fourth Schedule of this local law.~~

~~[Kingsway Sporting Complex added Government Gazette No. 209, 7 December 2004]~~

~~2. — Foreshore Reserve 20561, other than —~~

~~(a) — Two Rocks Beach, being that part of Foreshore Reserve No. 20561 proceeding southward from a point adjacent to the southern groyne of the Two Rocks Marina (being prolongation westward of the southern boundary of the unnamed road reserve situated between Part Lot 1000 and Part Lot 50 of Swan Location 1370) to a line which is the prolongation easterly and westerly of the northern boundary of Swan Location 8508 commonly known as Leemans Landing;~~

~~(b) — Yanchep Beach, being that part of Foreshore Reserve No. 20561 proceeding northwards for a distance of approximately 400 metres from a line being the prolongation westerly of the southern boundary of Reserve No. 32978 (in the vicinity of Nautical Court, Yanchep) to a line being the prolongation westerly of the northern boundary of Reserve No 32978;~~

~~(c) — Quinns Rocks Beach, being that part of Foreshore Reserve No. 20561 proceeding northwards for a distance of 1000 metres from a line being the prolongation westerly of the northern side of Tapping Way Road Reserve in the northern part of the Quinns Rocks locality.~~

~~(d) — any coastal walkway or pedestrian accessway, being part of Foreshore Reserve No. 20561.~~

~~[Sub clause 2(d) added Government Gazette No. 195, 12 December 2003]~~

~~[Items 1 and 2 deleted Government Gazette No. 200, 1 December 2006]~~

Restricted Dog Exercise Areas

~~1. — Nominated areas of Kingsway Sporting Complex, Madeley, being Reserve No 28058.~~

~~[Restricted Dog Exercise Areas added Government Gazette No. 158, 30 August 2002]~~

~~[Restricted Dog Exercise Areas deleted Government Gazette No. 209, 7 December 2004]~~

THIRD SCHEDULE

Form 1

~~Dog Act 1976~~

CITY OF WANNEROO

~~Animals Local Law 1999~~

NOTICE OF INTENTION TO MAKE APPLICATION FOR KENNEL LICENCE

To Owners and Occupiers of

~~In accordance with Clause 16 (b) of the City of Wanneroo Animals Local Law 1999, I advise my intention to make application to the City for an Approved Kennel Establishment Licence.~~

~~The issue of an Approved Kennel Establishment Licence is subject to compliance with the provisions of the abovementioned local law.~~

The land subject of this application is—

.....

(insert address of proposed Kennel Establishment)

~~Please note any interested person may within 21 days of the date of this advice object to or make representations in respect of the application in writing directly to the—~~

~~Chief Executive Officer
City of Wanneroo~~

.....
Name and Signature of Applicant Date

THIRD SCHEDULE

Form 2

Dog Act 1976

CITY OF WANNEROO

*Animals Local Law 1999*APPLICATION FOR LICENCE OR RENEWAL OF LICENCE
TO KEEP APPROVED KENNEL ESTABLISHMENT

PURSUANT to the Dog Act 1976, and the local laws of the City of Wanneroo—

I/We (full name).....
ofhereby apply for a licence/the renewal of a licence (strike out whichever is not applicable) to
keep an approved kennel establishment at—
.....

Attached hereto are—

- (a) — a plan of the premises showing the location of the kennels and yards and all other buildings, structures and fences;
- (b) — plans and specifications of the kennels;
- (c) — evidence that due notice of the proposed use of the premises has been given to persons in the locality;
- (d) — particulars of the number and breed of dogs to be kept in the kennels;
- (e) — a remittance for the fee of \$.....

Dated the day of 19.....

Signature of Applicant

Note: Items (a), (b), (c) and (d) may be struck out if the application is for the renewal of a licence and if no change has been made since the previous application.

THIRD SCHEDULE

Form 3

~~Dog Act 1976~~~~CITY OF WANNEROO~~~~Animals Local Law 1999~~

LICENCE TO KEEP AN APPROVED KENNEL ESTABLISHMENT

.....is/are the holder(s) of a licence to
~~keep an approved kennel establishment at~~for
~~..... dogs of breed (s).~~

This licence has effect for a period of 12 months from the date hereof.

Dated the day of 19.....

.....
 Chief Executive Officer.

FOURTH SCHEDULE

~~CITY OF WANNEROO~~~~Animals Local Law 1999~~

~~Places where dogs are prohibited absolutely~~

- ~~1. Any public building, shop or business premises, with the exception of a shop or business premises where dogs are sold.~~
- ~~2. The 3 bituminised areas located on the northern portion of Kingsway Sporting Complex, Reserve No 28058, which have netball courts marked on them and any bituminised areas located between or adjacent to those netball courts.~~
- ~~3. Frederick J Stubbs Grove, Quinns Rocks, being Reserve No 22915.~~
- ~~4. Wanneroo Showgrounds, Wanneroo, being Reserve No 12990.~~
- ~~5. Foreshore Reserve 20561, other than—~~
 - ~~(a) Two Rocks Beach, being that part of Foreshore Reserve No 20561 proceeding southward from a point adjacent to the southern groyne of the Two Rocks Marina (being prolongation westward of the southern boundary of the unnamed road reserve situated being Part Lot 1000 and Part Lot 50 of Swan Location 1370) to a line which is the prolongation easterly and westerly of the northern boundary of Swan Location 8508 commonly known as Leemans Landing;~~
 - ~~(b) Yanchep Beach, being part of Foreshore Reserve No 20561 proceeding~~

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- ~~northwards for a distance of approximately 400 metres from a line being the prolongation westerly of the southern boundary of Reserve No 32978 (in the vicinity of Nautical Court, Yanchep) to a line being the prolongation westerly of the northern boundary of Reserve No. 32978;~~
- ~~(c) Quinns Rocks Beach, being part of Foreshore Reserve No 20561 proceeding northwards for a distance of 1000 metres from a line being the prolongation westerly of the northern side of Tapping Way Road Reserve in the northern part of the Quinns Rocks locality; and~~
- ~~(d) any coastal walkway or pedestrian accessway, being part of the Foreshore Reserve No 20561.~~

~~[Fourth Schedule added Government Gazette No. 209, 7 December 2004]~~

~~[Items 3, 4 & 5 added Government Gazette No. 200, 1 December 2006]~~

~~[The Second, Third and Fourth Schedules were deleted by the City of Wanneroo Dogs Local Law 2016 Government Gazette #137 28 July 2016]~~



ANIMALS LOCAL LAW 2021

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LOCAL GOVERNMENT ACT 1995

CITY OF WANNEROO

ANIMALS LOCAL LAW 2021

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Wanneroo resolved on **[insert date]** to make the following local law.

PART 1 PRELIMINARY

1.1 Citation and application

This local law may be cited as the City of Wanneroo Animals Local Law and shall apply throughout the district.

1.2 Commencement

This local law will come into operation 14 days after the day on which it is published in the *Government Gazette*.

1.3 Repeal and transitional provisions

The City of Wanneroo Animals Local Law 1999, published in the *Government Gazette*, Number 163 dated 27 August 1999, is repealed.

An application for, or an application for the renewal of, a licence, permit or other authorisation made under a repealed local law that has not been finally determined before the commencement day is (to the extent that it is applicable) to be dealt with and determined as if it were an application under this local law.

A licence, permit or other authorisation under a repealed local law that is in force before the commencement day is to be regarded on and after that day as a licence under this local law and may be dealt with accordingly.

1.4 Interpretation

(1) In this local law, unless the context specifies otherwise –

Act means the *Local Government Act 1995*;

animal includes any living animal, tame or wild, kept by a person;

applicant means a person who applies for a Certificate of Registration;

authorised person means a person authorised under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

caravan park has the meaning given to it in the *Caravan Parks and Camping Grounds Act 1995*;

Certificate of Registration means a certificate of registration to keep pigeons issued pursuant to this local law;

Code of Practice means the Code of Practice for Pigeon Keeping and Racing in Western Australia as prescribed by the *Animal Welfare Act 2002* and Animal Welfare (General) Regulations 2003, as amended from time to time.

commercial area means any land situated within a Commercial, Mixed Use, Business or Marina zone as classified by the local planning scheme;

cow includes an ox, calf or bull;

district means the district of the City of Wanneroo and includes any area placed under the jurisdiction of the City pursuant to any Act or Regulation;

dwelling means a building or portion of a building being used, adapted or designed, or intended to be used, for the purpose of human habitation;

food premises means a premises where food is stored, kept, prepared, manufactured, processed, cooked or served or otherwise dealt with for subsequent sale to the public;

grouped dwelling means a dwelling which is one of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata plan with common property;

horse includes an ass, mule, donkey, Shetland pony, pony or miniature horse;

industrial area means any land situated within a General Industrial or Service Industrial zone as classified by the local planning scheme;

land means land in the district and includes houses, buildings, works and structures, in or upon the land;

large animal includes a horse, cow, sheep, goat, pig, buffalo, deer, camel, llama, alpaca, emu, ostrich, or any other animal so classified by the local government;

livestock means any horse, cattle, sheep, goat, pig, buffalo, deer, camel, llama and alpaca;

local government means the City of Wanneroo;

local planning scheme means a local planning scheme made by the local government under the *Planning and Development Act 2005*;

lot has the meaning given to it in the *Planning and Development Act 2005*;

multiple dwelling means a dwelling in a group of more than one dwelling on a lot where any part of the plot ratio area of a dwelling is vertically above any part of the plot ratio area of any other but:

- (a) does not include a grouped dwelling; and
- (b) includes any dwellings above the ground floor in a mixed use development;

nuisance means:

- (a) an activity or condition which is harmful or annoying and which constitutes a reasonable basis for legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or

- (c) interference which causes material damage to land or other property on the land affected by the interference;

occupier where used in relation to land means the person by whom or on whose behalf the land is actually occupied or, if there is no occupier, the person entitled to possession of the land;

owner has the meaning given to it in the Act;

penalty unit has the meaning given to it in the *City of Wanneroo Penalty Units Local Law 2015*;

person means any person, company, public body, association or body of persons, corporate or unincorporated and includes an owner, occupier, licensee and permit holder, but does not include the local government;

pigeon includes homing pigeon and racing pigeon;

poultry means any domestic fowl or chicken, bantam, duck, goose, guinea fowl, pheasant, turkey, peahen or peacock and other bird kept for the production of eggs or meat for domestic consumption;

pound means a building or yard established by the local government for the impounding of animals for the purposes of this local law;

premises includes the following:

- (a) land (whether or not vacant);
- (b) the whole or part of a building or structure (whether of a permanent or temporary nature); and
- (c) a vehicle;

public place means:

- (a) a street;
- (b) any local government property; or
- (c) a place to which the public have access;

reserve means any land:

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an otherwise unvested facility within section 3.53 of the Act.

residential area means any land situated within a Residential, Special Residential or Smart Growth Community zone as classified by the local planning scheme and includes land predominantly used for residential purposes;

rural area means any land situated within a General Rural, Rural Resource, Special Rural, Rural

Community or Landscape Enhancement zone as classified by the local planning scheme;

Schedule means a schedule to this local law;

street means any highway or thoroughfare which the public are entitled to use, and includes every part of the highway or thoroughfare, including the verge and other things including bridges and culverts appurtenant to it;

thoroughfare has the meaning given to it in the Act;

young bird means any pigeon under 24 days of age and, unless the contrary can be shown, a pigeon shall be deemed under this local law to be a young bird if it is without feathers on the flesh under the wings.

- (2) Any other expression used in this local law and not defined herein shall have the meaning given to it in the Act.
- (3) Where in this local law a duty, obligation or liability is imposed on an "owner" or "occupier" the duty shall be deemed to be imposed jointly and severally on each owner and occupier.
- (4) Where under this local law the local government is authorised to carry out actions or cause to be undertaken works as a consequence of the failure of any person to comply with the terms of a notice or other conduct, the right to enter land is at all times subject to the provisions of Part 3, Division 3, Subdivision 3 of the Act.

PART 2 LIVESTOCK

2.1 Livestock Not to Stray

The owner or person in charge of livestock shall not permit that livestock to stray or to be at large in a street, public place or upon private land without the consent of the land owner.

2.2 Land to be Fenced

The owner or occupier of land on which livestock is kept shall cause the land or the portion of the land (as applicable) to be fenced in a manner capable of confining the livestock to where the livestock is kept.

2.3 Livestock may be Impounded

- (1) An authorised person may impound livestock found in contravention of section 2.1 of this local law.
- (2) Impounded livestock shall be placed in:
 - (a) a pound established and maintained by the local government; or
 - (b) a secured portion of private land with the consent of the land owner.

PART 3 ANIMALS

3.1 General

The owner or occupier of premises where an animal is kept shall:

- (1) keep the premises free from excrement, filth, food waste and all other matter that is likely to become offensive or injurious to health or to attract rats, vermin or insects;
- (2) when so directed by an authorised person, clean and disinfect the premises; and
- (3) not keep animals, or permit animals to remain on any premises in such numbers that they are, or are likely to be in the opinion of the local government, a nuisance or injurious or dangerous to health.

3.2 Keeping of Large Animals

Subject to the provisions of the local planning scheme, an owner or occupier of premises shall not:

- (1) keep a large animal on any land less than 2,000m² in area or in a commercial area or industrial area;
- (2) permit any large animal to be within 9 metres of any dwelling, food premises, shop, public building, hospital or school; and
- (3) keep an ostrich or emu in any residential area, commercial area or industrial area.

3.3 Manure Receptacle

An owner or occupier of premises where a large animal is kept shall:

- (1) provide in a convenient position, an impervious receptacle with a tight fitting lid, for storage of manure;
- (2) keep the lid of the receptacle closed except when manure is being deposited or removed;
- (3) cause the receptacle to be emptied at least once a week and more often as necessary to prevent it becoming offensive or a breeding place for flies or other insects; and
- (4) cause all manure produced on the premises to be collected daily and placed in the receptacle.

3.4 Burial of Animals

- (1) The operators of a commercial poultry farm, licensed piggery or similar intensive animal farming shall not dispose of any dead animals or poultry on their premises without written approval from the local government or an authorised person.
- (2) Owners and occupiers of land in any rural area who occasionally need to bury an animal on their land, shall cover the carcass with lime before burial.

