

# COUNCIL AGENDA

## Ordinary Council Meeting

6:00pm, 16 November 2021  
Council Chamber (Level 1), Civic Centre,  
23 Dundebur Road, Wanneroo

[wanneroo.wa.gov.au](http://wanneroo.wa.gov.au)

## PUBLIC QUESTION & STATEMENT TIME

The City encourages any members of the public who wish to raise a question to Council to submit this information via the **City's online forms** and/or contact **Council Support on 9405 5027**.

- [Public Question online form](#)

The City will make every endeavour to provide a response to any submissions at the meeting. All submissions will form part of the electronic meeting and will be recorded in the Minutes of the Council meeting.

### 1. Time Permitted

A minimum of 15 minutes is permitted for Public Question Time at Council Meetings. If there are not sufficient questions to fill the allocated time, the Presiding Member will move to the next item. If there are more questions to be considered within 15 minutes, the Presiding Member will determine whether to extend Public Question Time. Each person seeking to ask questions during Public Question Time may address the Council for a maximum of three minutes each.

### 2. Protocols

No member of the public may interrupt the Council Meeting proceedings or enter into conversation.

Members of the public wishing to participate in Public Question Time at the Council Meeting are to register on the night at the main reception desk located outside of Council Chambers. Members of the public wishing to submit written questions are encouraged to lodge them with the Chief Executive Officer at least 30 hours prior to the start of the meeting (that is, by 12noon on the day before the meeting).

The Presiding Member will control Public Question Time and ensure that each person wishing to ask a question is given a fair and equal opportunity to do so. Members of the public wishing to ask a question must state his or her name and address before asking a question. If the question relates to an item on the Agenda, the item number and title should be stated.

### 3. General Rules

The following general rules apply to Public Question and Statement Time:

- Public Questions and Statements should only relate to the business of the local government and should not be a personal statement or opinion;
- Only questions relating to matters affecting the local government will be considered at a Council Meeting, and only questions that relate to the purpose of the meeting will be considered at a Special Council Meeting;
- Questions may be taken on notice and responded to after the meeting;
- Questions may not be directed at specific Council Members or City Employee;
- Questions are not to be framed in such a way as to reflect adversely on a particular Council Member or City Employee;
- First priority will be given to persons who are asking questions relating to items on the current Council Meeting Agenda; and
- Second priority will be given to Public Statements. Only Public Statements regarding items on the Council Agenda under consideration will be heard.

**Please ensure mobile phones are switched off before entering the Council Chamber.  
For further information, please contact Council Support on 9405 5000.**



# RECORDING AND ACCESS TO RECORDINGS OF COUNCIL MEETINGS POLICY

## Objective

- To ensure there is a process in place to outline the access to recorded Council Meetings.
- To emphasise that the reason for recording of Council Meetings is to ensure the accuracy of Council Meeting Minutes and that any reproduction of these Minutes are for the sole purpose of Council business.

## Implications

City of Wanneroo Strategic Community Plan 2017/2018 to 2026/2027:

*“4 Civic Leadership*

*4.2 Good Governance*

*4.2.1 Provide transparent and accountable governance and leadership”*

Recordings pertaining to the proceedings of Council Meetings shall be retained in accordance with the *State Records Act 2000*.

## Implementation

This Policy shall be printed within the Agenda of all Council Meetings which include:

- Ordinary Council Meeting;
- Special Council Meeting;
- Annual General Meeting of Electors; and
- Special Electors Meeting.

To advise the public that the proceedings of the meeting are recorded.

## Evaluation and Review Provisions

### ***Recording of Proceedings***

1. Proceedings for Council Meetings; as well as Deputations and Public Question Time during these meetings shall be recorded by the City on sound recording equipment, except in the case of a meeting where Council closes the meeting to the public.
2. Notwithstanding subclause 1, proceedings of a Council Meeting, which is closed to the public, shall be recorded where the Council resolves to do so.
3. No member of the public is to use any audio visual technology or devices to record the proceedings of a Council or Committee Meeting, without the written permission of the Mayor or the Mayors Delegate.

### ***Access to Recordings***

4. Members of the public may purchase a copy of the recorded proceedings or alternatively, listen to the recorded proceedings at the Civic Centre. Costs of providing a copy of the recorded proceedings to members of the public will include staff time to make the copy of the proceedings; as well as the cost of the digital copy for the recording to be placed on. The cost of staff time will be set in the City's Schedule of Fees and Charges each financial year.
5. Council Members may request a copy of the recording of the Council proceedings at no charge.
6. All Council Members are to be notified when recordings are requested by members of the public, and of Council.
7. Transcripts can be produced on the request of the Chief Executive Officer and will include staff time set by the City's Schedule of Fees and Charges.

## COMMONLY USED ACRONYMS AND THEIR MEANING

Acronym	Meaning
<b>ABN</b>	Australian Business Number
<b>ACN</b>	Australian Company Number
<b>Act</b>	<i>Local Government Act 1995</i>
<b>CBP</b>	City of Wanneroo Corporate Business Plan
<b>CHRMAP</b>	Coastal Hazard Risk Management & Adaption Plan
<b>City</b>	City of Wanneroo
<b>CPI</b>	Consumer Price Index
<b>DBCA</b>	Department of Biodiversity Conservation and Attractions
<b>DFES</b>	Department of Fire and Emergency Services
<b>DOE</b>	Department of Education Western Australia
<b>DOH</b>	Department of Health
<b>DPLH</b>	Department of Planning Lands and Heritage
<b>DPS2</b>	District Planning Scheme No. 2
<b>DLGSCI</b>	Department of Local Government, Sport and Cultural Industries
<b>DWER</b>	Department of Water and Environmental Regulation
<b>EPA</b>	Environmental Protection Authority
<b>GST</b>	Goods and Services Tax
<b>JDAP</b>	Joint Development Assessment Panel
<b>LTFP</b>	Long Term Financial Plan
<b>MRS</b>	Metropolitan Region Scheme
<b>MRWA</b>	Main Roads Western Australia
<b>POS</b>	Public Open Space
<b>PTA</b>	Public Transport Authority of Western Australia
<b>SAT</b>	State Administrative Tribunal
<b>SCP</b>	City of Wanneroo Strategic Community Plan
<b>WALGA</b>	Western Australian Local Government Association
<b>WAPC</b>	Western Australian Planning Commission



Notice is given that the next Ordinary Council Meeting will be held in the Council Chamber (Level 1), Civic Centre, 23 Dundobar Road, Wanneroo on **Tuesday 16 November, 2021** commencing at **6:00pm**.

D Simms  
Chief Executive Officer  
11 November, 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 and I invite you to bow your head in prayer:*

*Lord, We ask for your blessing upon our City, our community and our Council. Guide us in our decision making to act fairly, without fear or favour and with compassion, integrity and honesty. May we show true leadership, be inclusive of all, and guide the City of Wanneroo to a prosperous future that all may share. We ask this in your name. Amen*

## **Item 1 Attendances**

## **Item 2 Apologies and Leave of Absence**

## **Item 3 Public Question and StatementTime**

## **Item 4 Confirmation of Minutes**

### **OC01-11/21 Minutes of Ordinary Council Meeting held on 12 October 2021**

That the minutes of Ordinary Council Meeting held on 12 October 2021 be confirmed.

### **SOC02-11/21 Minutes of Special Council Meeting held on 26 October 2021**

That the minutes of Special Council Meeting held on 26 October 2021 be confirmed.

## **Item 5 Announcements by the Mayor without Discussion**

## **Item 6 Questions from Council Members**

## **Item 7 Petitions**

### **New Petitions Received**

### **Update on Petitions**

## **Item 8 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 and Sustainability**

### **Strategic Land Use Planning & Environment**

#### **PS01-11/21 Close of Advertising - Alkimos - Eglinton DCP Annual Review of Costs (2021-2022)**

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File Ref: 23155V02 – 21/458632  
Responsible Officer: Director Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 4

#### **Issue**

To consider the public submission received on the Annual Review of costs for the Alkimos-Eglinton Development Contribution Plan (DCP).

#### **Background**

Amendment No. 122 to District Planning Scheme No. 2 (DPS 2) was gazetted in September 2014 and introduced the DCP provisions into DPS 2. Schedule 15 of DPS2 identifies the various community infrastructure and the DCP provides estimates on the costs, estimated contributions and the timing for the delivery of infrastructure within Alkimos and Eglinton DCP. The Development Contribution Area (DCA) is defined in **Attachment 1** and is reflected in DPS2 as a Special Control Area. The infrastructure costs include planning, design, project management, construction and land acquisition costs associated with the following infrastructure:

- Surf Life Saving Club;
- Public Open Space (x2);
- Multipurpose Hard Courts (x2);
- Community Centre (x2);
- Library (x2); and
- Indoor Recreation Centres (x2).

The DCP has an operation period of 25 years and during this time the City is required to review the various elements of the DCP at one and five year intervals as per the following:

- Annually - DCP cost estimates, DCP cost indexation, contributing land area, and cost per hectare.
- Five Yearly - Community Facility Plan (CFP) assumptions and recommendations, and full DCP review.

The DCP utilises the 'per hectare' model of calculating development contributions, which involves the levy of a contribution based on the total area of developable land; rather than the number of lots or dwellings proposed to be created as a result of subdivision. The Annual Review revises the contribution rate by apportioning the estimated remaining infrastructure costs over the remaining NCA in any particular year.

The Contribution payable by a landowner at the time of subdivision is calculated by multiplying the area of the proposed lots by the contribution rate approved by Council (currently \$10.13 per sqm).

The City has collected approximately \$17.4 million in contributions from landowners up to 30 June 2021.

The Annual Review is necessary to ensure that the cost contribution amount is correctly set to collect sufficient funds to cover the cost of approved infrastructure.

On 17 November 2020 (CP01-11/20), Council approved a revised CFP and the recommendations on infrastructure prioritisation and delivery, which are included in the DCP assumptions.

On 7 September 2021 (PS04-09/21), Council considered the Alkimos-Eglinton DCP Annual Review and resolved the following:

- *ENDORSES the revised Alkimos-Eglinton Development Contribution Plan cost estimates in accordance with Schedule 14 of District Planning Scheme No. 2 as outlined in Attachment 2, including:-*
  - a) *Developer Contribution Plan facility cost estimate of \$82,932,000;*
  - b) *Net contributing land area remaining – 563.39 hectares; and*
  - c) *Cost per hectare - \$120,829.50 (or \$12.08 per square metre).*
- *ENDORSES the revised Alkimos-Eglinton Development Contribution Plan Report as depicted in Attachment 5; and*
- *Pursuant to Clause 11.6 of Schedule 14 of District Planning Scheme No. 2 NOTIFIES affected landowners of the recommendations of the Annual Review and INVITES comment in writing from those landowners for a period of 28 days.*

## Detail

The DCP's Cost Apportionment Schedule (**CAS**) has been revised to reflect the latest cost estimates (refer **Attachment 2**). The following provides the outcomes of relevant infrastructure cost elements of the Annual Review, including:

- Net Contributing Area (NCA)
- Facility Costs
- Land Acquisition Valuation
- Administration Costs
- Cost Contribution
- Community Facility Plan (Re-Prioritisation of Facility Provision)

### Net Contributing Area (NCA)

In the past six years the NCA has reduced by approximately 67 hectares from the original DCP area of 630.56 hectares (2015). The remaining NCA is estimated to be 563.39 hectares, which reflects the area of land that has contributed and any amendments to the ASP. The Annual Review applies the remaining NCA of 563.39 hectares to determine the contribution rate required to complete the required infrastructure works.

### Infrastructure Costs

The costs of the DCP infrastructure is revised each year and these costs are required to be independently verified. The City engaged an external quantity surveyor (*Donald Cant Watts and Corke*) to prepare a revised cost estimate for the facilities up to June 2022. Overall, there has been an increase in the cost estimates from \$72,028,705 to \$82,932,000. The increase relates to an escalation/indexation of costs applied by the quantity surveyor to reflect market conditions. The City will continue to revise the costs annually in accordance with DPS2, until such time as the infrastructure costs have been finalised.



### Land Acquisition Valuation

The estimated acquisition costs have been updated and are included into the facility cost estimates. The land valuation was completed in accordance with the requirements of DPS 2, which requires the local government to appoint a licensed valuer. In this regard, the land valuation was prepared by Brian Zucal and Associates on 11 June 2021 for the 2021-2022 Annual Review period. The valuation recommends a valuation of \$101 per m<sup>2</sup>. These costs form part of the overall cost estimates for each item of infrastructure, as defined in **Attachment 2**.

### Administration Costs

In accordance with Schedule 15 of DPS 2, the following administration costs can be charged to the DCP;

- Costs to prepare and administer the plan during the period of operation;
- Costs to prepare and review estimates;
- Costs to prepare the cost apportionment schedule;
- Valuation costs; and
- Costs to service loans established by the City to fund early provision of facilities.

The City has utilised the original cost estimate for administering the DCP of \$76,500 per annum, which is generally consistent with the previous year's actual expenditure.

The Administration costs are estimated for the remaining operational period of the DCP from 1 July 2021 to 8 September 2039, which equates to a remaining estimated administration cost of \$1,562,211. It should be noted that only actual Administration costs that are incurred are charged to the DCP and that these costs form part of the actual expenditure and are disclosed in the Annual Financial Statements.

### Cost Contribution

The contribution rate has increased from \$10.13 to \$12.08 per square metre, which is a reflection of an increase in the revised facility cost estimates.

### External Auditing

The Annual Review was audited by the City's external auditors (William Buck) and a copy of their findings has been included as **Attachment 3**. The audit opinion concluded that the DCP costs incurred, estimated for remaining development works, and proposed rate of \$120,829.50 (\$12.08 per/m<sup>2</sup>) were fairly stated and in compliance to DPS 2 and SPP 3.6.

### **Consultation**

In accordance with Schedule 14 of DPS No. 2, where the review of estimated costs recommends those costs be increased, then the local government must advertise the review for a period of 28 days, prior to making a decision to increase the estimated costs.

Advertising was carried out between 16<sup>th</sup> September and 14 October 2021. Administration wrote to landowners within the DCP area and made information available at the Civic Centre and on the City's website.

One submissions was received during advertising.

## Comment

The City received one submission from Woodsome Management Pty Ltd on behalf of the majority of Alkimos-Eglinton landowners (refer **Attachment 4**). The salient points of the submissions are summarised below.

### 1. Annual Review

- *The Alkimos Eglinton Landowner Group, namely Development WA, Eglinton Estates & Peet supports the revised cost estimates proposed in the Annual Review, including the remaining net contributing area, land valuation and cost per hectare rate.*

Administration response – Noted

- *The revised facilities costs have increased from \$72M to \$83M, which result in an increase in the contribution rate from \$10.13/m<sup>2</sup> to \$12.08/m<sup>2</sup> (approximately 19%). It is acknowledged that the cost increase is attributed to construction costs for the Alkimos Indoor Recreation Centre and includes an additional escalation allowance due to the abnormal steel and brickwork pricing currently being experienced.*

Administration response – Construction cost estimates will continue to be reviewed on an annual basis in accordance with the requirements of DPS2. Construction costs will be refined as site specific (detailed) designs are prepared and estimated costs updated by external consultants to ensure the most accurate cost estimates are utilised, until such time as the actual expenditure occurs.

- *The land valuation process is generally based on englobo, un-serviced rates at a point in time. Whereas at the point of acquisition the land is often a serviced, level lot, with a known zoning the value of which may not align with what has been collected (i.e. likely to be a higher rate). Prior to the next Annual Review the City should consider modelling this impact and provide options to the AELO to ensure adequate collections will be received.*

Administration response – The land valuation requirement of DPS2 refers to fair market value and requires negotiation with the affected landowner to finalise the acquisition of the land in accordance with the delivery timeframes specified in DCP. The Annual Review utilises a valuation to estimate the likely acquisition costs and is generally based on the englobo land value (current undeveloped state of the land).

It is acknowledged that the prioritisation and timing for acquisition will impact on the estimated value of land, with consideration for constraints, zoning, access, availability of services and market demand.

It is also acknowledged that the estimates should include reasonable assumptions and expectations that the site will be delivered to a particular standard and capable of accommodating the required infrastructure in the most economical way possible. The City will continue to engage with the landowner group to ensure the cost estimates are as accurate as possible and will seek to establish a greater level of certainty on the site specific location and design of the infrastructure to inform the valuation process, using the best information available.

2. Deletion of the Principal Shared Path (PSP) from within the Yanchep Rail Extension corridor.
  - *The landowner group shares the disappointment of the City on this decision which we agree will likely facilitate a sub-optimal outcome for pedestrian and bike path networks, where the delivery of an alternate PSP route is transferred to individual land owners.*
  - *The planning framework for much of the land in the area to date has been predicated on the presumption that the PSP would be delivered.*

Administration response – The Alkimos Eglinton DCP does not include the PSP infrastructure and therefore does not impact on the review of estimated costs in the annual review.

As part of separate reports in September and October 2021, Council considered this matter and has requested the State Government to include the PSP within the rail reservation.

## Statutory Compliance

In terms of DPS 2, the City must annually review the DCP and the process for this is outlined in the scheme. In line with this, landowners may object to the amount of a cost contribution and request a review by an independent expert. If this does not result in the cost contribution being acceptable to the landowners, then landowners can request that the cost contribution be determined through a process of arbitration. A similar right exists for the process of determining the value of any land to be acquired through the DCP.

## Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*5 ~ A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places*

*5.1 - Develop to meet current need and future growth*

## 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 & 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 (LTFP) 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

The proposed revision of costs for the 2021/2022 period recommends an increase in the total costs by \$10.9 million from \$72,028,705 to \$82,932,000 and the associated contribution rate increasing from \$10.13 to \$12.08 per square metre.

The Annual Review was audited by the City's external auditors (William Buck) and a copy of their findings has been included as **Attachment 3**. The audit opinion concluded that the DCP costs incurred, estimated for remaining development works, and proposed rate of \$120,829.50 (\$12.08 per/m<sup>2</sup>) were fairly stated and in compliance to DPS 2 and SPP 3.6.

The infrastructure facility costs and timing for delivery is subject to change in future reviews and will be used to inform the City's Capital Works Program, Annual Budget and the Long Term Financial Plan.

## Voting Requirements

Simple Majority

## Recommendation

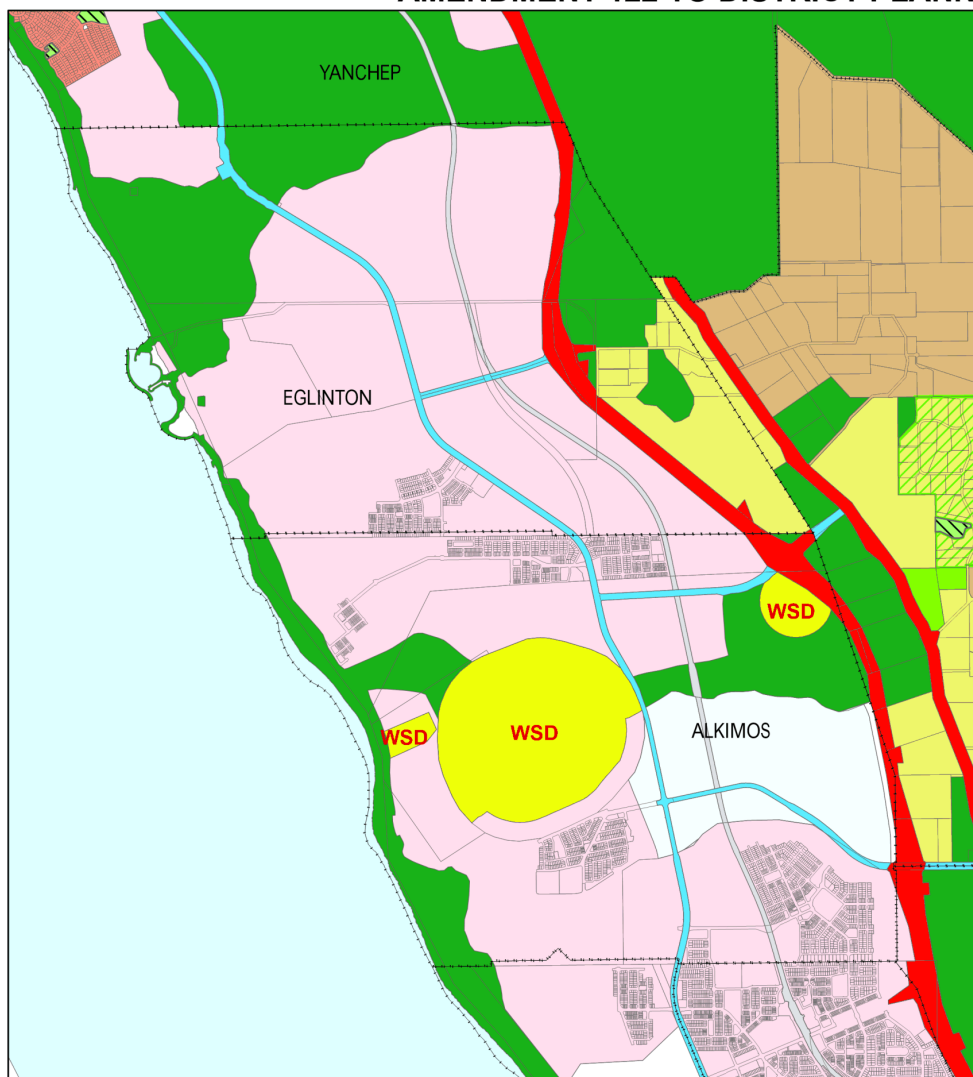
That Council:-

1. **APPROVES the Annual Review of the Alkimos-Eglinton Development Contribution Plan cost estimates in accordance with Schedule 14 of *District Planning Scheme No. 2* as outlined in Attachment 2, including:**
  - a) **Developer Contribution Plan facility cost estimate of \$82,932,000;**
  - b) **Net contributing land area remaining – 563.39 hectares; and**
  - c) **Cost per hectare - \$120,829.50 (or \$12.08 per square metre).**
2. **NOTES the submission received from the Alkimos Eglinton landowners in relation to Annual Review of Costs as depicted in Attachment 4;**
3. **NOTES that the City will continue to liaise with landowners through the next 5-Year review of the Community Facility Plan to ensure the timely and economical provision of community infrastructure.**

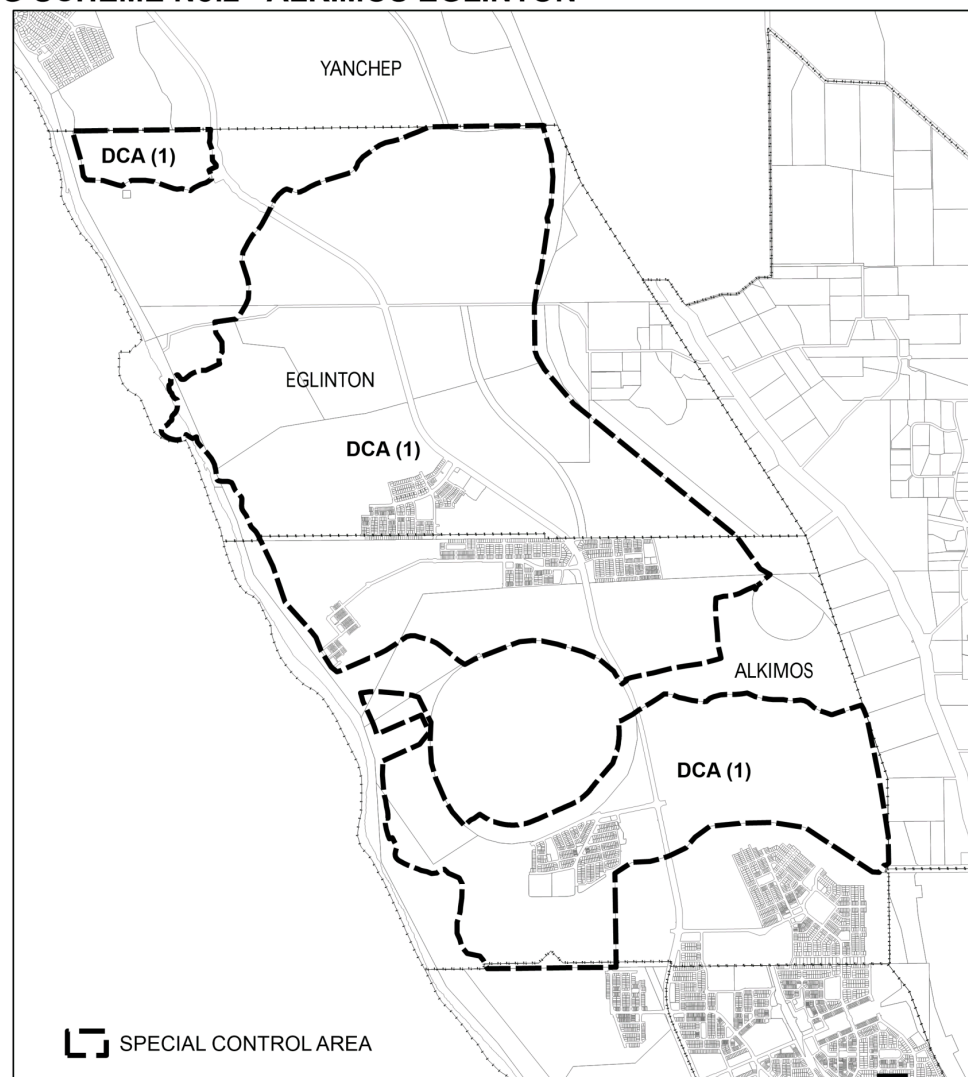
Attachments:

<a href="#"><u>1</u></a>	Attachment 1 - Alkimos-Eglinton DCA Map	21/318371
<a href="#"><u>2</u></a>	Attachment 2 - Alkimos-Eglinton DCP Annual Review of Costs Table (2021-2022)	21/310187
<a href="#"><u>3</u></a>	Attachment 3 - Alkimos Eglinton Annual Cost Review Audit Report 2021	21/326758
<a href="#"><u>4</u></a>	Attachment 4 - Submission to CoW_Annual Review 14 Oct 2021 Final	21/458003

## AMENDMENT 122 TO DISTRICT PLANNING SCHEME No.2 - ALKIMOS EGLINTON



Existing



Proposed

## LEGEND

## METROPOLITAN REGION SCHEME RESERVES

- |                    |                           |
|--------------------|---------------------------|
| PARKS & RECREATION | PRIMARY REGIONAL ROADS    |
| RAILWAYS           | OTHER REGIONAL ROADS      |
| STATE FORESTS      | PUBLIC PURPOSE            |
| WATER CATCHMENT    | DENOTED AS FOLLOWS:       |
| CIVIC AND CULTURAL | HS HIGH SCHOOL            |
| WATERWAYS          | WSD WATER AUTHORITY OF WA |

## LOCAL SCHEME RESERVES

- |                     |
|---------------------|
| PARKS & RECREATION  |
| PUBLIC USE          |
| DENOTED AS FOLLOWS: |
| HS HIGH SCHOOL      |

## ZONES

- |                            |
|----------------------------|
| RESIDENTIAL                |
| BUSINESS                   |
| COMMERCIAL                 |
| SERVICE INDUSTRIAL         |
| PRIVATE CLUBS & RECREATION |
| CENTRE                     |

- |                        |
|------------------------|
| URBAN DEVELOPMENT      |
| INDUSTRIAL DEVELOPMENT |
| GENERAL RURAL          |
| RURAL COMMUNITY        |
| MARINA                 |



Produced by Planning &amp; Sustainability



ALKIMOS EGLINTON DCP - FACILITY COST APPORTIONMENT (2021)						
Infrastructure Item	Annual Review 2020 (\$)	Inc/Exp LTD to June 2021	Annual Review Updated Cost 2021 (\$)	Updated Developable Area (ha)	Cost per Hectare	% Change
<b>ALKIMOS</b>						
Alkimos Surf Life Saving Club	\$ 4,909,113		\$ 5,802,000	563.39	\$ 10,298.34	18%
Alkimos District Community Centre	\$ 5,637,158		\$ 6,304,000	563.39	\$ 11,189.37	12%
Alkimos Regional Community Centre (Library)	\$ 7,358,419		\$ 8,226,000	563.39	\$ 14,600.85	12%
Public Open Space (Active), Alkimos Parks and Recreation Reserve	\$ 6,862,996		\$ 7,938,000	563.39	\$ 14,089.66	16%
Alkimos District Open Space - Multipurpose Hard Courts	\$ 2,954,988		\$ 3,354,000	563.39	\$ 5,953.23	14%
Indoor Recreation Centre, Alkimos Secondary Centre	\$ 10,572,376		\$ 12,759,000	563.39	\$ 22,646.76	21%
<b>EGLINTON</b>						
Eglinton District Open Space	\$ 6,862,996		\$ 7,938,000	563.39	\$ 14,089.66	16%
Multipurpose Hard Courts (Tennis Courts)	\$ 2,954,988		\$ 3,354,000	563.39	\$ 5,953.23	14%
North Eglinton Indoor Recreation Centre	\$ 10,920,094		\$ 12,727,000	563.39	\$ 22,589.96	17%
District Community Centre (Community)	\$ 5,637,158		\$ 6,304,000	563.39	\$ 11,189.37	12%
District Community Centre (Library)	\$ 7,358,419		\$ 8,226,000	563.39	\$ 14,600.85	12%
<b>Estimated Facility Cost</b>	<b>\$ 72,028,705</b>		<b>\$ 82,932,000.00</b>			
Shortfall in contributions to be made up by interest (remaining)	-\$ 2,448,830	\$ 1,923,082	-\$ 525,748.19	563.39	-\$ 933.18	
Collected contributions	-\$ 13,476,765	\$ 15,894,114.03	-\$ 15,894,114.03	563.39	-\$ 28,211.48	
<b>Funding Accounted (Deducted from Cost)</b>	<b>-\$ 15,925,595</b>	<b>\$ 17,817,196</b>	<b>-\$ 16,419,862</b>		<b>\$ 118,056.63</b>	
Confirmed Administration Costs (Preparation of DCP, Cost estimates)	\$ 47,501	-\$ 47,501	0	563.39	-\$ 0.00	
Confirmed Administration Costs (Alkimos Eglinton Specific)	\$ 20,000	-\$ 20,000	-	563.39	\$ -	
Estimated Administration Costs (Administer the DCP) (\$76,500 p.a. x 25 years)	\$ 1,912,500	-\$ 350,289.36	\$ 1,562,211	563.39	\$ 2,772.87	
<b>Sub Total Administrative Costs</b>	<b>\$ 1,980,001</b>	<b>-\$ 417,790</b>	<b>\$ 1,562,211</b>		<b>\$ 2,772.87</b>	
<b>TOTAL</b>	<b>\$ 58,083,111</b>	<b>\$ 17,399,406</b>	<b>\$ 68,074,348.42</b>		<b>\$ 120,829.50</b>	
<b>LANDOWNER COST APPORTIONMENT - 2021 Annual Review</b>						
DEVELOPMENT / LANDOWNER	REVISED SITE AREA (HA)	REVISED DEVELOPABLE AREA (HA)	LANDOWNER CONTRIBUTION (%)	TOTAL COST	LANDOWNER COST	COST CONTRIBUTION (\$/HA)
Alkimos Beach	224.42	65.39	10.52	\$ 68,074,348	\$ 7,160,591.40	\$ 109,505.91
Alkimos City Centre	212.62	34.47	5.54	\$ 68,074,348	\$ 3,774,668.69	\$ 109,505.91
Central Alkimos	261.42	60.23	9.69	\$ 68,074,348	\$ 6,595,540.91	\$ 109,505.91
Alkimos Coastal Node	91.91	22.49	3.62	\$ 68,074,348	\$ 2,462,787.90	\$ 109,505.91
Shorehaven	241.23	49.93	8.03	\$ 68,074,348	\$ 5,467,630.04	\$ 109,505.91
Spiers	67.15	17.1	2.75	\$ 68,074,348	\$ 1,872,551.05	\$ 109,505.91
Eglinton Estates LSP 82	633.56	204.17	32.84	\$ 68,074,348	\$ 22,357,821.47	\$ 109,505.91
Eglinton Estates North East	241.48	107.35	17.27	\$ 68,074,348	\$ 11,755,459.35	\$ 109,505.91
Eglinton Estates North West	102.25	60.52	9.74	\$ 68,074,348	\$ 6,627,297.62	\$ 109,505.91
<b>TOTAL</b>	<b>2076.04</b>	<b>621.65</b>	<b>100.00</b>		<b>\$ 68,074,348.42</b>	
Total developed from last updated NDA until August 2018		-16.46				
		605.19				
Total Developed from Last updated NDA until September 2019		-10.11				
		595.08				
Total Developed from Last updated NDA until June 2020		-7.40				
		587.68				
Total Developed from Last updated NDA until June 2021		-24.29				
<b>Total Remaining Developable Area June 2021</b>		<b>563.39</b>				



***Independent Auditors' Report to the City of Wanneroo ("the City") on the Annual Cost Review for Alkimos Eglinton Development Contribution Plan***

**Scope**

We have performed an audit of the Annual Cost Review of Alkimos Eglinton Development Contribution Plan ("DCP") and reviewed the methodology used in calculating and estimating the costs for the remaining DCP works, to establish the accuracy of the Annual Cost Review of Alkimos Eglinton DCP as per the requirement under the District Planning Scheme No. 2 ("DPS 2") and the State Planning Policy 3.6 ("SPP 3.6") and provide independent certification of such costs. Our agreed scope of work relied on a third party for verification of the square meters ("M<sup>2</sup>") used to calculate the developer contributions. Our audit of the Annual Cost Review for 2021/22 covered actual transactions from 1 July 2020 to 30 June 2021 and estimated costs for future years, while ascertaining that the actual expenditure incurred gives a true and fair view and ensure that the assumptions used in the estimations of DCP costs are in accordance with the DPS 2 and SPP3.6.

**The City's Responsibilities**

The City is responsible for ensuring that the DCP costs incurred, estimated and the Cost Per Hectare ("CPH") charged are in accordance with the DPS 2 and related regulations, policies and procedures. The City is responsible for ensuring that all DCP cost records are free of misstatements and omissions, and establish adequate internal controls for DCP cost incurring, estimating and the calculation of CPH rates, and ensure that adequate financial records have been maintained. The City is responsible for providing all financial records and related data, other information, explanations and assistance necessary for the conduct of the audit of the DCP cost reviews.

**Compliance with Independence and Other Ethical Requirements**

We have complied with the relevant independence and other ethical requirements relating to assurance engagements, which is founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour.

**ACCOUNTANTS & ADVISORS**

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(WB019\_2007)





**Auditor's Responsibilities**

Our responsibility is to express an opinion on the reasonability of the methodology used, in calculating and estimating costs for the remaining works, and assess the documentation provided to certify that the costs are incurred and estimated as per the DPS 2. We conducted our audit in accordance with Auditing Standards. These Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the methodology used in forming the basis of cost incurring, CPH rate calculation and estimation is free from material misstatement. An audit involves performing procedures to obtain audit evidence about the methodology used in forming the basis on the relevance of DCP costs incurred and estimations made for the remaining DCP development works.

The procedures selected depend on the auditor's judgement including the assessment of the risks of material misstatement of the methodology used. In making those risk assessments, the auditor considers internal control relevant to the City's preparation of the methodology used in forming the basis of cost incurring and DCP cost estimations in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control.

An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the City, as well as the City's alignment to DPS 2 and SPP 3.6.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

**Limitation on the scope**

- We have not performed any market evaluation for estimated costs and relied on the third-party reports of Donald Cant Watts Corke for validating the reliability of estimated cost of works.
- We have relied on the M<sup>2</sup> as outlined on the individual Landgate Deposited Plan ("DP") maps as provided by the City to determine each DP total M<sup>2</sup>.

**Audit Opinion**

In our opinion, other than stated under the Limitation of Scope Paragraph above, in all material respects, the DCP costs incurred, estimated for remaining development works, and proposed CPH rate of \$120,829.50 (as per DPS 2 CPH formula) were fairly stated and in compliance to DPS 2 and SPP 3.6.



**Basis of accounting and restriction of distribution**

Without modifying our opinion, we draw your attention to Schedule 15 Developer Contribution Plan of DPS 2, which describes the basis of funding, method of calculating contribution and the CPH rate, for the purpose of reporting to the City. As a result, the methodology used in forming the basis of this may not be suitable for another purpose. Our report is intended solely for the City and should not be distributed or used by other parties' other than the City. The Audit Report is not to be used by any other party for any purpose nor should any other party seek to rely on the opinions, advices or any information contained within this Audit Report.

William Buck Audit (WA) Pty Ltd disclaim all liability to any party other than the City who choose to rely in any way on the contents of this Audit Report does so at their own risk.

A handwritten signature in dark ink that reads "William Buck".

William Buck Audit (WA) Pty Ltd  
ABN 67 125 012 124

A handwritten signature in dark ink, appearing to be "CM" or "Conley Manifis".