3.5 Horse Exercise Area

- (1) The local government may set aside a reserve or foreshore or portion of a reserve or foreshore as an area upon which a person may ride or drive a horse or into which a person may bring a horse.
- (2) A person shall not ride, drive or bring a horse onto any reserve or foreshore or any part thereof that has not been set aside for those purposes.
- (3) A person shall not ride, drive, exercise or train a horse on any part of a reserve or foreshore set aside under section 3.5(1) faster than walking pace or in a manner likely to create a danger or become a nuisance to the public or to any person.

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- (4) Any person liable for the control of a horse who permits that horse to excrete in any public place or on any land within the district without the consent of the occupier of that land commits an offence unless the excreta is removed forthwith and disposed of either:
- (a) on private land with the written consent of the occupier; or
 - (b) in such other manner as the local government or an authorised person may approve in writing.
- (5) A person shall not bring a horse onto any reserve or foreshore or any part thereof that is set aside specifically for the exercise of dogs.
- (6) A person may exercise a dog on an area of reserve or foreshore set aside as a horse exercise area provided the dog remains on a leash and under full control at all times.

PART 4 POULTRY AND PIGEONS

4.1 Limitation on Numbers of Poultry

- (1) Subject to the provisions of this Part 4, an owner or occupier of land must not keep more than the following poultry (including restrictions on the type of poultry) without the written approval of the local government:

Lot size	Maximum number of poultry
Up to 600m ²	2 poultry (no ducks permitted)
601m ² to 800m ²	4 poultry (no ducks permitted)
801m ² to 1,000m ²	6 poultry (including a maximum of 2 ducks)
1,001m ² to 5,000m ²	12 poultry (including ducks)
5,001m ² to 10,000m ²	25 poultry (including ducks)
Over 10,000m ²	50 poultry (including ducks)

- (2) An owner or occupier of premises in a residential area must not keep, or permit to be kept, a rooster, goose, turkey, peafowl or any other poultry that is likely to cause a nuisance.
- (3) An owner or occupier of land on which is situated a grouped dwelling or multiple dwelling (except for land on which no more than two grouped dwellings are permitted) must not keep, or permit to be kept, any poultry.

4.2 Conditions of Keeping Poultry

- (1) On lot sizes up to and including 1,000m², the following conditions apply to the keeping of poultry:
- (a) Poultry must be kept in a securely fastened cage or in a shed within an enclosure, and if fitted, the roof of the cage or shed shall have sufficient slope to shed storm water.
 - (b) The cage, shed and enclosure must be of sound construction and must not be located within:
 - (i) 1 metre of any lot boundary; and
 - (ii) 5 metres of any neighboring dwelling or street.

- (2) On lot sizes between 1,001m² and 5,000m², the following conditions apply to the keeping of poultry.
 - (a) Poultry must be kept in a shed or in a shed within an enclosure, provided that the shed has a concrete floor at least 50 millimetres thick.
 - (b) The shed and enclosure must be of sound construction and must not be located within:
 - (i) 1 metre of any lot boundary; and
 - (ii) 9 metres of any neighboring dwelling or street.
- (3) On lot sizes over 5,000m², the following conditions apply to the keeping of poultry:
 - (a) Poultry must be kept in a shed or in a shed within an enclosure, provided that the shed has a concrete floor at least 50 millimetres thick.
 - (b) The shed and enclosure must be of sound construction and must not be located within:
 - (i) 1 metre of any lot boundary; and
 - (ii) 15 metres of any neighboring dwelling or street.
- (4) All structures or enclosures within which poultry are kept must be maintained in a clean condition and free from offensive odours.

4.3 Limit on Number of Pigeons

- (1) A person shall not keep pigeons on any land in the district without having first obtained a Certificate of Registration from an authorised person.
- (2) Subject to section 4.3(3), the maximum number of pigeons which may be kept on land pursuant to a Certificate of Registration shall not exceed 20, excluding young birds.
- (3) A person who produces satisfactory proof that they are a current financial member of a recognised incorporated racing pigeon body or are a registered pigeon fancier, may be permitted by an authorised person to keep up to 150 pigeons, excluding young birds, in any residential area or rural area subject to section 4.3(5).
- (4) Pigeons shall not be kept within a caravan park or on any land on which is situated a grouped dwelling or multiple dwelling, except for land on which no more than two grouped dwellings are permitted.
- (5) Unless previously approved by the local government prior to this local law coming into effect, pigeons shall not be kept on any land which has an area of less than 600m².

4.4 Conditions of Keeping Pigeons

- (1) An application for a Certificate of Registration must:
 - (a) be on the form approved by an authorised person from time to time;
 - (b) include specifications, site and construction plans of proposed cages, enclosures or lofts;

- (c) be accompanied by the written signed consent of all owners and occupiers whose land is adjacent to or adjoins the land upon which the applicant intends to keep or is keeping pigeons; and
 - (d) be accompanied by the registration fee set by the local government.
- (2) The holder of a Certificate of Registration shall:
 - (a) keep all pigeons confined continuously in cages, enclosures and lofts approved by an authorised person except that homing pigeons and racing pigeons registered in accordance with this local law may be released in accordance with this local law;
 - (b) keep all cages, enclosures, lofts and their immediate surrounds clean and maintained in good order and condition at all times, with the minimum standard to be adhered to being that specified in the Code of Practice; and
 - (c) dispose of all loft litter by immediate burial or by being bagged and deposited in a household rubbish bin to ensure no nuisance occurs.
- (3) At any time an authorised person may:
 - (a) amend the conditions contained in or relating to a Certificate of Registration; and
 - (b) where any complaint of a nuisance is received, vary the hours for release of pigeons and impose any other conditions deemed necessary to minimise any nuisance from the keeping of pigeons or any associated activity.
- (4) An authorised person may cancel or refuse to approve a Certificate of Registration if any one or more of the following occurs:
 - (a) the land is not maintained in accordance with this local law;
 - (b) the cages, enclosures or lofts have fallen into disrepair, are unclean or infested with vectors of disease;
 - (c) the pigeons are being released outside the times permitted in section 4.6;
 - (d) a condition imposed in accordance with this local law or a Certificate of Registration has not been complied with in the time limits set out for doing so;
 - (e) the applicant or holder of the Certificate of Registration, as the case may be, has two or more convictions under this local law; or
 - (f) non-payment of registration fees.

4.5 Pigeon Cage, Enclosure or Loft Requirements

- (1) A cage, enclosure or loft used to house pigeons shall aesthetically blend with its surrounds, be constructed of new materials and shall be constructed to the following minimum requirements:
 - (a) the base floor of any loft shall be of 50mm thick concrete;
 - (b) in the case of an elevated loft the suspended floor shall be constructed and maintained in accordance with the requirements in the Code of Practice;

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- (c) cladding of a loft, including the roof, shall be of smooth fibro cement sheeting, sheet metal or other smooth material;
 - (d) except as provided in section 4.5(1)(e), a loft height shall not exceed 2.4 metres at any point when measured from ground level;
 - (e) where a loft has a gable roof, the loft height shall not exceed 3 metres at any point when measured from ground level; and
 - (f) otherwise comply with the Code of Practice in relation to construction requirements.
- (2) A cage, enclosure or loft shall not be located within:
- (a) 1 metre of the lot boundary with any land adjacent to or adjoining the land used to house the pigeons; or
 - (b) 9 metres of any street, dwelling, food premises, shop, public building, school, hospital, hall, factory or dairy.

4.6 Exercise of Pigeons

- (1) A person who is registered to keep homing pigeons or racing pigeons may only release such homing pigeons or racing pigeons for exercise between the hours set out in the Code of Practice.
- (2) A person shall not release more than 60 registered homing pigeons or racing pigeons for exercise or training at any one time.

PART 5 OBJECTIONS AND REVIEW

5.1 Objection and review rights

Division 1 of Part 9 of the Act and regulation 33 of the Local Government (Functions and General) Regulations 1996 apply to a decision under this local law in respect of the grant, renewal, transfer, amendment, suspension or cancellation of a Certificate of Registration.

PART 6 ENFORCEMENT

Division 1 - Notices

6.1 Notice requirements

A notice under this Division must:

- (1) be in writing;
- (2) be given to a person who has failed to comply with a provision of this local law; and
- (3) specify the reason for giving the notice, the work or action that is required to be undertaken and the time within which it is to be undertaken.

6.2 Local government may undertake requirements of notice

If a person fails to comply with a notice referred to in section 6.1, the local government may:

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- (1) do the thing specified in the notice; and/or
- (2) take whatever remedial action it considers appropriate to put the local government in the position it would have been in if the breach or failure had not occurred,

and recover from the person, as a debt, the costs (including administrative costs) of doing so.

6.3 Offence to fail to comply with notice

A person who fails to comply with a notice given to them under this local law commits an offence.

Division 2 - Offences and penalties

6.4 Offences and general penalty

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) A person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5,000 and where the offence is of a continuing nature, to an additional daily penalty not exceeding \$500 in respect of each day or part of a day during which the offence has continued.

6.5 Prescribed offences

- (1) An offence against a section of this local law specified in the Schedule is a prescribed offence for the purposes of section 9.16 of the Act.
- (2) The number of modified penalty units for a prescribed offence is that specified in the fourth column of the Schedule.
- (3) If this local law expresses a modified penalty as a number of penalty units, the monetary value of the modified penalty is the number of dollars obtained by multiplying the value of the penalty unit by the number of penalty units.

6.6 Form of Infringement Notices

- (1) The form of the notice referred to in section 9.16 of the Act is to be in the form of Form 2 in Schedule 1 of the Local Government (Functions and General) Regulations 1996.
- (2) The form of the infringement withdrawal notice referred to in section 9.20 of the Act is to be in the form of Form 3 in Schedule 1 of the Local Government (Functions and General) Regulations 1996.

SCHEDULE – PRESCRIBED OFFENCES

Item No.	Section No.	Nature of Offence	Modified Penalty Units
		Part 2 - Livestock	
1	2.1	Permitting livestock to stray or be at large in a street, public place or on private land without consent	20
2	2.2	Failing to keep land fenced in a manner capable of confining livestock	20
		Part 3 – Animals	
3	3.1 (1)	Failing to keep premises free from excrement, filth, food waste and all other matter that is likely to become offensive or injurious to health or to attract rats, vermin or insects	20
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		government	
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Local Government Act 1995

CITY OF WANNEROO

BEE KEEPING LOCAL LAW 2016

Published in the Government Gazette on 13/01/2017, number 11.
Amended:
Disclaimer: This version is an administrative version and while every attempt to ensure it is correct, only the Gazetted version as amended should be relied on. In particular, text boxes and notes in this version do not form part of the local law.

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Local Government Act 1995

CITY OF WANNEROO

BEE KEEPING LOCAL LAW 2016

Under the powers conferred by the *Local Government Act 1995* and under all other enabling powers, the Council of the City of Wanneroo resolved on 6 December 2016 to make the following local law.

Part 1 - Preliminary

1.1 Title

This is the *City of Wanneroo Bee Keeping Local Law 2016*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Repeal

Part 6 of the *City of Wanneroo Animals Local Law 1999* as published in the *Government Gazette* on 27 August 1999 is repealed.

1.4 Application

This local law applies throughout the district.

1.5 Terms used

(1) In this local law, unless the context requires otherwise -

Act means the *Local Government Act 1995*;

authorised person means a person authorised by the local government under section 9.10 of the Act to carry out functions with respect to this local law;

bee means a bee of the species *Apis mellifera*;

bee hive means a movable or fixed structure, container or object which contains a bees nest and in which bees are kept;

beekeeper has the meaning given in regulation 3 of the *Biosecurity and Agriculture Management Regulations 2013*;

Beekeeper means –

- (a) a person who owns, or has the charge, care or possession of, bees or any hive that contains, or has contained, bees; and

- (b) where a person referred to in paragraph (a) is a body corporate, each of the directors of the body corporate.

Biosecurity and Agriculture Management Regulations 2013, regulation 3

Crown land has the meaning given in section 3(1) of the *Land Administration Act 1997*;

Crown land, subject to subsections (2), (3), (4) and (5), means all land, except for alienated land.

Land Administration Act 1997, section 3(1)

Subsections (2), (3), (4) and (5) of section 3 of the *Land Administration Act 1997* state -

- (2) All land below high water mark, including the beds and banks of tidal waters, is Crown land unless that land is inundated land or other alienated land.
- (3) When tidal waters form the boundary of a parcel of land or a person holds the freehold of parcels of land adjoining tidal waters —
 - (a) the land below high water mark (except for land which was alienated land immediately before the appointed day) is Crown land; and
 - (b) if the line of the high water mark shifts over time by gradual and imperceptible degrees, the boundaries of the parcel or parcels of land shift with the high water mark.
- (4) No act to occupy, use, build or carry out works or remove material, with or without lawful authority, is capable of causing land below high water mark to cease to be Crown land.
- (5) Land that becomes raised above high water mark, whether gradually or imperceptibly or otherwise, because of the building or carrying out of works, is Crown land.

district means the district of the local government;

local government means the City of Wanneroo;

local planning scheme means a local planning scheme of the local government made under the *Planning and Development Act 2005*;

nuisance means –

- (a) an activity or condition which is harmful or annoying and which constitutes a reasonable basis for legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) an interference which causes material damage to land or other property on the land affected by the interference;

occupier has the meaning given in the Act;

occupier where used in relation to land means the person by whom or on whose behalf the land is actually occupied or, if there is no occupier, the person entitled to possession of the land, and includes a person in unauthorised occupation of Crown land and where under a licence or concession there is a right to take profit of Crown land specified in the licence or concession, means the person having that right;

Local Government Act, section 1.4

penalty unit has the meaning given in the *City of Wanneroo Local Penalty Units Local Law 2015*;

permit means a permit issued under this local law;

permit holder means a person who holds a valid permit;

registered beekeeper means a person who is registered as a beekeeper under regulation 13(7) of the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*; and

Regulations means the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*.

- (2) A term that is used in this local law and is not defined in subclause (1) has the same meaning as is given in the Act.

Part 2 - Permit to keep bees

2.1 Permit required to keep bees

- (1) Subject to this clause, a person must not keep bees or allow bees to be kept on land:
- (a) unless that person is a registered beekeeper if required by the Regulations; and
 - (b) in accordance with a valid permit issued in relation to the land.
- (2) Subclause (1) does not apply where -
- (a) the land is zoned General Rural, Special Residential, Special Rural, Rural Community, Urban Deferred or Rural Resource under a local planning scheme -
 - (i) before establishing the bee hives on the land, the occupier of the land notifies, in writing, the occupier of each property adjoining the land that the bee hives are to be kept;
 - (ii) each bee hive is kept at least 10 metres from any thoroughfare (including a footpath) or public place and at least 5 metres from any other boundary of the land;
 - (iii) a good and sufficient supply of water on every apiary site is provided in a way that is readily accessible to the bees on that site; and
 - (iv) bees from the bee hives do not become a nuisance; or
 - (b) in relation to any other land -
 - (i) no more than 2 bee hives are kept on the land;

- (ii) before establishing the bee hives on the land, the occupier of the land notifies, in writing, the occupier of each property adjoining the land that the bee hives are to be kept;
- (iii) each bee hive is kept at least 10 metres from any thoroughfare (including a footpath) or public place and at least 5 metres from any other boundary of the land;
- (iv) a good and sufficient supply of water on every apiary site is provided in a way that is readily accessible to the bees on that site; and
- (v) bees from the bee hives do not become a nuisance.

13. Beekeepers to be registered

(1) A person must not be or become a beekeeper unless the person is a registered beekeeper.

Penalty: a fine of \$2 000.

(2) Subregulation (1) does not apply to a person who becomes a beekeeper only because of the ownership, or the charge, care or possession, of bees —

- (a) kept in a device of an approved kind; and
- (b) used for the purposes of the pollination of crops, if the bees and device are disposed of in accordance with subregulation (4) within 8 weeks after the person becomes a beekeeper in relation to them.

202. Beekeepers to identify hives

A beekeeper must identify every hive the beekeeper owns, or cause it to be identified, with the beekeeper's registered identifier for hives applied in accordance with regulation 203.

Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013

- (3) Subclause (1) does not apply where a person keeps bees on Crown land.

Regulation 90 of the *Biosecurity and Agriculture Management Regulations 2013* provides that unless water is available from natural sources, every beekeeper must provide a good and sufficient supply of water on every apiary site (ie a site occupied by one or more beehives) in a way that is readily accessible to the bees on that site.

2.2 Application for a permit

An applicant for a permit must -

- (a) be a registered beekeeper if required by the Regulations;
- (b) provide the information (including any comments from neighbours) that may be required by the local government;
- (c) apply in the form determined by the local government; and
- (d) pay any application fee imposed by the local government under sections 6.16 to 6.19 of the Act.

2.3 Determination of application

- (1) The local government may -
 - (a) refuse to determine an application that does not comply with clause 2.2;
 - (b) approve an application subject to any conditions that it considers appropriate; or
 - (c) refuse to approve an application.
- (2) The permit conditions may include that -
 - (a) each bee hive must be kept at least 10 metres from any thoroughfare (including a footpath) or public place and at least 5 metres from any other boundary of the land; and
 - (b) may include that no more than 2 bee hives are to be kept.
- (3) If the local government approves an application, it is to issue to the applicant a permit in the form determined by the local government from time to time.
- (4) A permit is valid from the date of issue until it is cancelled under this local law.
- (5) A permit holder must comply with the permit conditions.

2.4 Variation or cancellation

- (1) The local government may vary a permit condition by giving written notice to the permit holder and the varied condition takes effect 7 days after that notice is given.
- (2) The local government may cancel a permit if -
 - (a) the permit holder requests the local government to do so; or
 - (b) the permit holder fails to comply with a notice under clause 3.1 within the time specified in the notice or commits any other offence under this local law.
- (3) A permit is taken to be cancelled on –
 - (a) the permit holder ceasing to be registered as a beekeeper; or
 - (b) the expiration of a continuous period of 12 months during which the permit holder has not kept any bees on the land to which the permit relates.

2.5 Information to be provided by a permit holder

- (1) In this clause a 'permit holder' includes the holder of a permit cancelled under clause 2.4(3).
- (2) A permit holder must notify the local government in writing as soon as practicable after -
 - (a) the permit holder ceases to be a registered beekeeper; or
 - (b) a continuous period of 12 months passes during which the permit holder has not kept any bees on the land to which the permit relates.
- (3) A permit holder must, within 7 days of an authorised person giving the permit holder a written notice to do so, provide to the local government either or both of –
 - (a) written proof of the permit holder's registration as a beekeeper under regulation 13(7) of the *Biosecurity and Agriculture Management (Identification and Movement Stock and Apiaries) Regulations 2013*; and
 - (b) a signed statement as to whether the permit holder has, within the 12 months preceding the date of the notice, kept bees on the land to which the permit relates and which is identified in the notice.

2.6 Permit not transferable

A permit –

- (a) is personal to the permit holder;
- (b) applies only to the land described in the permit; and
- (c) is not transferable.

2.7 Nuisance

A person must not keep or allow to be kept bees or beehives, or both, on land so as to create a nuisance.

2.8 Objections and review rights

Division 1 of Part 9 of the Act applies to a decision under this local law –

- (a) to refuse an application for a permit;
- (b) to impose or vary a condition of a permit;
- (c) to cancel a permit; or
- (d) to give a person a notice under clause 3.1.

A person affected by a decision referred to in clause 2.8 may have a right to object to the decision (to the Council or a committee of the local government) and/or to apply to the State Administrative Tribunal for a review of the decision.

Part 3 - Enforcement

3.1 Notice to remove

- (1) If, in the opinion of an authorised person, the bees on any land (whether or not the subject of a permit) are likely to endanger the safety of any person or create a serious public nuisance, the authorised person may give to the owner or occupier of that land a written notice requiring the owner or occupier as the case may be to remove the bees before the date specified in the notice.
- (2) If, in the opinion of an authorised person, a person has breached a provision of this local law, the authorised person may give to that person a written notice requiring him or her to remedy that breach before the date specified in the notice.

Item 11 of Schedule 3.1 and sections 3.25(3)-(6) and 3.26 of the *Local Government Act 1995* apply to a notice given under clause 3.1(1). Item 11 of Schedule 3.1 enables the City, as one of the things a notice under section 3.25 may require to be done, to 'remove bees that are likely to endanger the safety of any person or create a serious public nuisance'. Sections 3.25(3)-(6) and 3.26 state –

- 3.25. Notices requiring certain things to be done by owner or occupier of land
- (3) If the notice is given to an occupier who is not the owner of the land, the owner is to be informed in writing that the notice was given.
 - (4) A person who is given a notice under subsection (1) is not prevented from complying with it because of the terms on which the land is held.
 - (5) A person who is given a notice under subsection (1) may apply to the State Administrative Tribunal for a review of the decision to give the notice.
 - (6) A person who fails to comply with a notice under subsection (1) commits an offence.

3.26. Additional powers when notices given

- (1) This section applies when a notice is given under section 3.25(1).
- (2) If the person who is given the notice (notice recipient) fails to comply with it, the local government may do anything that it considers necessary to achieve, so far as is practicable, the purpose for which the notice was given.
- (3) The local government may recover the cost of anything it does under subsection (2) as a debt due from the person who failed to comply with the notice.
- (4) If a notice recipient —
 - (a) incurs expense in complying with any requirement of the notice; or
 - (b) fails to comply with such a requirement and, as a consequence, is fined or has to pay to a local government the cost it incurs in doing anything under subsection (2),
 the notice recipient may apply to a court for an order under subsection (6).
- (5) In subsection (4) —
court means a court that would have jurisdiction to hear an action to recover a debt of the amount of the expense, fine or cost sought to be recovered by the notice

- recipient.
- (6) On an application under subsection (4) the court may order —
 - (a) if the notice recipient is the owner, the occupier; or
 - (b) if the notice recipient is the occupier, the owner,
 to pay to the notice recipient so much of that expense, fine or cost as the court considers fair and reasonable in the circumstances.
 - (7) In determining what is fair and reasonable the court is to have regard to —
 - (a) the type of land involved; and
 - (b) the terms on which the occupier is occupying the land; and
 - (c) any other matter the court considers to be relevant.

3.2 Offences and general penalty

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing commits an offence.
- (2) A person who commits an offence under this local law is liable to a penalty of \$5,000 and where the offence is of a continuing nature, to a daily penalty of \$500 in respect of each day or part of a day during which the offence has continued.

3.3 Prescribed offences

- (1) An offence against a clause specified in the Schedule is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in the Schedule.
- (3) If this local law expresses a modified penalty as a number of penalty units, the monetary value of the modified penalty is the number of dollars obtained by multiplying the value of the penalty unit by the number of penalty units.

3.4 Forms

- (1) The form of the infringement notice referred to in section 9.17 of the Act is Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.
- (2) The form of the infringement withdrawal notice referred to in section 9.20 of the Act is Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

Schedule
(clause 3.3)

PRESCRIBED OFFENCES AND MODIFIED PENALTIES

Item No	Clause No	Nature of Offence	Penalty Unit
1	2.3(5)	Failure to comply with a permit condition	10
2	2.5(2)	Failure to notify cessation of registration or keeping of bees	10
3	2.5(3)	Failure to provide information in response to a notice	10
4	2.7	Keeping bees or beehives so as to create a nuisance	10

Local Government Act 1995
City of Wanneroo
Bee Keeping Amendment Local Law 2021

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Council of the City of Wanneroo resolved on _____ to make the following local law.

1. Citation

This local law is cited as the City of Wanneroo Bee Keeping Local Law 2021.

2. Commencement

This local law comes into operation 14 days after its publication in the Government Gazette.

3. Bee Keeping Local Law 2016 amended

This local law amends the City of Wanneroo Bee Keeping Local Law 2016 as published in the Government Gazette on 13 January 2017. The principal local law is amended as follows.

4. Clause 2.1(2) amended

In clause 2.1(2) replace the words *Subclause (1)* with the words *Subclause (1)(b)*.

Dated 2017.

The Common Seal of the City of Wanneroo was affixed by authority of a resolution of the Council in the presence of:

.....

Tracey Gardner Roberts
Mayor

.....

Daniel John Simms
Chief Executive Officer

4.21 Repeal of Standing Orders Local law 2008 and adoption of Standing Orders Local Law 2021

File Ref:	12895V03 – 21/220357
Responsible Officer:	Executive Manager Governance and Legal
Disclosure of Interest:	Nil
Attachments:	1
Previous Items:	3.1 - Review of Standing Orders Local Law 2008 - Forum - 25 May 2021 8:00pm (Special)

Issue

To consider the review of the City's Standing Orders Local Law 2008 and adoption of minor amendments for State-wide advertising.

Background

The *Local Government Act 1995* (the **Act**) requires that Council review the City of Wanneroo local laws every eight years to ensure that they remain current and adhere to legislation.

Council Members have considered a review and proposed amendments to the City's Standing Orders Local Law (**SOLL2008**) including a comparison against other local governments and the WALGA Meeting Procedures Template Local Law, changes to provisions dealing with deputations, public statement time, petitions, motions on notice, terms of reference for committees to be set by Council, and the provision and acceptance of documents by Council Members prior to a Council meeting.

Detail

The drafting of an amendment local law is overly complex and given the numerous amendments, Administration considers it appropriate to recommend that Council repeal the SOLL2008 and adopt a new Standing Orders Local Law 2021, which in essence amends the SOLL2008 and as set out in **Attachment 1**. The local law retains the format of the 2018 local law version and includes all amendments proposed through previous Forum Meetings.

Further matters raised by Council Members are presented in mark-up and include:-

- Section 4.16: Prevention of Disturbance which relates to the use of mobile phones during Council Meetings;
- Section 9.5: Giving a document to a Council Member prior to meetings; and
- Section 10.1: Penalties for breaches of the Standing Orders Local Law.

Council is to note that the version of the Standing Orders Local Law 2021 that will be made available for advertising will not contain any mark-up.

Consultation

Council is to consider the outcome of the review undertaken by Administration and as a result the local laws have been amended to reflect Council Members views.

The local government is to give local public notice stating that the local government proposes to make a local law the purpose and effect of which is summarised in the notice and provide a copy of the proposed local law at locations specified in the notice. Section 1.7 of the Act states that the notice must be given in at least 3 of the ways prescribed. The notice will be published on the City's website, on the City's notice boards at the Civic Centre and all libraries and through the City's social media.

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 six weeks after the notice is given and as soon as the notice is given, is to provide a copy of the proposed local law and a copy of the notice to the Minister.

Comment

The Council is required to make the local law in accordance with section 3.12 of the Act and approve the giving of State-wide public notice in order to seek public comment.

The agenda and the minutes of the Ordinary Council meeting at which the local law is considered is to include the purpose and effect of the proposed local law, which are set out below.

Purpose

The purpose of this local law is to provide for the orderly conduct of the proceedings and business of the Council.

Effect

The effect of this local law is that all council and committee meetings as described in the Local Government Act 1995, shall be governed by the Standing Orders Local Law 2021 unless otherwise provided in the Local Government Act 1995, the Local Government (Administration) Regulations 1995 or other written law.

Role of Joint Standing Committee on Delegated Legislation (JSDCL)

The Joint Standing Committee on Delegated Legislation is a committee of the Western Australian Parliament consisting of eight members, with equal representation from the Legislative Council and Legislative Assembly.

Once a local law is gazetted, it is referred to the committee to consider under its terms of reference. Where the JSDCL finds that a local law offends one or more of its terms of reference, it will usually seek a written undertaking from the local government to amend or repeal the instrument in question.

Where a local government does not comply with the JSDCL's request for an undertaking, the JSDCL may, as a last resort, resolve to report to the Parliament recommending the disallowance of the instrument in the Legislative Council.