Conley Manifis  
Director

Dated this 29<sup>th</sup> day of July 2021



Suite 10, 280 Hay Street Subiaco  
WA 6008  
PO Box 8265 Subiaco East 6904  
Western Australia

**T** 08 9388 1199  
**F** 08 9388 1099

14 October 2021

Chief Executive Officer  
City of Wanneroo  
Locked Bag 1  
WANNEROO WA 6946

**Attention: Mike Hudson (By email)**

Dear Sir,

### **ALKIMOS EGLINTON DEVELOPER CONTRIBUTION PLAN [DCP]**

#### Annual Review

Further to the City of Wanneroo's [City] letter dated 10 September 2021, on behalf of the Alkimos Eglinton Landowner's namely Development WA, Eglinton Estates & Peet [AELO], thank you for the invitation to provide our formal comments on the DCP Annual Review for 2021/2022.

The AELO support the Council's resolution from the 7 September 2021 and specifically supports the following:

- a) Developer Contribution Plan facility cost estimate of \$82,932,000;
- b) Net contributing area remaining – 563.39 hectares; and
- c) Cost per hectare - \$120,829.50 (or \$12.08 per square metre).

We note that the new rate reflects an increase in construction costs of the DCP facilities of around 15% (from \$72M to \$83M) which has an impact of around 19% increase on the DCP rate (\$10.13/m<sup>2</sup> to \$12.08/m<sup>2</sup>). We also note the QS has advised that the increase in construction costs for the Alkimos IRC is due to the differing timing to market (Alkimos commences in 2021 versus Eglinton in 2025) and an additional escalation allowance has been applied due to the abnormal steel and brickwork pricing evident at the time of preparing the updates. We are pleased to see that this additional allowance has only been applied to the Alkimos IRC, due to its delivery timing, and not the balance of facilities. We endorse this as a principle for the annual reviews which, as a part of their function, is to respond to current market conditions whether the impact is a positive or negative variation on overall costs.

Further, noting the AELO's meeting with the City on 30 March 2021 with the officers of the City, where it was discussed and acknowledged the methodology of the land valuation process needs to be "worked through" given DCP collection is generally based on englobos, unserviced rates at a point in time. Whereas at the point of acquisition the land is often a serviced, level lot, with a known zoning the value of which may not align with what has been collected (ie. likely to be a higher rate). We would ask the City - as administrators of the DCP - prior to the next Annual Review to consider modelling this impact to provide options to the AELO to ensure adequate collections are being made in this regard.

#### Deletion of PSP from the Rail Corridor

We also note the recent deletion of the Principal Shared Path [PSP] from within the Yanchep Rail Extension corridor. The landowner group shares the disappointment of the City on this decision which we

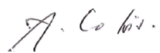
agree will likely facilitate a sub-optimal outcome for pedestrian and bike path networks. We understand the focus will now be on providing a PSP network/route within the road reserve of Marmion Ave with a specific PSP as part of any future Mitchell freeway extension.

The AELO equally shares the City's concern at the suggestion whereby the responsibility for delivery of an alternate PSP route is transferred to individual land owners. The planning framework for much of the land in the area to date has been predicated on the presumption that the PSP would be delivered within the rail corridor with appropriate connections to pedestrian and bike path networks through the adjoining subdivisions (between Marmion and the rail corridor) as part of the local road network. To effectively upgrade this network through the adjoining subdivisions into a contiguous PSP route, to replace the PSP deleted within the rail corridor, will be highly challenging. In some cases the land has already been subdivided and retrofitting of a contiguous PSP is not possible.

With the deletion of the PSP from the rail corridor the affected land owners will continue to seek to deliver an optimal pedestrian and bike path network as a part of the local road network, as per current practice and where appropriate connections to Marmion Ave, the future freeway and to the station precincts.

If you would like to discuss any aspects of this submission or have any questions please contact the undersigned - Tasio Cokis on 9388 1199.

Yours Sincerely



Woodsome Management Pty Ltd on behalf of the AELO  
Cc DevelopmentWA, Eglinton Estates Pty Ltd & Peet Ltd

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**PS02-11/21      Close of Advertising - Yanchep Two Rocks DCP Annual Review of Costs (2021-2022)**

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File Ref: 23156V03 – 21/458244  
Responsible Officer: Director Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 3

**Issue**

To consider the annual review of cost estimates for the Yanchep-Two Rocks Development Contribution Plan (DCP) in accordance with the provisions of Schedule 14 and 15 of District Planning Scheme No. 2 (DPS2).

**Background**

Amendment No. 122 to District Planning Scheme No. 2 (DPS2) was gazetted in September 2014 and introduced the Developer Contribution Plan (DCP) provisions into DPS2. In April 2015, Council adopted the Yanchep-Two Rocks DCP Report and Cost Apportionment Schedule (PD07-04/15), which applies to the Development Contribution Area (DCA) – Refer **Attachment 1**.

The DCP is subject to an annual review requirement to ensure that the cost contribution amount is correctly set to ensure the collection of sufficient funds to cover the cost of approved infrastructure items over the life of the DCP.

The DCP identifies various community facilities and provides estimates on the total cost, estimated contributions and the timing for the delivery of infrastructure within the Yanchep-Two Rocks area. The infrastructure costs include planning, design, project management costs, site servicing, construction costs and land acquisition costs associated with the following infrastructure:

- Yanchep Surf Life Saving Club;
- Yanchep District Open Space; and
- Capricorn Coastal Node Facilities.

The DCP was gazetted in 2014 and has an operation period of 16 years (2030). During this time period the City is required to review the various elements of the DCP at one and five year intervals as per the following:

**Annually**

- DCP Cost Estimates;
- DCP Cost Indexation;
- Dwelling Estimates; and
- Cost per Dwelling.

**5-yearly**

- Community Facility Plan (CFP) Assumptions and Recommendations; and
- Full DCP Review.

At the Ordinary Council Meeting on 7 September 2021 (PS03-09/21), Council considered the Yanchep-Two Rocks DCP Annual Review for the 2021-2022 Financial Year period and resolved to advertise the revised cost estimates for a period of 28 days.

The Annual Review recommended the following:

- a) An increase in the total infrastructure costs from \$27,631,474 to \$27,931,551 (net infrastructure cost is \$25,666,218 excluding grants contribution);
- b) A decrease in the cost per dwelling from \$4,047.38 to \$3,909.23;
- c) A decrease in the total municipal portion of the net infrastructure costs from 35.07% to 33.52%; or \$8,896,281 to \$8,603,735;

Consultation was undertaken and concluded on 14<sup>th</sup> October 2021.

## Detail

The Annual Review of costs (2021-2022 – Refer **Attachment 2**) includes all costs to 30 June 2021 (audited expenditure) and the estimated remaining DCP costs, which only applies to the Capricorn Coastal Node Facility (scheduled for completion by June 2022). Figures below depicts any changes in the costs associated with each item of infrastructure (completed and estimated remaining).

Facility	Status	2020/2021 Annual Review	2021/2022 Annual Review	Difference
Yanchep Surf Life Saving Club	Complete	\$7,938,238	\$7,938,238	\$0 (Complete)
Yanchep District Open Space				
- Land	Complete	\$6,530,040	\$6,530,040	\$0 (Complete)
- Oval groundworks	Complete	\$2,873,996	\$2,873,996	\$0 (Complete)
- Oval landscaping	Complete	\$5,318,646	\$5,318,646	\$0 (Complete)
- Pavilion	Complete	\$2,776,631	\$2,776,631	\$0 (Complete)
<b>Capricorn Coastal Node Facilities</b>	<b>Pending</b>	<b>\$2,193,923</b>	<b>\$2,494,000</b>	<b>\$300,077 (Increase)</b>
<b>TOTAL</b>		<b>\$27,631,474</b>	<b>\$27,931,551</b>	<b>+\$300,077</b>

Figure 1 – Updated Cost Estimates for Facilities

## Capricorn Coastal Node Facilities

The coastal node cost estimates are based on the original infrastructure works defined in the DCP and includes footpaths, roads, paved areas, drainage, lighting, fencing, gates, outbuildings and covered walkways.

An increase in the estimated costs from \$2,193,923 to \$2,494,000 was recommended by quantity surveyors Donald Cant Watts Corke (DCWC) to reflect the current market rates.

The landowner, Capricorn Village Joint Venture (CVJV) has obtained development approval from the Western Australian Planning Commission (WAPC) to construct the beach activity infrastructure and it is intended that this detailed design will inform the DCP cost estimates as part of the next annual review. In this regard, Administration has initiated discussions with CVJV to consider the scope of works that could be reasonably included, with consideration for the original scope of the DCP infrastructure.

CVJV has recently initiated bulk earthworks for the coastal node and advised that the initial stage will be completed by June 2022, which includes a basic level of infrastructure (e.g. earthworks and grassing). The second stage of the development will include additional infrastructure such as playground equipment and is scheduled for completion within the 2022/23 financial year. Administration will continue to liaise with the landowner in relation to the delivery of the infrastructure and will update the cost estimates as part of the next Annual Review process.

### Administration Costs

In accordance with Schedule 15 of DPS2 the following administration costs are proposed to be charged to the DCP:

- Costs to prepare and administer the plan during the period of operation;
- Costs to prepare and review estimates;
- Costs to prepare the cost apportionment schedule;
- Valuation costs; and
- Costs to service loans established by Council to fund early provision of facilities.

The City has continued to utilise the original cost estimate for administering the DCP of \$70,500 per annum, which is consistent with the average of the previous year's actual expenditure (since the approval of the DCP).

The administration costs are estimated for the remaining operational period of the DCP from 1 July 2021 to 8 September 2030, which equates to a remaining estimated cost of \$648,021 (approximately 9 years remaining). It should be noted that only actual administration costs incurred have been charged to the DCP and these costs are publically disclosed as part of the City's Annual Financial Statements.

### Loans to Fund Infrastructure

On behalf of the DCP, the City has borrowed funds to the amount of \$13,556,300. The loans were required to fund the completion of the Yanchep Surf Lifesaving Club and the acquisition and development of Splendid Park. Borrowing was necessary to comply with the delivery commitments made between the landowners and the City and was a consequence of lower than estimated lot yield creation in the early stages of the DCP operation period. The future interest payable has been estimated to be \$2,404,571, which includes the total estimated loan servicing cost for the life of the DCP with the repayment of the principal borrowing occurring at the end of the operational period (2030). It is noted that the loan servicing costs equate to approximately \$250k per year, however if lot creation increases the loan may be repaid sooner and the extent of interest payable would reduce. Any future reduction in the principle and the associated loan repayment costs will be reflected through the Annual Review process.

### Cost Apportionment and Contribution Rates

The methodology for calculating cost contributions is set out in DPS 2 and requires the cost contributions to be calculated based on the relative need generated by new dwellings.

The City's contribution towards the total cost of facilities is based on the number of existing dwellings (existing demand prior to the creation of the DCP) of 3,089 dwellings and expressed as a proportion of the total estimated dwellings over the operational period of the DCP.

The total estimated lot yield is based on the ID Forecast projections and in effect, the lower the total estimated lot yield the higher the cost per lot and the higher the City's proportion of the total cost. This methodology reflects the principles of State Planning Policy 3.6, which refers to a need and nexus of costs and the principle that the user pays.

The 2021/2022 Annual Review has identified a minor increase in the total estimated lot yield from 8,808 to 9,215, which equates to a decrease in the City's portion of the net infrastructure costs (total infrastructure cost less grants) from 35.07% to 33.52% (\$8,896,281 to \$8,603,735) and a corresponding decrease in the DCP contribution rate (future subdividers) from \$4,047.38 to \$3,909.23 per dwelling (a decrease of \$138 per lot).

Whilst the City's obligation relates to a 'fixed' or known dwelling number (3,089), the apportionment is calculated against the total lot yield within the DCP, which fluctuates each

year depending upon the actual number of lots created (since the last annual review) and estimates defined in the ID population forecasts

## Consultation

In accordance Schedule 14 of DPS No. 2, where the review of estimated costs recommends those costs be increased, then the local government must advertise the review for a period of 28 days, prior to making a decision to increase the estimated costs.

In accordance with DPS2, the Annual Review was advertised from 16 September to 14 October 2021. Advertising included letters to landowners within the DCP area, with additional information made available at the Civic Centre and on the City's website.

No submissions were received during advertising.

## Comment

The DCP is 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 approved infrastructure items over the life of the DCP.

The Annual Review of costs for the 2021/2022 period recommends an increase in the total infrastructure costs by \$300,077. Whilst there is a higher overall cost to the infrastructure cost estimates, the 2021/2022 Annual Review identified a minor increase in the total estimated lot yield from 8,808 to 9,215, which results in the following:

- A decrease in the City's portion of the net infrastructure costs (total infrastructure cost less grants) from 35.07% to 33.52% (\$8,896,281 to \$8,603,735); and
- A corresponding decrease in the DCP contribution rate (future subdividers) from \$4,047.38 to \$3,909.23 per dwelling (a decrease of \$138 per lot).

On the basis that no submissions were received during the consultation period, Administration recommends that Council approve the Annual Review as advertised and depicted in **Attachment 1**.

## Statutory Compliance

The Annual review of the DCP is prescribed by Part 11 of Schedule 14 of DPS No. 2. In accordance with clause 11.6, where the review of estimated costs recommends those costs be increased, then the City must in writing invite comment on the proposal from owners for a period of not less than 28 days, prior to making any decision to increase the estimated costs.

Whilst no submissions were received, landowners may object to the amount of a cost contribution and request a review by an independent expert. If this does not result in the cost contribution being acceptable then a determination may be made through a process of arbitration.

## Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*5 ~ A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places*

*5.1 - Develop to meet current need and future growth*

## 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 & 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 (LTFP) 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

The recommendations of the Annual Review were audited by the City's external auditors (William Buck) and a copy of their findings has been included as **Attachment 3**. The audit opinion concluded that the DCP costs incurred, estimates for remaining development works, and proposed rate of \$3,909.23 were fairly stated and in compliance to DPS 2 and SPP 3.6.

The City will continue to monitor lot yield creation, interest rates and the remaining cost estimates associated with the Capricorn Coastal Node to ensure adequate funds are received to complete the works and meet the borrowing requirements of the DCP. It is anticipated that the City will revise the remaining cost estimates based on the detailed design and will include these costs into the next Annual Review.

## Voting Requirements

Simple Majority



## Recommendation

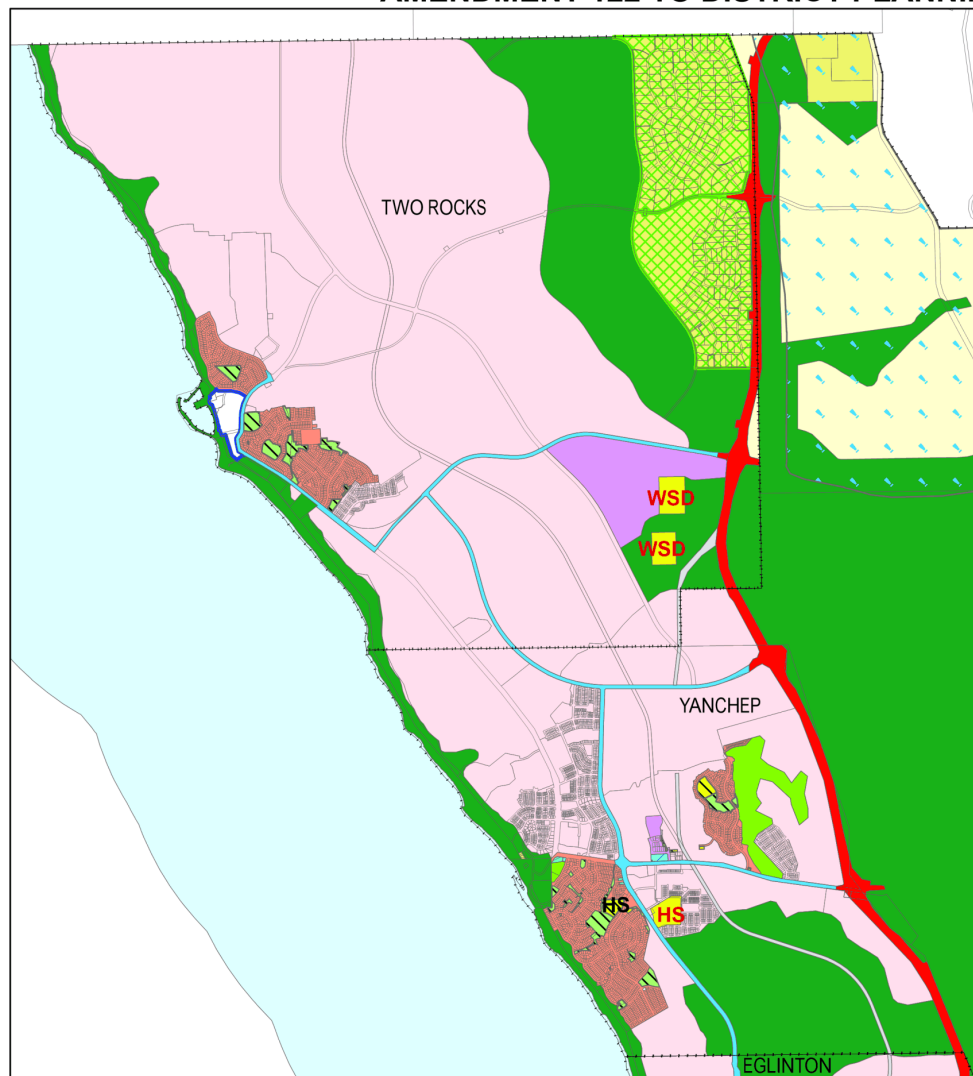
### That Council:-

1. **APPROVES** the revised Yanchep-Two Rocks Development Contribution Plan cost estimates in accordance with Clause 11.4 of *District Planning Scheme No. 2* as outlined in Attachment 1, including:
  - a) An increase in the total infrastructure costs from \$27,631,474 to \$27,931,551 (net infrastructure cost is \$25,666,218 excluding grants contribution);
  - b) A decrease in the cost per dwelling from \$4,047.38 to \$3,909.23;
  - c) A decrease in the total municipal portion of the net infrastructure costs from 35.07% to 33.52%; or \$8,896,281 to \$8,603,735;
2. **AUTHORISES** the financial adjustments required to implement the apportionment of costs between the City and the Yanchep Two Rocks DCP.
3. **NOTES** that no submissions were received in relation to Annual Review of Costs for the Yanchep Two Rocks DCP; and
4. **NOTES** that the City will continue discussions with Capricorn Village Joint Venture to consider the revised detailed design for the Capricorn Village Coastal Node and include the revised costs and scope of works into the next annual review of costs for 2022-2023;

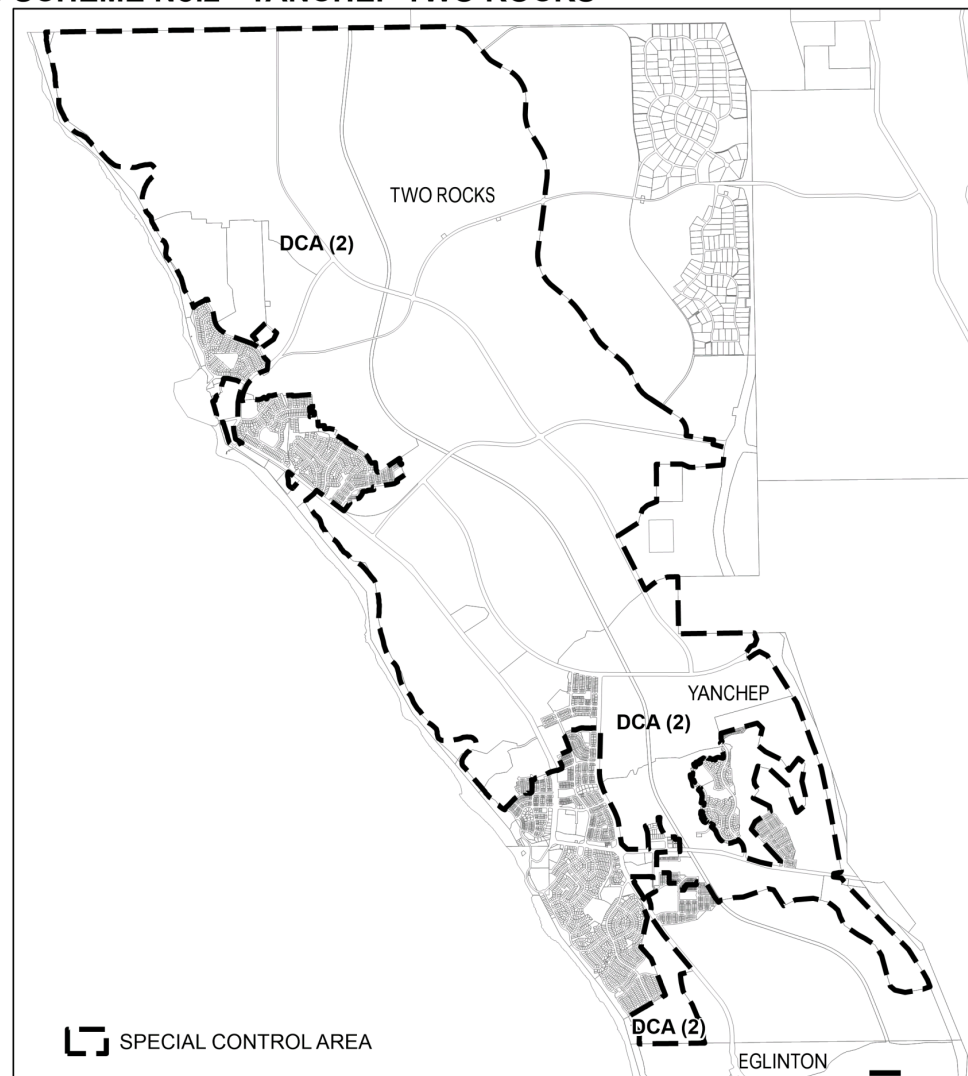
#### Attachments:

- |                          |   |           |
|--------------------------|---|-----------|
| <a href="#"><u>1</u></a> | Attachment 1 - Yanchep -Two Rocks DCA                                   | 21/317855 |
| <a href="#"><u>2</u></a> | Attachment 2 - Yanchep-Two Rocks DCP Annual Review of Costs (2021-2022) | 21/317792 |
| <a href="#"><u>3</u></a> | Attachment 3 - Final Yanchep Two Rocks Annual Review Audit Report 2021  | 21/326757 |

## AMENDMENT 122 TO DISTRICT PLANNING SCHEME No.2 - YANCHEP TWO ROCKS



Existing



Proposed

## LEGEND

## METROPOLITAN REGION SCHEME RESERVES

- |                    |                           |
|--------------------|---------------------------|
| PARKS & RECREATION | PRIMARY REGIONAL ROADS    |
| RAILWAYS           | OTHER REGIONAL ROADS      |
| STATE FORESTS      | PUBLIC PURPOSE            |
| WATER CATCHMENT    | DENOTED AS FOLLOWS:       |
| CIVIC AND CULTURAL | HS HIGH SCHOOL            |
| WATERWAYS          | WSD WATER AUTHORITY OF WA |

## LOCAL SCHEME RESERVES

- |                     |
|---------------------|
| PARKS & RECREATION  |
| PUBLIC USE          |
| DENOTED AS FOLLOWS: |
| HS HIGH SCHOOL      |

## ZONES

- |                            |
|----------------------------|
| RESIDENTIAL                |
| BUSINESS                   |
| COMMERCIAL                 |
| SERVICE INDUSTRIAL         |
| PRIVATE CLUBS & RECREATION |
| CENTRE                     |

- |                        |
|------------------------|
| URBAN DEVELOPMENT      |
| INDUSTRIAL DEVELOPMENT |
| GENERAL RURAL          |
| RURAL COMMUNITY        |
| MARINA                 |



Produced by Planning &amp; Sustainability



Infrastructure Item	Projected Costs			Catchment					Cost Apportionment					
	Total Cost	Grants & Other Contributions	Net Project Cost	Existing Dwellings pre-LPP 3.3	Lots/Dwellings contributed under LPP 3.3	Dwellings Contributed to date	New Dwellings to 2030	Total Catchment	City Contribution (%)	City Cost (\$)	DCP Contribution (%)	DCP Cost (\$)	Estimated Remaining Dwelling Yield	Cost per Dwelling
<b>YANCHEP TWO ROCKS DCP</b>														
<b>Facility Costs</b>														
Surf Life Saving Club, Yanchep Lagoon	\$ 7,938,238	\$ 500,000	\$ 7,438,238	3089	541	1083	4502	9215	33.52%	\$ 2,493,419	66.48%	\$ 4,944,819	4502	\$ 1,098.37
Coastal Node Facilities, Capricorn Coastal Node	\$ 2,494,000	\$ -	\$ 2,494,000	3089	541	1083	4502	9215	33.52%	\$ 836,029	66.48%	\$ 1,657,971	4502	\$ 368.28
Public Open Space (Active), Yanchep Metropolitan Centre														
- Oval groundworks	\$ 2,873,996	\$ -	\$ 2,873,996	3089	541	1083	4502	9215	33.52%	\$ 963,410	66.48%	\$ 1,910,586	4502	\$ 424.39
- Oval landscaping	\$ 5,318,646	\$ 975,000	\$ 4,343,646	3089	541	1083	4502	9215	33.52%	\$ 1,456,061	66.48%	\$ 2,887,585	4502	\$ 641.41
- Pavilion	\$ 2,776,631	\$ 790,333	\$ 1,986,298	3089	541	1083	4502	9215	33.52%	\$ 665,840	66.48%	\$ 1,320,458	4502	\$ 293.31
- Land Costs	\$ 6,530,040	\$ -	\$ 6,530,040	3089	541	1083	4502	9215	33.52%	\$ 2,188,976	66.48%	\$ 4,341,064	4502	\$ 964.26
<b>Sub Total Facility Costs</b>	<b>\$ 27,931,551</b>	<b>\$ 2,265,333</b>	<b>\$ 25,666,218</b>							<b>\$ 8,603,735</b>		<b>\$ 17,062,483</b>		<b>\$ 3,790.02</b>
<b>Administration Costs</b>														
Estimated Loan Servicing Costs - to 2030	\$ 2,404,571	\$ -	\$ 2,404,571						0.00%	\$ -	100.00%	\$ 2,404,571	4502	\$ 534.12
Estimated Administration Costs (Administer the DCP) (\$70,500 p.a.)	\$ 648,021	\$ -	\$ 648,021						0.00%	\$ -	100.00%	\$ 648,021	4502	\$ 143.94
Indexation on YBJV contributions credit	\$ 19,679		\$ 19,679						0.00%		100.00%	\$ 19,679	4502	\$ 4.37
<b>Sub Total Administrative Costs</b>	<b>\$ 3,052,591.47</b>	<b>\$ -</b>	<b>\$ 3,052,591.47</b>							<b>\$ -</b>		<b>\$ 3,072,270</b>	<b>4,502</b>	<b>\$ 682.43</b>
<b>Income/Expenses up to 30 June 2021</b>														
Collected contributions										\$ -		-\$ 3,904,084	4502	-\$ 867.20
Interest										\$ -		-\$ 168,488	4502	-\$ 37.43
Existing loan costs												\$ 1,110,804	4502	\$ 246.74
Existing admin costs												\$ 426,158	4502	\$ 94.66
<b>Sub Total Deductions</b>										<b>\$ -</b>		<b>-\$ 2,535,610</b>	<b>4,502</b>	<b>-\$ 563.23</b>
<b>TOTAL</b>										<b>\$ 8,603,735</b>		<b>\$ 17,599,143</b>	<b>4,502</b>	<b>\$ 3,909.23</b>



***Independent Auditors' Report to the City of Wanneroo ("the City") on the Annual Cost Review for Yanchep Two Rocks Development Contribution Plan***

**Scope**

We have performed an audit of the Annual Cost Review of Yanchep Two Rocks Development Contribution Plan ("DCP") and reviewed the methodology used in calculating and estimating the costs for the remaining DCP works, to establish the accuracy of the Annual Cost Review of Yanchep Two Rocks DCP as per the requirement under the District Planning Scheme No. 2 ("DPS 2") and the State Planning Policy 3.6 ("SPP 3.6") and provide independent certification of such costs. Our audit of the Annual Cost Review for 2020/21 covered actual transactions from 1 July 2020 to 30 June 2021 and estimated costs for future years, while ascertaining that the actual expenditure incurred gives a true and fair view and ensure that the assumptions used in the estimations of DCP costs are in accordance with the DPS 2 and SPP 3.6.

**The City's Responsibilities**

The City is responsible for ensuring that the DCP costs incurred, estimated and the Cost Per Dwellings ("CPD") charged are in accordance with the DPS 2 and related regulations, policies and procedures. The City is responsible for ensuring that all DCP cost records are free of misstatements and omissions, and establish adequate internal controls for DCP cost incurring, estimating and the calculation of CPD rates, and ensure that adequate financial records have been maintained. The City is responsible for providing all financial records and related data, other information, explanations and assistance necessary for the conduct of the audit of the DCP cost reviews.

**Compliance with Independence and Other Ethical Requirements**

We have complied with the relevant independence and other ethical requirements relating to assurance engagements, which is founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour.

**ACCOUNTANTS & ADVISORS**

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Telephone: +61 8 6436 2888  
**williambuck.com**

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(WB019\_2007)



**Auditor's Responsibilities**

Our responsibility is to express an opinion on the reasonability of the methodology used, in calculating and estimating costs for the remaining works, and assess the documentation provided to certify that the costs are incurred and estimated as per the District Planning Scheme No. 2 ("DPS 2") and State Planning Policy 3.6 ("SPP 3.6"). We conducted our audit in accordance with Auditing Standards. These Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the methodology used in forming the basis of cost incurring, CPD rate calculation and estimation is free from material misstatement.

The procedures selected depend on the auditor's judgement including the assessment of the risks of material misstatement of the methodology used. In making those risk assessments, the auditor considers internal control relevant to the City's preparation of the methodology used in forming the basis of cost incurring and DCP cost estimations in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control.

An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the City, as well as the City's alignment to DPS 2 and SPP 3.6.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

**Limitation on the scope**

- We have not performed any market evaluation for estimated costs and relied on the third-party report of Donald Cant Watts Corke for validating the reliability of estimated cost of works.
- We have not performed a market property valuation for land costs and relied on the third-party report of Independent Valuers of Western Australia for validating the reliability of the land costs.
- We have relied on the number of lots as outlined on the individual Landgate Deposited Plan ("DP") maps as provided by the City to determine each DP total number of lots.

**Audit Opinion**

In our opinion, other than stated under the Limitation of Scope Paragraph above, in all material respects, the DCP costs incurred, estimated for remaining development works, and proposed CPD rate of \$3,909.23 (as per DPS 2 CPD formula) were fairly stated and in compliance to DPS 2 and SPP 3.6.

**Basis of accounting and restriction of distribution**

Without modifying our opinion, we draw your attention to Schedule 15 Developer Contribution Plan of DPS 2, which describes the basis of funding, method of calculating contribution and the CPD rate, for the purpose of reporting to the City. As a result, the methodology used in forming the basis of this may not be suitable for another purpose. Our report is intended solely for the City and should not be distributed or used by other parties' other than the City. The Audit Report is not to be used by any other party for any purpose nor should any other party seek to rely on the opinions, advices or any information contained within this Audit Report.

William Buck Audit (WA) Pty Ltd disclaim all liability to any party other than the City who choose to rely in any way on the contents of this Audit Report does so at their own risk.

A handwritten signature in dark ink that reads "William Buck".

William Buck Audit (WA) Pty Ltd  
ABN 67 125 012 124

A handwritten signature in dark ink that reads "CM".

Conley Manifis  
Director

Dated this 29<sup>th</sup> day of July 2021

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**PS03-11/21      Consideration of Actions Relating to Developer Contributions Arrangements**

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File Ref: 5734V07 – 21/458668  
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.

It should be noted that Amendment No. 185 to District Planning Scheme No. 2 was recently approved by the Minister for Planning and an approval notice was published in the Government Gazette on 29 October 2021. Administration will shortly prepare a report to Council to consider which aspects of DCP management should be delegated to the Chief Executive Officer and sub-delegated to the relevant officers to enable decisions such as quotations, tax invoices and the deferral of contributions to be dealt with in a timely manner.

**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**.

## **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 DPS2.

## **Strategic Implications**

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*5 ~ A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places*

*5.1 - Develop to meet current need and future growth*



## 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 Actions Report - November 2021](#) 21/458655

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	Satterley Property Group Pty Ltd	Alkimos Eglinton DCP	PO Box 1346 WEST PERTH WA 6872	157359	\$ -	\$ 160,479.46	Tax Invoice	WAPC subdivision approval (WAPC157359). Deposited Plan 420852. Condition of subdivision approval requiring payment on a square metre basis over 15,842m2 of residential land at the rate of \$10.13 per square metre.	1. Approves the preparation of a Tax Invoice to Satterley Property Group Pty Ltd for the amount of \$160,479.46
2	Domfam Investments Pty Ltd	Yanchep Two Rocks DCP	160 Stirling Hwy NEDLANDS WA 6009	160872		\$ 8,094.76	Tax Invoice	WAPC subdivision approval (WAPC160872). Deposited Plan 421486. Condition of subdivision approval requiring payment on a per lot basis for 3 residential lots less 1 existing contribution credit at the rate of \$4,047.38 per lot.	2. Approves the preparation of a Tax Invoice to Domfam Investments Pty Ltd for the amount of \$8094.76
3	Stockland WA Development Pty Ltd	Alkimos Eglinton DCP	Level 12 Durack Centre 263 Adelaide Tce PERTH WA 6000	160579		\$ 124,153.28	Tax Invoice	WAPC subdivision approval (WAPC160579). Surveyor pre-cal plan (Amberton Beach Stage 9A). Condition of subdivision approval requiring payment on a square metre basis over 12,256m2 of residential land at the rate of \$10.13 per square metre.	3. Approves the preparation of a Tax Invoice to Stockland WA Development Pty Ltd for the amount of \$124,153.28
4	Stockland WA Development Pty Ltd	Alkimos Eglinton DCP	Level 12 Durack Centre 263 Adelaide Tce PERTH WA 6000	160579		\$ 133,695.74	Tax Invoice	WAPC subdivision approval (WAPC160579). Surveyor pre-cal plan (Amberton Beach Stage 12A). Condition of subdivision approval requiring payment on a square metre basis over 13,198m2 of residential land at the rate of \$10.13 per square metre.	4. Approves the preparation of a Tax Invoice to Stockland WA Development Pty Ltd for the amount of \$133,695.74
5	Stockland WA Development Pty Ltd	Alkimos Eglinton DCP	Level 12 Durack Centre 263 Adelaide Tce PERTH WA 6000	157890		\$ 94,654.72	Tax Invoice	WAPC subdivision approval (WAPC157890). Surveyor pre-cal plan (Amberton Beach Stage 29D). Condition of subdivision approval requiring payment on a square metre basis over 9,344m2 of residential land at the rate of \$10.13 per square metre.	5. Approves the preparation of a Tax Invoice to Stockland WA Development Pty Ltd for the amount of \$94,654.72
6	Capricorn Village Joint Venture	Yanchep Two Rocks DCP	PO Box 266 WEST PERTH WA 6872	157787		\$ 117,374.02	Tax Invoice	WAPC subdivision approval (WAPC157787). Deposited Plan 420922 (Atlantis Beach Stage 3A). Condition of subdivision approval requiring payment on a per lot basis for 29 residential lots at the rate of \$4,047.38 per lot.	6. Approves the preparation of a Tax Invoice to Capricorn Village Joint Venture for the amount of \$117,374.02
Net Total					\$ -	\$ 638,451.98			

## Approval Services

### PS04-11/21 Consideration of Amendment No. 192 to District Planning Scheme No. 2 Following Advertising

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File Ref:	42468 – 21/360299
Responsible Officer:	Director Planning and Sustainability
Disclosure of Interest:	Nil
Attachments:	3

## Issue

To further consider Amendment No. 192 to the City's District Planning Scheme No. 2 (DPS 2) following a public advertising period.

## 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 requesting the WAPC normalise established areas within structure plans is a normal administrative practice that ensures the planning framework remains current and relevant. In previous reporting to Council, Administration established a staged and progressive approach toward normalising and/or revoking structure plans. Amendment No. 192 to DPS 2, being subject to this Report, is intended to support the revocation of the Brighton West Village Centre Agreed Structure Plan No. 52 (ASP 52), and forms part of the structure plan revocation and normalisation programming being progressed by Administration.

Council resolved to prepare (or initiate) Amendment No. 192 to DPS 2 at its 15 June 2021 meeting (PS05-06/21). Council's resolution from that meeting is included in **Attachment 1**. Amendment No. 192 has now been subsequently advertised for public comment.

The current DPS 2 zoning of the ASP 52 area is 'Urban Development', which allowed for the preparation of that structure plan, which was adopted in March 2005. ASP 52 was prepared to guide the creation of lots through subdivision that could accommodate residential and commercial uses, pursuant to that structure plan. Administration has identified that subdivision has been completed on the land within ASP 52 in 2011; and as such, the structure plan has served its purpose in guiding subdivision. Development also occupies all lots affected by ASP

52; except a vacant portion of Lot 1378 (6) Jindalee Boulevard, Jindalee, which is subject of a development approval.

## Detail

As outlined in Administration's previous Report for Amendment No. 192 to DPS 2 (PS05-06/21), Administration considers that 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. Normalisation will occur through the proposed changes to DPS 2 via Amendment No. 192.