The JSDCL's Terms of Reference require the JSDCL to consider whether the instrument:

- is within power (for example; is an unreasonable exercise of the delegated legislative power, is procedurally invalid, abrogates a fundamental common law principle without express or necessarily implied authority from the empowering Act, is inconsistent with its empowering Act or other legislation).
- has any unintended effect on any person's existing rights or interests (such as; reversal of onus of proof, excluding procedural fairness, acquisition of property without compensation, access to the Courts or judicial review).
- provides an effective mechanism for the review of administrative decisions.
- contains only matters that is appropriate for subsidiary legislation.

Statutory Compliance

Section 3.12 of the Act prescribes the procedures for making and finalising the process of adopting Local Laws.

Whilst the Act does not expressly prescribe a time frame in which the procedural requirements for making local laws are to be completed, the procedures should be undertaken with "all convenient speed" in line with the Interpretations Act 1984.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2017 – 2027:

"4 Civic Leadership

4.2 Good Governance

4.2.1 Provide transparent and accountable governance and leadership"

Risk Management Considerations

There are no existing Strategic or Corporate risks within the City's existing risk registers which relate to the issues contained in this report.

Policy Implications

Nil

Financial Implications

The cost of giving public notice, advertising and gazettal is met through an operational budget.

Voting Requirements

Simple Majority

Recommendation

That Council:-

- 1. In accordance with sections 3.12(3)(a) of the *Local Government Act 1995*, GIVES local public notice stating that it proposes to make a Standing Orders Local Law 2021 a summary of the purpose and effect of the local law being;**

Purpose

The purpose of this local law is to provide for the orderly conduct of the proceedings and business of the Council.

Effect

The effect of this local law is that all council and committee meetings as described in the Local Government Act 1995, shall be governed by the Standing Orders Local Law 2021 unless otherwise provided in the Local Government Act 1995, the Local Government (Administration) Regulations 1995 or other written law.

2. NOTES that:

- a) Copies of the proposed local laws may be inspected at the City's offices and will be made available on the City's website;
- b) Submissions about the proposed local laws may be made to the City within a period of not less than 6 weeks after the notice is given;
- c) In accordance with section 3.12(3)(b) of the *Local Government Act 1995*, as soon as the notice is given, a copy of the proposed local law will be supplied to the Minister for Local Government; and
- d) In accordance with section 3.12(3)(c) of the *Local Government Act 1995*, a copy of the proposed local laws will be supplied to any person requesting it; and

3. NOTES that all submissions received will be presented to Council for consideration.

Attachments:



Attachment 1 - Standing Orders Local Law 2008 - Administration version as amended 17/229251



STANDING ORDERS LOCAL LAW ~~2008~~ 2021

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LOCAL GOVERNMENT ACT 1995**CITY OF WANNEROO****STANDING ORDERS LOCAL LAW 20212008**

Under the powers conferred by the *Local Government Act 1995* and under all powers enabling it, the Council of the City of Wanneroo resolved on [insert date] to make the following local law.

PART 1 – PRELIMINARY**1.1 Title**

This local law is the City of Wanneroo Standing Orders Local Law 20212008.

1.2 Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

1.3 Application and intent

- (1) This local law provide rules that apply to the conduct of meetings of the Council and its committees and to meetings of electors.
- (2) All meetings are to be conducted in accordance with the Act, the Regulations and this local law.
- (3) This local law is intended to result in –
 - (a) better decision making by the council and its committees;
 - (b) the orderly conduct of meetings dealing with council business;
 - (c) better understanding of the process of conducting meetings; and more efficient; and
 - (d) effective use of time at meetings.

1.4 Repeal

The City of Wanneroo Standing Orders Local Law 2008 is repealed.

1.5 Definitions

- (1) In this local law, unless the contrary intention appears:
absolute majority has the meaning given to it in the Act;

absolute majority –

- (a) in relation to a council, means a majority comprising enough of the members for the time being of the council for their number to be more than 50% of the number of offices (whether vacant or not) of member of the council;
- (b) in relation to any other body, means a majority comprising enough of the persons for the time being constituting the body for their number to be more than 50% of the number of offices (whether vacant or not) on the body.

[Section 1.4 of the Act]

Act means the *Local Government Act 1995*;**CEO** means the chief executive officer of the City;**City** means the City of Wanneroo;**Code of Conduct** means the Council Members, Committee Members and Candidates Code of Conduct**Council** means the council of the City;**Councillor** has the meaning given to it in the Act;

councillor means a person who holds the office of councillor on a council (including a person who holds another office under section 2.17(2)(a) or (b) as well as the office of councillor).

[See section 1.4 of the Act]

meeting means a meeting of the Council;**member** has the meaning given to it in the Act;

member, in relation to the council of a local government, means –

- (a) an elector mayor or president of the local government; or
- (b) a councillor on the council (including a councillor who holds another office under section 2.17(2)(a) or (b) as well as the office of councillor).

[Section 1.4 of the Act]

presiding person means the person presiding under section 5.6 of the Act.**regulations** means the *Local Government (Administration) Regulations 1996*;**resolution** means a decision of Council made by the appropriate majority;**substantive motion** means an original motion, or an original motion as amended, but does not include an amendment motion or a procedural motion.

- (2) Unless otherwise defined, the terms used in this local law has the meaning given to them in the Act and Regulations.

PART 2 - MEETINGS OF COUNCIL

2.1 Ordinary and Special Council meetings

- (1) Ordinary and special Council meetings are dealt with in the Act.

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|---|
| <p>(1) A council is to hold ordinary meetings and may hold special meetings.
 (2) Ordinary meetings are to be held not more than 3 months apart.
 (3) If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.</p> |
|---|

[Section 5.3 of the Act]

- (2) An ordinary meeting of the Council held as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.
- (3) A special meeting of the Council is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential.

2.2 Calling Council Meetings

- (1) The calling of meetings is dealt with in the Act.

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| <p>An ordinary or a special meeting of a Council is to be held –</p> <p>(a) if called for by either –</p> <p style="padding-left: 40px;">(i) the mayor; or
 (ii) at least 1/3 of the councillors, in a notice to the CEO setting out the date and purpose of the proposed meeting; or</p> <p>(b) if so decided by the Council.</p> |
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[Section 5.4 of the Act]

2.3 Convening Council Meetings

The convening of a Council meeting is dealt with in the Act.

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| <p>(1) The CEO is to convene an ordinary meeting by giving each council member at least 72 hours' notice of the date, time and place of the meeting and an agenda for the meeting.</p> <p>(2) The CEO is to convene a special meeting by giving each council member notice, before the meeting, of the date, time, place and purpose of the meeting.</p> |
|--|

[Section 5.5 of the Act]

Sections 9.50 to 9.54 of the *Local Government Act 1995* and sections 75 and 76 of the *Interpretation Act 1984* deal with how documents can be given to a person.

Under these provisions, notice of a meeting may be given to a member by –

- (a) personally handing the notice to the member;
(b) sending it by post to the last known address of the member; or
(c) leaving it for the member at his or her usual or last known place of abode or, if he or she is the principal of a business, at his or her usual or last known place of business.

2.4 Calling committee meetings

A meeting of a committee is to be held -

- (1) if called for in a verbal or written request to the CEO by the Mayor or the presiding member of the committee, advising the date and purpose of the proposed meeting;
- (2) if called for by at least 1/3 of the members of the committee in a notice to the CEO, setting out the date and purpose of the proposed meeting;
or
- (3) in accordance with a decision of the Council or the committee.

2.5 Public Notice of meetings

Public notice of meetings is dealt with in the Regulations.

- (1) In this regulation — meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.
- (2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —
 - (a) ordinary council meetings;
 - (b) committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.
- (3) Any change to the meeting details for a meeting referred to in sub-regulation (2) must be published on the local government's official website as soon as practicable after the change is made.
- (4) If a local government decides that a special meeting of the council is to be open to members of the public, the CEO must publish the meeting details for the meeting and the purpose of the meeting on the local government's official website as soon as practicable after the decision is made.

[Regulation 12 of the Regulations]

- (1) When a meeting is adjourned to a day and hour other than the next ordinary meeting, notice of the resumption of the adjourned meeting, if time permits, is to be given to each member specifying the nature of the business to be transacted.

2.6 Public access to agendas and supporting documentation

Public access to agendas and supporting information is dealt with in the Regulations.

- (1) A local government is to ensure that notice papers and agenda relating to any council or committee meeting and reports and other documents which -
 - (a) are to be tabled at the meeting; or
 - (b) have been produced by the local government or a committee for presentation at the meeting,

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and which have been made available to members of the council or committee for the meeting are available for inspection by members of the public and published on the local government's official website from the time the notice papers, agenda or documents were made available to the members of the council or committee.

- (2) Subregulation (1) does not apply if, in the CEO's opinion, the meeting or that part of the meeting to which the information refers is likely to be closed to members of the public under section 5.23(2).

[Regulation 14 of the Regulations]

2.7 Public access to unconfirmed minutes of meetings

Public access to unconfirmed minutes of meetings is dealt with in the Regulations.

- (1) The CEO must publish on the local government's official website -
- (a) the unconfirmed minutes of each council and committee meeting that is open to members of the public; and
 - (b) if a council or committee meeting is closed to members of the public – that part of the unconfirmed minutes of the meeting that is a record of decisions made at the meeting.
- (2) The unconfirmed minutes of a council meeting must be published within 14 days after the meeting is held.
- (3) The unconfirmed minutes of a committee meeting must be published within 7 days after the meeting is held.

[Regulation 13 of the Regulations]

2.8 Presiding Member

Who presides at a Council meeting is dealt with in the Act.

- (1) The mayor or president is to preside at all meetings of the council.
- (2) If the circumstances mentioned in section 5.34(a) or (b) apply the deputy mayor or deputy president may preside at a meeting of the council in accordance with that section.
- (3) If the circumstances mentioned in section 5.34(a) or (b) apply and —
- (a) the office of deputy mayor or deputy president is vacant; or
 - (b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president,
- then, the council is to choose one of the councillors present to preside at the meeting.

[Section 5.6 of the Act]

2.9 Quorum

The quorum for meetings is dealt with in the Act.

The quorum for a meeting of a council or committee is at least 50% of the number of offices (whether vacant or not) of member of the council or the committee.

[Section 5.19 of the Act]

2.10 Reduction of a quorum for Council Meetings

The power of the Minister to reduce the number for a quorum and certain majorities is dealt with in the Act.

- (1) The Minister may reduce the number of offices of member required for a quorum at a council meeting specified by the Minister if there would not otherwise be a quorum for the meeting.
- (2) The Minister may reduce the number of offices of member required at a council meeting to make a decision specified by the Minister if the decision is one which would otherwise be required to be made by an absolute majority and a sufficient number of members would not otherwise be present at the meeting.

[Section 5.7 of the Act]

2.11 Reduction of quorum for Committee Meetings

The reduction of a quorum for committee meetings is dealt with in the Act.

The local government may reduce* the number of offices of committee member required for a quorum at a committee meeting specified by the local government if there would not otherwise be a quorum for the meeting.

*Absolute majority required.

[Section 5.15 of the Act]

2.12 Procedure if quorum not present

The procedure where there is no quorum to begin a meeting is dealt with in the Regulations.

If a quorum has not been established within the 30 minutes after a council or committee meeting is due to begin then the meeting can be adjourned –

- (a) in the case of a council, by the mayor or president or if the mayor or president is not present at the meeting, by the deputy mayor or deputy president;
- (b) in the case of a committee, by the presiding member of the committee or if the presiding member is not present at the meeting, by the deputy presiding member;
- (c) if no person referred to in paragraph (a) or (b), as the case requires, is present at the meeting, by a majority of members present;
- (d) if only one member is present, by that member; or
- (e) if no member is present or if no member other than the CEO is present, by the CEO or a person authorized by the CEO.

[Regulation 8 of the Regulations]

2.13 Lapse of quorum

- (1) If at any time during a meeting a quorum is not present –
 - (a) the presiding member is immediately to suspend the proceedings of the meeting for a period of up to 15 minutes;

- (b) a record is to be taken of all those who have spoken on the subject under consideration at the time of the suspension and is to be recorded in the minutes of the meeting;
 - (c) if a quorum is not present at the expiry of the suspension period under paragraph (a), the presiding member may either adjourn the meeting to some future time or date or may extend the extension period for a further period of up to 30 minutes; and
 - (d) if a quorum is not present at the expiry of the extended period of suspension under paragraph (c), the presiding member is to adjourn the meeting to a later time on the same day or to another day.
- (2) If the debate on a motion is interrupted at a meeting, which is suspended due to a quorum not being present –
- (a) the debate is to be resumed at the resumption of the meeting at the point where it was interrupted; and
 - (b) the members who have spoken on the motion before the suspension must not speak again at the resumption of the meeting - except the mover who retains the right of reply.

2.14 Names to be recorded

At any meeting –

- (1) at which there is not a quorum present to begin the meeting; or
- (2) which is suspended or adjourned for want of a quorum,

the names of the members then present are to be recorded in the minutes.

PART 3 - BUSINESS AT MEETINGS

3.1 Business to be specified

- (1) No business is to be transacted at any ordinary meeting of the council other than that specified in the agenda, without the approval of the presiding member or the council.
- (2) No business is to be transacted at a special meeting of the council other than that given in the notice as the purpose of the meeting.
- (3) Subject to subclause (4), no business is to be transacted at an adjourned meeting of the council other than that –
 - (a) specified in the notice of the meeting which had been adjourned; and
 - (b) which remains unresolved.
- (4) Where a meeting is adjourned to the next ordinary meeting of the council then, unless the council resolves otherwise, the business unresolved at

the adjourned meeting is to be dealt with before considering the officer's reports at that ordinary meeting.

3.2 Order of business

- (1) Unless the council decides otherwise, the order of business at an ordinary meeting of the council is to be as follows:
 - (a) Opening
 - (b) Attendances, apologies and leave of absence
 - (c) Public question time
 - (d) Confirmation of minutes
 - (e) Announcements by the presiding person without discussion
 - (f) Questions from members
 - (g) Petitions
 - (h) Declarations of Interest
 - (i) Reports
 - (j) Motions of which previous notice has been given
 - (k) Urgent business
 - (l) Matters for which the meeting may be closed
 - (m) Date and location of the next meeting
 - (n) Closure
- (2) Unless otherwise decided by the council or committee, the items of business for a meeting of the council or committee are to be considered in the sequence that they are listed in the agenda.
- (3) The council or a committee may pass an adoption by exception resolution under clause 45.2.
- (4) At the resumption of an adjourned meeting the only business to be transacted is that which remains outstanding on the agenda of the adjourned meeting.

3.3 Grant of leave of absence

- (1) The grant of leave of absence is dealt with in the Act.

- | | |
|---|---|
| <ol style="list-style-type: none"> (1) (2) (3A) (3) (4) (5A) (5) | <p>A council may, by resolution, grant leave of absence, to a member.</p> <p>Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the Minister unless all of the meetings are within a period of 3 months.</p> <p>Leave is not to be granted in respect of —</p> <ol style="list-style-type: none"> (a) a meeting that has concluded; or (b) the part of a meeting before the granting of leave. <p>The granting of the leave, or refusal to grant the leave and reasons for that refusal, is to be recorded in the minutes of the meeting.</p> <p>A member who is absent, without first obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council, unless all of the meetings are within a 2 month period.</p> <p>If the council holds 3 or more ordinary council meetings within a 2 month period, and a member is absent without leave throughout each of those meetings, the member is disqualified if he or she is absent without leave throughout the ordinary meeting of the council immediately following the end of that period.</p> <p>The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council —</p> <ol style="list-style-type: none"> (a) if no meeting of the council at which a quorum is present is actually held on that day; or |
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(b)	if the non-attendance occurs while –
(i)	the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5);
(ii)	while proceedings in connection with the disqualification of the member have been commenced and are pending;
(iiia)	while the member is suspended under 5.117(1)(a)(iv); or
(iii)	while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.
(6)	A member who before the commencement of the Local Government Amendment Act 2009 section 5 was granted leave during an ordinary meeting of the council from which the member was absent is to be taken to have first obtained leave for the remainder of that meeting.

[Section 2.25 of the Act]

- (2) A member who requests a leave of absence need not put the request in writing but must state the period of leave and the reasons for the request.

3.4 Public question time for the public at meetings

Public question time at meetings is dealt with in the Act and Administration Regulations.

- | | |
|-----|--|
| (1) | Time is to be allocated for questions to be raised by members of the public and responded to at – |
| (a) | every ordinary meeting of a council; and |
| (b) | such other meetings of councils or committees as may be prescribed. |
| (2) | Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations. |

[Section 5.24 of the Act]

3.5 Question time for the public at certain meetings

Question time for the public at certain meetings is dealt with in the Regulations.

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|--|---|
| For the purposes of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are – | |
| (a) | every special meeting of a council; |
| (b) | every meeting of a committee to which the local government has delegated a power or duty. |

[Regulation 5 of the Regulations]

3.6 Minimum question time for the public

Minimum question time for the public is dealt with in the Regulations.

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|-----|---|
| (1) | The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is 15 minutes. |
| (2) | Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in subregulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters. |

[Regulation 6 of the Regulations]

3.7 Procedures for question time for the public

Procedures for question time for the public are dealt with in the Regulations.

(1)	Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) are to be determined –
(a)	by the person presiding at the meeting; or
(b)	in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of those members, having regard to the requirements of subregulations (2) and (3).
(2)	The time allocated to the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.
(3)	Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.
(4)	Nothing in subregulation (3) requires –
(a)	a council to answer a question that does not relate to a matter affecting the local government;
(b)	a council at a special meeting to answer a question that does not relate to the purpose of the meeting; or
(c)	a committee to answer a question that does not relate to a function of the committee.
(5)	If, during the time allocated for questions to be raised by members of the public and responded to, a question relating to a matter in which a relevant person has an interest, as referred to in section 5.60, is directed to the relevant person, the relevant person is to –
(a)	declare that he or she has an interest in the matter; and
(b)	allow another person to respond to the question.

[Regulation 7 of the Regulations]

3.8 Other procedures for question time for the public

- (1) A member of the public who wishes to ask a question during question time must -
 - (a) first state their name and address;
 - (b) direct the questions to the presiding member;
 - (c) ask the question briefly and concisely;
 - (d) limit any preamble to matters directly relevant to the question; and
 - (e) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except so far as may be necessary to explain the question.
- (2) A question may be taken on notice by the Council or committee for later response.

3.9 Confirmation of minutes

- (1) The requirements for keeping minutes of meetings and the content of minutes are dealt with in the Act and the Regulations.

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| 1) | The person presiding at a meeting of a council or a committee is to cause minutes to be kept of the meeting's proceedings. |
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| (2) | The minutes of a meeting of a council or a committee are to be submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation. |
| (3) | The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation. |
- [Section 5.22 of the Act]

- | | |
|---|---|
| The content of minutes of a meeting of a council or a committee is to include — | |
| (a) | the names of the members present at the meeting; |
| (b) | where a member enters or leaves the meeting during the course of the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting; |
| (c) | details of each motion moved at the meeting, the mover and the outcome of the motion; |
| (d) | details of each decision made at the meeting; |
| (da) | written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70 (but not a decision to only note the matter or to return the recommendation for further consideration); |
| (e) | a summary of each question raised by members of the public at the meeting and a summary of the response to the question; and |
| (f) | in relation to each disclosure made under section 5.65 or 5.70 in relation to the meeting, where the extent of the interest has also been disclosed, the extent of the interest". |
| (g) | each document attached to an agenda relating to a council or committee meeting unless the meeting or that part of the meeting to which the document refers is closed to members of the public. |
- [Regulation 11 of the Regulations]

- (2) When minutes are confirmed, the only discussion permitted is that relating to the accuracy of the minutes as a record of the proceedings.

3.10 Announcements by presiding person without discussion

At any meeting of the council the presiding person may announce or raise any matter of interest or affecting the City and there is not to be any discussion on the matter.

3.11 Questions from members

- (1) (a) The item of business "Questions from Members" is to provide members with an opportunity to raise questions with the Mayor and the council.
- (b) Questions are to relate only to the business of the council.
- (c) A member asking questions may address the council for a maximum of 3 minutes.
- (2) (a) A minimum of 15 minutes is to be allowed to the item "Questions from Members".
- (b) If there are insufficient questions to fill the allocated time then the presiding person is to move on to the next item.
- (3) (a) Whenever possible, questions are to be submitted in writing at least 30 hours prior to the start of the meeting.
- (b) Questions submitted in writing are to be dealt with first.

- (4) (a) At an ordinary meeting, only questions relating to matters affecting the council are to be answered.
- (b) At a special meeting, only questions relating to the purpose of the meeting are to be answered.
- (c) Questions may be taken on notice and responded to after the meeting.
- (5) The presiding person is to control the item "Questions from Members" and is to ensure that any member writing to ask a question is given a fair and equal opportunity to do so.
- (6) If a question is directed to a member or an employee who has an interest in the subject matter of the question then the member or employee is to declare the interest and allow another member or employee to respond to the question.

3.12 Petitions

- (1) A petition received by a member or the CEO is to be presented to the next ordinary Council meeting.
- (2) Any petition to the Council is:
 - (a) as far as practicable to be prepared in the form prescribed in the Schedule;
 - (b) to be addressed to the Council and forwarded to a member or the CEO; and
 - (c) to state the name and address of the person to whom correspondence in respect of the petition may be served.
- (3) Once a petition is presented to the Council, a motion may be moved to receive the petition and refer it to the CEO for action.

3.13 Disclosure of financial and proximity interests

The requirements for disclosure of any interest as defined in section 5.60 of the Act are dealt with in Part 5 of the Act.

5.59. Definitions

In this Subdivision, unless the contrary intention appears –
"extent", in relation to an interest, includes the value and amount of the interest;
"interest relating to a gift" means an interest that a relevant person has because of the operation of section 5.60 when read with section 5.62(1)(ea), (eb) or (ec);
"member", in relation to a council or committee, means a council member or a member of the committee;
"relevant person" means a person who is either a member or a person to whom section 5.70 or 5.71 or 5.71A applies.

5.60. When a person has an "interest"

For the purposes of this Subdivision, a relevant person has an interest in a matter if either –
 (a) the relevant person; or
 (b) a person with whom the relevant person is closely associated, has –
 (c) a direct or indirect financial interest in the matter; or

(d) a proximity interest in the matter.

5.60A. Financial interest

For the purposes of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

5.60B. Proximity interest

(1) *For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns –*

- (a) *a proposed change to a planning scheme affecting land that adjoins the person's land;*
- (b) *a proposed change to the zoning or use of land that adjoins the person's land; or*
- (c) *a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.*

(2) *In this section, land ("the proposal land") adjoins a person's land if –*

- (a) *the proposal land, not being a thoroughfare, has a common boundary with the person's land;*
- (b) *the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or*
- (c) *the proposal land is that part of a thoroughfare that has a common boundary with the person's land.*

(3) *In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.*

5.61. Indirect financial interests

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

5.62. Closely associated persons

(1) *For the purposes of this Subdivision a person is to be treated as being closely associated with a relevant person if –*

- (a) *the person is in partnership with the relevant person;*
- (b) *the person is an employer of the relevant person;*
- (c) *the person is a beneficiary under a trust, or an object of a discretionary trust, of which the relevant person is a trustee;*
- (ca) *the person belongs to a class of persons that is prescribed;*
- (d) *the person is a body corporate –*
 - (i) *of which the relevant person is a director, secretary or executive officer; or*
 - (ii) *in which the relevant person holds shares having a total value exceeding –*
 - (I) *the prescribed amount; or*
 - (II) *the prescribed percentage of the total value of the issued share capital of the company,*

whichever is less;

(e) *the person is the spouse, de facto partner or child of the relevant person and is living with the relevant person;*

(ea) *the relevant person is a council member and the person –*

- (i) *gave an electoral gift to the relevant person in relation to the election at which the relevant person was last elected; or*
- (ii) *has given an electoral gift to the relevant person since the relevant person was last elected;*

(eb) *the relevant person is a council member and the person has given a gift to which this paragraph applies to the relevant person since the relevant person was last elected; or*

(ec) *the relevant person is a CEO and the person has given a gift to which this paragraph applies to the relevant person since the relevant person was last employed (or appointed to act) in the position of CEO; or*

(f) *the person has a relationship specified in any of paragraphs (a) to (d) in respect of the relevant person's spouse or de facto partner if the spouse or de facto partner is living with the relevant person.*

(1A) *Subsection (1)(eb) and (ec) apply to a gift if –*

- (a) *either –*

- (i) the amount of the gift exceeds the amount prescribed for the purposes of this subsection; or
- (ii) the gift is 1 of 2 or more gifts made by 1 person to the relevant person at any time during a year and the sum of the amounts of those 2 or more gifts exceeds the amount prescribed for the purposes of this subsection; and
- (b) the gift is not an excluded gift under subsection (1B).

(2) In subsection (1) –

“electoral gift” means a gift about which the relevant person was or is required by regulations under section 4.59(a) to provide information in relation to an election;
“value”, in relation to shares, means the value of the shares calculated in the prescribed manner or using the prescribed method.

5.63. Some interests need not be disclosed

- (1) Sections 5.65, 5.70 and 5.71 do not apply to a relevant person who has any of the following interests in a matter –
 - (a) an interest common to a significant number of electors or ratepayers;
 - (b) an interest in the imposition of any rate, charge or fee by the local government;
 - (c) an interest relating to –
 - (i) a fee, reimbursement of an expense or an allowance to which section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.101(2) refers; or
 - (ii) a gift permitted by section 5.100A; or
 - (iii) reimbursement of an expense that is the subject of regulation made under section 5.101A; or
 - (d) an interest relating to the pay, terms or conditions of an employee unless –
 - (i) the relevant person is the employee; or
 - (ii) either the relevant person's spouse, de facto partner or child is the employee if the spouse, de facto partner or child is living with the relevant person;
 - [(e) deleted]
 - (f) an interest arising only because the relevant person is, or intends to become, a member or office bearer of a body with non-profit making objects;
 - (g) an interest arising only because the relevant person is, or intends to become, a member, office bearer, officer or employee of a department of the Public Service of the State or Commonwealth or a body established under this Act or any other written law; or
 - (h) a prescribed interest.
- (2) If a relevant person has a financial interest because the valuation of land in which the person has an interest may be affected by –
 - (a) any proposed change to a planning scheme for any area in the district;
 - (b) any proposed change to the zoning or use of land in the district; or
 - (c) the proposed development of land in the district, then, subject to subsection (3) and (4), the person is not to be treated as having an interest in a matter for the purposes of sections 5.65, 5.70 and 5.71.
- (3) If a relevant person has a financial interest because the valuation of land in which the person has an interest may be affected by –
 - (a) any proposed change to a planning scheme for that land or any land adjacent to that land;
 - (b) any proposed change to the zoning or use of that land or any land adjacent to that land; or
 - (c) the proposed development of that land or any land adjacent to that land, then nothing in this section prevents sections 5.65, 5.70 and 5.71 from applying to the relevant person.
- (4) If a relevant person has a financial interest because any land in which the person has any interest other than an interest relating to the valuation of that land or any land adjacent to that land may be affected by –
 - (a) any proposed change to a planning scheme for any area in the district;
 - (b) any proposed change to the zoning or use of land in the district; or
 - (c) the proposed development of land in the district, then nothing in this section prevents sections 5.65, 5.70 and 5.71 from applying to the relevant person.
- (5) A reference in subsection (2), (3) or (4) to the development of land is a reference to the development, maintenance or management of the land or of services or facilities on the land.

5.65. Members' interests in matters to be discussed at meetings to be disclosed

- (1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest –
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
 Penalty: \$10 000 or imprisonment for 2 years.
- (2) It is a defence to a prosecution under this section if the member proves that he or she did not know –
 - (a) that he or she had an interest in the matter; or
 - (b) that the matter in which he or she had an interest would be discussed at the meeting.
- (3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

5.66. Meeting to be informed of disclosures

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

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

5.67. Disclosing members not to participate in meetings

A member who makes a disclosure under section 5.65 must not –

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under section 5.68 or 5.69.

Penalty: \$10 000 or imprisonment for 2 years.