Normalisation will include applying 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 to the DPS 2 map, is provided in **Attachment 2**.

Amendment No. 192 also inserts a retail floorspace limitation of 1,000m<sup>2</sup> that ASP 52 imposes for Commercial zoned land located at Lot 1900 (10) Clew Way, Jindalee into Schedule 3 of DPS 2.

## Consultation

In accordance with Council's 15 June 2021 resolution, Amendment No. 192 was referred to the Environmental Protection Authority (EPA) for comment. In response, the EPA advised the City that Amendment No. 192 to DPS 2 did not warrant an environmental assessment.

Amendment No. 192 was then advertised for a period of 42 days between 5 August 2021 and 17 September 2021 and by way of an advertisement in the local newspaper, letters to affected landowners and occupiers, and a notice on the City's website. The City received one submission in support of the amendment. A summary of the submission and Administration's response is included in **Attachment 3**.

## Comment

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 and Council's previous resolution (PS05-06/21), Amendment No. 192 already includes 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. Council did note in its previous resolution (PS05-06/21) that such a request would be made pursuant to a further Council resolution, when Amendment No. 192 is presented back to Council following advertising. Administration is still seeking Council's resolution to request the WAPC revoke ASP 52.

## Statutory Compliance

Amendment No. 192 to DPS 2 has been prepared to facilitate revocation of the Brighton West Village Centre Agreed Structure Plan No. 52, and is being 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 WAPC can revoke the approval of the Brighton West Village Centre Agreed Structure Plan No. 52 pursuant to Clause 29A(1) of 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 2021 – 2031:

*5 ~ A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places*

*5.2 - Plan for and manage land use*

## 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 and processing Amendment No. 192 to DPS 2, as well as 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 Regulation 50 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **CONSIDERS** the submission received in respect of Amendment No. 192 to District Planning Scheme No. 2, a summary of which is included in Attachment 3;
2. Pursuant to Regulation 50(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **SUPPORTS** Amendment No. 192 to District Planning Scheme No. 2 without modification;

3. **AUTHORISES** the Mayor and the Chief Executive Officer to **SIGN** and **SEAL** Amendment No. 192 to District Planning Scheme No. 2 documents in accordance with the City's Execution of Documents Policy;
4. Pursuant to Regulation 53(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **PROVIDES** the advertised Amendment No. 192 to District Planning Scheme No. 2 to the Western Australian Planning Commission;
5. **REQUESTS** the Western Australian Planning Commission revoke the City of Wanneroo's Brighton West Village Centre Agreed Structure Plan No. 52, pursuant to Schedule 2, Clause 29A(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*; after the Minister for Planning approves Amendment No. 192 to District Planning Scheme No. 2; and
6. **ADVISES** the submitter of its decision.

Attachments:

- |   |  |           |
|---|--|-----------|
| 1  | Attachment 1 - Detail of Council Resolution from 15 June 2021 Meeting  | 21/361783 |
| 2  | Attachment 2 - Scheme Amendment Map - Amendment 192 to DPS 2 - Normalisation of Brighton West Village ASP 52 | 21/192294 |
| 3  | Attachment 3 - Submission Schedule for Council Report - Advertising of Amendment No. 192 to DPS 2            | 21/432881 |

## Council Resolution from 15 June 2021 Meeting

### PS05-06/21 – Preparation of Amendment No. 192 to DPS 2 and Revocation of Brighton West Village Agreed Structure Plan No. 52

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:
    - i. Lot 1874 (38) Investigator Parade, Jindalee
    - ii. Lot 1875 (36) Investigator Parade, Jindalee;
    - iii. Lot 1869 (8) Clew Way, Jindalee;
    - iv. Lot 1870 (6) Clew way, Jindalee;
    - v. Lot 1871 (5) Clew Way, Jindalee;
    - vi. Lot 1872 (7) Clew Way, Jindalee; and
    - vii. 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 <sup>2</sup> )
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.



CITY OF WANNEROO

DISTRICT PLANNING SCHEME No. 2

AMENDMENT No. 192

Brighton West Village  
Adopted Structure Plan No.52

LEGEND

MRS RESERVE

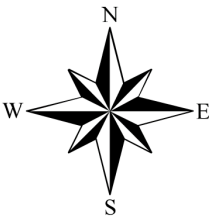
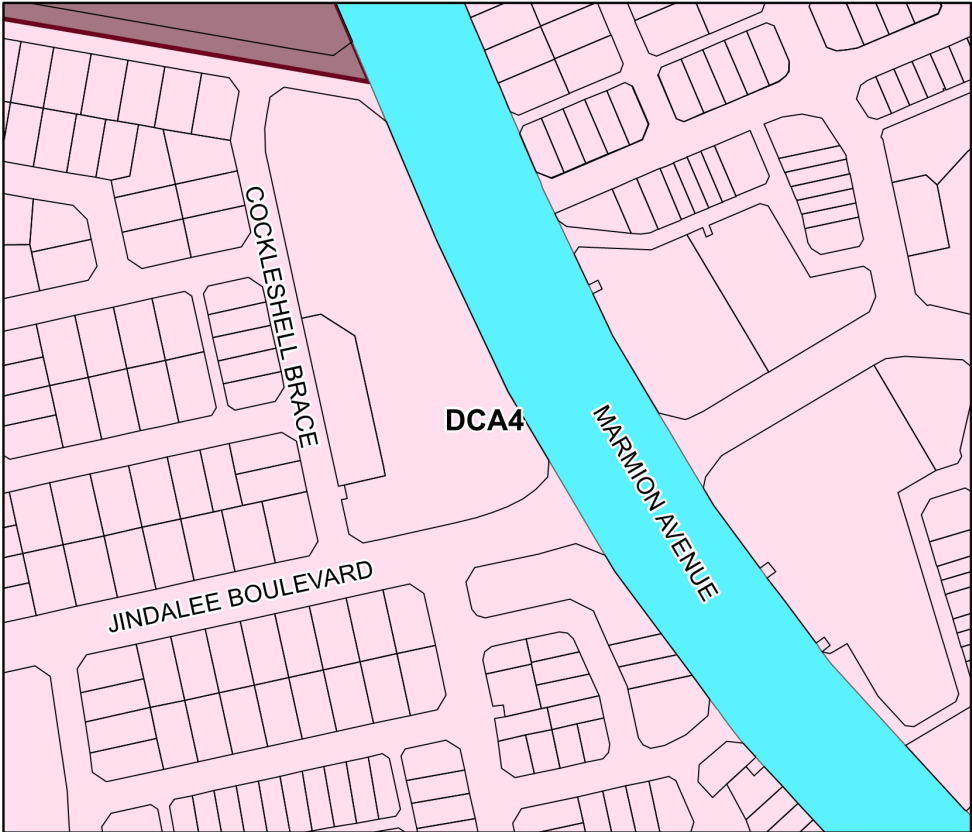
OTHER REGIONAL ROAD

ZONE

DEVELOPMENT CONTRIBUTION AREA

SMART GROWTH COMMUNITY

URBAN DEVELOPMENT



LEGEND

ZONE

BUSINESS

COMMERCIAL

RESIDENTIAL

R/CODE



SCHEME (AMENDMENT) MAP

**CITY OF WANNEROO**  
**AMENDMENT NO. 192 TO DISTRICT PLANNING SCHEME NO. 2**  
**SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING**  
*(Advertising Closed 17 September 2021)*

No.	Summary of Submission	Administration Comment	Recommendation
<b>1.</b>	<b>Submitter No. 1 - On behalf of the management and ownership of a shopping centre outside the amendment area</b>		
1.1	Following the detailed review of proposed Amendment No. 192 (the proposal), the submitter lodges their submission in support of the proposal.	Noted.	No modification required.
1.2	The submitter notes that the proposal relates to land encompassed by the <i>Brighton West Village Centre Agreed Structure Plan No. 52</i> (the Structure Plan). The ultimate subdivision design for the subject area was realised in 2011. As such, the Structure Plan is no longer required to guide subdivision and/or initial development of the land and may therefore be revoked.	Noted.	No modification required.
1.3	Recognising the above (Item 1.2), we understand that the City initiated Amendment No. 192 to 'normalise' the land in June 2021.	Noted, as occurred through Council's resolution made at its 15 June 2021 Meeting (PS05-06/21).	No modification required.
1.4	The submitter supports the proposal, including the proposed amendment to Schedule 3 of DPS 2, which inserts a retail floorspace limitation of 1,000m <sup>2</sup> NLA for Lot 1900 (10) Clew Way, Jindalee. The amendment will allow this centre to primarily service daily household shopping needs and a small range of other convenience services, pursuant to <i>State Planning Policy 4.2 Activity Centres for Perth and Peel</i> (SPP4.2) and the objectives of 'Commercial' land.	Noted.	No modification required.
1.5	The submitter supports and agrees with the City's approach to incorporate the land use designations and development control provisions (including the retail floorspace limitation) from the Structure Plan to DPS 2, as it will allow the City to continue to guide any remaining development of the land.	Noted.	No modification required.

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**PS05-11/21      Revocation of Pederick Road Agreed Local Structure Plan No. 45  
and Lot 505 Pederick Road Neerabup Agreed Local Structure  
Plan No. 56**

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File Ref:	20640 – 21/362285
Responsible Officer:	Director Planning and Sustainability
Disclosure of Interest:	Nil
Attachments:	1

**Issue**

To consider requesting the WAPC revoke the Pederick Road Agreed Local Structure Plan No. 45 (ASP 45) and Lot 505 Pederick Road, Neerabup Agreed Local Structure Plan No. 56 (ASP 56), as they are no longer required. Revocation of ASP 45 and ASP 56 would also facilitate the review of the Neerabup Industrial Area Agreed Local Structure Plan No. 17 (ASP 17).

**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, a growing number of structure plans are becoming redundant. The planning frameworks in place intend that structure plans can be revoked if they no longer serve their initial purpose in guiding the subdivision and initial development of land.

Council requesting the WAPC revoke structure plans is a normal administrative practice that ensures the planning framework remains current and relevant. In previous reporting to Council, Administration established a staged and progressive approach toward revoking structure plans that are no longer required. In this Report, Administration is requesting Council consider revoking ASP 45 and ASP 56.

ASP 45 and ASP 56 were both prepared in the early-mid 2000's as interim structure plans for specific development sites within the Neerabup Industrial Area (NIA). ASP 45 and ASP 56 were prepared prior to the preparation of ASP 17, which is a broader structure plan affecting the entire NIA. At the time ASP 45 and ASP 56 were prepared, it was not known when ASP 17 would be adopted. Therefore, preparation of ASP 45 and ASP 56 were prepared to facilitate immediate development on their respective land parcels in advance of ASP 17. The land affected by ASP 45 and ASP 56, as it is located within ASP 17, is shown in **Attachment 1**.

ASP 17 is now under review. As part of that review, ASP 45 and ASP 56 need to be revoked in order to clear the way for the planning framework for the NIA to be refreshed.

**Detail****Pederick Road Agreed Local Structure Plan No. 45**

The Pederick Road Agreed Local Structure Plan No. 45 (ASP 45) was adopted by the WAPC in March 2003, and affects only the Wesbeam Laminated Veneer Lumber Plant (Wesbeam) at Lot 1000 (190) Pederick Road, Neerabup. ASP 45 was prepared and adopted at a time before

ASP 17 was adopted. Prior to the adoption of ASP 17, it was considered that the most appropriate method to expedite development of the Wesbeam facility was to adopt a 'limited' structure plan over just the land formerly known as portion of Lot 10053 Mather Drive (now Lot 1000 Pederick Road).

Land affected by ASP 45 is zoned 'Industrial Development' under DPS 2, which means a structure plan is required to guide and facilitate subdivision and development over the affected land. ASP 45 designates a 'General Industrial' zoning over Lot 1000, and prescribes that the 'Industry – Hazardous' land use should be an 'X' use. The provisions already apply under ASP 17.

The Wesbeam facility has now been developed, and ASP 17 is now in place to guide any further development on Lot 1000. Therefore, Administration considers that ASP 45 can be revoked, as it has served its intended purpose as being an 'interim' structure plan.

#### Lot 505 Pederick Road, Neerabup Agreed Local Structure Plan No. 56

The Lot 505 Pederick Road, Neerabup Agreed Local Structure Plan No. 56 (ASP 56) was adopted by the WAPC in May 2005. ASP 56 was prepared to facilitate the development of Mindarie Regional Council's Resource Recovery Facility (RRF) located at Lot 801 (109) Pederick Road, Neerabup. As was the case for preparing ASP 45, ASP 56 was prepared to advance the development of the RRF, as it was not known at that time when ASP 17 was to be adopted. It was later the case that ASP 17 was adopted before ASP 56.

ASP 56 was prepared over land formerly referred to as Lot 505 Pederick Road, zoned 'Industrial Development' under DPS 2. Since the adoption of ASP 56, Lot 505 has been split into Lot 801 (the RRF site) and adjoining Lot 800 (which is a Bush Forever site now in the ownership of the WAPC). ASP 56 designates a 'General Industrial' zoning over Lot 801 and acknowledges that Lot 800 is a Bush Forever site, as does ASP 17.

The RRF facility has now been developed, and ASP 17 is now in place to guide any further development on Lot 801. Therefore, Administration considers that ASP 56 can be revoked, as it has served its intended purpose as being an 'interim' structure plan.

### **Consultation**

The process of revoking structure plans outlined in Clause 28 of the Deemed Provisions does not indicate a requirement to advertise to affected parties.

Administration considers that advertising the proposed revocation of structure plans is not necessary in this instance, for the following reasons:

- The zoning designations of the affected land parcels in ASP 45 and ASP 56 are the same as in ASP 17, which will remain effective; and
- Having only ASP 17 in place, and not ASP 45 or ASP 56, will not change the development potential of the land affected by the proposed structure plan revocations.

### **Comment**

Pursuant to Clause 28 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. It is required that such a request be made pursuant to a Council resolution.

Pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015* which was gazetted in October 2015, structure plans are documents which the City is to have 'due regard' to. However, at the time that the Wesbeam and the RRF facilities were developed, DPS

2 allowed for the provisions within structure plans to have the same force and effect as if they were in the scheme. Therefore, ASP 45 and ASP 56 strongly informed the City's development assessment and approval conditions pertaining to the Wesbeam and the RRF developments.

### **Statutory Compliance**

The revocation of structure plans can 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 2021 – 2031:

*5 ~ A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places*

*5.2 - Plan for and manage land use*

### **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 new structure plan has been adopted which supersedes an existing structure plan. In this case, it is considered that ASP 17 provides the necessary planning framework over the ASP 45 and ASP 56 areas; therefore, ASP 45 and ASP 56 can be revoked.

### **Financial Implications**

The financial implications of requesting the revocation of the structure plans referred to in this Report can be met from the current Planning and Sustainability operational budgets.

### **Voting Requirements**

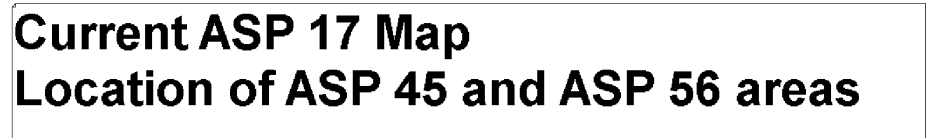
Simple Majority

### **Recommendation**

**That Council REQUESTS the Western Australian Planning Commission revoke its approval of the Pederick Road Agreed Local Structure Plan No. 45 and Lot 505 Pederick Road, Neerabup Agreed Local Structure Plan No. 56, pursuant to Clause 28 of the Deemed Provisions of the City of Wanneroo District Planning Scheme No. 2.**

Attachments:

1. [Attachment 1 - Location of ASP 45 and ASP 56 Areas Within ASP 17](#) 21/364669



## PS06-11/21      Consideration of Development Application DA2020/1087 - Single House Addition (Wind Turbine) - 10 Reigate Way BUTLER

File Ref: DA2020/1087 – 21/379363  
 Responsible Officer: Director Planning and Sustainability  
 Disclosure of Interest: Nil  
 Attachments: 5

### Issue

To consider a development application (DA2020/1087) for a Single House Addition (Wind Turbine) at Lot 1265 (10) Reigate Way, Butler (subject site).

<b>Applicant</b>	Wynand van Niekerk
<b>Owner</b>	Wynand and Estelle van Niekerk
<b>Location</b>	Lot 1265 (10) Reigate Way Butler
<b>Site Area</b>	608m <sup>2</sup>
<b>DPS 2 Zoning</b>	Urban Development
<b>ASP 27 Zoning</b>	Residential

### Background

On 20 August 2020 the City received a development application for a Single House Addition (Wind Turbine) at the subject site. A location plan of the subject site is included in **Attachment 1**.

The wind turbine was erected on 8 February 2020, and on 10 February 2020 a neighbour adjoining the subject site raised a query with the City's Compliance Services unit as to the approvals necessary for such a structure. The neighbour also expressed concerns regarding the visual impact, noise impact, and potential safety issues associated with the wind turbine. Upon investigation by the City's Compliance Services, it was found that the necessary approvals had not been sought. The applicant then removed the structure prior to seeking approval, and therefore this is not considered a retrospective application.

While this application may be the first of its kind within the City of Wanneroo, the use of renewable energy systems has become increasingly popular. In particular, solar energy systems are established as a means of reducing energy costs for property owners. Renewable energy systems on an industrial scale are also becoming more prevalent as industry and government seek to establish more viable and sustainable modes of generating energy. Large scale solar and wind farms have been developed in various parts of Western Australia to supplement the energy resources of the State as part of a high-level shift away from reliance on the use of fossil fuels. However, when the development application was initially considered at Council on 16 February 2021, there was no policy to assess the wind turbine against to ensure that it was at an acceptable standard and would not negatively impact on the amenity of a locality.

As such, Council, at its meeting (Item PS04-02/21) on 16 February 2021, resolved as follows:

*That the Motion be deferred to a future Council Meeting pending the adoption of the Small-Scale Renewable Energy Systems Policy.*

Following this, Council (Item PS06-08/21) adopted Local Planning Policy 4.29 – Renewable Energy Systems (LPP 4.29) on 10 August 2021, which guides and controls renewable energy systems and ensures renewable energy systems are appropriately located, designed and

scaled so as not to adversely affect the amenity of adjoining properties, streetscapes and the locality in general.

The application is now being presented back to Council for determination and has been assessed against LPP 4.29.

### Detail

The development application proposes the addition of a Wind Turbine to the existing Single House which is a "P" (Permissible) use in the Residential zone. The details of the development application are as follows:

- A five metre high wind turbine comprising of a barrel-shaped turbine atop a steel pole.
- The wind turbine is located behind the dwelling and is setback as follows:
  - Western boundary: five metres
  - Eastern boundary: 10.9 metres
  - Southern boundary: 7.8 metres

Plans of the proposal are included as **Attachment 2**.

Upon assessment of the development application, it was determined that the proposal is fully compliant with LPP 4.29.

Notwithstanding this, the proposal incorporates the following departures from the Deemed to Comply provisions of State Planning Policy 7.3 - Residential Design Codes – Volume 1 (R-Codes):

- External fixtures which are visible from the primary street.

This is discussed further in the Comment section below.

### Consultation

Advertising of the original proposal was undertaken by the City in writing to the affected landowners adjoining the subject site, as shown in **Attachment 1**. Advertising was undertaken for a period of 21 days commencing on 23 October 2020 and closing on 3 November 2020.

Five submissions were received objecting to the proposal, and one in support. A submission summary with Administration's responses is included in **Attachment 3**.

The key objections raised in the submissions were in regard to:

- Visual impact of the proposed structure; and
- Noise likely to be generated.

The height of the structure as advertised was a total of 5.4 metres in height. In light of the submissions received and the City's assessment of the application, the applicant in discussion with Administration agreed to reduce the total height of the structure to 5 metres and submitted amended plans. The applicant further agreed to amend the setback to the western boundary from 4.9 metres to 5 metres in accordance with LPP 4.29.

The applicant has advised that any further reduction in the height of the structure would prevent the effective operation of the wind turbine. Wind turbines do not operate efficiently where airflow is disrupted by roofs, trees and other structures.

A more detailed discussion on these matters is provided in the Comment section below.



## Comment

A wind turbine is not a structure typically associated with single residential dwellings. The City's records indicate that this may be the first application of its kind within the City of Wanneroo. At the time the application was received, there was no specific guidance for this type of development within the planning framework; however, since that time, the City has adopted LPP 4.29 to provide a framework for guiding development of such structures.

LPP 4.29 requires wind energy systems to be setback from a boundary a distance equal to, or greater than, the total height of the system as measured from the natural ground level, limited to one wind turbine per dwelling, used for domestic or private use only, and not located within the front or secondary setback area of a lot. Wind turbines are also required to be fitted with an automatic or manual braking system and an over-speed protection device to minimise noise impacts to nearby neighbours during periods of high wind speeds. The proposed development satisfies all these provisions and is therefore fully compliant with LPP 4.29.

In addition to LPP 4.29, the Wind Turbine is also assessed as an External Fixture under the R-Codes. The R-Codes under Section 5.4.4 sets Deemed to Comply standards for External Fixtures as follows:

*C4.3 Other external fixtures provided they are:*

- i. Not visible from the primary street;*
- ii. Are designed to integrate with the building; or*
- iii. Are located so as to not be visually obtrusive.*

*C4.4 Antennas, satellite dishes and the like are not visible from any primary and secondary street.*

With respect to provision C4.4 it is arguable that the proposed turbine is alike to an antenna or satellite dish; however, the City considers that these are generally static structures of a different nature to a wind turbine. The City's assessment has therefore taken the view that the proposed wind turbine should be assessed against provision C4.3 as it establishes a set of criteria more relevant to the form of development.

### Visibility of the proposed Wind Turbine from the Primary Street

The proposed wind turbine is located to the rear of the dwelling and sits at a height similar to existing external structures being a solar hot water unit on a raised frame and an evaporative air conditioner. These external fixtures are of a similar height and visual impact to the turbine as viewed from the street. Whilst the reduction in height from the original 5.4 metres to 5 metres has reduced visibility of the wind turbine (as shown in **Attachment 4**), it will still be partially visible from the primary street and it therefore requires assessment under the relevant R-Codes Design Principle as it does not meet Section 5.4.4, C4.3(i) of the R-Codes.

### Integration with the Existing Dwelling

The proposed wind turbine is constructed of dark grey metal which matches the roof of the dwelling, and incorporates a steel pole for its base. The supporting structure is proposed to be set against the rear wall of the dwelling central to the lot. In this regard the structure is designed to integrate with the dwelling and complies with Section 5.4.4, C4.3(ii) of the R-Codes.

### Located so as to not be Visually Obtrusive

The proposed wind turbine is prominently visible above the roofline of the subject dwelling from the rear and sides. It will be visible from the Outdoor Living Areas of several adjoining dwellings, several of whom have objected to the proposal. Due to its height, appearance and moving nature of the wind turbine, there are multiple objections regarding the appearance of

the wind turbine from their properties. Administration notes that these objections have been made after having seen the original structure installed at its height of 5.4 metres (as shown in **Attachment 4**) and that this has since been dismantled and the height of the proposed structure reduced to 5 metres.

The proposed height of 5 metres is significantly shorter than the wall of a typical two storey house (approximately 5.5m or greater) which is permitted in the Residential zone. The wind turbine is similar in height to a typical single storey house which characterises the immediate locality. It is considered that further height reduction or screening would likely prevent the effective function of the device. In light of this, the City considers that appropriate measures have been taken to minimise the visual obtrusiveness of the structure and that it therefore complies with Section 5.4.4, C4.3(iii) of the R-Codes.

#### R-Codes Design Principle Assessment

In accordance with Part 2 of the R-Codes, if a proposal does not meet the Deemed to Comply provisions, the City is to exercise its judgement by considering the merits of the proposal having regard to the relevant Design Principles.

Due to being partially visible from the primary street, the proposed wind turbine does not meet the Deemed to Comply provisions of Section 5.4.4 – External Fixtures, Utilities and Facilities, C4.3(i) of the R-Codes. Therefore, the application has been assessed against the corresponding Design Principle which reads as follows:

*P4.1 - Solar collectors, aerials, antennas, satellite dishes, pipes and external fixtures integrated into the design of the building to not be visually obtrusive when viewed from the street and to protect the visual amenity of surrounding properties.*

While the wind turbine will be visible from the primary street, its visibility will not impact on the streetscape. Notably the existing fixtures on the roof of the dwelling (solar hot water and air conditioner) have a similar level of visibility from the primary street and these fixtures do not raise any concerns regarding their impact on the streetscape.

Further to this, the modified proposal is shorter than the height of a typical two storey house which is permitted to be up to 7 metre wall height and up to 10 metres to the top of the roof. The wind turbine is similar in overall height to a typical single storey house which characterises the immediate locality. Further height reduction or screening would compromise the functionality of the technology. In light of this, the City considers that appropriate measures have been taken to minimise visual obtrusiveness of the structure and to bring it to a scale compatible with the surrounding development.

#### Setbacks

Concern was also raised by a neighbour regarding to the proximity of the wind turbine to their boundary. At the time of advertising there were no specific setbacks for a wind turbine as the R-Codes setback requirements pertain only to walls and buildings; however, as per LPP 4.29 the turbine is required to be setback as far as it is tall. Given that the wind turbine structure is 5 metres in height it must be setback a minimum of 5 metres from all boundaries in order to achieve compliance with LPP 4.29. The proposed setbacks are 5 metres from the western boundary, 10.8 metres from the eastern boundary, 7.8 metres from the southern boundary and 26.8 metres from the front boundary. Administration therefore considers that the proposed wind turbine will not unduly impact the adjoining properties by reason of setbacks.

#### Noise

A number of submissions raised concerns regarding noise generated from the wind turbine, including the level of noise likely to be generated; the disturbing frequency or sustained periods

in which the noise would operate; and the likelihood of the noise to compromise sleep and quiet enjoyment of neighbours' Outdoor Living Areas.

In light of the concerns raised, the City's Health Services reviewed the proposal and advised that an Acoustic Assessment against the *Environmental Protection (Noise) Regulations 1997* ('Noise Regulations') was not required for the proposed wind turbine as the device is similar to other fixtures such as air conditioners. Administration investigated and obtained the manufacturers specification for the proposed wind turbine and this demonstrates that the proposed structure will produce a compliant level of noise. As shown in **Attachment 5**, the proposed turbine (identified as the 'Power Tree 1000w') is expected to generate 30dBA under normal circumstances where the threshold for compliance at night time is 35dBA.

The 30 dBA noise level is a very low level of noise. According to the Federal Government Safework Australia website 30 dBA is equivalent to whispering. It is also noted that the proposed wind turbine includes a brake which can be employed to turn the turbine off if the noise threshold was exceeded for any reason, such as due to a worn or damaged bearing needing repair.

The above information demonstrates that the device will operate well within the limits under the Noise Regulations. In this respect, the wind turbine is similar to other, more common noise-generating residential fixtures such as air conditioning units and pool pumps, and is therefore consistent with residential development. The imposition of any noise-related condition imposing further restrictions would therefore not be serving a planning purpose to protect the amenity of nearby residents and is therefore not recommended, nor is it considered necessary.

Notwithstanding the above, noise generated from the wind turbine is required to comply with the Noise Regulations at all times. If noise is at a level that becomes a nuisance to the nearby residents, the City will investigate the noise levels and if substantiated, require the property owner to undertake appropriate measures to ensure compliance with the Noise Regulations.

### Conclusion

In light of the above, the application as amended is recommended for approval. In its modified form, and given that the information provided by the manufacturer demonstrates that it complies with the *Environmental Protection (Noise) Regulations 1997*, the proposal satisfies the R-Codes Section 5.4.4 Design Principles and all other relevant provisions of the R-Codes, and is fully compliant with LPP 4.29.

### **Statutory Compliance**

This application has been assessed in accordance with the Residential Design Codes and with Local Planning Policy 4.29 – Renewable Energy Systems.

### **Strategic Implications**

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*5 ~ A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places*

*5.2 - Plan for and manage land use*

### **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

This application has been assessed against the relevant provisions of the following:

- State Planning Policy 7.3 – Residential Design Codes – Volume 1; and,
- Local Planning Policy 4.29 – Renewable Energy Systems

## Financial Implications

Nil

## Voting Requirements

Simple Majority

## Recommendation

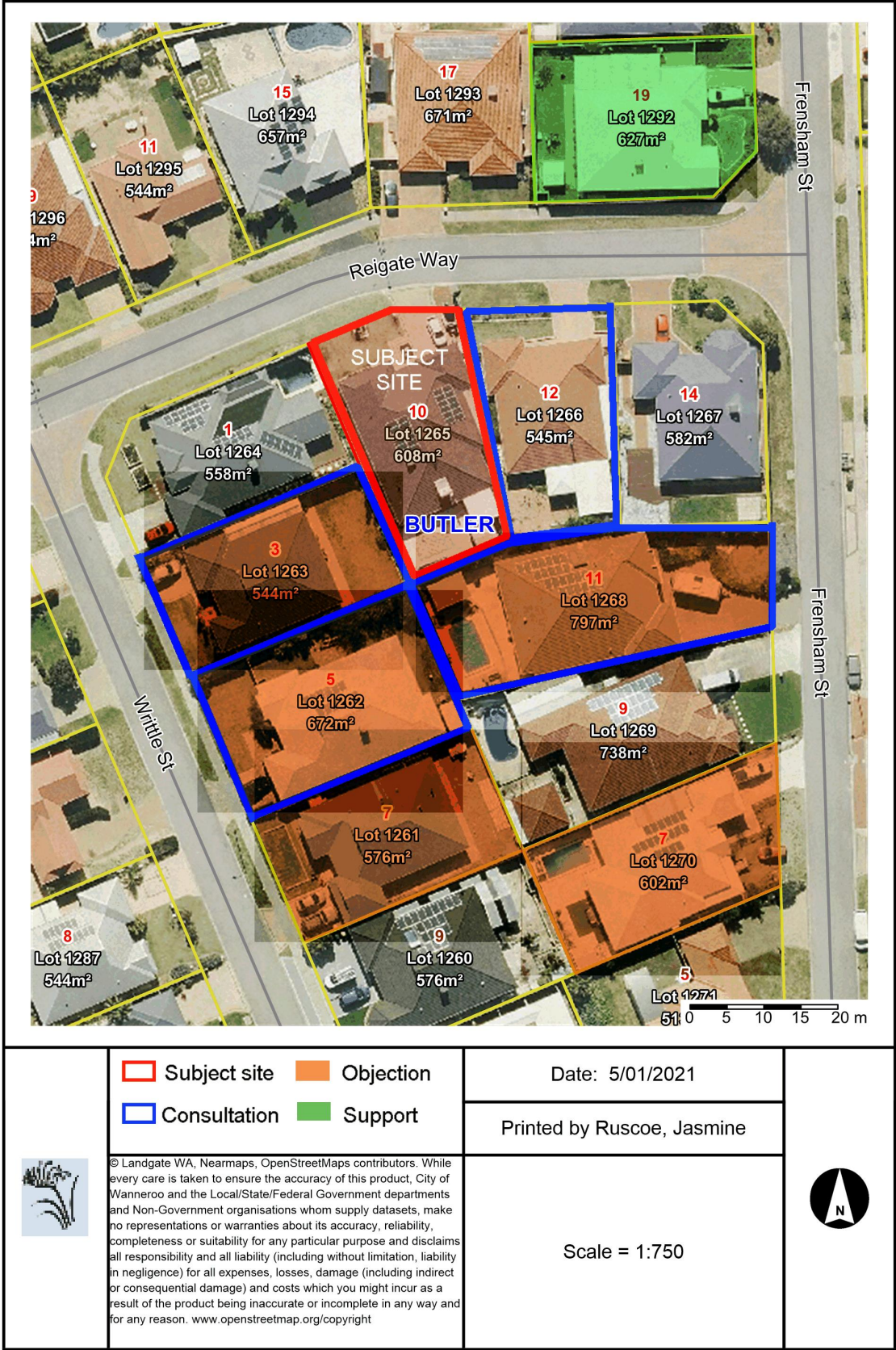
**That Council:-**

- 1. Pursuant to Clause 68(2)(c) of the Deemed Provisions of District Planning Scheme No. 2, SUPPORTS the Development Application (DA2020/1087), as shown in Attachment 2, for a Single House Addition (Wind Turbine) at Lot 1265 (10) Reigate Way, Butler, subject to the following condition:**
  - a) This approval relates only to the proposed Single House Addition (Wind Turbine) as shown on the attached plans and does not relate to any other development on the lot.**
- 2. ADVISES the submitters of its decision.**

### Attachments:

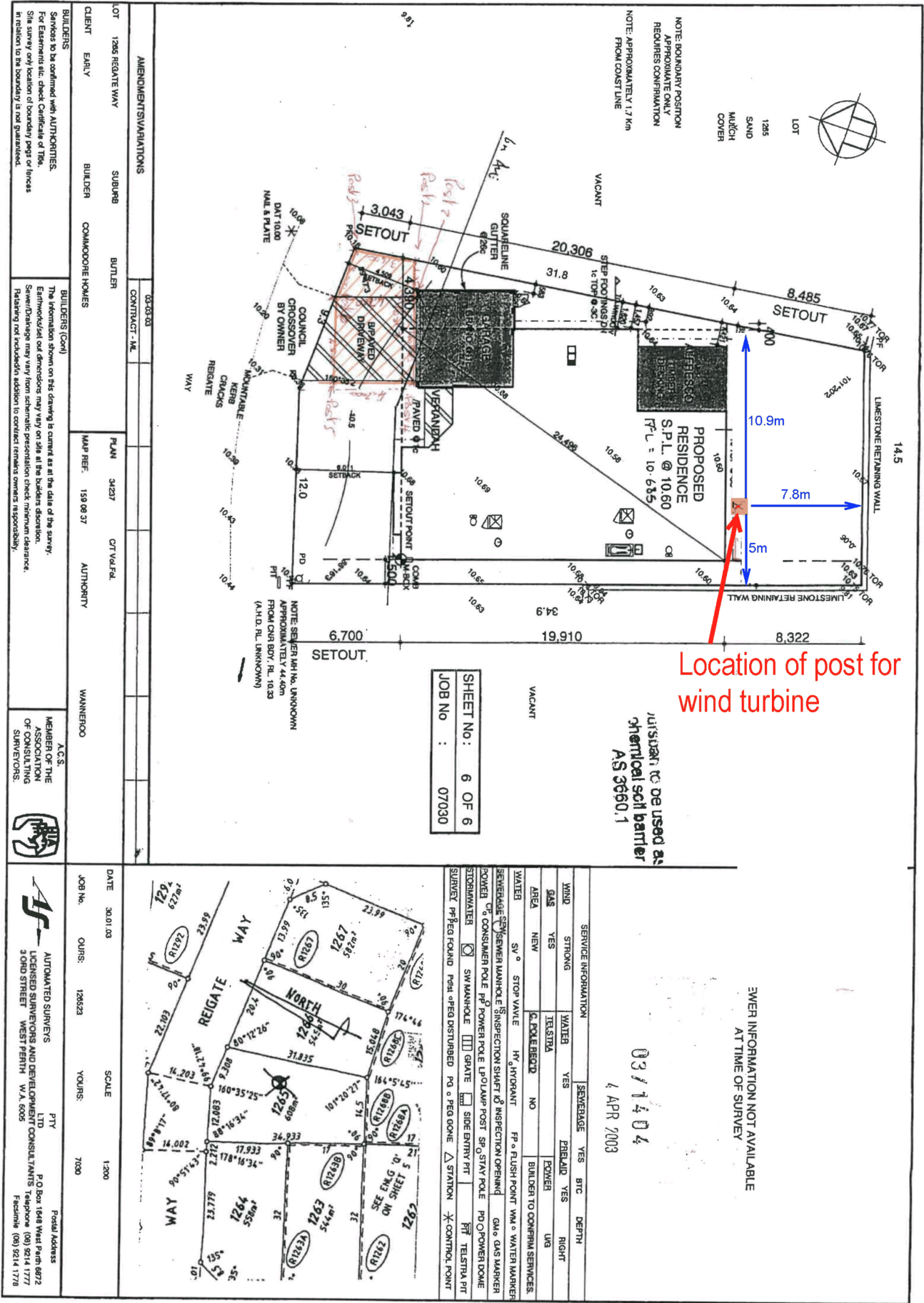
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<a href="#"><u>2</u></a>	Attachment 2 - DA2020/1087 - Plans	21/1889
<a href="#"><u>3</u></a>	Attachment 3 - DA2020/1087 - Schedule of Submissions - 10 Reigate Way BUTLER	21/3854
<a href="#"><u>4</u></a>	Attachment 4 - DA2020/1087 - Photos - 10 Reigate Way BUTLER	21/3505
<a href="#"><u>5</u></a>	Attachment 5 - DA2020/1087 - Noise Specs	21/43058

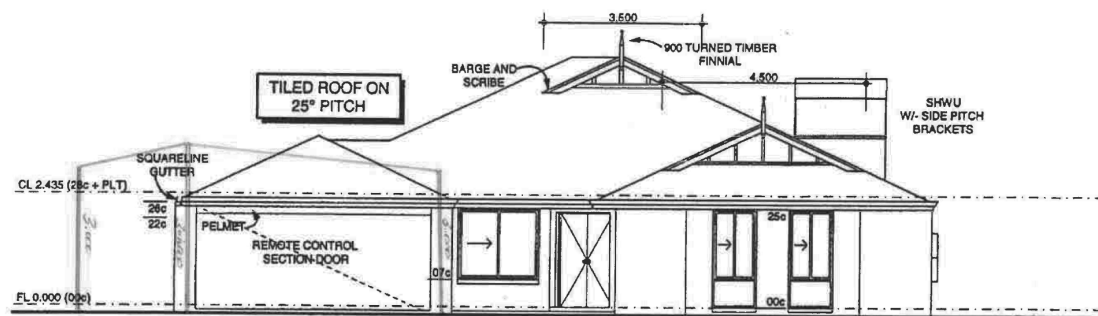
ATTACHMENT #1 - LOCATION PLAN



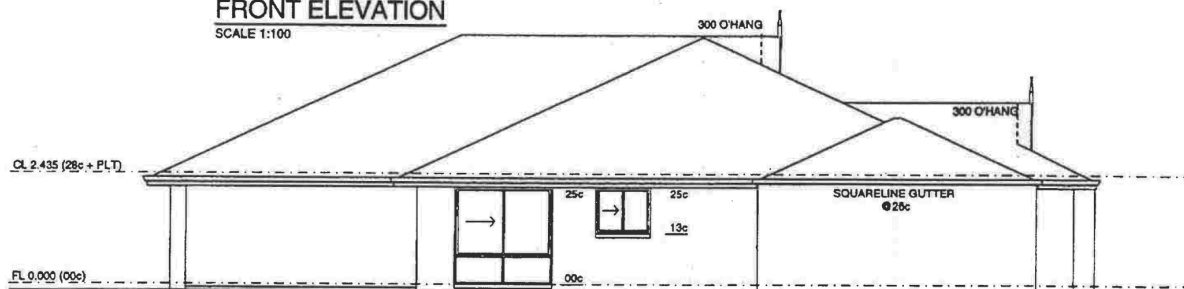


ATTACHMENT #2 - PLANS

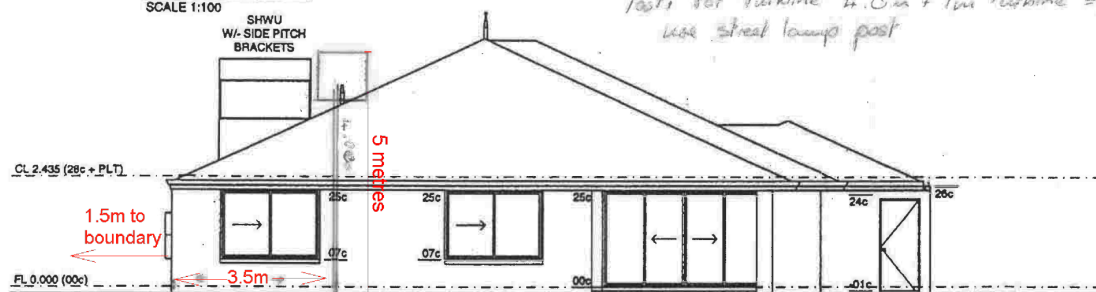


**FRONT ELEVATION**

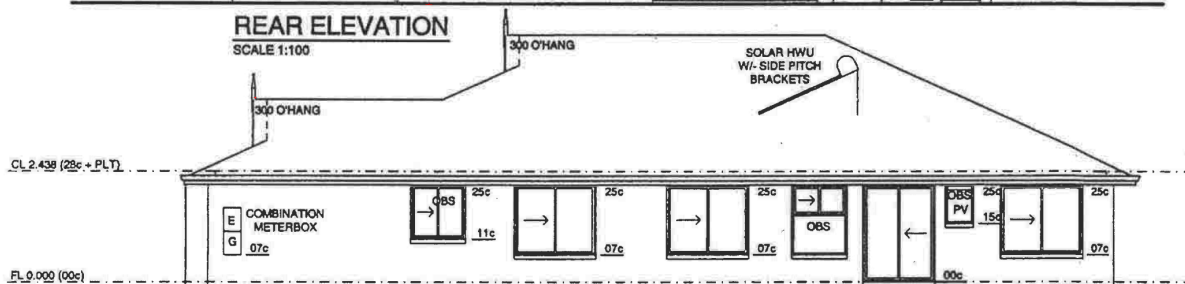
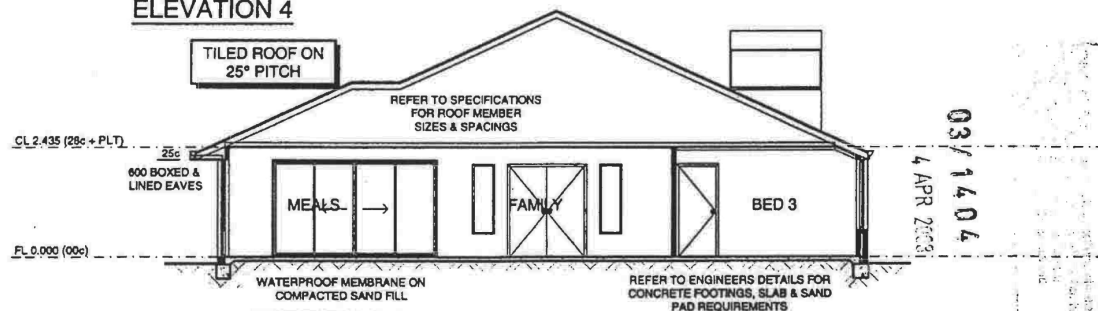
SCALE 1:100

**ELEVATION 2**

SCALE 1:100

**REAR ELEVATION**

SCALE 1:100

**ELEVATION 4****SECTION A-A**

SCALE 1:100



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ADDRESS:  
**1265 REIGATE WAY  
BUTLER**

**AMENDMENTS / VARIATIONS**

V.O. No.	DATE
7030-1 - ML	15-03-03

**DALLAS**  
W/- GARAGE

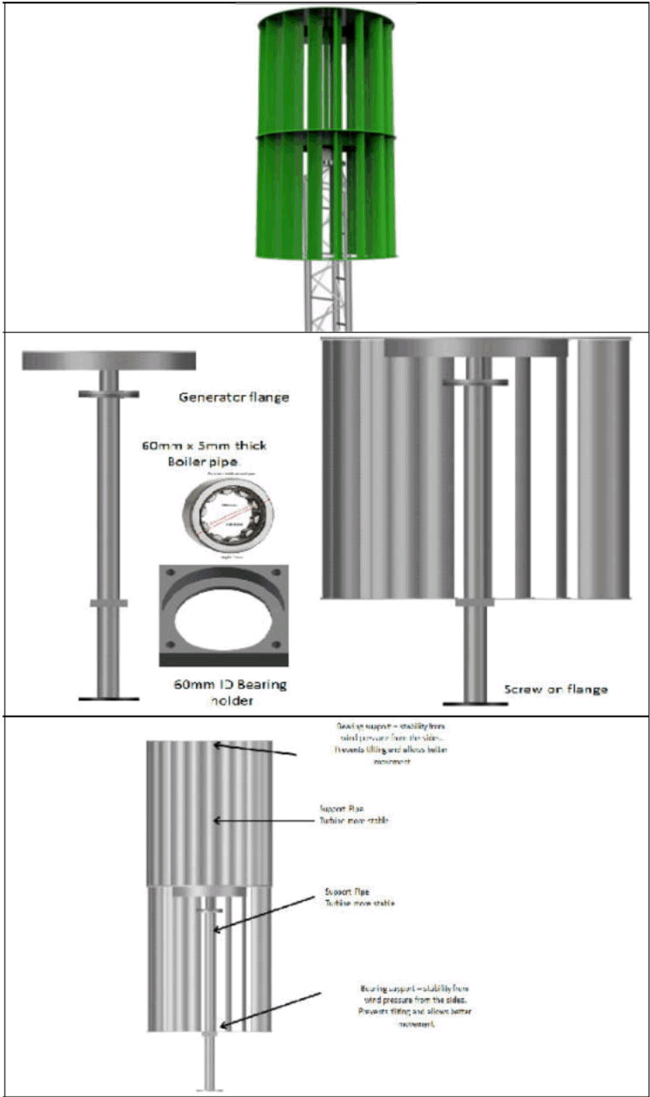
REV:  
JAN 03

DRAWN: ML DATE: 12-03-03

SHEET No: 2 OF 6 Model No: 3031

JOB No: 07030

Extract from engineering report; approximate appearance of wind turbine barrel





**CITY OF WANNEROO**  
**DA2020/1087 – SINGLE HOUSE ADDITION (WIND TURBINE)**  
**SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING**

*(Advertising Closed 3 November 2020)*

No.	Summary of Submission	Submitters	Administration Comment	Recommendation
<b>1</b>	<b>General Position</b>			
1.1	Objects to the proposal.	1, 2, 3, 4, 5	Noted.	No modifications required.
1.2	Supports the proposal.	6	Noted.	No modifications required.
<b>2</b>	<b>Visual Amenity</b>			
2.1	Wind turbine is visually intrusive due to its location, height, and/or appearance (with several objectors describing it as “an eyesore”).	2, 3, 4, 5	<p>Noted.</p> <p>Whilst the application is an uncommon form of development in the City at the present time, and will be visible from adjoining properties, Administration considers that overall the proposal will not detrimentally affect the visual amenity of the locality.</p> <p>As discussed in the body of the report, Administration considers that the proposal is appropriately located within the subject site, and notes its colour matches the roof of the subject dwelling. Further to this, the reduction in height to 5 metres is considered to bring the development into scale with other development in the locality, and to minimise visual obtrusiveness as far as practicable.</p>	Structure has been reduced in height to 5 metres.
2.2	The proposal is not in keeping with development in the locality.	5	<p>Noted.</p> <p>See response to 2.1 above.</p>	See response to 2.1 above.
2.3	The bulk impact is negligible as the proposed turbine is no higher than the roof of a house.	6	<p>Agreed.</p> <p>The proposed wind turbine has minimal bulk impact as it is narrow and has significant setbacks from all adjoining owners. Further to this, the amended proposal with reduced height is</p>	See response to 2.1 above.

No.	Summary of Submission	Submitters	Administration Comment	Recommendation
			consistent in scale with the roof of a typical single-storey dwelling which characterises the surrounding development.	
<b>3</b>	<b>Noise</b>			
3.1	The proposal will cause a disturbing level, frequency and/or constancy of noise which will disrupt quiet enjoyment of the property including sleep and use of outdoor living areas.	1, 2, 3, 4, 5	<p>Noted.</p> <p>As discussed further in the body of the report, the City's Health Services considers the proposed wind turbine to be similar in nature to an air conditioning unit or pool pump and as such does not require an acoustic report to be provided. Further to this, review of the Noise Specifications for the proposed turbine indicates low volume of 30dBa maximum, equivalent to whispering. Notwithstanding this, the proposed development will be required to comply with the <i>Environmental Protection (Noise) Regulations 1997</i> at all times.</p> <p>The wind turbine also possesses a stopping device which can be used in high wind conditions, if turbine is broken, etc. This is in accordance with Local Planning Policy 4.29 – Renewable Energy Systems.</p> <p>In light of the above, Administration considers that requesting further amendment or imposition of a condition or the like regarding noise would be neither necessary nor effective.</p>	No modifications required.
3.2	Insufficient information (eg. Acoustic Report) provided to satisfy concerns about noise.	1, 2, 5	<p>Noted.</p> <p>See response to 3.1 above.</p>	See response to 3.1 above.
3.3	The proposal will cause noise additional to existing noise on the site (eg. solar hot water and barking dogs).	1, 3	<p>Noted.</p> <p>See response to 3.1 above.</p>	See response to 3.1 above.

No.	Summary of Submission	Submitters	Administration Comment	Recommendation
3.4	The noise impact is negligible as it is lesser than other common causes of noise (eg. motorbikes).	6	Noted. See response to 3.1 above.	See response to 3.1 above.
<b>4</b>	<b>Structural Soundness/Engineering</b>			
4.1	When originally installed (prior to development approval), it was done in a structurally unsound manner and caused noise.	1	Noted. The original installation has been removed and the new proposal will be subject to structural engineering requirements as required by the Building Permit and Noise Regulations as per 3.1 above.	No modifications required.
4.2	Insufficient engineering details have been provided with the application.	1	Noted. Engineering details are not required at the development application stage; if the application is supported, these will be required as part of the building permit application.	No modifications required.
4.2	Broken turbine could cause additional/excessive noise or danger, eg. loose blades.	4	Noted. The wind turbine can be turned off if broken.	No modifications required.
<b>5</b>	<b>Other/Miscellaneous</b>			
5.1	It is unclear whether the proposed wind turbine is acceptable to Western Power.	1	Noted. It is the applicant's responsibility to seek advice and any necessary approvals from Western Power and/or any other relevant body external to the City of Wanneroo.	No modifications required.
5.2	Objector believes the proposal will deter tenants from renting their property.	2	Noted. Potential loss of rental revenue is not a relevant planning consideration.	No modifications required.
5.3	The wind turbine is good for the community/environment.	6	Noted. Local Planning Policy 4.29 – Renewable Energy Systems (LPP 4.29) has been adopted by the City since the initial consideration of this application by Council, to ensure that both community amenity and the environment are appropriately considered during the assessment of proposals such as this one. The application is fully compliant with this policy.	No modifications required.

No.	Summary of Submission	Submitters	Administration Comment	Recommendation
5.4	Less intrusive alternatives are available for eco-friendly power generation eg. solar panels.	3, 5	Noted. The proposed wind turbine has been assessed against the District Planning Scheme No. 2, the R-Codes and LPP 4.29, and is compliant with the relevant standards and objectives.	No modifications required.

## ATTACHMENT #4 - PHOTOGRAPHS



Above: View from Reigate Way, taken by Compliance Officer.





Below: View from rear of subject property, taken by Compliance Officer.



# Wind Turbines: Power Tree



Proposed  
Turbine  
Model

				
Vertical Axis Wind	CXF1000	Aeolos-V 1000	API-1KW	Power Tree 1000w
Rated power	1000W	1 Kw	1 Kw	1 Kw
Dimension (Height/Diameter)	ø2200mm / 2400mm	ø2000 / 2800mm	ø1800 / 2000mm	ø600 / 1200mm
Weight	188 kg	28 kg	220 kg	49 kg
Blade material	Aluminum Alloy	aluminum alloy	aluminum alloy	Aluminium
Blade quantity	7	3	5	20
Swept area m <sup>2</sup>	3.6			
Min starting wind speed	1.5 m/s	1.5 m/s	2.5 m/s	
Cut-in wind speed	3.5m/s			3.5m/s
Rated wind speed	13m/s	10 m/s	12 m/s	8 m/s
Survival wind speed	60m/s	30 m/s	50 m/s	60m/s
Generator type	AC,3Phases	AC,3Phase	PMG 3 Phase	
Generator	Alloy	Alloy	Alloy	Stainless
Controller Output Voltage	48V	48/110 V	48 V	24 / 48 V
Controller Braking System	3-phase short circuit by NFB brake	3-phase short	3-phase short	3-phase short
Ambient Temperature	-20°C to +50°C	-20°C to +50°C		
Noise	Less than 40dB	<45dB(A)	<45dB(A)	less than 30dB
Annual Energy (@ 5 m/s wind)	about 1500 kWh		1400	
Cost VAWT				
Cost Tower 5.5m				
Cost Turbine				

Proposed noise  
generation

## PS07-11/21 Consideration of Amendment No. 193 to District Planning Scheme No. 2 following advertising to allow Medical Centre as an Additional Use at Lot 1 (845) Wanneroo Road, Wanneroo

File Ref: 42708 – 21/414415  
 Responsible Officer: Director Planning and Sustainability  
 Disclosure of Interest: Nil  
 Attachments: 3

### Issue

To consider the submissions received during the public advertising of Amendment No. 193 to District Planning Scheme No.2 (DPS 2) and adoption of that amendment.

<b>Applicant</b>	Planning Solutions
<b>Owner</b>	David Palmer
<b>Location</b>	Lot 1 (845) Wanneroo Road, Wanneroo
<b>Site Area</b>	1,369m <sup>2</sup>
<b>MRS Zoning</b>	Urban
<b>DPS 2 Zoning</b>	Residential R20

### Background

On 13 April 2021, Planning Solutions on behalf of the landowner lodged Amendment No. 193 to DPS 2 to consider including the land use 'Medical Centre' as an Additional Use at the subject site. Medical Centre is a use that is listed as an 'X' (Not Permitted) use in the Residential Zone. **Attachment 1** contains the location plan.

Council, at its meeting of 13 July 2021 considered the proposal and resolved as follows (refer Item PS02-07/21):

*That Council:-*

- Pursuant to Section 75 of the Planning and Development Act 2005 ADOPTS Amendment No. 193 to District Planning Scheme No. 2 to allow the use class Medical Centre as an Additional Use at Lot 1 (845) Wanneroo Road, Wanneroo and AMENDS:*

*a) Schedule 2 of the District Planning Scheme No. 2 as follows:*

No	Street/Locality	Particulars of Land	Additional Use and Conditions (where applicable)
A43	1-43 845 Wanneroo Road, Wanneroo	Lot 1 on Diagram 55592	Medical Centre ('D' Use)

*b) The Scheme Map accordingly.*

- Pursuant to Section 35(2) of Planning and Development (Local Planning Schemes) Regulations 2015 RESOLVES that Amendment No. 193 to District Planning Scheme No. 2 is a Standard Amendment for the following reasons:*

- The Amendment is consistent with the objectives identified in the scheme for the Residential zone; and*
- The Amendment would have minimal impact on land in the scheme area that is not the subject of this amendment.*



3. Pursuant to Section 81 of the Planning and Development Act 2005 REFERS Amendment No. 193 to District Planning Scheme No. 2 to the Environmental Protection Authority; and
4. Subject to approval from Environmental Protection Authority, ADVERTISES Amendment No. 193 to District Planning Scheme No. 2 for a period of not less than 42 days pursuant to Regulation 47(2) and 47(3) of the Planning and Development (Local Planning Schemes) Regulations 2015.

**Attachment 2** contains the proposed Scheme Amendment Text and Map.

It is noted the site contains a single storey building with a residential appearance, which has been operating as a dental centre since 1979. The dental centre currently includes two consulting rooms, a reception area, a staff room, a storeroom and a bathroom. There are a total of three dental practitioners (only two operating at any time), three dental nurses and one administration officer employed at the facility. On a typical day, there are between eight to twenty appointments per day, with each appointment generally ranging from 20 minutes to two hours depending on the nature of the visit. The dental centre currently opens from 8:30am to 5:00pm Monday and Wednesday to Friday, 8:30am to 6:00pm on Tuesday and 8:00am to 1:00pm on Saturday. 'Medical Centre' is defined under DPS 2 as a premises that accommodates two or more consulting rooms, therefore, the existing operations of the dental centre fall within this land use.

## Detail

### Proposal

The subject site fronts onto Wanneroo Road and comprises the dental centre and seven parking bays. The site is bound by residential properties to the north, south and west. The proposal (as adopted by Council through Item PS02-07/21) seeks to amend DPS 2 by:

1. Introducing 'Medical Centre' as an Additional Use on Lot 1 (845) Wanneroo Road, Wanneroo and amending Schedule 2 – Section 1 (Clause 3.20) – Additional Uses as follows:

No	Street/Locality	Particulars of Land	Additional Use and Conditions (where applicable)
A43	1-43	845 Wanneroo Road, Wanneroo	Lot 1 on Diagram 55592 Medical Centre ('D' Use)

2. Amend the Scheme Map accordingly.

## Consultation

In accordance with the Council's decision, the amendment was referred to the Environmental Protection Authority (EPA) for comment. On 12 August 2021, the EPA advised the City that the scheme amendment did not warrant an environmental assessment.

A 42-day public advertising period was carried out between 26 August 2021 and 8 October 2021 by way of an on-site sign, advertisement in the local newspaper, a notice in Council offices and the City's website, and letters to the affected and nearby landowners. The City did not receive any submissions during the advertising period.



## Comment

### Compatibility with the Residential Zone

The subject site is located within the Residential zone. The objectives of the Residential zone as set out in DPS 2 are to:

- a) *Maintain the predominantly single residential character and amenity of established residential areas;*
- b) *Provide the opportunity for grouped and multiple dwellings in selected locations so there is a choice in the type of housing available within the City;*
- c) *Provide the opportunity for aged persons housing in most residential areas in recognition of an increasing percentage of aged residents within the City; and*
- d) *Provide for compatible urban support services.*

The proposed Medical Centre Use is considered to be consistent with objectives (a) and (d) of the Residential zone for the following reasons:

- The site operates within a single storey dwelling that has been repurposed for the dental centre and is considered to be an urban support service compatible within the surrounding residential area. This maintains the single residential character and amenity of the established residential area.
- Noise generated from the site is required to comply with the *Environmental Protection (Noise) Regulations 1997* at all times. If noise is at a level that becomes a nuisance to local residents, the City will investigate the noise levels and if substantiated, require the property owner to undertake appropriate measures to ensure compliance. To date, no complaints have been received relating to noise generated from the dental centre and no submissions were received during the advertising period. In addition, the current operating hours are during standard business hours which do not exceed past 6pm. Therefore, the noise generated from the dental centre is minimal and will ensure that the amenity of the established residential area is maintained.
- The WAPC Transport Impact Assessment Guidelines states that a Transport Impact Statement (TIS) is required for development where it generates moderate volumes of traffic of 10 to 100 vehicle trips in the peak hour. It also states that an increase in traffic of less than 10 per cent of the road capacity would not have a material impact on any particular section of the road. Wanneroo Road is a primary distributor road which is capable of accommodating 35,000 vehicles per day. A TIS was not requested as the traffic generated from the dental centre is less than 10 per cent of the capacity of Wanneroo Road. The traffic generated for the dental centre would not have a material impact on Wanneroo Road and is unlikely to impact the amenity of the residential area.

In addition to the above, the proposed scheme amendment classifies Medical Centre as a 'D' (discretionary) use. In doing so, this will ensure that a development approval would be required to operate a Medical Centre, which the City could impose conditions on the scale and intensity of the use of the premises including setting operating hours and the number of practitioners on site. The development approval conditions would apply to the current and future operators of the site, ensuring that the City is able to address any potential impacts on the amenity of the nearby residential properties.

### Existing Medical Centres

There are a number of Medical Centres operating within one kilometre of the subject site along Wanneroo Road. A map of these locations is included in **Attachment 3**.

The four Medical Centres are appropriate along Wanneroo Road for the following reasons:

- Wanneroo Road is a major freight route and carries high volumes of traffic, which provides more commercial exposure;
- There are less residential properties in close proximity to their location due to larger road reserve widths; and
- There is a different level of amenity to existing residential properties compared to suburban areas.

Given the above, this type of Additional Use is not uncommon along Wanneroo Road and could satisfy the objectives of the Residential zone. Notwithstanding this, all proposals are considered on their merits, and in this instance, the proposed amendment has demonstrated that the Medical Centre land use satisfies the objectives of the Residential zone, specifically along Wanneroo Road.

### Conclusion

In light of the above, Administration is of the view that the proposed Medical Centre as an Additional Use to the subject site satisfies the objectives of the Residential zone as it provides an urban support service that can have minimal impacts to the amenity of the established residential areas specifically as the subject site is located along Wanneroo Road. Therefore, it is recommended that Amendment No. 193 be supported and forwarded to the WAPC for its consideration.

### **Statutory Compliance**

Amendment No. 193 has been processed in accordance with the provisions of 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 2021 – 2031:

- 3 ~ A vibrant, innovative City with local opportunities for work, business and investment*  
*3.2 - Attract and support new and existing business*

### **Risk Management Considerations**

<b>Risk Title</b>	<b>Risk Rating</b>
ST-S12 Economic Growth	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Chief Executive Officer	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 accept this risk to support existing management systems.

### **Policy Implications**

This proposal has been assessed under the provisions of the City's DPS 2.

### **Financial Implications**

Nil

## Voting Requirements

Simple Majority

## Recommendation

That Council:-

1. Pursuant to Regulation 50(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* SUPPORTS the standard Amendment No. 193 to District Planning Scheme No. 2 to amend Schedule 2 – Section 1 (Clause 3.20) Additional Use to allow the land use Medical Centre at Lot 1 (845) Wanneroo Road, Wanneroo and AMENDS Schedule 2 of the District Planning Scheme No. 2, as follows:

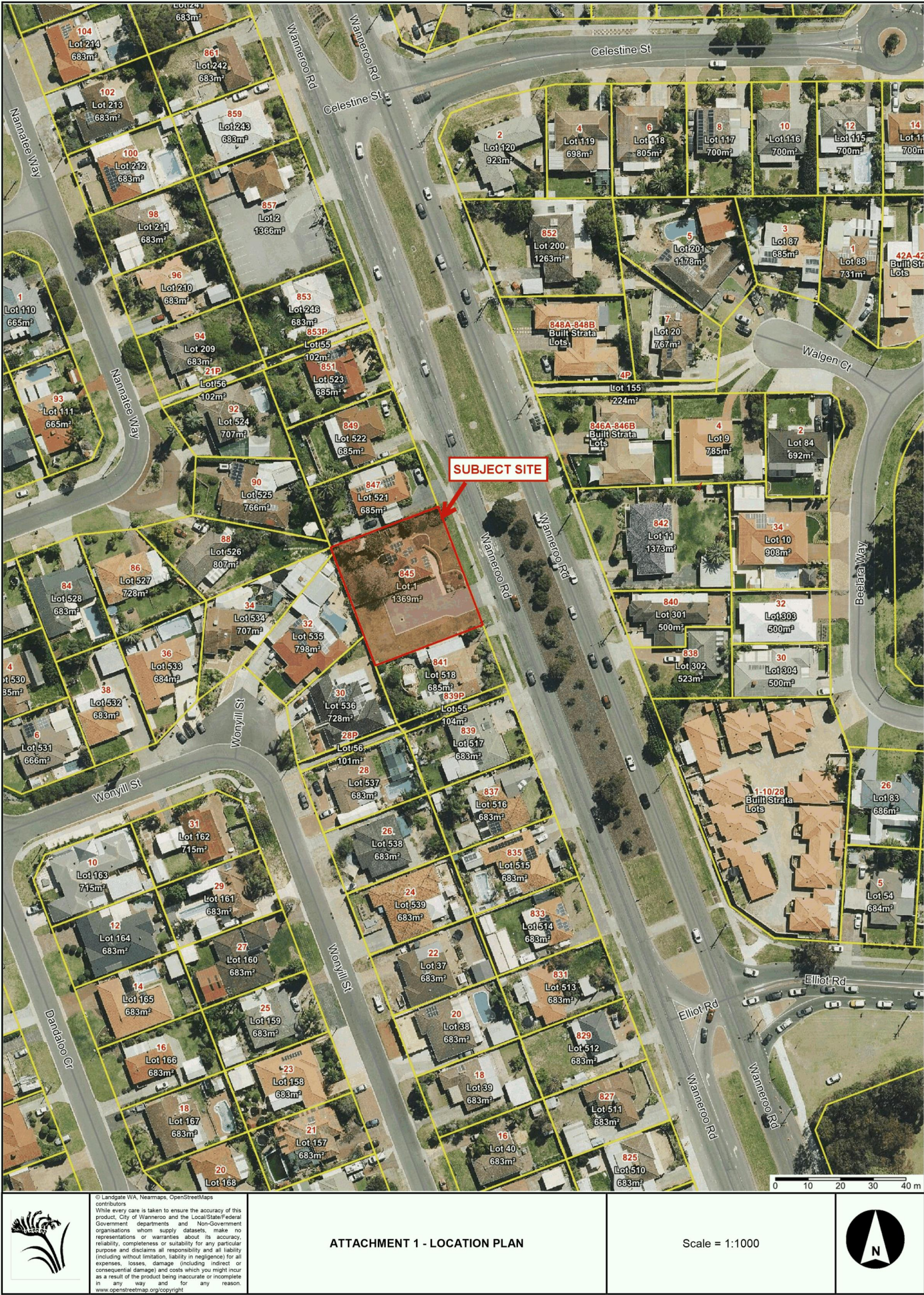
No	Street/Locality	Particulars of Land	Additional Use and Conditions (where applicable)
A43	1-43	845 Wanneroo Road, Wanneroo	Lot 1 on Diagram 55592 Medical Centre ('D' Use)

2. Pursuant to Regulation 53 of the *Planning and Development (Local Planning Schemes) Regulations 2015* PROVIDES the advertised Amendment No. 193 to the City of Wanneroo District Planning Scheme No. 2 to the Western Australian Planning Commission together with the City's recommendation.

Attachments:

1. [Download](#) Attachment 1 - Location Plan - Scheme Amendment No. 193 - Lot 1 (845) Wanneroo Road, Wanneroo 21/197781
2. [Download](#) Attachment 2 - Scheme Text and Map - Scheme Amendment No. 193 - Lot 1 (845) Wanneroo Road, Wanneroo 21/419543
3. [Download](#) Attachment 3 - Existing Medical Centres Map - Scheme Amendment No. 193 - Lot 1 (845) Wanneroo Road, Wanneroo 21/197936









# **DISTRICT PLANNING SCHEME No. 2**

Amendment No. 193

## FORM 2A

***Planning and Development Act 2005*****RESOLUTION TO ADOPT AMENDMENT TO  
LOCAL PLANNING SCHEME****CITY OF WANNEROO****DISTRICT PLANNING SCHEME NO. 2 - AMENDMENT NO. 193**

RESOLVED that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above local planning scheme by

- Amending Schedule 2 – Section 1 (Clause 3.20) – Additional uses to insert the following:

NO		STREET/LOCALITY	PARTICULARS OF LAND	ADDITIONAL CONDITIONS (WHERE APPLICABLE)	USE (WHERE APPLICABLE)
A43	1-43	845 Wanneroo Road, Wanneroo	Lot 1 on Diagram 55592	Medical Centre ('D' Use)	

- Amending the Scheme Map by annotating Lot 1 (845) Wanneroo Road, Wanneroo, being the whole of land on Certificate of Title Volume 2574, Folio 112 with Additional Use No. 43.

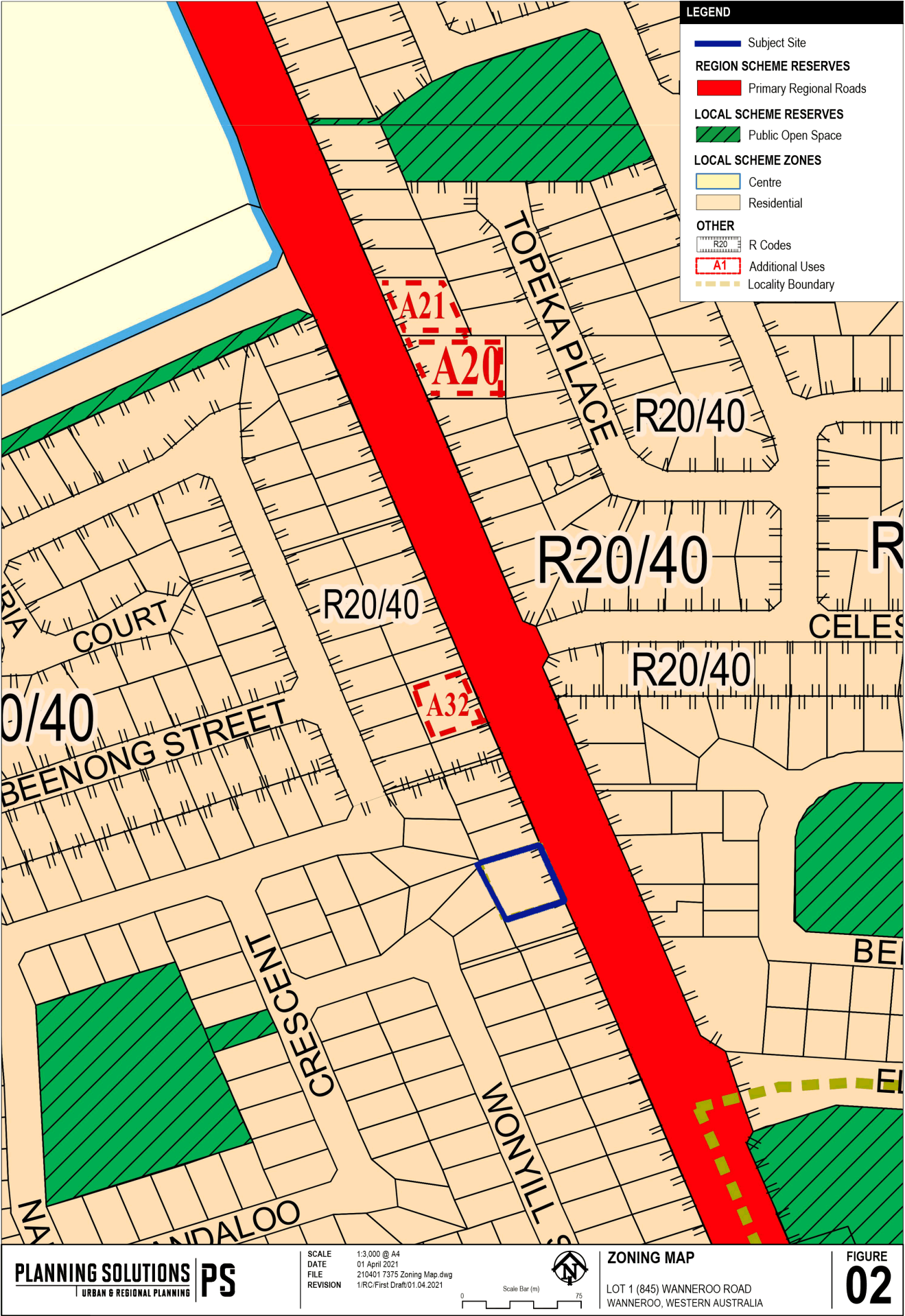
The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- The Amendment is consistent with the objectives identified in the scheme for the Residential zone; and
- The Amendment would have minimal impact on land in the scheme area that is not the subject of this amendment.

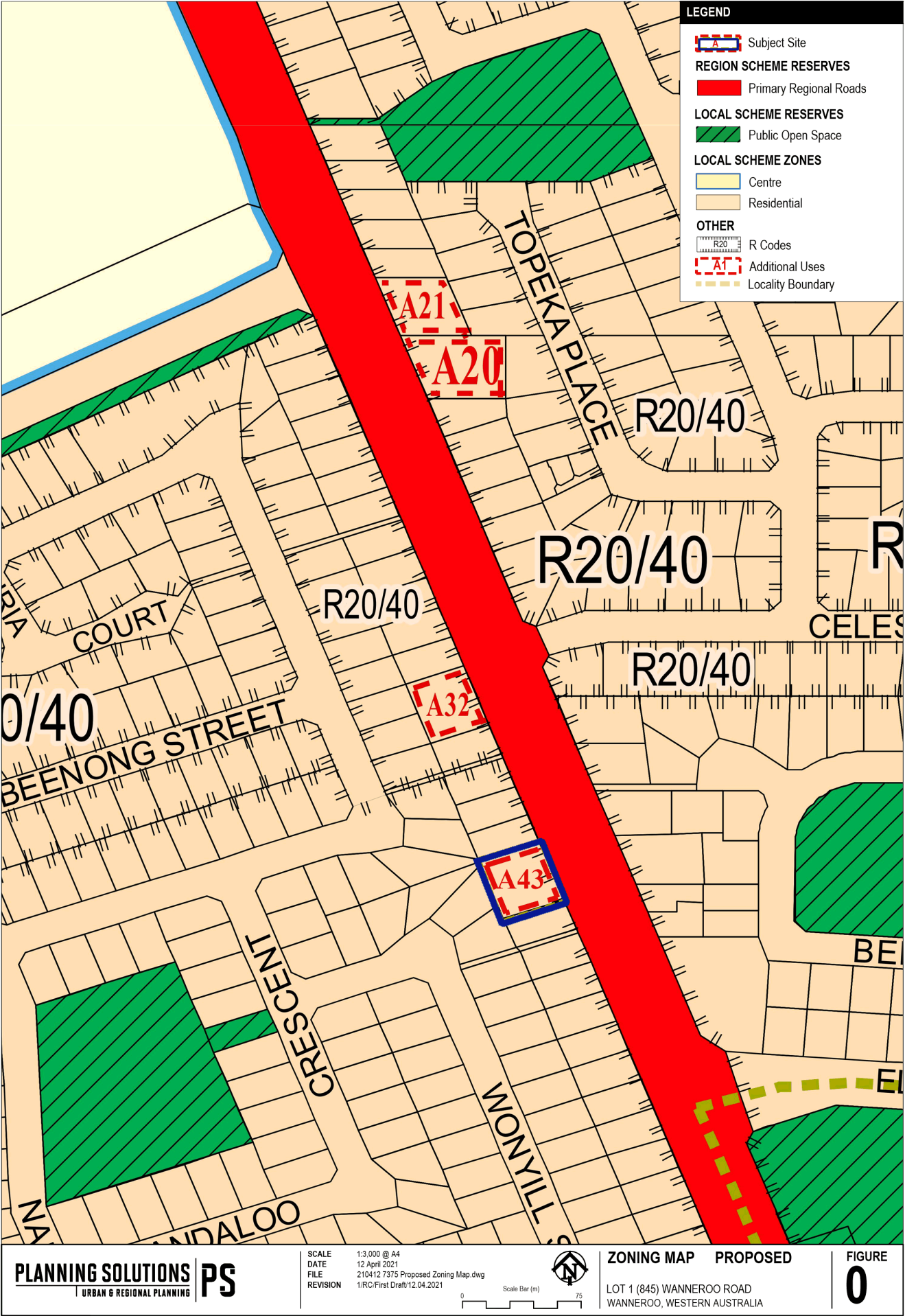
Date of Council Resolution.....