5.68. Councils and committees may allow members disclosing interests to participate etc. in meetings

- (1) If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter –

- (a) may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and
- (b) may allow, to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if –
 - (i) the disclosing member also discloses the extent of the interest; and
 - (ii) those members decide that the interest –
 - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
 - (II) is common to a significant number of electors or ratepayers.

- (1A) Subsection (1) does not apply if –

- (a) the interest disclosed is an interest relating to a gift; and
- (b) either –
 - (i) the amount of the gift exceeds the amount prescribed for the purposes of this subsection; or
 - (ii) the gift is 1 of 2 or more gifts made by 1 person to the disclosing member at any time during a year and the sum of the amounts of those 2 or more gifts exceeds the amount prescribed for the purposes of this subsection.

- (2) A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.

- (3) This section does not prevent the disclosing member from discussing, or participating in the decision making process on, the question of whether an application should be made to the Minister under section 5.69.

5.69. Minister may allow members disclosing interests to participate etc. in meetings

- (1) If a member has disclosed, under section 5.65, an interest in a matter, the council or the CEO may apply to the Minister to allow the disclosing member to participate in the part of the meeting, and any subsequent meeting, relating to the matter.

- (2) An application made under subsection (1) is to include –

- (a) details of the nature of the interest disclosed and the extent of the interest; and

- (b) any other information required by the Minister for the purposes of the application.
- (3) On an application under this section the Minister may allow, on any condition determined by the Minister, the disclosing member to preside at the meeting, and at any subsequent meeting, (if otherwise qualified to preside) or to participate in discussions or the decision making procedures relating to the matter if –
- (a) there would not otherwise be a sufficient number of members to deal with the matter; or
- (b) the Minister is of the opinion that it is in the interests of the electors or ratepayers to do so.
- (4) A person must not contravene a condition imposed by the Minister under this section.
Penalty: \$10 000 or imprisonment for 2 years.
- (4) A decision under this section must be recorded in the minutes of the meeting relating to the matter.
- 5.69A. Minister may exempt committee members from disclosure requirements**
- (1) A council or a CEO may apply to the Minister to exempt the members of a committee from some or all of the provisions of this Subdivision relating to the disclosure of interests by committee members.
- (2) An application under subsection (1) is to include –
- (a) the name of the committee, details of the function of the committee and the reasons why the exemption is sought; and
- (b) any other information required by the Minister for the purposes of the application.
- (3) On an application under this section the Minister may grant the exemption, on any conditions determined by the Minister, if the Minister is of the opinion that it is in the interests of the electors or ratepayers to do so.
- (4) A person must not contravene a condition imposed by the Minister under this section.
Penalty: \$10 000 or imprisonment for 2 years.
- 5.70. Employees to disclose interests relating to advice or reports**
- (1) In this section –
“employee” includes a person who, under a contract for services with the local government, provides advice or a report on a matter.
- (2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report.
Penalty: \$10 000 or imprisonment for 2 years.
- (2A) Subsection (2) applies to a CEO even if the advice or report is provided in accordance with a decision made under section 5.71B(2) or (6).
- (3) An employee who discloses an interest under this section must, if required to do so by the council or committee, as the case may be, disclose the extent of the interest.
Penalty for this subsection: a fine of \$10 000 or imprisonment for 2 years.
- 5.71A. CEOs to disclose interests relating to gifts in connection with advice or reports**
- (1) A CEO who has an interest relating to a gift in a matter in respect of which the CEO proposes to provide advice or a report, directly or indirectly, to the council or a committee must disclose the nature of the interest in a written notice given to the council.
Penalty for this subsection: a fine of \$10 000 or imprisonment for 2 years.
- (2) A CEO who makes a disclosure under subsection (1) must not provide the advice or report unless the CEO is allowed to do so under section 5.71B(2) or (6).
Penalty for this subsection: a fine of \$10 000 or imprisonment for 2 years.
- (3) A CEO who has an interest relating to a gift in a matter in respect of which another employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when the advice or report is provided.
Penalty for this subsection: a fine of \$10 000 or imprisonment for 2 years.
- 5.71B. Council or Minister may allow CEOs to provide advice or reports**
- (1) In this section –
“relevant gift” means the gift to which the interest disclosed under section 5.71A(1) relates.

- (2) The council may allow the CEO to provide the advice or report to which a disclosure under section 5.71A(1) relates if -
 - (a) the amount of the relevant gift does not exceed the amount prescribed for the purposes of this section; and
 - (b) the council decides that the nature of the interest disclosed is unlikely to influence the CEO in the provision of the advice or report.
- (3) A decision of the council under subsection (2) must be recorded in the minutes of the council meeting at which the decision is made.
- (4) The council may apply to the Minister to allow the CEO to provide the advice or report to which a disclosure under section 5.71A(1) relates if the amount of the relevant gift exceeds the amount prescribed for the purposes of this section.
- (5) An application under subsection (4) must include —
 - (a) details of the nature of the interest disclosed; and
 - (b) any other information required by the Minister for the purposes of the application.
- (6) On an application under subsection (4), the Minister may allow, on any condition determined by the Minister, the CEO to provide the advice or report if the Minister is of the opinion that it is in the interests of the electors or ratepayers to do so.
- (7) A decision of the Minister under subsection (6) must be recorded in the minutes of the council meeting at which the decision is considered.
- (8) For the purposes of subsections (2)(a) and (4), if the relevant gift is 1 of 2 or more gifts made by 1 person to the CEO at any time during a year, the amount of the relevant gift is the sum of the amounts of those 2 or more gifts.

5.72. Defence to prosecution

It is a defense to a prosecution under section 5.70(2), 5.71 or 5.71A(1) or (3) if the person proves that he or she did not know that he or she had an interest in the matter.

5.73. Disclosures to be minuted

A disclosure under section 5.65, 5.70 or 5.71A(3) is to be recorded in the minutes of the meeting relating to the disclosure.

3.14 Disclosure of interest affecting impartiality

The disclosure of interests affecting impartiality is dealt with by the *Local Government (Model Code of Conduct) Regulations 2021*.

- (1) In this clause —

interest —

 - (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
 - (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
 - (a) that they had an interest in the matter; or
 - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
 - (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and

- (b) *at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.*
- (6) *Subclause (7) applies in relation to an interest if —*
 - (a) *under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or*
 - (b) *under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.*
- (7) *The nature of the interest must be recorded in the minutes of the meeting.*

Regulation 22

3.15 Reports

- (1) The functions of the CEO including to advise the council and implement decisions are dealt with in the Act.

5.41. Functions of CEO

The CEO's functions are to –

- (a) *advise the council in relation to the functions of a local government under this Act and other written laws; and*
- (b) *ensure that advice and information is available to the council so that informed decisions can be made; and*
- (c) *cause council decisions to be implemented; and*
- (d) *manage the day to day operations of the local government; and*
- (e) *liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and*
- (f) *speak on behalf of the local government if the mayor or president agrees; and*
- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*

perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Section 5.41 of the Act

- (2) The CEO may prepare or cause to be prepared any report that in the CEO's opinion requires consideration by the council, including any report of a late or urgent nature.

3.16 Motions of which previous notice has been given

- (1) Unless the Act, Regulations or this local law otherwise provide, a member may raise at a meeting any business that the member considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO.
- (2) Subject to sub clause (3) a notice of motion under subclause (1) is to be signed by the member and given to the CEO at least 7 clear days before the meeting at which it is to be moved.

- (3) A notice of motion must relate to a matter for which the Council is responsible.

Note: matters for which the Council is responsible are dealt with in section 2.7 of the Act

- (4) The requirement to give notice of a motion under subclause (1) does not apply where the proposed motion is relevant to:
- (a) a recommendation made by or contained in a report on the agenda; or
 - (b) a notice of motion that appears on the agenda,
- and is moved after the motion has been dealt with.
- (5) A notice of motion lapses unless the member who gave the notice or some other member authorised in writing by the member who gave the notice, moves the motion at the meeting at which it is to be considered
- (6) Where a notice of motion is given and lapses in circumstances referred to under sub clause (5), notice of motion in the same terms or the same effect is not to be given again for at least 3 months from the date of the lapse.
- (7) A notice of motion of which the subject matter does not relate to a matter affecting the City, may be ruled out of order by the presiding person.
- (8) Where a notice of motion under subclause (1) contains any word or words which:
- (a) reflect adversely on the character or actions of a member, officer or other person; or
 - (b) impute any motive to any member or officer; or
 - (c) are offensive or insulting,
- then the CEO:
- (d) after consultation with the mayor, may reject the motion; or
 - (e) after consultation with the member who submitted the motion, may amend the form but not the substance of the motion so as to delete the offensive or insulting word or words.
- (9) If a notice of motion is rejected under subclause (8), the CEO is to provide the reason for its exclusion to all members as soon as practicable.
- (10) Where, prior to a meeting, a member has given notice of motion in accordance with this clause or a member has given notice of a revocation motion in accordance with clause 56.1; and
- (11)
- (a) the member is present at the meeting, the member must read the motion or revocation motion to the meeting; or

- (b) the member is not present at the meeting, the CEO must read the motion or revocation motion to the meeting.

3.17 Urgent business

- (1) In a case of extreme urgency or other special circumstances, a matter may, on a motion that is carried by the meeting, be raised without notice and decided by the meeting.
- (2) In sub clause (1), a case of extreme urgency or other special circumstance means a matter –
 - (a) that could not reasonably be dealt with at the next ordinary meeting of the council; and
 - (b) it was not reasonable for the notice to be given.

3.18 Meeting closure

At the conclusion of all business or when otherwise determined by the meeting, the presiding person is to declare the meeting closed and state the closing time.

PART 4 - CONDUCT OF MEETINGS

4.1 Official titles to be used

Members, when referring to others, must refer to them by their titles of mayor, deputy mayor, councillor, or in the case of an employee by the employee's title.

4.2 Seating

- (1) At the first meeting following each ordinary election, the CEO is to allocate a seat in the Council chamber to each member.
- (2) The deputy mayor is to be allocated a seat in the council chamber next to the fellow ward representative of the deputy mayor.
- (3) Each member must occupy his or her allocated position when present at a meeting of the council until the council decides to reallocate positions.
- (4) The Council may, at any time, reallocate a seat in the Council Chamber to each member.
- (5) The CEO is to sit immediately to the right of the mayor
- (6) For the avoidance of doubt, a member must not sit in the public gallery during a meeting.

4.3 Distinguished visitor seating

If a distinguished visitor is present at a meeting of the Council, the presiding person may invite that person to sit beside the presiding person or at the meeting table.

4.4 Media attendance and seating

Media representatives are permitted to attend meetings of the Council and be seated in that part of the Council Chamber or meeting room that may be set aside for their use, but must leave the meeting during any period when the meeting is closed to the public.

4.5 Members who wish to speak

A member who wishes to speak at a council or committee meeting –

- (1) must indicate his or her intention to speak by raising his or her hand, or by any other method determined by the council or committee; and
- (2) when invited by the presiding member to speak, and unless otherwise determined by the council or committee, must address the meeting through the presiding member.

4.6 Order of speakers

- (1) At a council meeting, where 2 or more members of the council indicate, at the same time, their intention to speak, the presiding member is to decide which member is entitled to be heard first.
- (2) At a committee meeting, the presiding member is first to invite committee members to speak followed, at the discretion of the presiding member, by other members and attendees.
- (3) A decision of the presiding member under this clause is not open to discussion or dissent.

4.7 Members not to interrupt

A member must not:

- (a) make any noise or disturbance or converse in a loud manner whilst any other member is addressing a meeting;
- (b) interrupt another member who is speaking other than to:-
 - (i) raise a point of order;
 - (ii) to call attention to the absence of a quorum;
 - (iii) to make a personal explanation under clause 4.12; or
 - (iv) to move a procedural motion.

4.8 No reopening of discussion

A member must not reopen a discussion on any Council or committee decision, except to move that the decision be revoked or changed.

4.9 No member to cross the floor

When the presiding person is putting any motion, a member must not cross the floor, and whilst any other member is speaking, must not pass between the speaker and the presiding person or pass behind the presiding person.

4.10 Presiding person may participate in discussion

The presiding person may participate in the discussion of any motion before the meeting provided that the presiding person addresses the meeting before the right of reply is exercised.

4.11 Relevance to debate

When addressing a meeting on any motion or other business, members must confine their remarks to the motion or other business and not digress.

4.12 Personal explanation

- (1) A member must not speak at any meeting, except on the matter then before the Council, unless it is to make a personal explanation.
- (2) A member wishing to make a personal explanation of matters referred to by any other member then speaking, is entitled to be heard:
 - (a) immediately if the member then speaking consents at the time; or
 - (b) at the conclusion of the speech if the member then speaking declines to give way.
- (3) A member of the Council permitted to make a personal explanation must confine comments to a succinct statement relating to a specific part of the former speech that may have been misunderstood and the member is not to refer to matters not strictly necessary for that purpose and is not to seek to strengthen his or her former argument by adding new matters or by replying to other members.

4.13 Ruling on questions of personal explanation

The ruling of the presiding person on the admissibility of a personal explanation is final unless a motion of dissent with the ruling is moved before any other business proceeds.

4.14 Point of order

- (1) A member may direct the presiding person's attention to a breach of this local law by any other member and is to specify the grounds of the breach.
- (2) A member expressing a difference of opinion with, or contradicting, a speaker is not to be recognised as raising a point of order.
- (3) The presiding person is to decide all points of order and the decision of the presiding person is final unless in any particular case, the council then resolves that a different ruling is to be substituted for the ruling given by the presiding person.

- (4) A motion, amendment or other business ruled to be out of order, is to be no longer discussed and requires no resolution.
- (5) Where anything said or done by a member is ruled out of order, the presiding person may require the member to make an explanation, retraction or apology as the case may be.

4.15 Preservation of order – Council members

- (1) The presiding person is to preserve order at all times and may call any member to order whenever in the presiding person's opinion, there is cause to do so.
- (2) Any member who acts in breach of this clause may be ruled by the presiding person to be out of order.
- (3) Where a member persists in any conduct which the presiding person deems is out of order, or refuses to make any explanation, retraction or apology required by the presiding person, then the presiding person may direct the member to refrain from taking any further part in the debate of the item, other than by recording the member's vote and the member must comply with that direction.