.....  
(Chief Executive Officer)

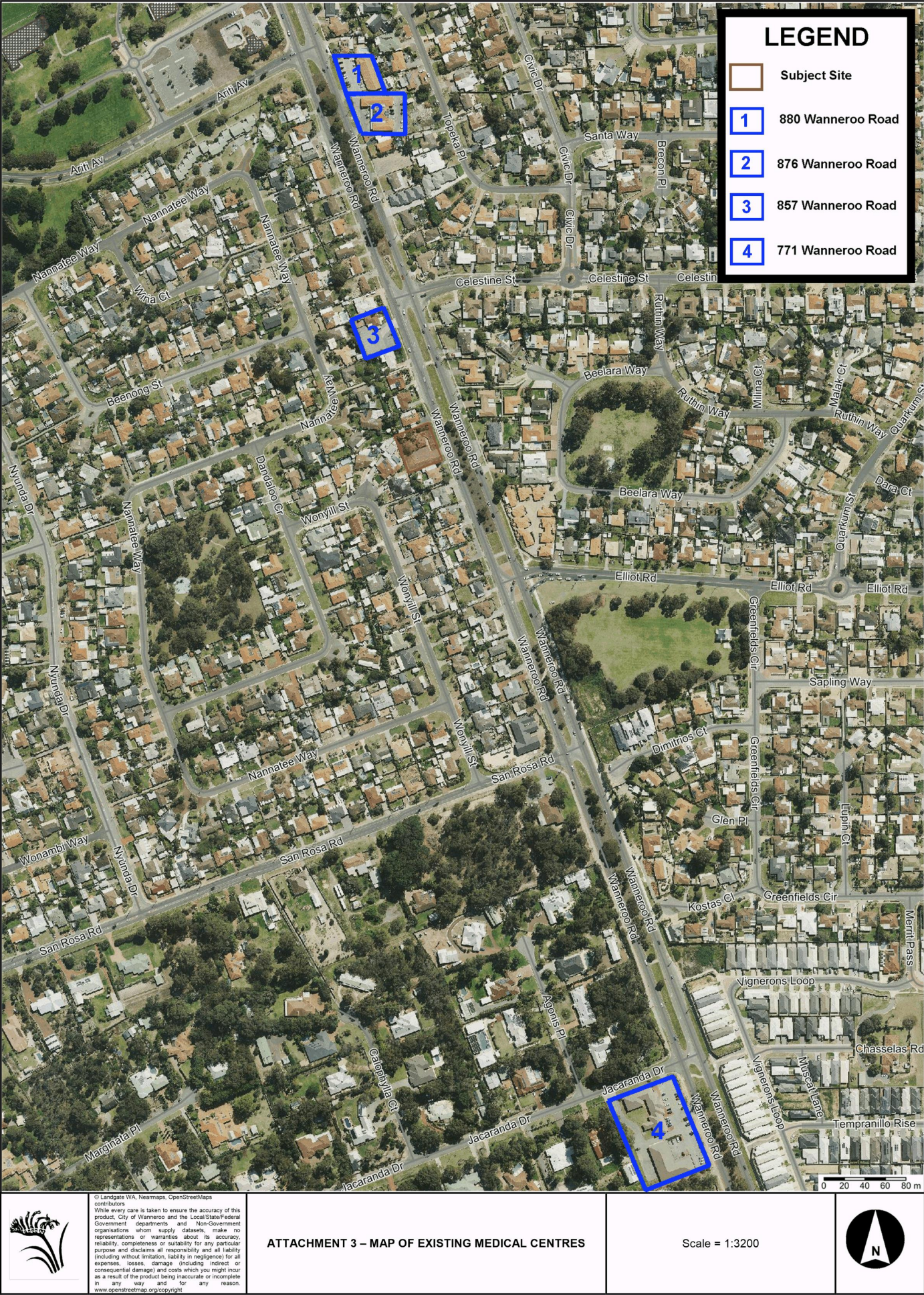
Dated this ..... day of ..... 20.....













## PS08-11/21 Consideration of Development Application for Telecommunications Facility at Lot 1450 (9) Pacific Promenade, Alkimos (DA2021/351)

File Ref: DA2021/351-02 – 21/442667  
 Responsible Officer: Director Planning and Sustainability  
 Disclosure of Interest: Nil  
 Attachments: 8

### Issue

To consider a development application (DA2021/351) for Telecommunications Infrastructure (Monopole) at Lot 1450 (9) Pacific Promenade, Alkimos (subject site).

<b>Applicant</b>	SAQ Consulting
<b>Owner</b>	Blackmont Capital Pty Ltd
<b>Location</b>	Lot 1450 (9) Pacific Promenade, Alkimos
<b>Site Area</b>	3255m <sup>2</sup>
<b>DPS 2 Zoning</b>	Urban Development
<b>ASP 73 Zoning</b>	Commercial

### Background

On 26 February 2021 the City received a development application for Telecommunications Infrastructure (Monopole) at the subject site.

The site is 3255m<sup>2</sup> in area and is zoned Urban Development under the City's District Planning Scheme No.2 (DPS 2) and Commercial under Agreed Structure Plan No. 73 – North Alkimos (ASP 73).

The subject site is bound by Shorehaven Boulevard to the north, Pacific Promenade to the west, Waypoint Mews and residential land to the south and public open space (POS) to the east. A location plan of the subject site is included in **Attachment 1**. Currently, the site is approved and developed for use as a Liquor Store and three shop tenancies (DA2015/1929).

The application is made on behalf of Stilmark Holdings Ltd which describes itself as:

*"a specialist developer and investor in telecommunications tower infrastructure in Australia."*

Stilmark is what is known in the telecommunications industry as a "TowerCo". The term is used to describe a company that specialises in owning and operating mobile phone towers, which then derives its revenue from leasing access to their towers. TowerCo's like Stilmark are often separate companies to the telecommunications carriers like Optus, Telstra and Vodafone.

The monopole will be used as a telecommunications site by Optus to improve the quality of the existing coverage for the Optus network. The monopole will also be able to accommodate a second mobile network carrier. The proposed monopole will, in addition to improving the quality of the existing Optus network coverage, also include equipment to deliver the new generation of 5G mobile phone technology.

The new 5G technology delivers both significantly increased speed and greater volumes of data transfer over the mobile phone network. However 5G services are likely to require additional towers and micro cell antennas in the City in order to deliver the higher capacity services.

Whilst the proposed tower along with associated network provider will enhance existing network coverage in the area it is not in itself necessary for the provision of mobile services in the area.

#### *Previous Consideration by Council*

This application was originally presented to Council on 10 August 2021 (Item number PS07-08/21) with a recommendation for refusal, however the item was referred back to Administration for further investigation. Council also raised a number of questions relating to:

- The location of submitters in close proximity to the proposed monopole;
- The number of submitters raising concerns due to coverage
- The location and size of nearby telecommunications infrastructure
- The existing coverage within the area and the impact on emergency services communication

In response to these questions, Administration advised the following:

- Of the 220 submitters, 26 were within 200 metres of the proposed development and 140 were within 1 kilometre;
- Of the 220 submitters, five raised concerns due to coverage;
- There are three nearby telecommunications towers located within Alkimos, Eglinton and Carabooda which provide coverage to the area. These towers range from 55 metres to 60 metres in height. None of the existing towers are located on Residential zoned land;
- The existing telecommunications infrastructure provides full 4G coverage for all three main providers (Optus, Telstra and Vodafone/TPG) to the surrounding area;
- The intent of the proposed infrastructure is to improve capacity on the network. The applicant has also advised that the proposal is intended to provide Optus 5G services, which are currently unavailable; and
- The proposed monopole has the structural capacity to accommodate a second carrier, should that be required.

Prior to the item being presented to Council for determination, the proprietors of the subject site advised Administration that they would be willing to make modifications to the proposal, in order to address concerns raised in the report. The proposed modifications included:

- Reducing the height of the monopole from 25 metres to 20 metres; and
- Painting the monopole in a non-competing colour with the surrounding area (N53 blue-grey).

Council's intent of deferring the proposal back to Administration was to enable the applicant to provide amended plans and photomontages to demonstrate the proposed modifications. Administration has since received the amended plans and photomontages, and have reconsidered the application accordingly.

#### *State Administrative Tribunal*

On 30 August 2021, Administration received orders from the State Administrative Tribunal (SAT) due to the application not being determined within the statutory timeframe. On 23 September 2021 Administration attended a directions hearing at SAT, and the orders were as follows:

1. The applicant is to provide additional information as discussed at the directions hearing to the respondent by 1 October 2021;
2. Pursuant to s 31(1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider the decision on or before 16 November 2021; and

3. The matter is listed to a directions hearing, to be conducted by teleconference, at 9.30am on 26 November 2021.

## Detail

This application proposes the construction of Telecommunications Infrastructure, which is a 'D' (Discretionary) use in the Commercial zone. The details of the development are as follows:

- One monopole with a total height of 20 metres, located in the south-west corner of the site. The base of the monopole is setback 1.9 metres from the eastern boundary and eight metres to the southern boundary;
- Six panel antennas mounted no higher than the top of the monopole;
- One equipment cabinet setback 10 metres from the southern boundary and 1.2 metres from the eastern boundary. The equipment cabinet will have a maximum height of approximately two metres;
- A metre panel located next to the monopole;
- Six bollards surrounding the base of the monopole; and
- Additional landscaping.

Plans depicting the proposal are included in **Attachment 2**. For reference, the plans previously presented to Council are included as **Attachment 3**.

Upon assessment of the modified development application it was determined that the proposal incorporates the following variations to the City's Local Planning Policy 2.5: Telecommunications Infrastructure (LPP 2.5):

Policy Provision	Comments	Compliance
L2	<ul style="list-style-type: none"> <li>• The proposed monopole should not be located on a lot which adjoins a lot zoned 'Residential'. The proposal adjoins Residential zoned lots to the south</li> </ul>	No
L3	<ul style="list-style-type: none"> <li>• The proposal should be located away from street boundaries and behind any buildings that exist on the same land. The monopole it is not concealed by a building on the southern boundary</li> </ul>	No
D1	<ul style="list-style-type: none"> <li>• Given the lot also abuts POS in addition to not being concealed by a building on the southern boundary, it is not screened from view from the public domain, and therefore may result in a loss of amenity</li> </ul>	No

## Consultation

LPP 2.5 states that variations to the 'Deemed-to-Comply' criteria of the Policy, may be considered subject to public consultation. As noted above, the proposal does not meet L2, L3 and D1 of LPP 2.5, and therefore public consultation was undertaken in accordance with the City's consultation procedure.

The application was advertised for public consultation for a period of 14 days between 15 April 2021 and 30 April 2021 in accordance with LPP 2.5 and Clause 64(3) of the Deemed Provisions of the City's District Planning Scheme No. 2 (DPS 2). Advertising was undertaken by way of a notice placed on the City's website, in the Wanneroo Times, a sign erected on site, and in writing to landowners within a 200m radius of the subject site. At the conclusion of the comment period, 218 submissions were received. Following Council's deferral of the application, two additional submissions were received for a total of 220 submissions. Of these submissions, 210 objected to the proposal, five were in support and five provided general comments, but did not provide a position. A summary of all submissions received and

Administration's responses are shown in **Attachment 4**, and a plan depicting the landowners who were notified in writing is shown in **Attachment 5**.

Planning issues raised during the advertising period and following detailed assessment by Administration relate to:

- Non-compliance with Local Planning Policy 2.5;
- The location, height and prominence of the monopole resulting in a negative visual impact on the amenity of the suburb and the residents, particularly being so close to the entrance of the suburb and POS;
- Overshadowing from the monopole to residential properties; and
- The location of the monopole being more appropriate in industrial locations (i.e nearby Water Corporation land south of the site).

A more detailed discussion of the major issues raised during the public consultation period as well as those considered in the assessment of the application is provided in the Comment section. Other matters raised are discussed in the summary of all submissions.

## Comment

The modified development application has been assessed against the following planning documents:

- LPP 2.5: Telecommunications Infrastructure;
- State Planning Policy 5.2: Telecommunications Infrastructure (SPP 5.2); and
- The Matters to be Considered by Local Government, included in Clause 67 of the Deemed Provisions of DPS 2.

### Assessment against LPP 2.5

The application proposes the following variations to the 'Deemed-to-Comply' provisions of LPP 2.5. In response to the proposed variations, Administration provides the following comments:

Deemed-to-Comply Provisions	Variations to the Deemed-to-Comply Provisions	Administration Comments
L2: Proposed telecommunications infrastructure is not located on a lot where an adjoining lot is zoned Residential, Mixed Use, Special Rural, Rural Community, Landscape Enhancement or Special Residential.	The proposed infrastructure is located on a lot where the adjoining lots to the south are zoned Residential.	<ul style="list-style-type: none"> <li>• The monopole is located approximately eight metres from Residential zoned land to the south. At a proposed height of 20 metres, the monopole remains clearly visible from existing habitable spaces within the surrounding homes. As noted in <b>Attachment 6</b>, the existing properties to the south of the subject site utilise the area at the front of their homes for outdoor activities, and would therefore have their amenity impacted by the proposal.</li> <li>• The proposed monopole also abuts Residential zoned land to the east, however the land is reserved for Drainage &amp; POS, which is owned and managed by the City. Therefore, the monopole will not impact any residential properties in this location, but may impact the amenity and</li> </ul>

Deemed-to-Comply Provisions	Variations to the Deemed-to-Comply Provisions	Administration Comments
		<p>enjoyment of this space once fully developed.</p> <ul style="list-style-type: none"> <li>The ground level of the subject site is approximately 1.5 metres higher than the POS land, which may further exacerbate the overall impact.</li> </ul>
<p>L3: Proposed telecommunications infrastructure situated in the 'Business', 'Commercial', 'Civic and Cultural', 'Service Industrial' or 'General Industrial' zone should be located away from street boundaries, and behind any buildings that exist on the same land.</p>	<p>The proposed infrastructure is situated in the Commercial zone, however, is not concealed by a building along the southern boundary</p>	<ul style="list-style-type: none"> <li>The proposed monopole is located approximately 27 metres from the southern street boundary (Waypoint Mews), however it is isolated on the lot and is not concealed by the main building.</li> <li>The base of the proposed monopole will be concealed from the street by the existing two metre high brick fence and landscaping, though while this may assist in reducing the visual impact of the monopole as viewed from the street, it is still clearly visible from the surrounding area (see <b>Attachment 6</b>).</li> <li>As a result, the proposed monopole remains highly visible due to its location on the subject lot, despite the reduction in height.</li> </ul>
<p>D1: The applicant demonstrates that the proposed telecommunications infrastructure is confined to a height and dimension that balances the need to provide for appropriate network coverage for the surrounding area, whilst minimising loss of amenity in the locality.</p>	<p>The height and dimensions of the proposed monopole has been designed to provide optimal network coverage, however given the proximity to residential areas, may result in a loss of amenity in the locality.</p>	<ul style="list-style-type: none"> <li>This area of north Alkimos and south Eglinton has been identified as lacking mobile phone service. The closest telecommunications infrastructure is currently located in south Alkimos and north Eglinton. The proposed location has been selected to provide optimal mobile coverage and connectivity to meet the growing demands from the increased population in north Alkimos and south Eglinton. The proposed height at 20 metres meets the minimum requirement needed to provide adequate coverage for the area;</li> <li>The monopole has been designed using non-reflective materials and a non-competing colour to reduce the visual impact of the proposal;</li> <li>Notwithstanding the above, whilst it is acknowledged that the additional coverage is necessary for the area, Administration maintains the view that the height of the monopole at 20 metres and prominent visibility within an existing suburban area is not considered appropriate due to the adverse visual amenity impacts it creates.</li> </ul>

### SPP 5.2 Telecommunications Infrastructure

Policy Measure 5.1.1(ii) of SPP 5.2 is the same as 'Deemed-to-Comply' criteria 'D2' of LPP 2.5, in that Telecommunications Infrastructure should be located and designed to minimise visual impact and whenever possible:

- a) be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;
- b) be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;
- c) not be located on sites where environmental, cultural heritage, social and visual landscape values may be compromised; and
- d) display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape.

The proposed monopole is located centrally within the existing suburban area and is highly visible from the primary entry point to the Shorehaven Estate along Marmion Avenue. Additionally and as noted in **Attachment 6**, there are several POS areas within close proximity to the proposed monopole, some of which incorporate landmark elements. The protection of visual amenity in these areas is considered to be of significant importance to the character and identity of the area.

It is acknowledged that efforts have been made to limit the scale and appearance of the monopole through using a non-competing colour, non-reflective materials and landscaping. Additionally, the applicant provided modified photomontages reflective of the monopole at 20 metres in height (**Attachment 7**) to demonstrate that from several residential and POS vantage points to the north, west and east of the subject site, the proposed monopole is generally concealed by existing vertical elements. These elements include the existing commercial buildings on the subject site, existing trees (particularly Norfolk Island pine trees), the landmark elements and the local topography. For reference, the photomontages subject to the previous design at 25 metres in height are included in **Attachment 8**.

Whilst the above comments have been considered, the landscaping and topography alone do not substantially screen the visibility of the monopole throughout the immediate and surrounding area. As noted in **Attachment 6**, there are several vantage points where the monopole would be the prominent feature in the area. In addition, the reliance on landmark elements to screen the proposed development is not considered appropriate, as they are intended to enhance the aesthetics and historical significance of the area. As such, it should not be utilised for the screening of separate infrastructure. The proposed location adjacent to the entry of the Shorehaven Estate, POS and landmark elements will detract from the desired streetscape appearance and visual amenity of the area. On this basis, the proposal is not considered to adequately satisfy the requirements set out in SPP 5.2.

### Clause 67 of the Deemed Provisions of DPS 2

In accordance with Part 4 of DPS 2, notwithstanding any noncompliance, Council may approve the application where deemed appropriate. In accordance with Clause 4.2.3, the power to approve an application where there is a non-compliance can only be exercised where Council is satisfied that approval of the development would be appropriate having regard to Clause 67 of DPS 2 and that the non-compliance will not have any adverse impact on the surrounding inhabitants (existing and future) and the locality. As the proposal does not comply with LPP 2.5, it has been assessed against Clause 67 and the impact of the surrounding locality as discussed below.

	Matters to be Considered by Local Government	Administration Comments
c	Any approved state planning policy	As noted previously, the proposed development is not considered to be consistent with Policy Measure 5.1.1(ii) of SPP 5.2, as the proposed monopole is considered to significantly impact the visual amenity of the area.
g	Any local planning policy for the Scheme area	As discussed above, aspects of the proposal do not meet the Deemed-to-Comply provisions of LPP 2.5, and the impact on the visual amenity of the locality is not considered appropriate.
m	The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development	<p>As discussed above, Administration maintains the view that the proposal is not considered compatible with the proposed location for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposed monopole is directly adjacent to Residential zoned land and will impact the amenity of the surrounding land;</li> <li>• The proposed monopole is poorly concealed on the subject site and remains highly visible within the surrounding area, including several areas of POS, the entrance to the Shorehaven Estate and significant landmark elements; and</li> <li>• The accumulative impact resulting in adverse impacts to the desired character, streetscape appearance and visual amenity of the area.</li> </ul>

### Concerns Raised in Submissions

In response to the other town planning concerns raised in the submissions received, Administration provides the following comments:

Concerns raised in Submissions	Administration Comments
The location, height and prominence of the monopole resulting in a negative visual impact on the amenity of the suburb and the residents, particularly being so close to the entrance of the suburb and POS	The City acknowledges that the proposal has been designed using non-reflective materials and a non-competing colour to assist in reducing the visual impact on the surrounding area, as well as utilising existing screening elements in the area. However, the height at 20 metres and location within close proximity to residential land, POS areas and landmark elements will detract from the desired character, streetscape appearance and visual amenity of the area.
Overshadowing from the monopole to residential properties	Under Local Development Plan No. 15 – North Alkimos (LDP 15), the provisions of overshadowing are exempt for all development. It is therefore considered that the impacts from any overshadowing to adjoining residential properties is acceptable. This however, does not override the potential impacts on amenity as discussed above.
The location of the monopole being more	The Water Corporation land to the south-west already has an existing tower (approximately 1.7 kilometres away) which is



Concerns raised in Submissions	Administration Comments
appropriate in industrial locations (i.e. nearby Water Corporation land south of the site)	currently utilised by Optus. Notwithstanding, the City is not involved in selecting the site and is unable to designate a preferred location given the land is privately owned.

### Conclusion

Whilst Administration supports the provision of enhanced telecommunications services across the City, support for individual proposals is dependent on the extent to which an application meets the provisions of Council's Telecommunications Infrastructure Policy and the Planning Framework. In this regard the application has not in Administration's assessment demonstrated compliance with the City's Policy and the planning framework.

In light of the above, it is evident that efforts have been made by the applicant to reduce the visual amenity impacts on the surrounding residential area and to demonstrate how the monopole's visual prominence in the area will be mitigated. Whilst further modifications have been implemented since Council's deferral of the application, Administration maintains the view that that the location of the monopole within a centralised position of the suburb, its proximity to residential land, communal spaces, and landmark elements will still result in detrimental impacts on the desired streetscape appearance and visual amenity of the area. It is therefore recommended that Council refuse the proposed Telecommunications Infrastructure at Lot 1450 (9) Pacific Promenade, Alkimos.

### **Statutory Compliance**

This application has been assessed in accordance with the City's DPS 2.

### **Strategic Implications**

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*5 ~ A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places*

*5.1 - Develop to meet current need and future growth*

### **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-O22 Environmental Management	Moderate
Accountability	Action Planning Option
Director Planning and Sustainability	Manage

Risk Title	Risk Rating
CO-O23 Safety of Community	Moderate
Accountability	Action Planning Option
Director Community and 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 have been developed to manage these risks to support existing management systems.

## Policy Implications

The proposal has been assessed against the relevant provisions of the following:

- District Planning Scheme No. 2 (DPS 2);
- Agreed Structure Plan No. 73 – North Alkimos (ASP 73);
- Local Planning Policy 2.5: Telecommunications Infrastructure (LPP 2.5); and
- State Planning Policy 5.2: Telecommunications Infrastructure (SPP 5.2).

## Financial Implications

Should the applicant progress the matter to a hearing at SAT, costs could be in the order of \$10,000 - \$25,000 depending on the devotion of the matter. Financial implications of a SAT hearing can be met from the current Planning and Sustainability operational budgets.

## Voting Requirements








Simple Majority

## Recommendation

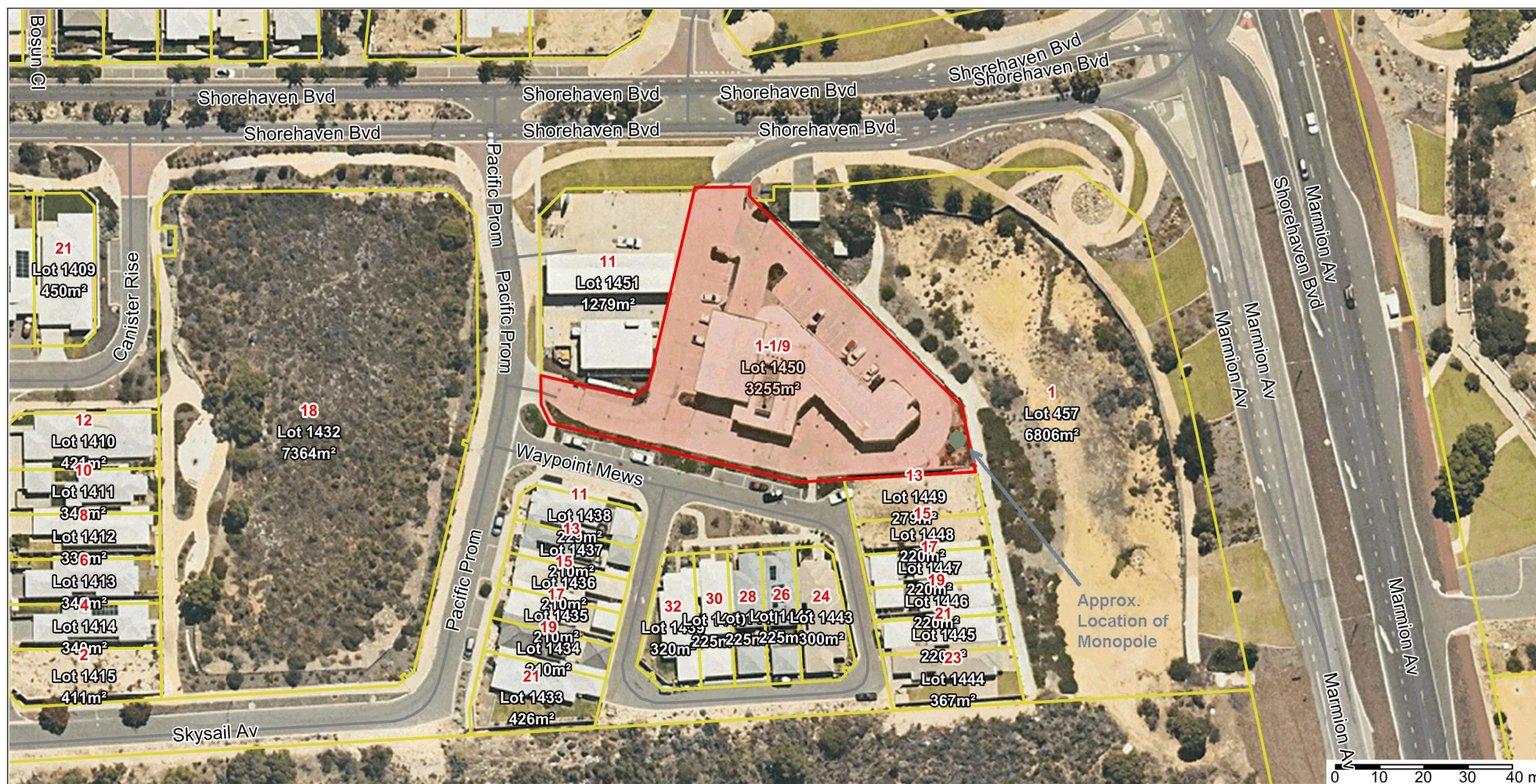
**That Council:-**

1. **Pursuant to Clause 68(2)(b) of the Deemed Provisions of the City of Wanneroo District Planning Scheme No. 2, REFUSES to grant development approval for the Telecommunications Infrastructure (Monopole) at Lot 1540 (9) Pacific Promenade, Alkimos for the following reason:**
  - a) **The proposal does not satisfy the objectives of LPP 2.5 and SPP 5.2, and Clause 67 (m) of the Deemed Provisions of District Planning Scheme No. 2, as the scale, visibility and location of the Monopole is not compatible with the surrounding residential development and is inconsistent with the desired character, streetscape appearance and amenity of the surrounding locality.**
2. **ADVISES the submitters of its decision.**

*Attachments:*

1. <a href="#"></a>	Attachment 1 - DA2021/351 - Location Plan - Telecommunications Facility - 9 Pacific Promenade ALKIMOS (Attachment 1)	21/242164
2. <a href="#"></a>	Attachment 2 - DA2021/351 - Modified Plans - Telecommunications Facility - 9 Pacific Promenade ALKIMOS (Attachment 2)	21/442414
3. <a href="#"></a>	Attachment 3 - DA2021/351 - Previous Development Plans (for reference) - Telecommunications Facility - 9 Pacific Promenade ALKIMOS (Attachment 3)	21/237608
4. <a href="#"></a>	Attachment 4 - DA2021/351 - Schedule of Submissions - Telecommunications Facility - 9 Pacific Promenade ALKIMOS (Attachment 4)	21/242178
5. <a href="#"></a>	Attachment 5 - DA2021/351 - Map of Advertising Area - Telecommunications Facility - 9 Pacific Promenade ALKIMOS (Attachment 5)	21/130490
6. <a href="#"></a>	Attachment 6 - DA2021/351 - Surrounding Area Context - Telecommunications Facility - 1/9 Pacific Promenade ALKIMOS (Attachment 6)	21/300508
7. <a href="#"></a>	Attachment 7 - DA2021/351 - Revised Photomontages - Telecommunications Facility - 9 Pacific Promenade ALKIMOS (Attachment 7)	21/442409
8. <a href="#"></a>	Attachment 8 - DA2021/351 - Previous Photomontages (for reference) - Telecommunications Facility - 1/9 Pacific Promenade ALKIMOS (Attachment 8)	21/239662





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Date: 10/06/2021

Printed by Bertone, Nick

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**prorealty**  
PROPERTY CONSULTANTS



9 PACIFIC PROMENADE,  
ALKIMOS,  
WA 6038

SITE ID: AW6038-001



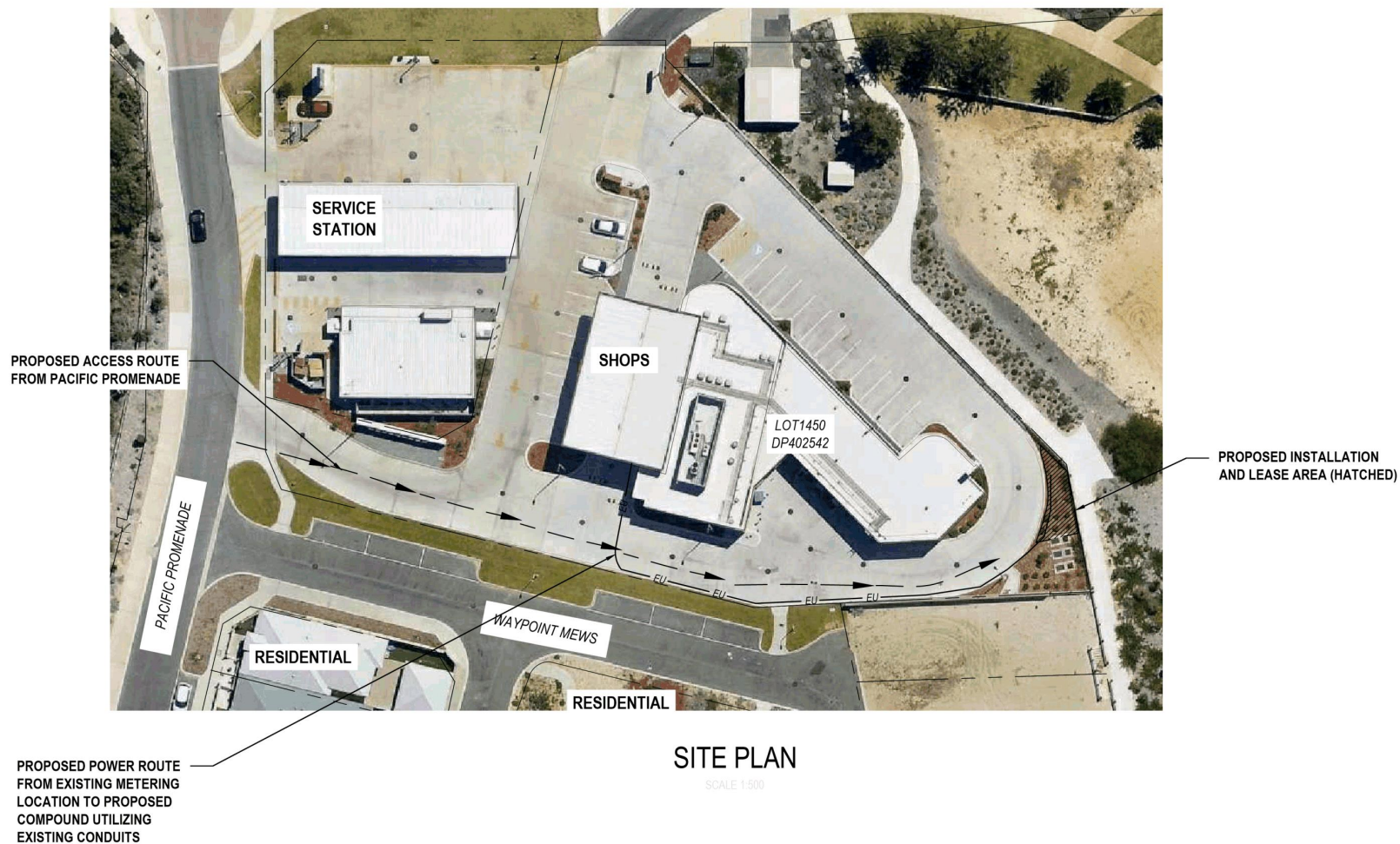
a. 37-45 Myrtle Street,  
Chippendale NSW 2008  
w. [www.stilmarkgroup.com](http://www.stilmarkgroup.com)

## LOCALITY PLAN

FOR APPROVAL

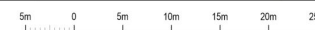
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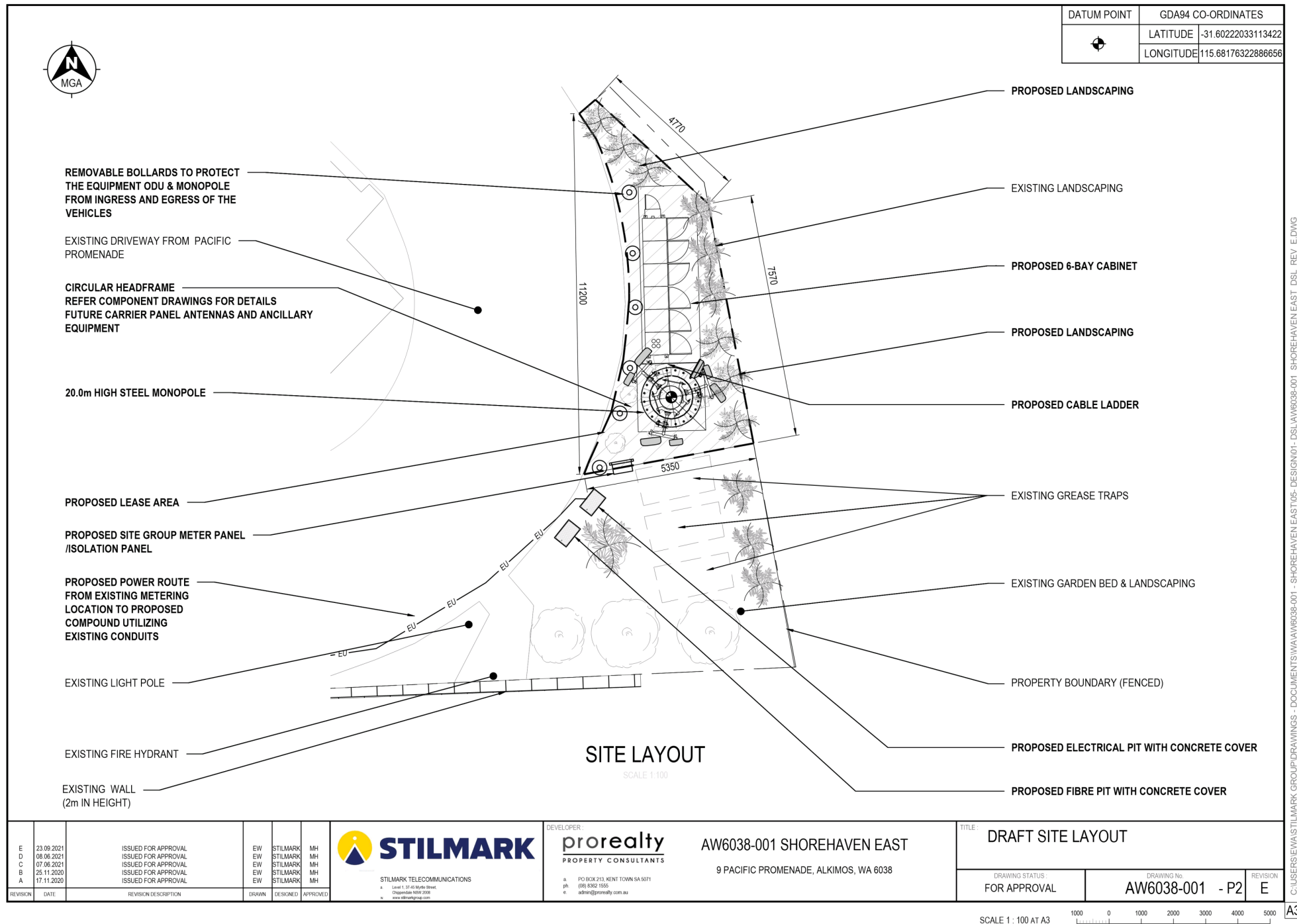
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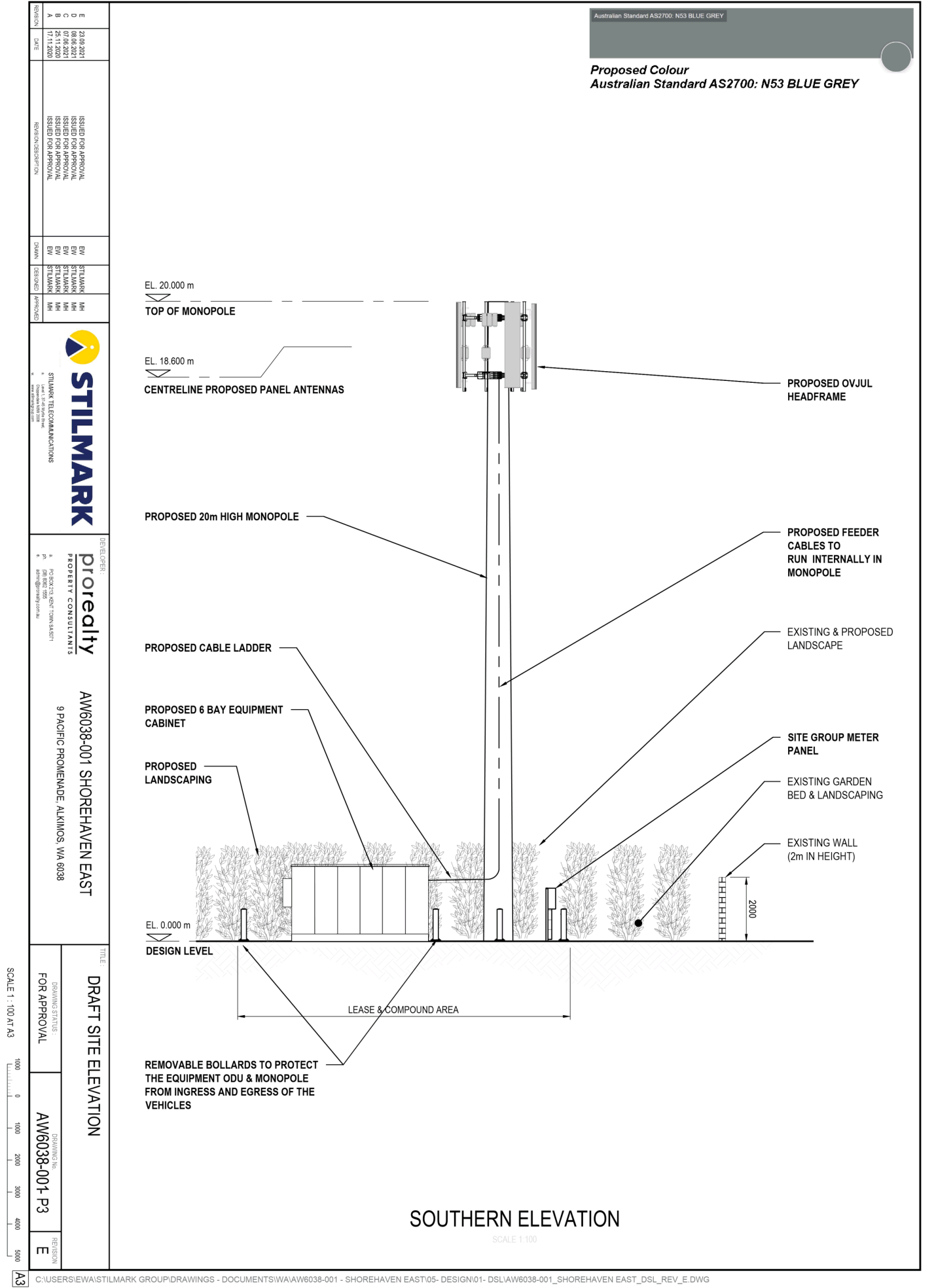
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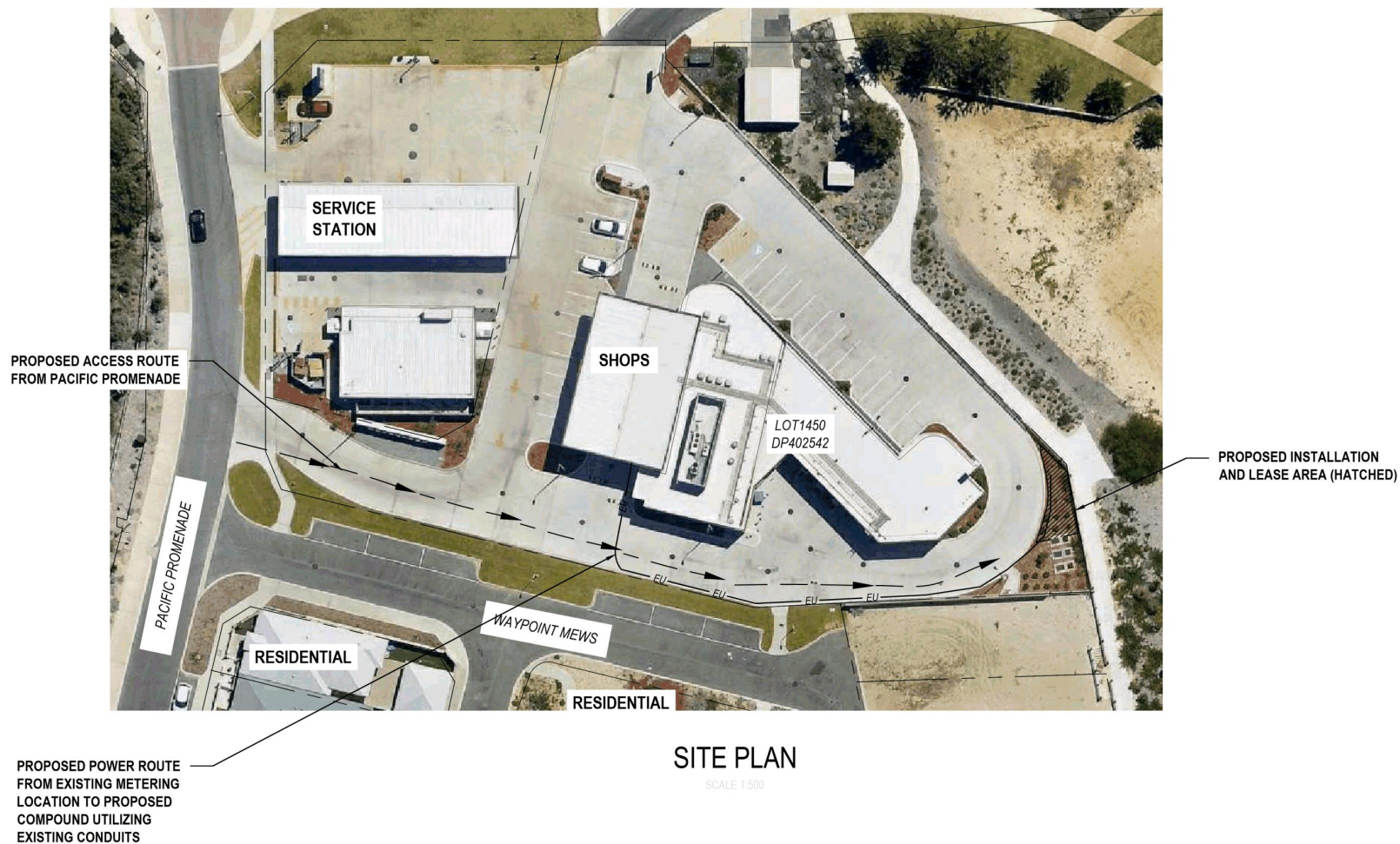












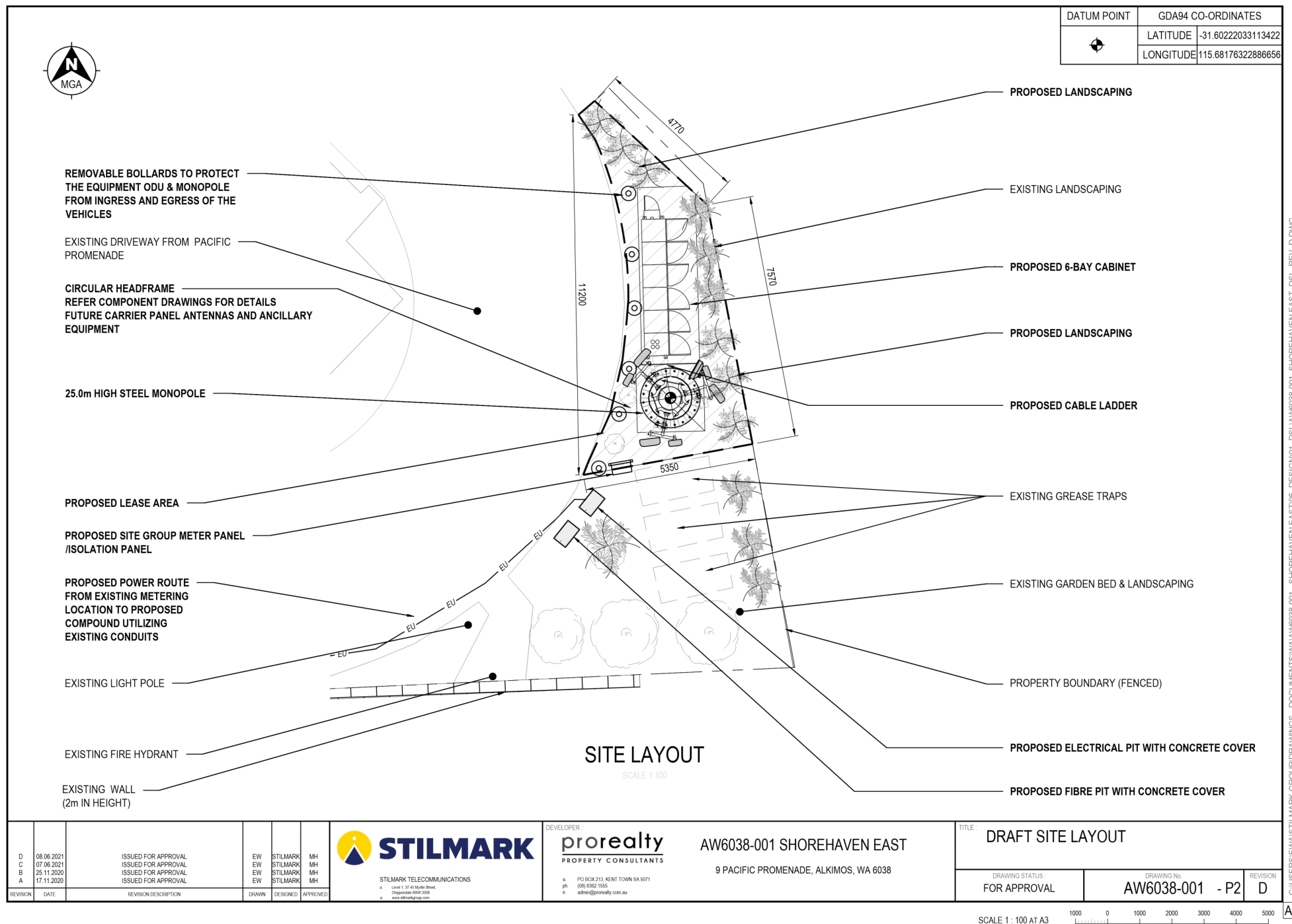
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									DRAWING STATUS	DRAWING No.	REVISION
									FOR APPROVAL	<b>AW6038-001- P1</b>	<b>D</b>

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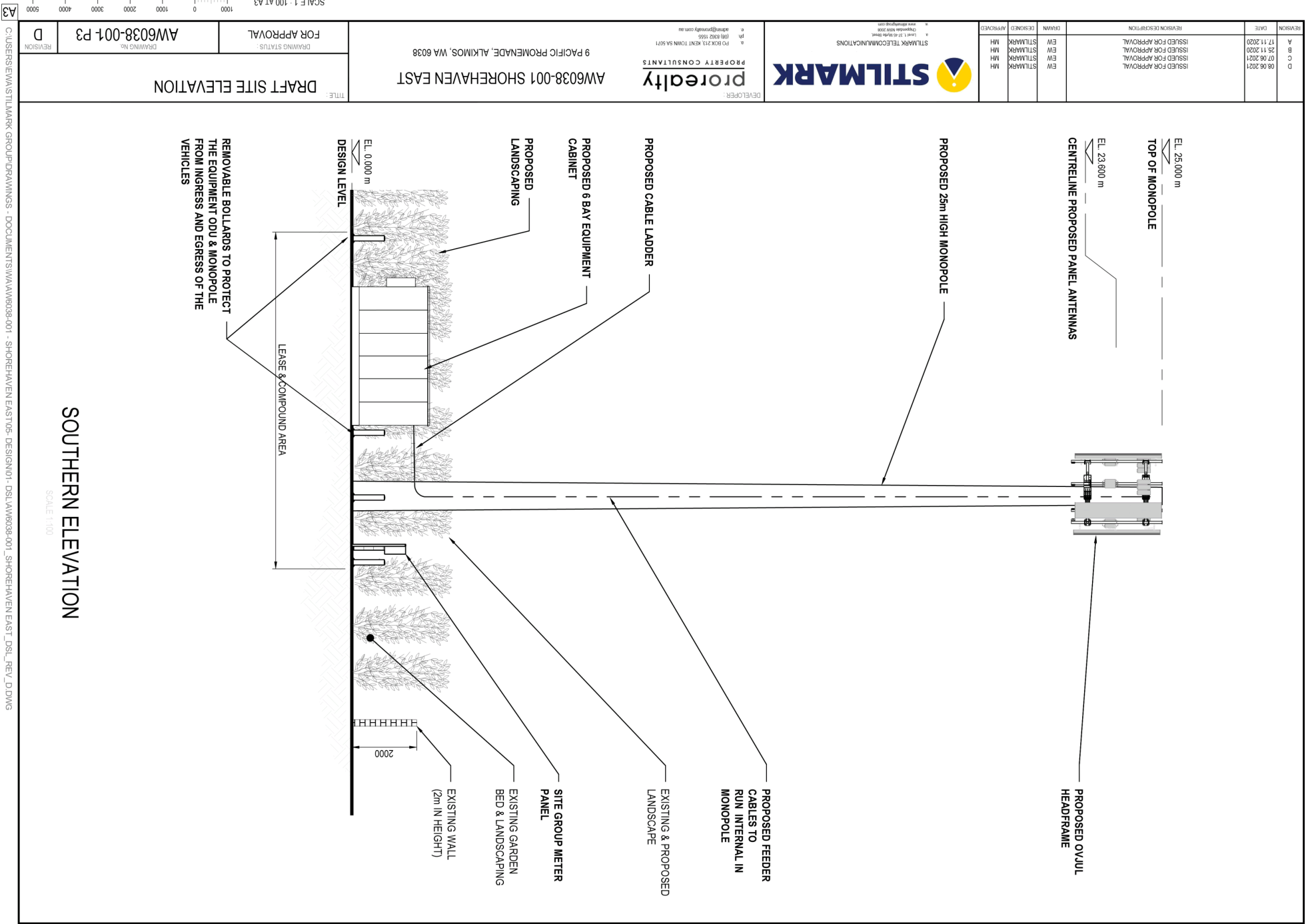


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**CITY OF WANNEROO**  
**DA2021/351 Telecommunications Facility**  
**SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING**

*(Advertising Closed 30 April 2021)*

No.	Summary of Issues	Number of Submitters	Comment
<b>1</b>	<b>Overall Position on Proposal</b>		
1.1	Objects to the proposed development.	210	Noted.
1.2	Supports the proposed development.	5	Noted.
1.3	Made comment on the proposal, but did not state overall position.	5	Noted.
<b>2</b>	<b>Comments Objecting to the Proposal</b>		
2.1	The location, height and prominence of the monopole will be an 'eyesore' and will have a negative visual impact on the suburb, particularly being so close to the entrance to the estate.	157	As discussed in the report, the City acknowledges that the proposal has been designed using non-reflective materials and neutral colours to assist in reducing the visual impact on the surrounding area, as well as utilising existing screening elements in the area. However, the height and location within close proximity to residential land, POS areas and landmark elements will detract from the desired character, streetscape appearance and visual amenity of the area. This is further discussed in the Comment section of the report.
2.2	The monopole should be relocated so it is a safe distance away from schools and homes and have much less of a negative impact on health and visual amenity (i.e Water Corp Land, Industrial land)	149	The Water Corporation land to the south-west already has an existing tower (approximately 1.7 kilometres away) which is currently utilised by Optus. Notwithstanding, the City is not involved in selecting the site and is unable to designate the preferred location given the land is privately owned.
2.3	The monopole is too close to residential properties, schools and daycare facilities.	119	The monopole is located approximately eight metres from Residential zoned land to the south. At a proposed height of 20 metres, the monopole would be clearly visible from existing habitable spaces within the surrounding homes. As



No.	Summary of Issues	Number of Submitters	Comment
			<p>noted in <b>Attachment 5</b>, the existing properties to the south of the subject site utilise the area at the front of their homes for outdoor activities, and would therefore have their amenity impacted by the proposal.</p> <p>The subject development is approximately 500m from schools and daycare facilities. It is acknowledged there may be some amenity impacts due to the proposed height of the monopole.</p>
2.4	The proposal does not comply with Local Planning Policy 2.5, which should be enforced to prevent this infrastructure from being built	80	LPP 2.5 outlines that if an application does not satisfy the 'Deemed-to-Comply' criteria of the Policy, variations may be considered subject to public consultation. As noted in the Comment Section of the report, the proposal does not meet L2, L3 and D1 of LPP 2.5, and therefore public consultation was undertaken. As discussed in the Comment section of the report, the height of the monopole at 20 metres and prominent visibility within an existing suburban area is not considered appropriate due to the adverse visual amenity impacts it creates.
2.5	The location of the tower will impact views and detract from the enjoyment of residents homes	79	See Response 2.1 and 2.3.
2.6	Detracts from the enjoyment of Public Open Space	75	See Response 2.1.
2.7	The monopole will overshadow nearby properties	74	Under Local Development Plan No. 15 – North Alkimos (LDP 15), the provisions of overshadowing are exempt for all development. It is therefore considered that the impacts from any overshadowing to adjoining residential properties is acceptable. This however, does not override the potential impacts on amenity as discussed above.
2.8	Provide an unreasonable amenity outcome for nearby residents	73	See Response 2.1 and 2.3.
2.9	The monopole will result in additional health risks, including EME impacts to nearby homes, daycare Centres and schools.	58	As per Clause 4 of LPP 2.5, the City is not responsible for the monitoring and control of Electromagnetic Radiation (EMR) that could emanate from Telecommunications Infrastructure. As such, this is not considered to be a valid planning consideration.

No.	Summary of Issues	Number of Submitters	Comment
2.10	Impact on property values within the estate	49	Noted. This is not considered to be a valid planning consideration.
2.11	The monopole would deter new buyers from the Estate	5	Noted. This is not considered to be a valid planning consideration.
2.12	The proposal does not align with the Estate's special covenants, endorsed by the City (i.e Aerials, washing lines and household bins are not allowed to be visible from the street)	5	Noted. The City does not endorse to the Estate's special covenants and does not have any involvement in their preparation. As such, this is not considered to be a valid planning consideration.
2.13	The tower will impact Alkimos as a WA tourist attraction and will impact local businesses	4	Noted. This area of Alkimos is not identified as a Tourist Location under ASP 73. As such, it is not considered to diminish the area as a tourist location.
2.14	The tower will not provide any additional coverage	3	The monopole is intended to provide additional coverage to north Alkimos and south Eglington.
2.15	Due the topography of the area, many homes are located higher than the monopole, and are therefore closer to the antennas, increasing health risks.	3	See Response 2.9.
2.16	Council should outright refuse the application due to community response	3	The City is unable to refuse an application without assessing it against the relevant legislation.
2.17	The monopole will impact traffic safety in the area	2	The monopole has been designed using non-reflective materials and neutral colours, which would not be distracting to vehicles traveling along Marmion Avenue. As such, the monopole is not considered to be a traffic hazard.
2.18	The location of the monopole does not comply with Draft LPP 2.5, which prescribes a minimum 75m separation distance from residential land	1	A previous draft version of LPP 2.5 included a minimum 75m separation distance from residential land, though this was not endorsed by Council. The current approved version of LPP 2.5 was endorsed in 2017 does not include this provision.
2.19	There is a lack of screening of the	1	See Response 2.1.

No.	Summary of Issues	Number of Submitters	Comment
	monopole (i.e. not located behind a building or landscaping)		
2.20	The monopole will detract from the estate artwork structures which tries to embody and promote the significance of Alkimos wreck site	1	See Response 2.1.
<b>3</b>	<b>Comments in Support of the Proposal</b>		
3.1	The surrounding area currently has bad reception. The monopole will prove additional coverage which will be beneficial to residents.	5	Noted.
3.2	The monopole will blend in well with the area.	1	Noted.
3.3	The monopole is located suitably near Commercial buildings.	1	Noted.
<b>4</b>	<b>General Comments on the Proposal</b>		
4.1	Accept that the tower is needed to allow better coverage	5	Noted.
4.2	The proposal should only be supported if it will address a lack of exciting or forecasted coverage	1	Noted. Refer to Response 2.14.
4.3	Suitable screening, preferably by mature vegetation should be installed between the proposed infrastructure and the residential lot to the south	1	Noted. There is existing and proposed vegetation between the subject site and adjoining residential land.
4.4	An appropriate use of material and colours should be used to reduce the visual impact from the infrastructure	1	Noted. The monopole has been designed using non-reflective materials and neutral colours to reduce the visual impact of the proposal.





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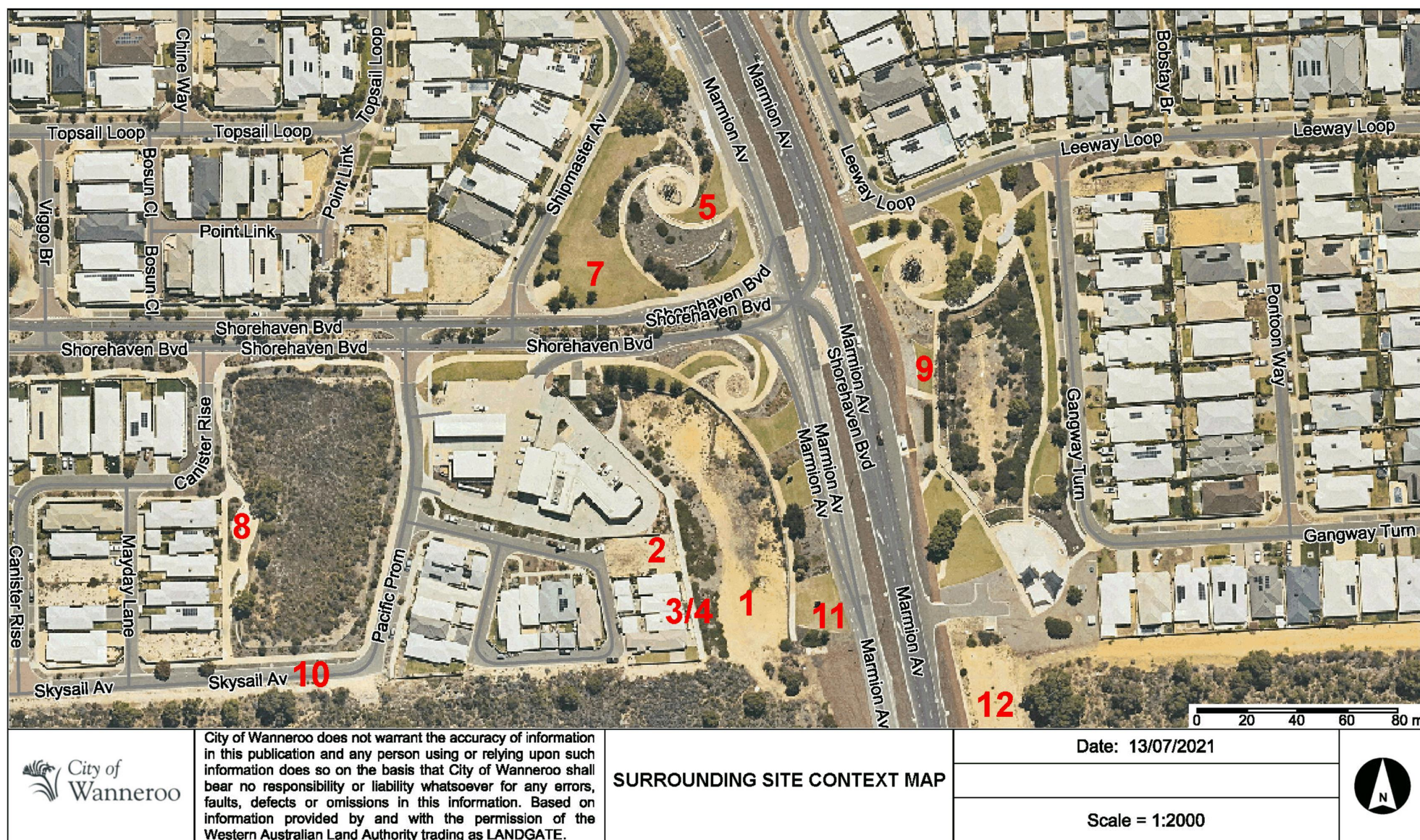
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View from POS land adjacent to monopole (top) and fencing on residential zoned land directly south of the subject site (bottom)

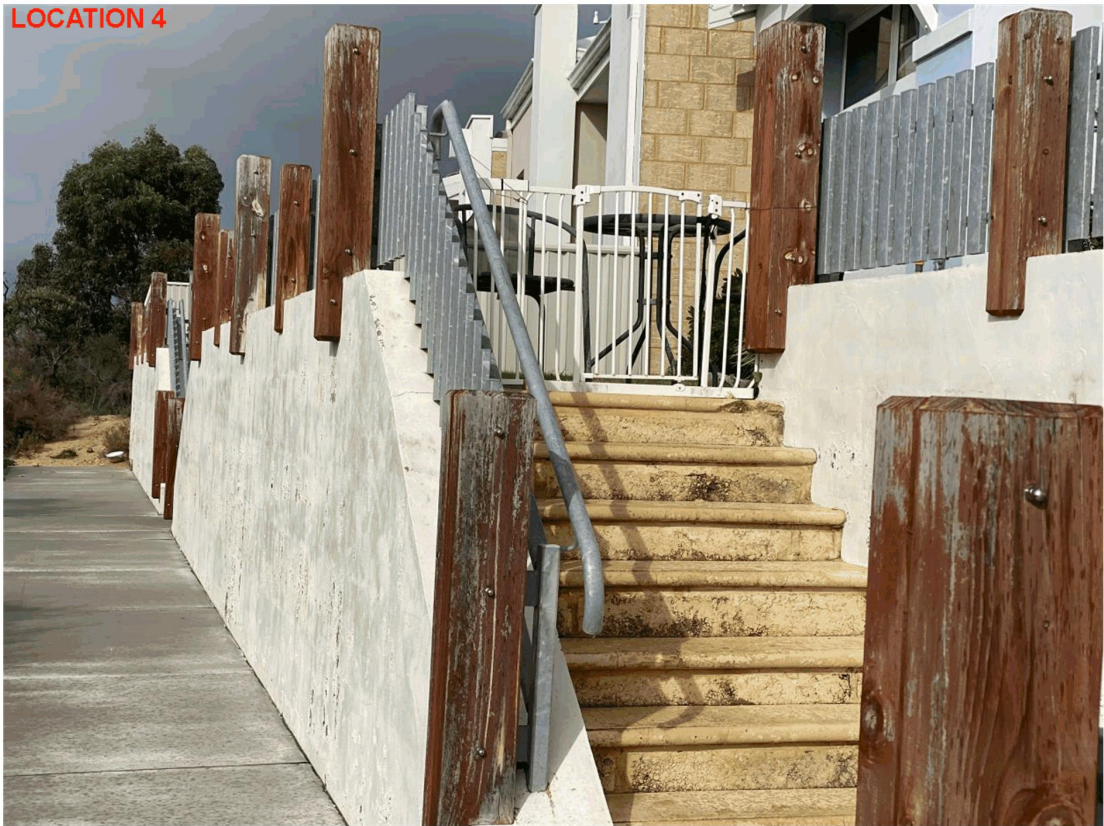




Approx. location of proposed monopole



Examples of the existing use of habitable outdoor spaces (south of site)





Approx. location of proposed monopole

LOCATION 5



Examples of existing landmark element/ POS (communal areas)

LOCATION 6





Approx. location of proposed monopole



Examples of existing POS (communal areas)







Examples of existing vantage points







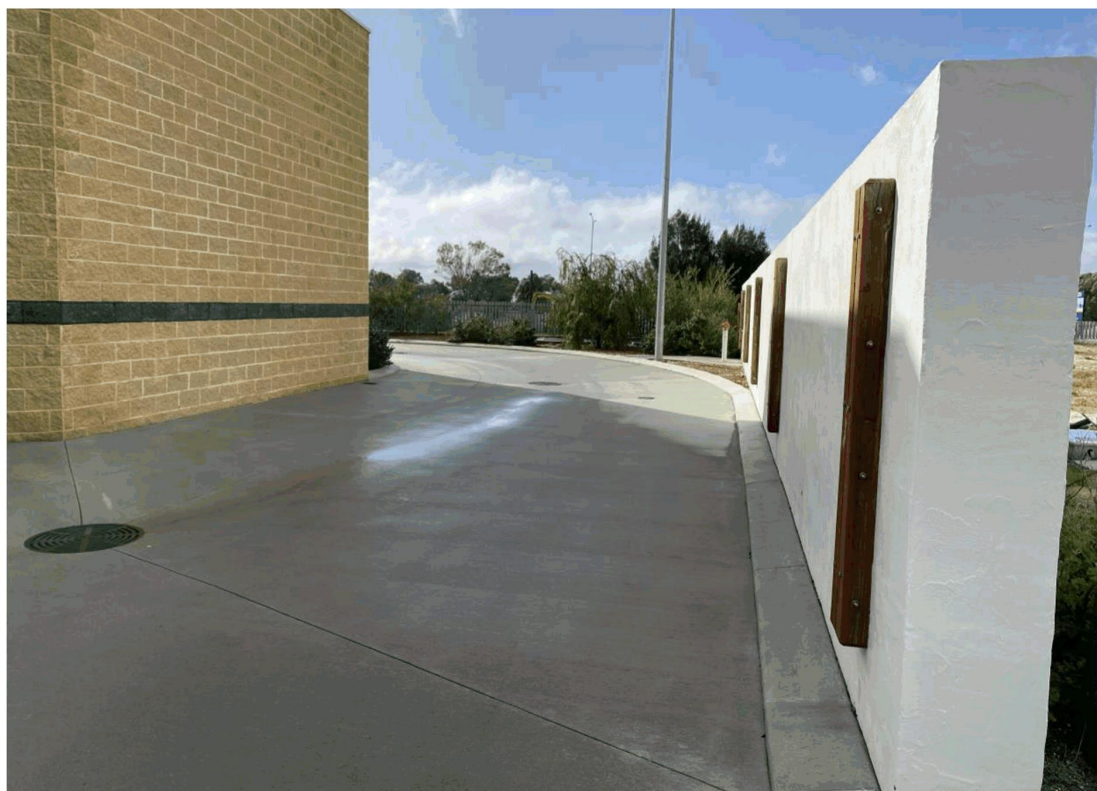
View from Marmion Avenue







Location of monopole and supporting infrastructure (highlighted above) and view of wall adjacent to residential land (below)











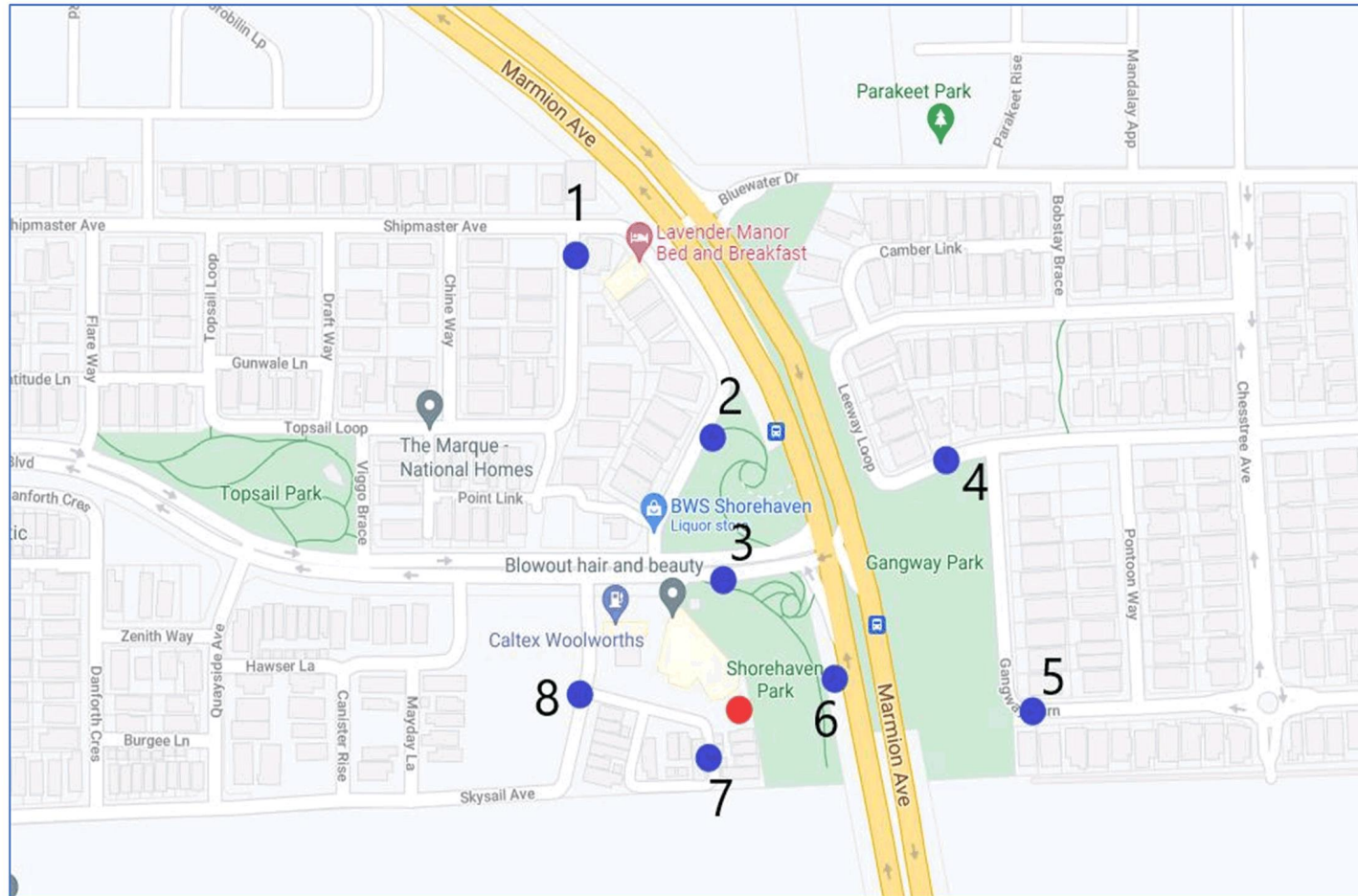










**Stilmark Application – 9 Pacific Promenade Alkimos (DA2021/351)****Photomontage set**Location Map













**View 3**









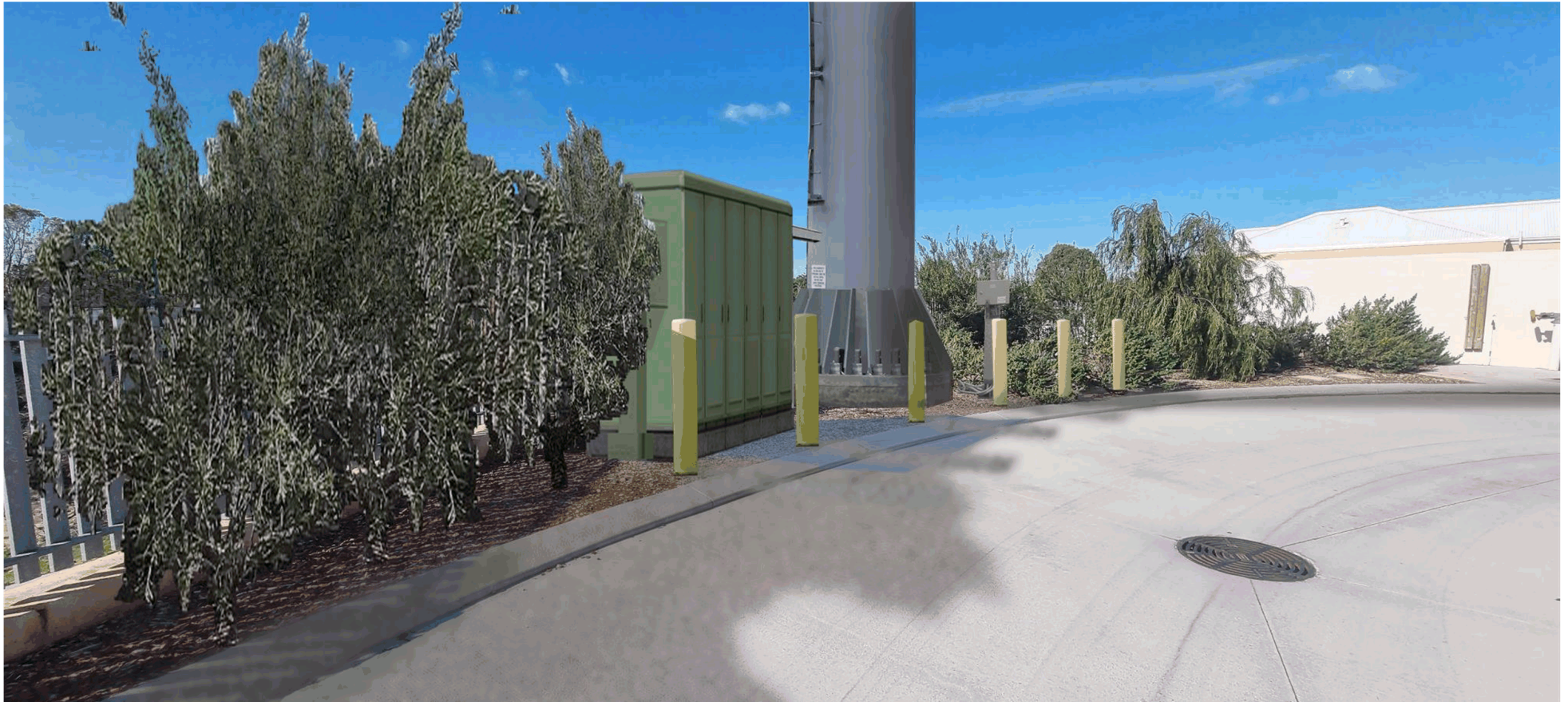














## PS09-11/21 Consideration of Amendment No. 201 to District Planning Scheme No. 2 to Introduce an Additional Use of Car Park at Lot 2 (44) Delich Road, Carabooda

File Ref: 43849 – 21/443636  
 Responsible Officer: Director Planning and Sustainability  
 Disclosure of Interest: Nil  
 Attachments: 3

### Issue

To consider a request to amend District Planning Scheme No. 2 (DPS 2) by introducing an Additional Use of 'Car Park' at Lot 2 (44) Delich Road, Carabooda (subject site).