4.16 Prevention of Disturbance

A member or an employee:-

- (a) must ensure that hand held mobile devices are turned to silent during meetings of council and committees of council;
- (b) must only use hand held mobile devices sparingly and discreetly during meetings;
- (c) must not, during a confidential session, use hand held mobile devices other than to refer to Council meeting papers; and
- (d) if, after being warned, the member or employee acts contrary to this clause or refuses or fails to comply with a direction by the presiding member, the presiding member may request that person leave the meeting room.

4.17 Preservation of order – members of the public

- (1) Any member of the public addressing the Council is to extend due courtesy and respect to the Council and the processes under which they operate and must take direction from the presiding person whenever called upon to do so.
- (2) A person observing a meeting, must not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.
- (3) Where a person is considered by the presiding person or the council to be in breach of sub clauses (1) or (2) the presiding person or the council

may direct the offending person to leave the meeting room and the person must immediately comply with that direction.

- (4) A person failing to comply with a direction given under sub-clauses (1) or (3) may, by order of the presiding person, be removed by the police from the meeting room.

4.18 Serious disorder

- (1) If the presiding person is of the opinion that by reason of serious disorder or otherwise, the business of the meeting cannot effectively be continued, the presiding person may adjourn the meeting for a period of not less than 5 minutes but no more than 15 minutes.
- (2) On resumption, the debate is to continue at the point at which the meeting was adjourned.
- (3) If, having once adjourned the meeting, the presiding person is again of the opinion that the business of the meeting cannot effectively be continued the presiding person may adjourn the meeting to another date.

PART 5 – MOTIONS AND AMENDMENTS

5.1 Recommendations in reports

- (1) Where a motion, if carried, would be significantly different from the relevant written recommendation of an employee (but not a motion to only note the matter or to return the recommendation for further consideration), the written reasons are to be recorded in the minutes for that meeting.
- (2) A recommendation made by or contained in a report may, but need not be, moved.
- (3) A motion may be moved that a recommendation made by or contained in a report be referred back for further consideration.

5.2 Adoption by exception resolution

- (1) In this clause adoption by exception resolution means –
 - (a) a resolution of the council that has the effect of adopting, for each of a number of specifically identified reports, the committee or employee recommendation as the council resolution; and
 - (b) a resolution of a committee that has the effect of adopting, for each of a number of specifically identified reports, the employee recommendation as the committee resolution.
- (2) The council or a committee may pass an adoption by exception resolution.
- (3) An adoption by exception resolution may not be used for a matter –
 - (a) that requires an absolute majority;

- (b) in which an interest has been disclosed;
- (c) that is a matter on which a member wishes to make a statement; or
- (d) that is a matter on which a member wishes to move a motion that is different to the recommendation.

5.3 Motions

- (1) A member proposing a primary motion or amendment must state its substance before addressing the meeting and if so required by the presiding person must put the motion or amendment in writing.
- (2) The presiding person or the meeting by resolution, may require a complicated motion to be divided into 2 or more motions.

5.4 No opposition to motions

- (1) On a motion being moved and seconded, the presiding person may then ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the presiding person may then take the vote without debate.
- (3) If a member signifies opposition to a motion, the motion shall be dealt with according to this local law.

5.5 Motions to be seconded

- (1) Subject to subclause (2) a motion or amendment is not to be discussed or put to the vote unless seconded.
- (2) A nomination to any position is not required to be seconded.
- (3) A member seconding a motion is to be taken to have reserved the right to speak on the motion later in the debate.

5.6 Withdrawing motions

A motion or amendment may be withdrawn by the mover, with the consent of the council, and no member is to speak on it after it has been withdrawn.

5.7 One motion at a time

Only one motion is to be debated at any one time.

5.8 Limitation on members speaking

- (1) Only the mover of a motion or an amendment may speak twice on the same motion or the same amendment.
- (2) The mover of a motion or an amendment:

- (a) is to speak to that motion or amendment first, after it has been seconded; and
- (b) has the right of reply and in exercising that right is to confine the reply to previous speakers' comments and not introduce any new matters.
- (3) A member must not speak on any motion or an amendment after the mover has replied.
- (4) A member may only speak on a motion or an amendment, or reply, for a period of 5 minutes, unless an extension of time is granted by the council by simple majority without debate, but is not to exceed 10 minutes in total.
- (5) The council may suspend the operation of this clause during debate on a motion.

5.9 Questions during debate

- (1) Subject to clause 5.8 (Limitation on members speaking) a member may ask a question at any time during the debate on a motion or an amendment before the mover of the motion or amendment has replied.
- (2) A member who asks one or more questions will not be taken to have spoken on the matter.

5.10 Amendments

- (1) A member may move an amendment to a primary motion, at any time during debate on the motion, except:
 - (a) when the mover has been called by the presiding person to exercise the right of reply; or
 - (b) during debate on a procedural motion.
- (2) A member who wishes to move an amendment -
 - (a) is to state the substance of the motion before speaking to it; and
 - (b) is to put the amendment in writing; if –
 - (i) in the opinion of the presiding member, the amendment is significantly different to the relevant written recommendation of a committee or an employee (including a person who, under a contract for services with the City, provides advice or a report on the matter); or
 - (ii) he or she is otherwise required to do so by the presiding member.
- (3) The written terms of the motion or amendment are to be given to the CEO who is to ensure that they are recorded in the minutes.

- (4) Every amendment is to be relevant and not negate the motion in respect of which it is moved.
- (5) An amendment to a motion is to take only one of the following forms:
 - (a) that certain words be omitted;
 - (b) that certain words be omitted and others substituted or added; or
 - (c) that certain words be added.
- (6) Only one amendment is to be discussed at a time, but as often as an amendment is lost, another amendment may be moved before the primary motion is put to the vote.
- (7) Where an amendment is carried, one further successful amendment to the primary motion, as amended, and no more, may be carried.
- (8) Where an amendment is carried, the primary motion as amended is, for all purposes of subsequent debate and subject only to sub clause (4), to be treated as a primary motion.

PART 6 – REVOCATION MOTIONS

6.1 Revocation motions

- (1) The requirements for support of a motion for revocation or change of a Council decision are dealt with in the Act and Regulations.

10.	<i>Revoking or changing decisions made at council or committee meetings - s. 5.25(1)(e)</i>
(1)	<i>If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported –</i>
(a)	<i>in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or</i>
(b)	<i>in any other case, by at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee,</i>
	<i>inclusive of the mover.</i>
(1a)	<i>Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.</i>
(2)	<i>If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made by an absolute majority;</i>
(3)	<i>This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.</i>
	Regulation 10

- (2) In this clause:

- (a) **“relevant meeting”**, where used in relation to a revocation motion, means:

- (i) the ordinary or special meeting specified in the notice of the revocation motion; or
 - (ii) if that meeting is adjourned before the motion is announced by the presiding person, then at the resumption of the adjourned meeting; or
 - (iii) if that meeting is closed before the motion is announced by the presiding person, then at the next ordinary meeting or a special meeting convened to consider those matters not considered prior to the closure of the meeting; or
 - (iv) if the motion is deferred by the council to another meeting of the council, then at that other meeting,

as the case may be;
- (b) **“revocation motion”** means a motion to revoke or change a decision made at a council meeting.
- (3) This clause does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.
- (4) A member wishing to move a revocation motion at a meeting of the council must give to the CEO notice of the revocation motion, which is to:
 - (a) be in writing;
 - (b) specify the decision proposed to be revoked or changed;
 - (c) include a reason or reasons for the revocation motion;
 - (d) be signed by the number of members required by law to support the motion to revoke or change the decision referred to in the revocation motion;
 - (e) specify the date of the ordinary or special meeting of the council, as the case may be, which next follows the expiry of 7 clear days after the notice is given to the CEO;
 - (f) be given to the CEO not less than 7 clear days prior to the date of the ordinary or special meeting specified in the notice.
- (5)
 - (a) If, at the relevant meeting, the member who gave the notice of the revocation motion, is present, then the presiding person is to call on that member to move the revocation motion.
 - (b) If that member is not present or, being present, does not move the revocation motion when called upon to do so by the presiding person, then notwithstanding 3.16 any member of the Council may move the revocation motion.
- (6) Where notice of a revocation motion is given in accordance with the requirements of this clause, then the CEO must not implement or continue to implement, the decision the subject of the revocation motion until:

- (a) the revocation motion is not supported by the number of members of the council required by law to support the motion;
- (b) no member of the council moves the revocation motion;
- (c) the motion is moved but not seconded; or
- (d) the motion is moved and seconded but is not made by the kind of majority required by law,

at the relevant meeting.

- (7) A notice of revocation motion given in accordance with the requirements of this clause is to lapse when:

- (a) the revocation motion is not supported by the number of members of the council required by law to support the motion;
- (b) no member of the council moves the revocation motion;
- (c) the motion is moved but not seconded; or
- (d) the motion is moved and seconded but is not made by the kind of majority required by law,

at the relevant meeting.

- (8) Subclauses (1), (2), (3), (4) and (5) of 3.16 do not apply where the motion is a revocation motion.
- (9) For the avoidance of doubt subclauses (6), (7), (8) and (9) of 3.16 are to apply where the motion is a revocation motion.
- (10) A motion that a revocation motion be deferred is only to be carried by the decision of an absolute majority.

6.2 Voting

- (1) Voting at meetings is dealt with in the Act and the Regulations.

- | | |
|---|---|
| <ul style="list-style-type: none"> (1) (2) (3) (4) (5) | <p>Each council member and each member of a committee who is present at a meeting of the council or committee is entitled to one vote.</p> <p>Subject to section 5.67, each council member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the council or committee is to vote.</p> <p>If the votes of members present at a council or a committee meeting are equally divided, the person presiding is to cast a second vote.</p> <p>If a member of a council or a committee specifically requests that there be recorded —</p> <ul style="list-style-type: none"> (a) his or her vote; or (b) the vote of all members present, <p>on a matter voted on at a meeting of the council or the committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.</p> <p>A person who fails to comply with subsection (2) or (3) commits an offence.</p> |
|---|---|

[Section 5.21 of the Act]

Voting at a council or committee meeting is to be conducted so that no voter's vote is secret.

6.3 Method of taking vote

In taking the vote on any motion, the presiding member –

- (1) is to put the motion, first in the affirmative, and then in the negative;
- (2) may put the motion in this way as often as may be necessary to enable him or her to determine whether the affirmative or the negative has the majority of votes;
- (3) is to count and determine the votes of members in any way (such as electronically or by a show of hands) that enables a record to be taken of each member's vote; and
- (4) subject to this clause, is to declare the result.

PART 7 – PROCEDURAL MOTIONS AND MOTIONS CONCERNING BEHAVIOUR UNDER THE CODE OF CONDUCT

7.1 Permissible procedural motions

In addition to proposing a properly worded amendment to a primary motion, a member may, at the conclusion of a speech of any other member or on the conclusion of any business, move any of the following procedural motions without notice, and if seconded, the procedural motion is to be dealt with immediately:

- (a) that the motion be deferred;
- (b) that the meeting do now adjourn;
- (c) that the motion be now put;
- (d) that the meeting be now closed;
- (e) that the Council sit behind closed doors;
- (f) that the limitation on members speaking be suspended or that the limitation be resumed;
- (g) that the ruling by the presiding person be disagreed with.

7.2 No debate on procedural motions

- (1) The mover of a motion referred to in each of paragraphs (a), (b), (d) and (f) of clause 7.1 may speak to the motion for not more than 5 minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

- (2) The mover of a motion referred to in paragraph (c) of clause 7.1 must not speak to the motion, the seconder must not speak other than to formally second the motion, and there is to be no debate on the motion.

7.3 Procedural motions – closing debate – who may move

- (1) No person who has moved, seconded, or spoken for or against the primary motion, or any amendment may move any procedural motion which, if carried, would close the debate on the primary motion or amendment.
- (2) At the same meeting, a member must not move more than one procedural motion, except a motion referred to in paragraph (a), (e) or (f) of clause 7.1.

7.4 Procedural motions – right of reply on primary motion

The carrying of a procedural motion, which closes debate on the primary motion or amendment and forces a decision on the primary motion or amendment does not deny the right of reply to the mover of the primary motion or amendment.

7.5 The motion be deferred – effect of motion

- (1) If a motion “that the motion be deferred” is carried, then all debate on the primary motion and any amendment is to cease and the motion or amendment is to be resubmitted for consideration at a time and date specified in the motion.
- (2) A member who moves “that the motion be deferred” must briefly state the reasons for the deferral when moving.
- (3) A motion that the motion be deferred is not to be moved in respect of the election of a presiding person or the mayor.

7.6 The meeting do now adjourn – effect of motion

- (1) If a motion “that the meeting do now adjourn” is carried then the meeting is to stand adjourned to a time and date specified in the motion, or where no time and date is specified, to such time and date as the presiding person declares.
- (2) Where debate on a motion is interrupted by an adjournment under subclause (1):
 - (a) the debate is to be resumed at the date and time specified as required in subclause (1) and at the point where it was so interrupted; and
 - (b) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and
 - (c) the provisions of clause 5.8 apply when the debate is resumed.

7.7 The motion be now put – effect of motion

- (1) If a motion “that the motion be now put”, is carried during discussion of a primary motion or amendment then the presiding person is to immediately put the matter under consideration without further debate (subject to clause 7.4).
- (2) If the motion “that the motion be now put” is lost then debate is to continue.

7.8 Meeting be now closed – effect of motion

- (1) If a motion “that the meeting be now closed”, is carried, then:
 - (a) the presiding person is to forthwith close the meeting, and no further business may be transacted; and
 - (b) any business outstanding on the agenda for that meeting is to be carried forward to the agenda for the next ordinary meeting of the Council.
- (2) If the motion “that the meeting be now closed” is carried at a meeting of the Council:
 - (a) the names of members who have spoken on the matter are to be recorded in the minutes; and
 - (b) the provisions of clause 5.8 apply when the outstanding business is resumed.