<b>Applicant</b>	Rowe Group
<b>Owner</b>	Mr Mark Bonomelli, Mrs Deborah Bonomelli, Mr Stephen Michell and Mrs Terri Michell
<b>Location</b>	Lot 2 (44) Delich Road, Carabooda
<b>Site Area</b>	25.76 hectares
<b>MRS Zoning</b>	Rural
<b>DPS 2 Zoning</b>	Rural Resource and Landscape Enhancement

### Background

On 14 September 2021, Rowe Group lodged Amendment No. 201 to DPS 2 to introduce an Additional Use of 'Car Park' on the subject site. Car Park is a 'Not Permitted' (X) use in both the Rural Resource and Landscape Enhancement zones. The purpose of the additional use scheme amendment is to facilitate the storage of recreational vehicles, in particular caravans, on the subject site.

#### History of Caravan Storage DPS 2 Amendments

On 17 September 2018, the City received Amendment No. 170 to DPS 2 seeking to introduce an Additional Use of 'Storage Yard' at Lot 31 (90) Rousset Road, Jandabup (Lot 31). Lot 31 is zoned General Rural under DPS 2, with Storage Yard a Not Permitted (X) use in the General Rural zone. The purpose of the scheme amendment was to facilitate the storage of caravans, boats, trailers, sea containers and scaffolding on the property. A Storage Yard is defined in DPS 2 as:

**Storage Yard:** means any land or buildings used for the storage of goods, equipment, plant or materials.

Amendment No. 170 was supported by Council and ultimately approved by the Minister for Planning, and gazetted on 8 May 2020.

The demand for the storage of recreational vehicles (particularly caravans) on rural lots is a growing trend as residential lot sizes have continued to decrease in recent years. As lot sizes decrease it limits the ability to adequately and safely store vehicles such as caravans and boats on a property.

In response to this, Administration investigated the issue and prepared Amendment No. 199 to DPS 2, which was presented to Council on 10 August 2021. Amendment No. 199 seeks to make 'Car Park' an 'A' land use in the General Rural and Rural Resource zones. Whilst the Storage Yard land use (adopted for Amendment No. 170) does support the storage of recreational vehicles, the Car Park land use is considered to more accurately address the



planning merits of the issue. Amendment No. 199 was adopted by Council for the purpose of advertising.

In addition, the City recently received two Additional Use scheme amendments on behalf of landowners within the City who are seeking to make Car Park a 'Discretionary' (D) land use specific to their property. Both amendments were progressed in response to investigation by Administration that determined the businesses were operating without the correct planning approvals. The amendments are being progressed as there is no certainty on what the outcome of Amendment No. 199 will be, as the Minister for Planning and not the City is the final decision maker. The following amendments were subsequently presented to Council on 7 September 2021:

- *Amendment No. 194 (PS07-09/21)*: Introducing the Additional Use of Car Park at Lot 802 (1954) Wanneroo Road, Neerabup; and
- *Amendment No. 198 (PS06-09/21)*: Introducing the Additional Use of Car Park at Lot 108 (252) Neaves Road, Mariginiup. The amendment area is located within East Wanneroo and includes a condition that the use will expire three years after the land is transferred to Urban under the MRS, so as to not compromise the future planning of East Wanneroo.

Both of the abovementioned scheme amendments were adopted by Council for the purpose of advertising.

## Detail

### Site

The subject site is zoned Rural under the Metropolitan Region Scheme (MRS) and has two zones over separate portions of the site under DPS 2. The front two thirds of the lot is zoned Rural Resource and the rear third of the lot zoned Landscape Enhancement. The subject site is bound by large rural landholdings to the north, south and east that are also zoned Rural Resource under DPS 2. These lots are primarily used for intensive agricultural purposes consistent with the objectives of the Rural Resource Zone.

To the west is a large rural lot that is predominantly zoned Landscape Enhancement, with the south eastern corner of the lot subject to a Rural Resource zoning. The lot is owned by the State of Western Australia who recently purchased the land.

The site is accessed from Delich Road, which has access to Wanneroo Road via Walding Street.

A Location Plan is included as **Attachment 1**.

### Proposed Car Park Operations

The additional use scheme amendment (if approved) will allow for the Car Park land use to be considered on the subject site. Detailed matters such as the scale, location and operating hours would therefore be subject to separate consideration through a development application, if the amendment is approved. However, for context the applicant has advised that the Car Park land use is intended to support the following:

- A business that would allow for the storage of caravans, motor homes, camper trailers, boats, cars and trailers in the south western portion of the subject site, as illustrated in **Attachment 2**;
- It is anticipated that the business would operate between the hours of 6:00am to 6:00pm Monday to Sunday;
- Upon maturity of the business, approximately 300 vehicles are expected to be stored on the subject site at any given time; and

- The business would generate approximately five to 10 vehicle trips a day, with higher vehicle volumes anticipated on weekends and holiday periods.

Notwithstanding the above, the location and operations of the business will be confirmed through a development application.

### **Proposal**

The proposal seeks to amend DPS 2 by:

1. Introducing Car Park as an Additional Use on Lot 2 (44) Delich Road, Carabooda and amending Schedule 2 – Section 1 (Clause 3.20) – Additional Uses as follows:

Number		Street/Locality	Particulars of Land	Additional Use and Conditions (where applicable)
A46	1-46	44 Delich Road, Carabooda	Lot 2 on Deposited Plan 48357	Car Park (D)

2. Amend the scheme map accordingly.
3. Illustrated in **Attachment 3** is the current and proposed zoning of the subject site. As illustrated, the Additional Use A46 is proposed to be applied to the subject site in its entirety.

The applicant's justification for the proposal can be summarised as follows:

1. The amendment was prepared in response to the increasing demand for caravan storage within the City due to the continued trend of decreasing lot sizes in urban areas. The increase in demand has arisen from landowners seeking an 'affordable' caravan/boat parking option in proximity to their primary residence. The service is therefore considered essential and needed to meet the demands of local residents within the City.
2. The City has supported similar uses throughout the municipality, including multiple additional use scheme amendments, being Amendment No. 194 and Amendment No. 198. The City has also considered this issue more broadly through Amendment No. 199 that seeks to make Car Park an 'A' land use (discretionary subject to advertising) in both the Rural Resource and General Rural zones.
3. The proposed development does not cause any adverse impacts on the surrounding landowners within the area and is proposed to be located in the south-western portion of the subject site, adjacent to a vacant lot owned by the State of Western Australia. The intent is to include vegetation screening along the property boundary to screen the use from the surrounding area (refer **Attachment 2**), which would be confirmed through a development application if the scheme amendment is approved.
4. The subject site has suitable access to Wanneroo Road, which is a 'Primary Regional Road' under the MRS. Therefore, there will be minimal impacts on the surrounding road network. The land use is also a typically low generator of traffic, and it is anticipated that vehicle volumes would be consistent with other rural land uses that are encouraged within the area.
5. The Car Park land use has minimal impact on the environment and does not require a significant level of investment. As such, the land can be easily remediated if the Car Park use was to cease, allowing other rural or similar land uses to be pursued on the site.

6. The proposed scheme amendment has demonstrated consistency with the policy framework, including *State Planning Policy 2.4: Basic Raw Materials*, *State Planning Policy 2.5: Rural Planning* and *State Planning Policy 3.7: Planning in Bushfire Prone Areas*.

## Consultation

The proposed amendment to DPS 2 is considered to be a 'complex' amendment in accordance with Part 5 – Division 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) for the following reason:

- *An amendment that is not addressed by any local planning strategy*

In this regard, the City's Local Planning Strategy has not yet been prepared to guide consideration of the Car Park land use within the Rural Resource and Landscape Enhancement zones. Further, this will allow Amendment No. 201 to follow the same procedures as those set out for the recently adopted Amendment No. 194, Amendment No. 198 and Amendment No. 199 which, as discussed above, all relate to the consideration of the Car Park land use in rural areas.

Where a scheme amendment is required to be advertised, the amendment will need to be referred to the Environmental Protection Authority (EPA) to assess the environmental impacts of the proposal and determine whether any formal environmental assessment is necessary prior to advertising. As a complex amendment, the proposal is also subject to referral to the WAPC for consent to advertise, prior to formally commencing public consultation.

Subject to the advice of the EPA and consent from the WAPC, the amendment must be advertised for public comment for a period of 60 days. Advertising will be undertaken in the following manner:

- Advertisement in the local newspaper;
- Placement of a sign on the subject site giving notice of the proposal;
- Displaying a notice in Council offices;
- Displaying information related to the proposal on the City's website; and
- Referral in writing to persons/agencies that may have an interest in the proposal.

Following consultation, the proposal will be presented back to Council for a decision to either support the amendment with or without modifications, or not support the amendment in accordance with the Regulations.

## Comment

### DPS 2 Zoning and Objectives

The subject site is zoned both Rural Resource and Landscape Enhancement under DPS 2. As noted previously, the front two thirds of the lot is zoned Rural Resource whilst the rear third of the lot is zoned Landscape Enhancement.

The objectives of the Rural Resource zone are to:

- Protect from incompatible uses or subdivision, intensive agriculture, horticulture and animal husbandry areas with the best prospects for continued or expanded use; and*
- Protect from incompatible uses or subdivision basic raw materials priority areas and basic raw materials key extraction areas.*



The Car Park land use is not considered to be wholly compatible with the objectives of the Rural Resource zone, which favours rural and horticultural activities and basic raw material extraction. However, this is not dissimilar to other permissible uses within the zone, including Civic Building and Restaurant. As the scheme amendment is proposing to introduce an additional use to the site the ability to undertake the range of uses encouraged within the zone will not be restricted. The Car Park land use can also be easily removed to enable a range of alternate uses allowable in the zone to be undertaken.

In addition, the site is largely vegetated and contains a number of Tuart trees, which are listed as a Threatened Ecological Community (TEC) by the Federal Department of Agriculture, Water and Environment (DAWE) and protected under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). The clearing of any Tuart trees would therefore require the applicant to consult with DAWE in accordance with the EPBC Act.

Given the objectives of the Rural Resource zone encourage land uses that typically require large scale clearing of land (e.g. Intensive Agriculture, Extractive Industry) the Car Park land use is considered to be more appropriate and site responsive in this location. As illustrated in the applicant's concept plan (refer **Attachment 2**) the proposed vehicle storage business is unlikely to result in much, if any, clearing of vegetation on the site given its proposed in an existing area of cleared land.

As such, the additional use will facilitate an appropriate form of development that will have minimal disturbance to the existing vegetation on the site.

Further, the objectives of the Landscape Enhancement zone are to:

- a) *Enable a range of activities and land uses that support the characteristics of the landscape, including agricultural and horticultural land uses, and small-scale tourism activities;*
- b) *Ensure that development maintains the rural character of the locality and does not adversely affect the existing landscape and scenic values;*
- c) *Facilitate development that:*
  - i. *Is compatible with the landscape amenity and rural character of the Zone;*
  - ii. *Will not have a detrimental impact on sensitive land uses;*
  - iii. *Is coordinated and compatible with surrounding land parcels; and*
  - iv. *Does not necessitate the provision of large scale unplanned and uncoordinated service infrastructure and community services.*
- d) *Encourage land use and management practices compatible with landscape and environmental conservation; and*
- e) *Encourage the preservation of vegetation and fauna and the protection of areas of visual or landscape quality.*

The proposed Car Park land use does not align with the objectives of the Landscape enhancement zone which is intended to accommodate agricultural and horticultural activities, and uses of higher amenity that encourage small scale tourism developments that are compatible with the landscape qualities of the locality. Ordinarily, Administration would have concern about the introduction of the Car Park land use within the Landscape Enhancement zone based on the intent of the objectives as outlined above. However, upon review of the application the Car Park land use is considered suitable in this location with regard for the following:

- Due to the constrained location of the Landscape Enhancement zone at the rear of the site it is difficult for this land to support a number of the uses that are encouraged by the objectives of the zone, such as Holiday Accommodation, Reception Centre or Restaurant;
- It is unlikely that the portion of the lot zoned Landscape Enhancement will actually be used to support the proposed Car Park business. As outlined in the applicant's concept plan (refer **Attachment 2**) the use is intended to be located in an area of cleared land that is zoned Rural Resource;
- Should the owner seek to expand the business within the Landscape Enhancement zone this would require a development application and approval from the City. Through the application process the City could consider the suitability of the proposal to ensure the landscape values of the land are not affected; and
- The application of the additional use to the entire subject site is more uniform from a planning perspective whilst also providing flexibility for the landowner.

It is noted that the area subject to the additional use of Car Park could be limited to the portion of the lot that is zoned Rural Resource. However, given the constrained application of the Landscape Enhancement zone on the subject site it is not considered necessary to limit where the additional use is applied. If the Car Park land use is proposed within the Landscape Enhancement zone the City can consider the suitability of this through the development application process.

In response to addressing this issue more broadly, the subject site is also considered to offer an alternative for recreational vehicle storage to Service or General Industrial zoned land, to ensure this land remains available for more intensive industrial purposes. As outlined in DPLH's (then Department of Planning) *Economic and Employment Lands Strategy* industrial land is already limited in supply. In addition, limiting the storage of recreation vehicles to industrial zoned land may increase the operating costs, and subsequently storage costs for customers, for a business to remain commercially viable. This is a valid planning consideration in the context of this issue as the increased demand for recreational vehicle storage can, in part, be attributed to the changes in land use planning that have resulted in decreased lot sizes.

The additional use of Car Park is therefore considered to be compatible in the proposed location, will not undermine the objectives of the Rural Resource or Landscape Enhancement zones and responds to a valid planning issue.

#### SPP 2.5: Rural Planning

State Planning Policy 2.5: Rural Planning (SPP 2.5) outlines a range of considerations relevant to rural planning proposals. The policy measures include the protection of biodiversity and the landscape, as well as primary production and basic raw materials (discussed below). SPP 2.5 recognises that intensive agriculture is an important contributor to the state's economy and makes reference to Carabooda as one of the locations responsible for yielding much of the state's agricultural produce.

Whilst intensive agricultural land uses should generally be encouraged within the area, for the reasons previously discussed in this report relating to the environmental values of the site and existence of TEC's, the Car Park land use is considered to be a more sympathetic form of development. As Car Park will be introduced as an additional use to the site it will also have no impact on the potential use of the land for agricultural purposes if required.

Further, Carabooda has a limited amount of water licenses available for issue by the Department of Water and Environmental Regulation (DWER). The applicant has advised that the landowner does currently hold a limited water license, however it does not have sufficient capacity to support agriculture production on the site. Whilst an additional water license could be purchased if one became available, Administration is of the view that there are more suitable

locations within the Carabooda area for agricultural production due to the landscape values and biodiversity that are present on the site.

Therefore, the proposal is consistent with the objectives of SPP 2.5.

#### SPP 2.4: Planning for Basic Raw Materials

State Planning Policy 2.4: Basic Raw Materials (SPP 2.4) was prepared to protect the limited availability of basic raw material resources close to Perth, which have been in decline as planning and environmental impacts render many locations inappropriate for extraction. The subject site has not been identified by the Department of Mines, Industry Regulation and Safety (DMIRS) as having any significant geological supplies. Therefore, further consideration of SPP 2.4 is not required.

#### State Planning Policy 3.7

The subject site is located within a Bushfire Prone Area as designated by the Department of Fire and Emergency Services (DFES). Under the provisions of State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7) a scheme amendment is classified as a strategic planning proposal and is required to be supported by bushfire planning information.

The applicant provided a Bushfire Management Plan (BMP) in support of the scheme amendment that determined the site would have a 'moderate' level of bushfire risk. This is predominantly due to the proximity of the site to Yanchep National Park. The BMP assessment did determine that further consideration will need to be given to access and egress the site, as the lot currently only has access via one constructed road. The suitability of the existing access arrangements and the need to implement any design solutions or upgrades can be considered following review by DFES (if the amendment is advertised) and would ultimately be implemented at the development application stage. The information provided in the BMP has demonstrated that the scheme amendment is capable of satisfying SPP 3.7 and is therefore sufficient for this phase of the planning process.

As part of the development application process Administration would also further consider the location of the development to ensure any bushfire management measures do not result in the clearing of any of Tuart trees on the site, given their classification as a TEC.

The BMP assessment is therefore considered to appropriately address this phase of the planning process and will be referred to DFES for review and comment if the amendment is adopted for advertising. Administration can consider the suitability of the amendment further once a response from DFES has been provided.

#### Traffic

The applicant has advised that the Car Park land use is anticipated to generate an average of five to 10 vehicle trips per day. In accordance with the WAPC's Transport Impact Assessment Guidelines, proposals that generate less than 10 vehicle trips in the peak hour are considered low impact developments that are unlikely to have any measurable impact on the road network.

Access to the site is via Benara Road and Delich Road, both of which are unsealed rural roads approximately 5 metres in width and are not designed to cater for high traffic volumes. More detailed consideration of the traffic generated from the site would be considered at the development application stage if the amendment is approved. However, based on the estimated vehicle volumes the development is unlikely to have a detrimental impact on the surrounding road network and will generate traffic volumes that are consistent with a range of land uses that are encouraged within the Carabooda area, such as Intensive Agriculture.



## Conclusion

The proposed request to amend DPS 2 by introducing an Additional Use of Car Park is considered to be a compatible form of development that has demonstrated it satisfies the relevant legislation and planning framework. The concept plan (refer **Attachment 2**) illustrates that the business will operate from an existing area of cleared land that is not currently used for agricultural purposes and will facilitate retention of the sites biodiversity and landscape values, whilst also providing a service that has a demonstrated community need. Further consideration will be required with respect to bushfire management and protection of the TEC vegetation identified on the site. However, these matters can be considered in further detail following advertising, and through the development application process if the amendment is approved.

Therefore, it is recommended that Amendment No. 201 is adopted for the purpose of advertising, for the reasons outlined in this report.

## **Statutory Compliance**

The scheme amendment will follow the statutory processes outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

## **Strategic Implications**

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

3 ~ *A vibrant, innovative City with local opportunities for work, business and investment*

3.2 - *Attract and support new and existing business*

## **Risk Management Considerations**

<b>Risk Title</b>	<b>Risk Rating</b>
ST-S12 Economic Growth	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Chief Executive Officer	Manage

<b>Risk Title</b>	<b>Risk Rating</b>
CO-O22 Environmental Management	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Planning and Sustainability	Manage

<b>Risk Title</b>	<b>Risk Rating</b>
CO-O20 Productive Communities	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Community and Place	Manage

The above risks relating to the issue contained within this report has been identified and considered within the City's Strategic and Corporate risk registers. Action plans are in place to manage and mitigate this risk.

## **Policy Implications**

This proposal has been assessed in accordance with the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, *State Planning Policy 3.7: Planning in Bushfire Prone Areas*, *State Planning Policy 2.5: Rural Planning and State Planning Policy 2.4: Basic Raw Materials*.

## Financial Implications

Nil

## Voting Requirements

Simple majority

## Recommendation

That Council:-

1. Pursuant to Section 75 of the *Planning and Development Act 2005* ADOPTS Amendment No. 201 to District Planning Scheme No. 2 to allow the Additional Use of Car Park at Lot 2 (44) Delich Road, Carabooda by including the following within Schedule 2 – Section 1 (Clause 3.20) – Additional Uses:

No		Street/Locality	Particulars of Land	Additional Use and Conditions (where applicable)
A46	1-46	44 Delich Road, Carabooda	Lot 2 on Deposited Plan 48357	Car Park (D)

2. Pursuant to Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES that Amendment No. 201 to District Planning Scheme No. 2 is a 'Complex Amendment' for the following reason:

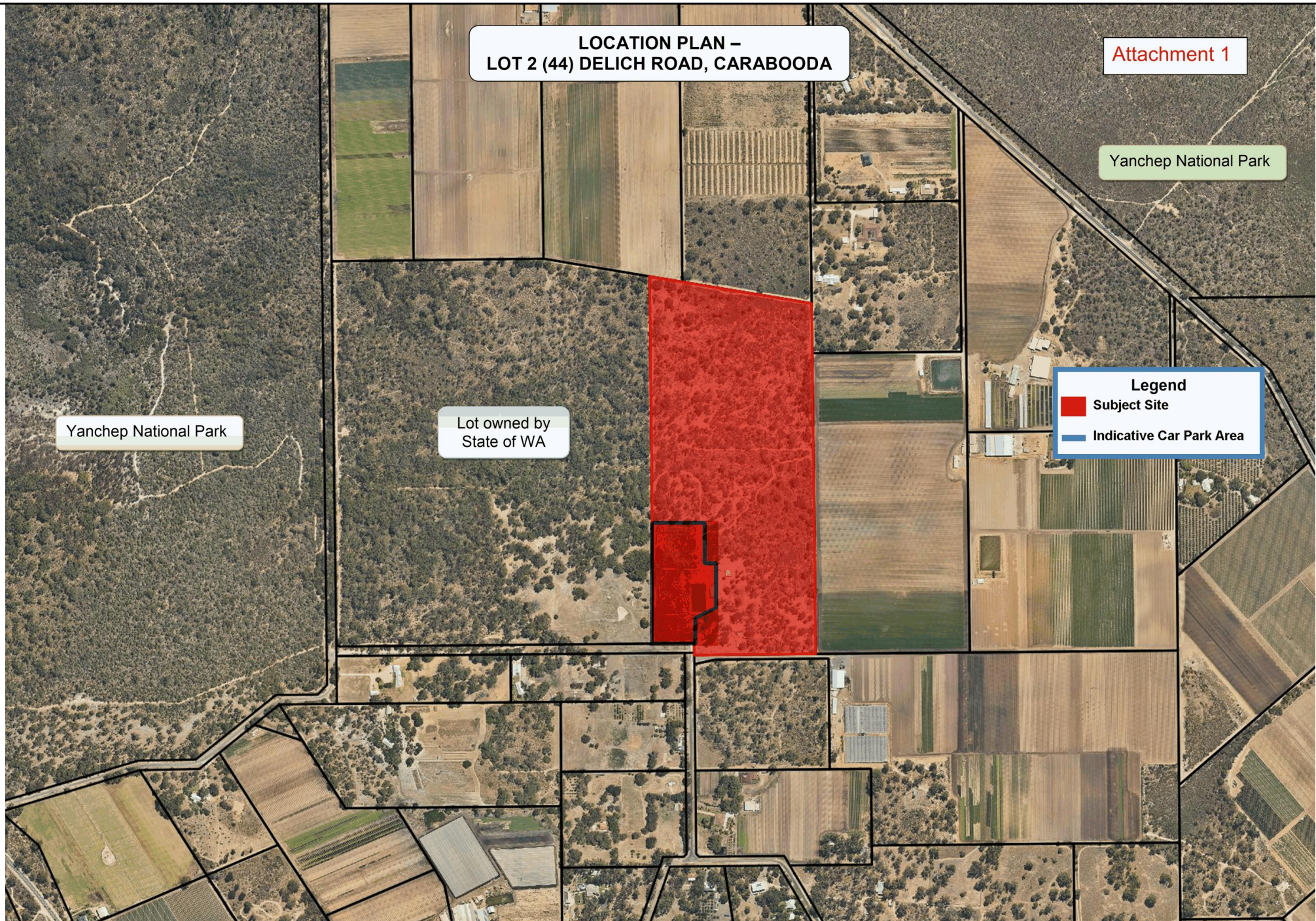
*An amendment that is not addressed by any local planning strategy.*

3. Pursuant to Regulation 37(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, SUBMITS two (2) copies of the Amendment No. 201 to District Planning Scheme No. 2 documentation to the Western Australian Planning Commission.
4. Pursuant to Section 81 of the *Planning and Development Act 2005* REFERS Amendment No. 201 to District Planning Scheme No. 2 to the Environmental Protection Authority.
5. Subject to approval from the Environmental Protection Authority and the Western Australian Planning Commission, ADVERTISES Amendment No. 201 to District Planning Scheme No. 2 for a period of not less than 60 days pursuant to Regulation 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Attachments:

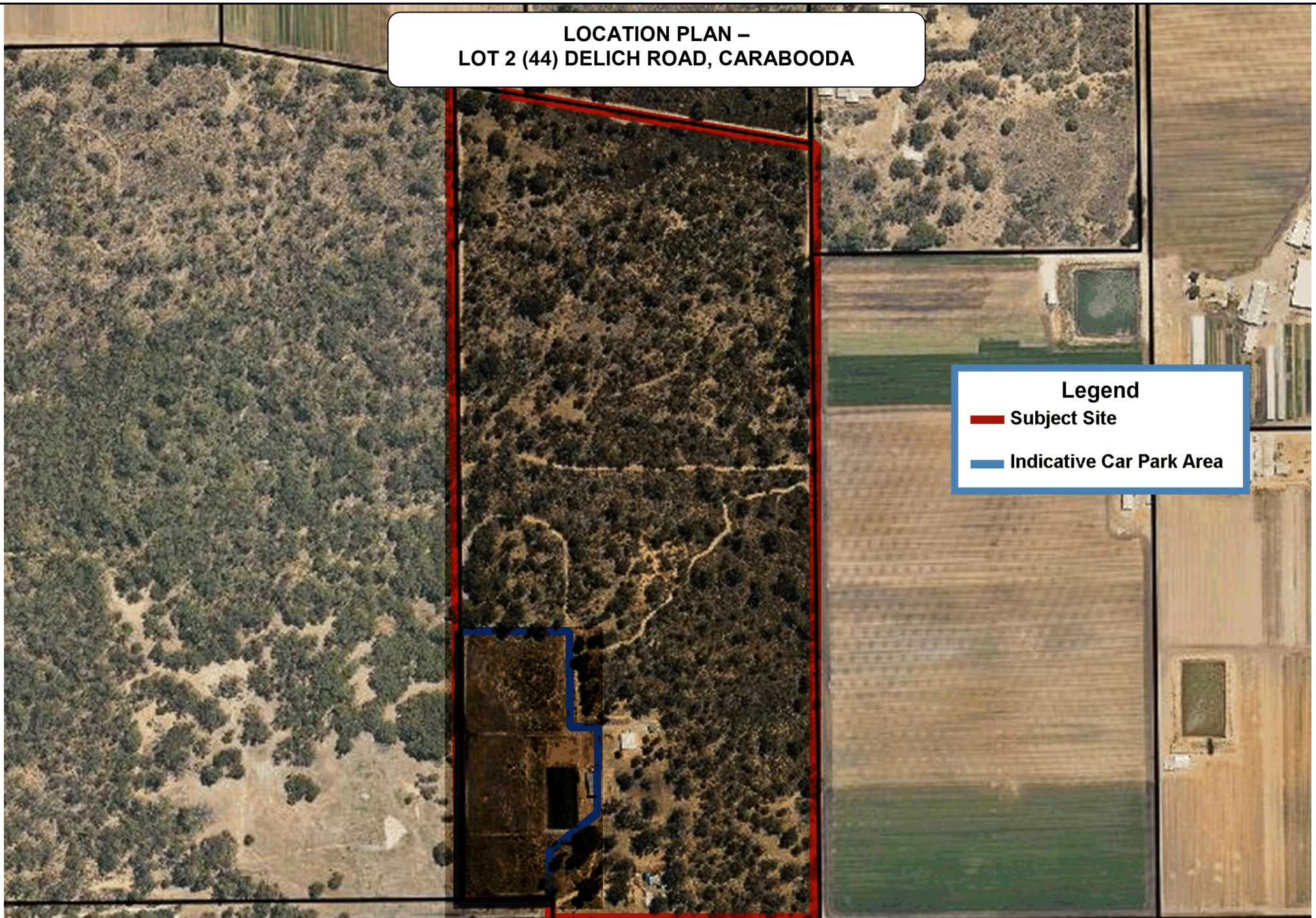
- |                             |  |           |
|-----------------------------|--|-----------|
| 1. <a href="#">Download</a> | Attachment 1 - Location Plan                     | 21/445332 |
| 2. <a href="#">Download</a> | Attachment 2 - Concept Plan                      | 21/445344 |
| 3. <a href="#">Download</a> | Attachment 3 - Current and Proposed DPS 2 Zoning | 21/445363 |







**LOCATION PLAN –  
LOT 2 (44) DELICH ROAD, CARABOODA**

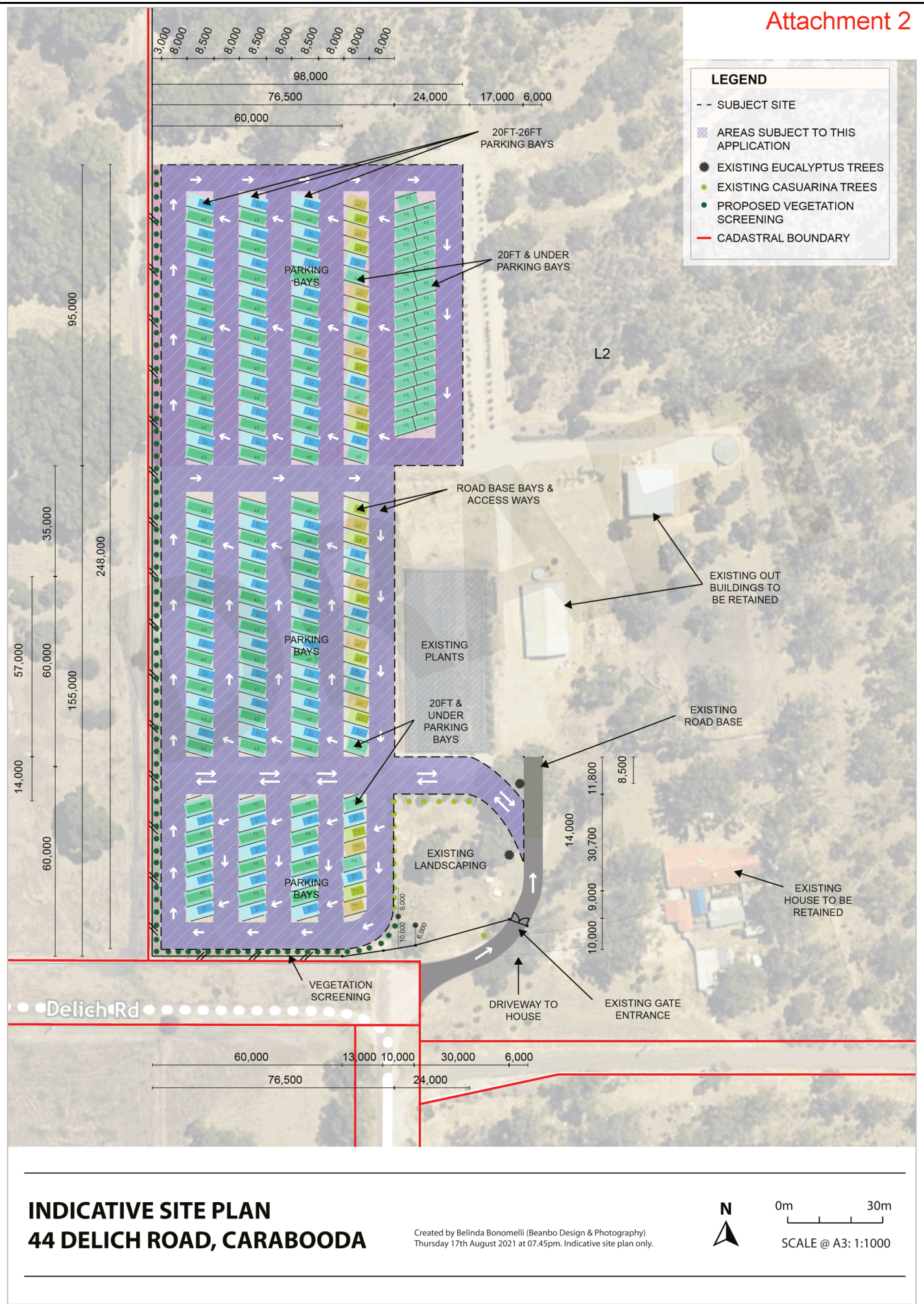


**Legend**

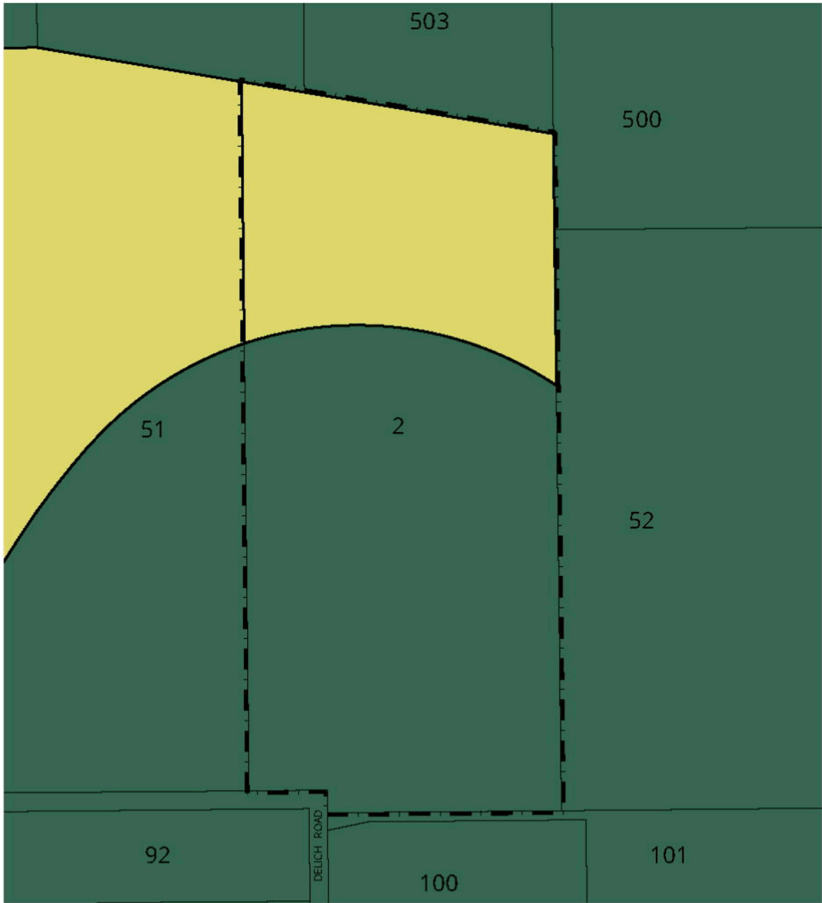
**— Subject Site**

**— Indicative Car Park Area**





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Attachment 3

EXISTING ZONING

LOCAL SCHEME ZONES

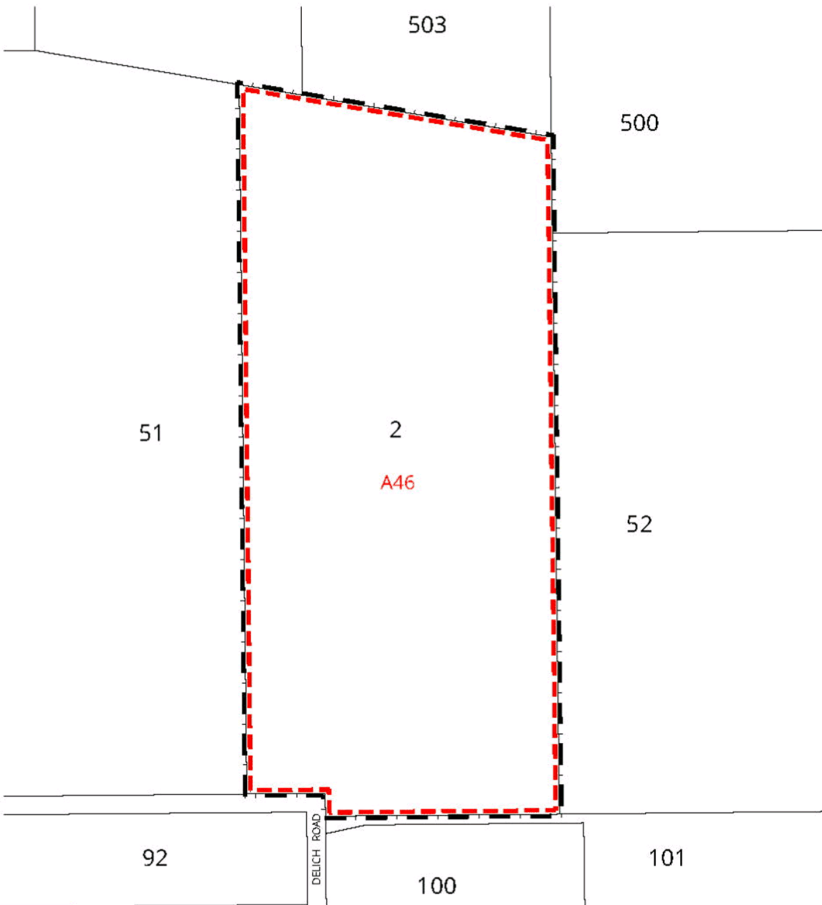
RURAL RESOURCE

LANDSCAPE ENHANCEMENT

OTHERS

SUBJECT SITE

Existing Zoning



PROPOSED ZONING

OTHERS

A46 ADDITIONAL USES

SUBJECT SITE

Proposed Zoning

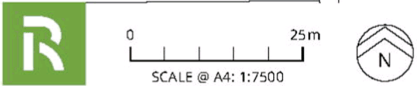


FIGURE 1  
PROPOSED SCHEME AMENDMENT PLAN

9444, FIG06A, 20210812, Caraborda (Scheme Amendment), DRAWN/V.R., DATE CREATED: 2021.08.12, PROJECTION: MGA50 GD494, CADASTRE: LANDGATE, MAP DATA: DPLH



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**PS10-11/21      Review of Local Planning Policy No. 4.18: Earthworks and Sand Drift**

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File Ref: 23916 – 21/415223  
Responsible Officer: Director Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 3

**Issue**

To consider Local Planning Policy No. 4.18: Earthworks and Sand Drift (**LPP 4.18**) which is due for review.