7.9 Council sit behind closed doors – effect of motion

- (1) The requirements for meetings to be open to the public and the reason that meetings may be closed are dealt with in the Act.

5.23. Meetings generally open to the public
(1) Subject to subsection (2), the following are to be open to members of the public –
(a) all council meetings; and
(b) all meetings of any committee to which a local government power or duty has been delegated.
(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following –
(a) a matter affecting an employee or employees;
(b) the personal affairs of any person;
(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
(e) a matter that if disclosed, would reveal –
(i) a trade secret;
(ii) information that has a commercial value to a person; or

(iii)	<i>information about the business, professional, commercial or financial affairs of a person,</i>
	<i>where the trade secret or information is held by, or is about, a person other than the local government;</i>
(f)	<i>a matter that if disclosed, could be reasonably expected to –</i>
(i)	<i>impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;</i>
(ii)	<i>endanger the security of the local government's property; or</i>
(iii)	<i>prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and</i>
(g)	<i>information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and</i>
(h)	<i>such other matters as may be prescribed.</i>
(3)	<i>A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.</i>

- (2) The Council, in one or more of the circumstances dealt with in the Act or the Regulations, may at any time, by resolution, decide to close to members of the public a meeting or part of a meeting..
- (3) If a resolution under sub clause (2) is carried, the presiding member, in consultation with the CEO, will determine who of the CEO or any employee of the City present at the meeting, is to leave meeting.
- (4) Subject to subclause (3), the meeting is to be closed to the public until the council resolves to open the meeting to members of the public.
- (5) Upon the public again being admitted to the meeting the presiding person is to cause the motions passed by the council whilst it was proceeding behind closed doors to be read out including the details of any voting recorded.
- (6) A person failing to comply with a direction made under subclause (3) may, by order of the presiding person, be removed by the police from the meeting room.

7.10 Limitation on members speaking be suspended or be resumed – effect of motion

- (1) If a motion “that the limitation on members speaking be suspended” is carried then the operation of clause 5.8 is suspended.
- (2) If a motion “that the limitation on members speaking be resumed” is carried then the operation of clause 5.8 is no longer suspended.

7.11 Ruling by the presiding person be disagreed with – effect of motion

If a motion “that the ruling by the presiding person be disagreed”, is carried then the ruling of the presiding person about which this motion was moved, is to have no effect and the meeting is to proceed accordingly.

7.12 Motions concerning behaviour under the Code of Conduct

- (1) A motion concerning a complaint about a breach of the Code of Conduct shall –
 - (a) be moved by the member who made the complaint; or
 - (b) if the complaint was made by a person who is not a member, moved by any member.
- (2) If a motion moved under sub-clause (1) lapses for want of a mover or seconder, the complaint is taken to have been dismissed.
- (3) There is to be no debate on a motion moved and seconded under sub-clause (1).
- (4) A motion moved and seconded under sub-clause (1) cannot be amended.
- (5) If a motion under sub-clause (1) is moved and seconded then lost, the complaint is taken to have been dismissed.
- (6) If the motion moved and seconded under sub-clause (1) is carried, the person who moved the motion shall then move a motion in relation to whether further action is warranted and, if so, what action.
- (7) If a motion moved under sub-clause (6) lapses for want of a seconder, Council is taken to have determined that no further action is warranted in respect of the breach and no further motion may be moved.
- (8) If a motion moved under sub-clause (6) is seconded, subject to sub-clause (10), there is to be no debate on the motion.
- (9) A motion moved and seconded under sub-clause (6) cannot be amended other than to address comments made under sub-clause (10).
- (10) If a motion moved under sub-clause (6) is seconded, the councillor found to have breached the Code is to be provided with the opportunity to comment on the proposed action.
- (11) Any comment made by a councillor under sub-clause (10) is to be limited to whether or not they view the proposed action as acceptable.
- (12) If a motion moved under sub-clause (6) is lost, council is taken to have determined that no further action is warranted in respect of the breach and no further motion may be moved.

PART 8 – CONDUCT OF MEMBERS

8.1 Dealing with Proponents

- (1) In this clause:

“Proponent” means a proponent of a Proposal and includes a person who represents the interests of a Proponent;

“Proposal” means:

- (a) a proposed subdivision of land;
 - (b) a proposed development of land;
 - (c) a proposal involving the exercise of discretion under a planning scheme or under a planning policy or structure plan adopted under a planning scheme;
 - (d) a proposed change to a planning scheme including a proposed change to the zoning of land; or
 - (e) a proposed change to a planning policy or structure plan adopted under a planning scheme.
- (2) This clause applies where a Proposal is, or is likely, to be considered by the council.
- (3) A member must:
- (a) not make any statements or express any views to a Proponent or a person interested in a Proposal which purports to be on behalf of the council or the City;
 - (b) be alert to the motives and interests of a Proponent;
 - (c) be aware of which person, organisation or company that the Proponent is representing;
 - (d) not give any undertaking to a Proponent or any person interested in the Proposal;
 - (e) not do or say anything which could be viewed as giving a Proponent preferential treatment;
 - (f) ensure that persons interested in a Proposal are treated fairly and consistently;
 - (g) be alert to attempts by Proponents and parties interested in a Proposal to encourage members to consider matters which are extraneous or irrelevant to the merits of the decision under consideration; and
 - (h) be careful in dealings with a Proponent or a person interested in a Proposal who is a former councillor or former employee of the City and make sure that the person is not given or appear to be given favourable or preferential treatment.

8.2 No adverse reflection

- (1) A member must not reflect adversely upon a decision of the council except on a motion that the decision be revoked or changed.

- (2) A member must not use an objectionable expression in reference to any other member.
- (3) A member may request that any words used by a member, be recorded in the minutes immediately after their use.

8.3 Withdrawal of offensive language

- (1) A member who uses an expression which, in the opinion of the presiding person:
 - (a) reflects adversely on the character or actions of another member; or
 - (b) imputes any motive to any other member; or
 - (c) is offensive or insulting,
 must, when directed by the presiding person, unreservedly withdraw the expression and make an unconditional apology.
- (2) Where a member fails to comply with a direction of the presiding person under subclause (1), the presiding person may refuse to hear the member further on the matter then under discussion and call on the next speaker.

8.4 No participation in public question or public statement time

- (1) A member must not ask a question or make a statement during public question time.
- (2) A member must not sit in the public gallery during a meeting.

PART 9 – MISCELLANEOUS

9.1 Representation on public bodies

When the council is required to appoint or nominate a member/person to a public body, written notice of the vacancy or need for the appointment or nomination is to be given to all members and the council is by resolution to determine the appointment or nomination.

9.2 Improper use of information

The improper use of information is dealt with in the Act.

5.93. Improper use of information

A person who is a council member, a committee member or an employee must not make improper use of any information acquired in the performance by the person of any of his or her functions under this Act or any other written law -

- (a) to gain directly or indirectly an advantage for the person or any other person or
- (b) to cause detriment to the local government or any other person.

Penalty: \$10 000 or imprisonment for 2 years.

9.3 Meetings of electors

The requirements for meetings of the electors are dealt with the Act and the Regulations.

5.26. Definition

In this Subdivision –

“electors” includes ratepayers.

5.27. Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

5.28. Electors' special meetings

- (1) A special meeting of the electors of a district is to be held on the request of not less than –
 - (a) 100 electors or 5% of the number of electors - whichever is the lesser number; or
 - (b) $\frac{1}{3}$ of the number of council members.
- (2) The request is to specify the matters to be discussed at the meeting and the form or content of the request is to be in accordance with regulations.
- (3) The request is to be sent to the mayor or president.
- (4) A special meeting is to be held on a day selected by the mayor or president but not more than 35 days after the day on which he or she received the request.

5.29. Convening electors' meetings

- (1) The CEO is to convene an electors' meeting by giving –
 - (a) at least 14 days' local public notice; and
 - (b) each council member at least 14 days' notice,
 of the date, time, place and purpose of the meeting.
- (2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.

5.30. Who presides at electors' meetings

- (1) The mayor or president is to preside at electors' meetings.
- (2) If the circumstances mentioned in section 5.34(a) or (b) apply the deputy mayor or deputy president may preside at an electors' meeting in accordance with that section.
- (3) If the circumstances mentioned in section 5.34(a) or (b) apply and –
 - (a) the office of deputy mayor or deputy president is vacant; or
 - (b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president,

then the electors present are to choose one of the councillors present to preside at the meeting but if there is no councillor present, able and willing to preside, then the electors present are to choose one of themselves to preside.

5.31. Procedure for electors' meetings

The procedure to be followed at, and in respect of, electors' meetings and the methods of voting at electors' meetings are to be in accordance with regulations.

5.32. Minutes of electors' meetings

The CEO is to –

- (a) *cause minutes of the proceedings at an electors' meeting to be kept and preserved; and*
- (b) *ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.*

5.33. Decisions made at electors' meetings

- (1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable –*
 - (a) *at the first ordinary council meeting after that meeting; or*
 - (b) *at a special meeting called for that purpose,**whichever happens first.*
- (2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

15. Matters for discussion at general electors' meetings - s. 5.27(3)

For the purposes of section 5.27(3), the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

16. Requests for electors' special meetings - s. 5.28(2)

A request for a special meeting of the electors of a district is to be in the form of Form 1.

17. Voting at electors' meetings - s. 5.31

- (1) *Each elector who is present at a general or special meeting of electors is entitled to one vote on each matter to be decided at the meeting but does not have to vote.*
- (2) *All decisions at a general or special meeting of electors are to be made by a simple majority of votes.*
- (3) *Voting at a general or special meeting of electors is to be conducted so that no voter's vote is secret.*

18. Procedures at electors' meetings - s. 5.31

Subject to regulations 15 and 17, the procedure to be followed at a general or special meeting of electors is to be determined by the person presiding at the meeting.

Sections 5.26 to 5.33 of the Act and regulations 15 to 18 of the Regulations

9.4 Recording of Proceedings

- (1) Unless otherwise decided by the meeting;
 - (a) The CEO is to ensure that an audio recording is taken of the proceedings of each meeting; and

- (b) Unless with the written authorisation of the presiding member, a person is not to use any electronic, visual or audio recording device or instrument to record the proceedings of a meeting.

9.5 Giving a document to a member

A person, other than a member or an employee, must not give to a member, during a Council or committee meeting or within 30 minutes before the commencement of the meeting, any correspondence or other document relating to a matter to be considered by the meeting.

9.59.6 Cases not provided for in the standing orders

Where there is no provision or insufficient provision is made in this local law, the presiding person is to determine the procedure to be observed.

PART 10 - ENFORCEMENT

10.1 Penalty for Breach

A person who breaches a provision of these Standing Orders commits an offence.

Penalty: \$5,000

3.10. Creating offences and prescribing penalties

- (1) *A local law made under this Act may provide that contravention of a provision of the local law is an offence, and may provide for the offence to be punishable on conviction by a penalty not exceeding a fine of \$5 000.*

Section 3.10 of the Act

10.2 Who can prosecute

~~The right to prosecute for any offence committed under this local law is dealt with in the Act.~~
Who can prosecute is dealt with in the Act.

9.24. Commencing prosecutions

A prosecution for an offence against a local law may be commenced by -

- (a) *a person who is acting in the course of his or her duties as an employee of the local government or regional local government that made the local law; or*
- (b) *a person who is authorised to do so by the local government or regional local government that made the local law.*

Section 9.24 of the Act

SCHEDULE**PETITION OF TO THE CITY OF WANNEROO**

To the Mayor and/or CEO of the City of Wanneroo

We, the undersigned, do formally request Council's consideration (*insert details*):

Name, address and contact details of the person to which correspondence in respect of this petition should be addressed (*the **Submitter***):

The names and addresses of the petitioners are as follows:

	Full Name	Address	Signature	Date
1.				
2.				
3.				
4.				
5.				
6.				

Petition:-

Petition means a formal written request, typically signed by many people, that requests Council to take action in respect of a particular cause.

Form of Petition:

A Petition is:

- a) To be addressed to the Mayor or CEO.
- b) As far as practicable, to be prepared in the form prescribed.
- c) Have each page of signatures headed with the words of the petition request.

- d) Every signature must be original and made by the individual person
- e) To contain the name, address and signature of each petitioner making the request and the date each petitioner signed.
- f) State the name of the person upon whom, and an address at which, notice to the petitioners can be given (the Submitter). Where such name and address is not given, all correspondence thereon shall be forwarded to the person whose name first appears on the petition.
- g) Be in the form prescribed by the Local Government Act 1995 and Local Government (Constitution) Regulations 1996 if it is:-
 - i. A proposal to change the method of filling the office of mayor
 - ii. A proposal to create a new district or the boundaries of the local government
 - iii. A request for a poll on a recommended amalgamation
 - iv. A submission about changes to wards, the name of a district or ward or the number of Councillors for a district or ward.
- h) The petition will be presented to the next Ordinary Council Meeting for acceptance and thereafter forwarded to Administration for investigation and action. A follow up report will be presented to a Council meeting as soon as is practical on a recommended course of action.
- i) The Submitter will be advised of Council's resolution.

Item 5 Motions on Notice**Item 6 Late Reports (to be circulated under separate cover)**

Nil

Item 7 Public Question Time**Item 8 Confidential****8.1 Grant of Access Rights over City Freehold Land Parcels in Moorpark Avenue, Yanchep**

File Ref: SD151110V03 – 21/232623

Responsible Officer: Director, Corporate Strategy & Performance

This report is to be dealt with in confidential session, under the terms of the Local Government Act 1995 Section 5.23(2), as follows:

- (b) the personal affairs of any person*
- (e)(ii) a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government*

8.2 Mindarie Regional Council Resource Recovery Facility

File Ref: 34883 – 21/219974

Responsible Officer: Director, Assets

This report is to be dealt with in confidential session, under the terms of the Local Government Act 1995 Section 5.23(2), as follows:

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting*

Item 9 Date of Next Meeting

The next Ordinary Council Meeting has been scheduled for 6:00pm on Tuesday 11 May 2021, to be held at Council Chambers, Civic Centre, 23 Dundobar Road, Wanneroo.

Item 10 Closure



COUNCIL CHAMBERS SEATING DIAGRAM