**Background**

At its 6 December 2016 meeting (PS12-12/16 refers), Council resolved to adopt LPP 4.18 as contained in **Attachment 1**. The purpose of existing policy LPP 4.18 is to provide guidance for the assessment of development applications for earthworks and the requirement for dust management measures to be used during earthworks on-site as part of development or subdivision approval. This adoption of LPP 4.18 in December 2016 followed an extensive review of the City's former Sand Drift Control Policy, which was originally adopted in 1999 and then reviewed in 2003 and 2005. The need for the 2016 review arose following the occurrence of some significant issues and complaints regarding sand drift and dust issues in various parts of the City but primarily in and around new subdivision works and bulk earthwork proposals.

The objectives of LPP 4.18 ensure that landowners, residents and occupiers of property adjacent to land where earthworks are being carried out are not affected by sand drift. The policy sets out responsibilities to manage sand drift matters. LPP 4.18 provides guidance on appropriate sand drift management measures and enforcement procedures for adverse impacts of earthworks on adjoining and nearby properties.

In addition to LPP 4.18, the City is proactive in writing to developers annually in the lead up to the warmer months when winds can also be stronger and cause potential sand drift issues. The letters remind developers of the need to actively manage areas that are prone to sand drift and warn of potential compliance action and penalties that may be imposed by the City. This is coupled with a pro-active sand drift inspection program that is carried out through late spring and summer each year whereby Compliance Officers undertake inspections of areas identified as being potentially problematic and then liaising with developers and landowners to rectify and take measures to minimise the impact of sand drift. This year, letters were sent out on 5 November 2021 and this marks the commencement of the pro-active inspection program.

The introduction of the LPP 4.18 and the City's pro-active approach has led to significantly reduced issues of sand drift and related complaints.

**Detail**

The purpose of the review is to ensure that the policy remains fit for purpose, is current and is achieving its objectives. To this end, Administration has completed its review for Council's consideration.

Only minor amendments and changes to LPP 4.18 are proposed in order to align the policy with the current policy template and format applied by the City to ensure consistency. A review of a number of applications that have been submitted to the City and assessed since the policy was adopted has been undertaken. This review has identified that applications for earthworks and sand drift have been assessed consistently against the provisions of the policy and no issues or problems have occurred as a result of, or because of the provisions in LPP 4.18.

As Administration has not identified any significant operational problems with the policy, only minor modifications are therefore proposed to LPP 4.18 including:

- Reformatting the format to be consistent with the City's current Local Planning Policy template;
- Correcting minor typographical errors;
- Updating terminology; and
- Modifying some wording to clarify the intent and requirements.

A copy of the amended LPP with modifications highlighted and marked is contained in **Attachment 2**.

## **Consultation**

Advertising of amendments to a LPP is not required in accordance with Clause 5(2) of the Deemed Provisions where in the opinion of the Local Government, the amendments are minor.

Given that the amendments proposed are minor in nature i.e. reformatting, typographical and updating terminology and clarifying text, Administration considers that advertising is not required.

A copy of the amended LPP 4.18 is contained in **Attachment 3**.

## **Comment**

Given the major review undertaken in 2016 and the current review of LPP 4.18 has not identified any need to significantly amend the policy, there is no need to make any major changes. Overall the changes to LPP 4.18 are minor and do not change to the intent or purpose of the policy. The adoption of LPP 4.18 in 2016 led to improvements to the manner in which earthworks are undertaken thereby limiting issues of sand drift. The policy also led to a more efficient and effective compliance process whenever any issues have arisen.

It is noted that the current Yanchep Rail Extension (YRE) works being carried out by the Public Transport Authority which is extending the railway from Butler station to Yanchep involves extensive earthworks. The contractors undertaking those works are aware of the policy and have referred to it extensively in their management of earthworks. The extent of the works involved with the YRE project have been a good test of the policy and it has proven to be effective.

From Administration's perspective the LPP has assisted in assessing various applications for earthworks and in managing sand drift issues that have occurred. Further, there has been no reported problems or issues from Industry to the City about the application of LPP 4.18.

## **Statutory Compliance**

Council can resolve to amend a local planning policy in accordance with Clauses 4 and 5 of the Deemed Provisions as contained in Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

## **Strategic Implications**

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*7 ~ A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services*

### *7.1 - Clear direction and decision making*

## **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**

Amendments to LPP 4.18 are minor and align it with the current template and format. Other changes are typographical corrections and text changes to improve legibility.

## **Financial Implications**

The cost of undertaking the review of LPP 4.18 can be met from the current Planning and Sustainability operational budget.

## **Voting Requirements**

Simple Majority

## **Recommendation**

**That Council:-**

- 1. Pursuant to subclause 5 (2) of the Deemed Provisions of District Planning Scheme No. 2, RESOLVES that the draft revised Local Planning Policy No. 4.18: Earthworks and Sand Drift is a minor amendment which does not require advertising;**
- 2. Pursuant to subclause 5 (2) of the Deemed Provisions of District Planning Scheme No. 2, ADOPTS the final draft revised Local Planning Policy No. 4.18: Earthworks and Sand Drift as included in Attachment 3;**
- 3. Pursuant to subclause 4 (4) of the Deemed Provisions of District Planning Scheme No. 2, PUBLISHES notice of its adoption; and**
- 4. FORWARDS a copy of the adopted Policy to the Department of Planning, Lands and Heritage for information.**

#### *Attachments:*

- |                          |  |           |
|--------------------------|--|-----------|
| <a href="#"><u>1</u></a> | Attachment 1 - Local Planning Policy No. 4.18: Earthworks and Sand Drift - Current version | 21/486591 |
| <a href="#"><u>2</u></a> | Attachment 2 - Local Planning Policy No. 4.18: Earthworks and Sand Drift - Amended version | 21/486593 |
| <a href="#"><u>3</u></a> | Attachment 3 - Local Planning Policy No. 4.18: Earthworks and Sand Drift - Final version   | 21/498859 |



Planning and Sustainability  
Local Planning Policy Framework  
**Local Planning Policy 4.18: Earthworks and Sand Drift**

**AUTHORISATION**

Adopted – 6 December 2016

**REVIEW**

Biennial. Next scheduled review 2018

## **PART 1 – POLICY OPERATION**

### **Policy Development**

This Policy has been prepared under Part 2 Division 2 of the Deemed Provisions of the City of Wanneroo's District Planning Scheme No. 2 (DPS 2).

### **Application and Purpose**

The purpose of this Policy is to provide guidance for the assessment of development applications for earthworks, and to provide guidance on dust management measures to be employed during earthworks on-site as part of a development approval or subdivision approval.

### **Objectives**

The objectives of this policy are to:

1. Minimise the risk of adverse impacts caused by sand drift and dust nuisance on the health and amenity of adjacent residents.
2. Incorporate a procedure for the assessment of the potential for a development site to generate dust prior to site works commencing.
3. Clarify responsibilities and provide guidance for determining appropriate measures and contingency arrangements to manage the potential for sand and dust leaving the site during and following earthworks.
4. Establish guidance on the consideration of development applications proposing earthworks to ensure that these are dealt with in a consistent manner.
5. Facilitate the timely development of land without prejudicing future development outcomes.

### **Definitions**

**DER Guidelines:** means the Department of Environment Regulation's (formerly the Department of Conservation's) "A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites, remediation and other related activities" dated March 2011.

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**Earthworks:** means any works which alter the levels of a site which may include re-contouring, filling, cutting, draining and/or stabilising of land as part of works associated with the development of land.

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## **PART 2 – GENERAL POLICY PROVISIONS**

### **1.0 Applications for Development Approval**

In addition to having due regard for the matters contained in Clause 67 in the Deemed Provisions of DPS 2, an approved local or activity centre structure plan and/or subdivision is required as a prerequisite prior to the consideration of an application seeking development approval for earthworks, unless Council is satisfied that the development proposed:

- a) Does not conflict with the principles of orderly and proper planning; and
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  - (i) Allowing access or the provision of services or infrastructure; or
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### **2.0 Dust Management Plans**

#### **2.1 Preparation and Submission**

- 2.1.1 The proponent will be required to prepare a Dust Management Plan (DMP) accompanying a proposal for earthworks, or as a condition of approval of development, subdivision or when engineering drawings are submitted to the City.
- 2.1.2 The DMP should be prepared in accordance with the DER Guidelines. The DMP includes a site risk assessment and classification, and dust management requirements to be employed. A copy of this is contained in **Appendix 1** and forms the basis of a DMP.
- 2.1.3 The site risk assessment establishes the potential for dust and sand drift to be generated from a development site by requiring the calculation of a site

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classification score. **Sheet 1 in Appendix 1** contains the site risk assessment and classification chart. **Sheet 3 in Appendix 1** includes additional considerations when calculating a site risk assessment.

- 2.1.4 The dust management requirements set out in **Sheet 4 in Appendix 1** outlines contingency arrangements to be employed to manage dust and sand drift from development sites where earthworks is being undertaken depending on the site classification score.
- 2.1.5 The major factors influencing the risk of dust and sand drift being generated from a development site and a range of dust control measures are contained in **Appendix 2 and 3**, respectively. These considerations influence both the site risk assessment classification score as well as dust management.
- 2.1.6 Prior to submission of a DMP to the City for its endorsement, it is to be signed by the author of the DMP, certifying that the DMP has been prepared in accordance for the DER Guidelines.
- 2.2 Approval and Monitoring
  - 2.2.1 No earthworks shall commence on site until such time as the DMP has been endorsed by the City.
  - 2.2.2 It is the landowner's responsibility to maintain dust suppression on development sites both during and following the completion of earthworks being completed on site. In the case of subdivisions, it is the landowner's responsibility until such time as new certificates of title are issued, from which point the responsibility for dust suppression shifts to the new landowners.
  - 2.2.3 Dust and sand drift is considered by the City to be a matter of significant nuisance with a high risk of adversely impacting on public amenity, health and safety. Where it is identified that earthworks do not comply with the endorsed DMP, the City will prioritise the matter and take enforcement action as set out in the City's Local Planning Policy 4.14: Compliance.



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## AUTHORISATION

Adopted – 6 December 2016

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### Definitions

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## **PART 2 – GENERAL POLICY PROVISIONS**

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#### **2.1 Preparation and Submission**

2.1.1 The proponent will be required to prepare a Dust Management Plan (DMP) accompanying a proposal for earthworks, ~~being a condition of approval of development, or subdivision~~ application or when engineering drawings are submitted to the City.

2.1.2 The DMP should be prepared in accordance with the ~~DWER DER~~ Guidelines. The DMP ~~is to be signed by the author certifying that it has been prepared in accordance with DWER Guidelines. The DMP is to include~~ includes a site risk assessment and classification, and dust management requirements ~~to be employed~~. A copy of this is contained in **Appendix 1** and forms the basis of a DMP. A copy of the DWER Guidelines is also available here.

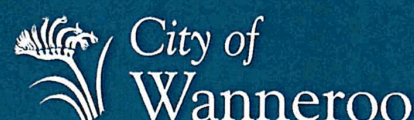
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Earthworks and Sand Drift



## PART 1 – POLICY OPERATION

Owner	Planning and Sustainability
Implementation	16 November 2021
Next Review	November 2025

### Policy Development and Purpose

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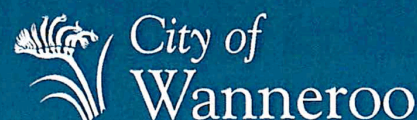
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#### Relationship to Other Policies, Guidelines and Documents

This Policy should be read in conjunction with the relevant provisions of the City of Wanneroo District Planning Scheme No. 2 (DPS 2) and its associated policies.

## PART 2 – GENERAL POLICY PROVISIONS

### 1.0 Applications for Development Approval

In addition to having due regard for the matters contained in Clause 67 in the Deemed Provisions of DPS 2, an approved local or activity centre structure plan and/or subdivision is required as a prerequisite prior to the consideration of an application seeking development approval for earthworks, unless Council is satisfied that the development proposed:

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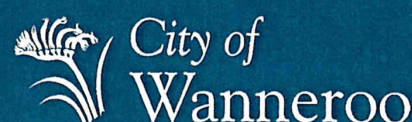
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## Appendix 1: Site risk assessment/classification for activities generating uncontaminated dust

### Sheet 1: Site classification assessment chart

#### Part A. Nature of site

Item	Score options				Allocated score
1. Nuisance potential of soil, when disturbed	Very low.....1	Low.....2	Medium.....4	High.....6	
2. Topography and protection provided by undisturbed vegetation	Sheltered and screened.....1	Medium screening....6	Little screening.....12	Exposed and wind prone.....18	
3. Area of site disturbed by the works	Less than 1ha.....1	Between 1 and 5ha..3	Between 5 and 10ha.....6	More than 10ha.....9	
4. Type of work being done	roads or shallow trenches.....1	roads, drains and medium depth sewers.....3	Roads, drains, sewers and partial earthworks.....6	Bulk earthworks and deep trenches.....9	
<b>TOTAL score for Part A</b>					

#### Part B. Proximity of site to other land uses

Item	Score options			Allocated score
1. Distance of other land uses from site	More than 1km.....1	Between 1km and 500m.....6	Between 100m and 500m.....12	Less than 100m.....18
2. Effect of prevailing wind direction (at time of construction) on other land uses	Not affected.....1	Isolated land uses affected by one wind direction.....6	Dense land uses affected by one wind direction.....9	Dense/sensitive land uses highly affected by prevailing winds.....12
<b>TOTAL score for Part B</b>				

SITE CLASSIFICATION SCORE (A X B) =

Sheet 2: Site assessment details

Engineer for the developer	
Site detail	
Local government	
Location of works (use AMG grid reference from Metropolitan Street Directory and nearest main street)	
Project name/stage	
Description of works	
Contract dates (starting/completion dates and duration in weeks)	
Score from assessment chart	
Special considerations	(refer to Appendix 1, Note 4)
Comments at completion of construction: (to include details of dust-related problems and provisions and contingency arrangements which were actually carried out)	

**Sheet 3: Notes relating to 'site assessment classification chart'**

1. The site assessment chart is used to differentiate between Classifications 1, 2, 3 and 4, as defined within these guidelines. Classifications 2 and 3 are subject to Note 4, below.
2. Sites may be divided into two or more classifications depending mainly on the proximity of existing land uses.
3. In assessing the relevant score level, the 'effect of prevailing winds' must be carefully considered. While houses, commercial areas, market gardens, schools and factories have high sensitivity ratings, roads, parks and recreational areas have lower sensitivity ratings.
4. Construction during dry period (1 October – 31 March).
  - (a) Where other land uses are within 100 metres of the site:
    - (i) sites assessed as Class 3 will automatically become Class 4, and
    - (ii) sites assessed as Class 2 will automatically become Class 3.
  - (b) Where other land uses are situated between 100 metres and 500 metres from the site, an on-site re-evaluation of Class 3 sites shall be conducted by the engineer for the developer, the local government or the DEC to determine the extent of additional Class 4 requirements considered necessary (if any).



**Sheet 4: Dust management and monitoring requirements for each site classification score**

Based on the total score obtained from the 'SITE CLASSIFICATION ASSESSMENT CHART' and notwithstanding any allowance for special site conditions during the dry period, (refer to Note 4, Appendix 1) the following site classification will apply:

Site classification 1 — under 199;

Site classification 2 — 200 to 399;

Site classification 3 — 400 to 799, and

Site classification 4 — over 800.

**Note:** • Unique sites may need special assessment.

• It is essential that any contracts for construction work on site include the relevant contingency arrangements appropriate for the site classification.

- **Classification 1 (score under 199, considered negligible risk)**

Provisions:

- None required.

Contingency arrangements:

- None required.

- **Classification 2 (score between 200 and 399, considered low risk)**

Provisions:

- The developer shall supply a contingency plan to the local government, which shall detail the activities to be undertaken should dust impacts occur.

Contingency arrangements:

- Include an allowance for water-cart operation, wind fencing and surface stabilisation during the construction period for the purposes of dust suppression.
- All areas of disturbed land should be stabilised to ensure that the disturbed area exposed at any time is kept to a practical minimum.

Monitoring requirements:

- Complaints management system in place (complaints recorded and acted on promptly).
- Notice to be erected at the site, providing contact details of the person to be contacted and works.

• **Classification 3 (score between 400 and 799, considered medium risk)**

Provisions:

- Appropriate wind fencing of a length specified in the air quality management programme needs to be stored on site or available within one hour of being required by the engineer for the developer/local government/DEC.
- All areas of disturbed land should be stabilised to ensure that the disturbed area exposed at any time is kept to a practical minimum to prevent exceedance of dust standards (see Section 4.4.2).
- The engineer for the developer shall maintain close control of works with dust creating potential (for example, allowable length of open trenching).
- After all siteworks are completed, and before the contractor has vacated the site, the developer should ensure that the entire site is stable. The developer then retains responsibility for site stability until change of ownership/control takes place. After the change of ownership/control has taken place, the new owner or controlling party will inherit responsibility for site stabilisation.

Contingency arrangements:

- Suitable water-carts in good working condition and of not less than 10,000 litres capacity per 7.5 hectares of disturbed site, or other suitable alternatives, shall be available to commence watering on the site within 18 hours of being required to do so by the engineer for the developer/local government/DEC.
- Surface stabilisation equipment shall be available to commence operation on site within 48 hours of being required to do so by the engineer for the developer/local government/DEC and with sufficient capacity to cover the disturbed site area within a further 48 hours.
- Wind fencing shall be erected within 18 hours of the contractor being required to do so by the engineer for the developer/local government/DEC. Dust generating works on the site shall cease in the interim.
- If dust-related complaints are generated due to activities on the site, the developer may be required by the local government or an authorised DEC officer to distribute advisory notices to adjoining land occupiers within 48 hours. A notice form is provided in Sheet 5 of Appendix 1.
- If dust-related complaints are generated due to material which has been excavated for trenching, the developer shall ensure this material is stabilised within 48 hours of being requested to do so by the engineer for the developer, local government or an authorised DEC officer.
- Include an allowance for water-cart operation, wind fencing and surface stabilisation during the construction period for the purposes of dust and wind-borne material suppression.
- Include an allowance for surface stabilisation for the purposes of dust and wind-borne material suppression to be maintained after the construction period and until change of ownership/control takes place.

Monitoring requirements

- Site dust management system in place.
- On-site dust monitoring against short term criteria.
- Off-site (compliance) dust monitoring at site boundary (if close to sensitive receptors) or at sensitive receptors. See Section 4 and Appendix 4.
- Complaints management system in place (complaints recorded and acted on promptly).
- Exceedences to be reported to the relevant authority – DEC, Local Government or DOH.
- Notice to be erected at the site, providing contact details of the person to be contacted regarding the works.

**Classification 4 (score over 800, considered high risk)**Provisions:

- Advisory notices shall be issued to adjoining land occupiers, the local government and the DEC at least 48 hours before site works commence. The notices shall include the name of the developer, engineer for the developer, contractor/s, contract period, contact telephone numbers of the site engineer and local government environmental health officer as detailed in Sheet 5 of Appendix 1.
- Fencing to the extent and in locations agreed to by the developer and local government shall be erected before any part of the site surface is disturbed.

**Note: This provision does not necessarily mean that the total site boundary is to be fenced. The fence is to be installed to an extent which will protect adjacent land uses and in most cases should be erected on the edge of the area which will be disturbed rather than on the site boundary.**

- An amount of wind fencing of a length specified in the air quality management programme needs to be stored on site or available within one hour of being required by the engineer for the developer/local government/DEC.
- The nominated wind fencing is to remain in position until the disturbed surface is stable.
- Surface stabilisation is to be applied to the disturbed area of each section of the site upon completion of the works in that section.
- The engineer for the developer shall maintain strict control of works with dust-creating potential. Material which has been excavated for trenching shall be stabilised if the trench is to be left exposed for longer than 72 hours.
- After all siteworks are completed, and before the contractor has vacated the site, the developer should ensure that the entire site is stable. The developer then retains responsibility for site stability until change of ownership/control takes place. After the change of ownership/control has taken place, the new owner or controlling party will inherit responsibility for site stabilisation.

Contingency arrangements:

- Suitable water-carts in good working condition and of not less than 10,000 litres capacity per 5 hectares of disturbed site, or an appropriate alternative, shall be available to commence immediate watering on the site.
- Surface stabilisation equipment shall be available to commence operation on site within 48 hours of being required to do so by the engineer for the developer/local government/DEC and with sufficient capacity to cover the disturbed site area within a further 48 hours.
- Additional wind fencing shall be erected within 18 hours of the contractor being required to do so by the engineer for the developer/local government/DEC. Dust generating works on the site shall cease in the interim.
- Include an allowance for water-cart operation, wind fencing and surface stabilisation during the construction period for the purposes of dust and wind-borne material suppression.
- Include an allowance for surface stabilisation for the purposes of dust and wind-borne material suppression to be maintained after the construction period and until change of ownership/control takes place.

Monitoring requirements  
As for Classification 3.



**Sheet 5: Notice to residents**

Land development is being carried out in your area by:

\_\_\_\_\_ ( Name of developer)

The development commencement date is: \_\_\_\_\_

Completion date is expected to be: \_\_\_\_\_

A site risk assessment has been conducted in consultation with your local government: \_\_\_\_\_

It has been agreed by all parties concerned that the:

\_\_\_\_\_  
(Project type - land development project, site remediation works etc.)

must adopt adequate measures to prevent the generation of unacceptable levels of dust. You are advised that the developer of the site has agreed to implement the provisions as outlined in the Department of Environment and Conservation's '*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities*' (A copy of this guideline may be obtained from your local government). Should you feel that excessive dust or other air pollutants are being generated due to the site works, you are advised to contact the site engineer for the developer:

\_\_\_\_\_ (Name of engineer) by  
telephoning \_\_\_\_\_ to discuss the issue.

Compliance Services at the City of Wanneroo

may be contacted on: \_\_\_\_\_

## Appendix 2: Factors influencing levels of dust and other air pollutants

Factor	Description
<b>Soil type</b>	<ul style="list-style-type: none"> <li>The soil properties of a site will have a considerable impact on the amount of dust generated.</li> <li>In general soils with a dominant particle size corresponding to gravel size or larger have less potential of becoming airborne than finer particles such as fine sand, silt and clay. However, soil may comprise a mixture of different soil particles, for example, fine contaminated dust, such as heavy metals, mixed with coarse particles.</li> <li>Soil moisture content is also important. Dry or non-wetting soils are more likely to become air borne.</li> <li>An assessment of soil particle size distribution can help to determine the potential for particles to become airborne. As a general guide, particle sizes of 50µm or more tend not to become airborne. A soil profile will also provide information on the different soil layers and their potential for particle lift off.</li> </ul>
<b>Exposed area on site</b>	<ul style="list-style-type: none"> <li>Sites with a larger exposed area are identified as having a greater dust generating potential.</li> </ul>
<b>Duration of works</b>	<ul style="list-style-type: none"> <li>The longer the project, the greater the dust risk as the potential for exposure increases.</li> </ul>
<b>Proximity to sensitive receptors</b>	<ul style="list-style-type: none"> <li>The proximity of a site to sensitive receptors has a significant influence on the dust risk potential of a site.</li> <li>A site that is located close to sensitive receptors, such as, residential housing, children's daycare, schools, hospitals, sports fields etc., will generally require more preventative measures compared to a site in an isolated remote location.</li> </ul>
<b>Contamination level</b>	<ul style="list-style-type: none"> <li>The concentration and distribution of contaminants at the site will determine the risk potential for dust and other air pollutants of the site. The higher the concentration of contaminants and the greater the distribution of contaminants at the site, the greater will be the risk potential.</li> </ul>
<b>Prevailing wind direction and speed</b>	<ul style="list-style-type: none"> <li>The direction of the prevailing winds can also influence the risk potential of a site for dust and other air pollutants. If the prevailing winds (predominant wind direction) are blowing towards sensitive receptors, the risk potential increases because the sensitive receptors are more likely to be impacted than if the winds are blowing away from the sensitive receptors.</li> <li>The higher the wind speed, the greater the potential for dust lift.</li> <li>Daily and seasonal variation of wind speed and direction should be considered.</li> </ul>
<b>Nature of works</b>	<ul style="list-style-type: none"> <li>The nature of works to be conducted will affect the dust levels, for example, land clearing and stockpiling may generate more dust than site levelling.</li> </ul>
<b>Topography</b>	<ul style="list-style-type: none"> <li>The topography of the site may influence wind behaviour at the site which could influence the dispersion of dust and other air pollutants from the site.</li> </ul>

### Appendix 3: Dust control measures

Dust control measure	Description
<p><b>Limit cleared areas</b></p>	<p>Before the commencement of any site works and during the operation, as much vegetation as possible should be retained, including patches and strips to minimise dust. Dust emissions can be controlled using the following procedures:</p> <ul style="list-style-type: none"> <li>• Before any site works commence, plan and locate the vegetation cover that needs to be retained.</li> <li>• Protect this vegetation by fencing or blocking off from the rest of site operations.</li> <li>• In other areas, maintain the original vegetation cover for as long as possible.</li> <li>• Avoid clearing the entire site at once, instead clear areas as required in stages of the operation.</li> </ul> <p>Retaining the original trees, shrubs and grasses is one of the most efficient and effective ways of minimising dust emissions. Even low or sparse scrub can be very effective at dissipating wind velocity at the ground surface, where dust lift off occurs.</p>
<p><b>Vegetative stabilisation</b></p>	<p>Vegetation is a very effective form of reducing dust emissions. The following procedures should be considered in minimising dust emissions:</p> <ul style="list-style-type: none"> <li>• Retain as much existing vegetation as possible.</li> <li>• If an area needs to be cleared, transplant established plants that must be disturbed to areas that need vegetation.</li> <li>• If existing vegetation must be removed and can not be immediately transplanted elsewhere, remove and maintain them for replanting at project completion.</li> <li>• If trees and plants must be removed and it is not possible for them to be replanted, consider chipping and using the material as mulch – the advantage is that reseeded of original vegetation can occur.</li> </ul> <p>Where possible, restore vegetation that is native to the area to maximise plant success and improve environmental conditions.</p>
<p><b>Timing of development</b></p>	<p>It is the developer's responsibility to schedule work on land development sites such that it is carried out at the time of the year, and in a way, which reduces the potential impacts of dust and smoke to a minimum. The time of year when these activities are conducted is critical. Historical records of complaints received by DEC show that very few dust problems occur during winter.</p> <p>Activities with high dust-causing potential, such as topsoil stripping, should not be carried out in sensitive areas during adverse wind conditions. When necessary, topsoil should be stripped in discrete sections, allowing buffer strips (windbreaks) between clearings.</p>



Dust control measure	Description
Development staging	<p>Dust generated by bulk earthworks being done during the summer months, particularly with housing in close proximity, can adversely impact upon people who live near development sites. These effects may be reduced if developments can be staged in a sequence whereby bulk earthworks are carried out in the winter months and the completed earthworks "front" is kept to about 100 metres in advance of newly-created lots.</p> <p>In planning the staging of developments, it should be recognised that completed subdivisional stages are often quickly built upon and, hence, the completed stage should be considered to be an improved area when developing the next stage. This means that subsequent stages of any development can require more stringent dust control measures, as the completed subdivisional areas represent an increase in the potential for adverse impacts.</p>
Wind barriers	<p>Having appropriate wind barriers can be an effective measure for the control of dust over short distances. Wind barriers provide protection against the movement and impact of dust on nearby land uses.</p> <p>Wind barriers should be placed on site before commencement of works and when it is apparent that one is required during the phase of the operation. Consider the following options when placing barriers to prevent dust emissions:</p> <ul style="list-style-type: none"> <li>• Wind barriers are most effective when placed perpendicular to the direction of the prevailing wind, but will have little or no effect when the wind direction is parallel to the fence.</li> <li>• When choosing wind barriers it has been observed that solid barriers provide Significant reductions in wind velocity for relatively short leeward distances, whereas porous barriers provide smaller reductions in velocity for more extended distances.</li> <li>• Wind barriers should be at least 2 metres high.</li> <li>• The screening material should have a porosity of 50% or less.</li> </ul>
Earth moving management	<p>Earth-moving works have the potential to generate large amounts of dust. Planning earth-moving works particularly at the start of an operation can reduce dust emissions by limiting the time the site is exposed. Options for dust control can include the following:</p> <ul style="list-style-type: none"> <li>• Plan earth-moving works so that they are completed just prior to the time they are needed.</li> <li>• Observe weather conditions and do not commence or continue earth moving works if conditions are unsuitable e.g., under conditions of strong winds.</li> <li>• Reduce off-site hauling via balanced cut and fill operations.</li> <li>• Pre-water areas to be disturbed.</li> </ul>
Management of Material	Material stockpiles are capable of generating large amounts of dust. In particular, fine materials stored in stockpiles can

Dust control measure	Description
stockpiles	<p>be subject to dust pick-up. Materials being loaded onto conveyor belts or into trucks, rail cars or marine vessels are also potential sources of dust emissions. Dust emissions from material stockpiles can be minimised through the use of the following procedures:</p> <ul style="list-style-type: none"> <li>• Locate stockpiles in sheltered areas or in warehouses where possible with building panels and doors effectively sealed. Otherwise, stockpiles should be covered.</li> <li>• Where stockpiles are located in open areas, limit the height and slope of the stockpiles to reduce wind pick up, orient stockpiles lengthwise into the wind so they offer the minimum cross-sectional area to prevailing winds, install wind barriers on three sides of the stockpile.</li> <li>• Limit activity to the downwind side of the stockpile.</li> <li>• Limit drop heights from loading facilities and use closed conveyors where possible. Transfer points should also be minimised. Sprinkler systems could also be used on conveyor systems. Alternatively, dust collection systems, such as, cartridge or baghouse systems could be used instead of sprinklers, where moisture is of concern, for example, with mineral concentrates.</li> </ul>
Watering	<p>Watering is applicable to almost every aspect of site operations, from reducing dust lift off from roads and other traffic areas and during earthworks, to controlling dust during movement of materials such as loading/offloading and transportation of materials.</p> <p>Watering is a very effective short-term measure, however its efficiency decreases as wind velocity and evaporation rate increase. Dust emissions can be minimised using the following watering procedures:</p> <ul style="list-style-type: none"> <li>• The surface should be dampened to prevent dust from becoming airborne but should not be wet to the extent of producing run-off. Alternatively, wetting agents could be used, particularly for non-wetting soils.</li> <li>• Watering is more effective when undertaken prior to strong breezes.</li> <li>• Use watering sprays on materials to be loaded and during loading.</li> <li>• The use of scheme water should be discouraged and alternative supplies used whenever possible. However care must be taken to ensure that the quality of water will not have adverse environmental health impacts.</li> <li>• Real time automated response systems to turn on water cannon systems in response to dust levels or high wind speeds could be used. These can help save water by only turning on water cannons during adverse conditions and also help reduce the possibility of operator error.</li> <li>• In cases where severe water restrictions are imposed, other measures like the use of wetting agents such as chemical stabilisation or hydromulch, could be considered. See below.</li> </ul>
Hydromulch	<p>Hydromulch is a very effective measure for preventing dust lift-off from areas where bulk earthworks have been</p>

Dust control measure	Description
	<p>completed and little or no further vehicular or pedestrian traffic is likely. It is a versatile tool, as the constituents of spray mulch can be varied to suit the requirements of the user and the site. The following procedures for hydromulch can be utilised to reduce dust emissions:</p> <ul style="list-style-type: none"> <li>• Vehicular and pedestrian access to treated areas should be restricted to prevent disturbance to the hydromulch layer.</li> <li>• Wind barriers placed in isolated locations or where long-term effectiveness is required to control access and achieve maximum benefit.</li> <li>• For short-term stabilisation, hydromulch without grass seed should be sufficient stabilisation.</li> <li>• For longer-term stabilisation, hydromulch with grass seed and fertiliser should be included in the spray. Organic stabiliser can also be added to the mix to provide a more stable base for the germination of seeds.</li> </ul> <p>Recommended application rates for hydromulch should be sought from suppliers to ensure that application rates and the constituents of the mulch are appropriate to the task.</p>
<b>Chemical Stabilisation</b>	<p>Chemical stabilisers provide immediate coverage and protection; they are effective in areas that receive little traffic or disturbance. They provide a longer-term solution compared to watering, although it may be necessary for the chemical ingredients to be evaluated with regard to their environmental effects.</p> <p>Chemical stabilisers work by binding the soil particles together to create an artificial crust on the soil surface that is less prone to disturbance by wind. The following options should be considered when using chemical stabilisers to reduce dust emissions:</p> <ul style="list-style-type: none"> <li>• Physical barriers or other methods of preventing traffic access should be used to protect stabilised areas.</li> <li>• The manufacturer's instructions should be followed to optimise performance.</li> </ul>
<b>Maintenance</b>	<p>The following routine maintenance procedures should also be implemented as a dust control measure:</p> <ul style="list-style-type: none"> <li>• There should be a nominated person with the responsibility for dust management.</li> <li>• All staff should be aware of the potential for dust generation and inducted on dust minimising practices. Staff operating dust control equipment should be trained and regularly have a refresher course.</li> <li>• Dust control equipment should be inspected regularly and defects repaired promptly.</li> <li>• Spares should be kept on site for critical items of control equipment, such as water pumps for dust suppression sprays.</li> <li>• Trucks carrying contaminated soil from the site for disposal off-site should be washed down prior to leaving the site to prevent spreading contamination off-site.</li> </ul>



## PS11-11/21 Proposed Amendment No. 186 to DPS 2 - Lot 60 (187) Hawkins Road, Jandabup

File Ref: 40949 – 21/433582  
 Responsible Officer: Director Planning and Sustainability  
 Disclosure of Interest: 2  
 Attachments: 4

### Issue

To consider the submissions received during the public advertising of Amendment No. 186 to District Planning Scheme No.2 (DPS 2) and adoption of that amendment.

<b>Applicant</b>	LK Advisory
<b>Owners</b>	D & H Nominees Pty Ltd Wadia, Dilesh Hasmukh Wadia, Dilesh Gordhandas Ladha Wadia, Keeshan Wadia, Pramila Wadia, Ushma Dilesh
<b>Location</b>	Lot 60 (187) Hawkins Road, Jandabup
<b>Site Area</b>	10.7437 hectares
<b>MRS Zoning</b>	Rural
<b>DPS 2 Zoning</b>	General Rural

### Background

On 23 June 2020, the applicant submitted a proposal to amend DPS 2 to allow Place of Worship and incidental Reception Centre as additional uses on the subject land.

Council, at its meeting of 17 November 2020 considered the proposal and resolved as follows (refer Item PS PS05-11/20):

“That Council:-

1. Pursuant to Section 75 of Planning and Development Act 2005 ADOPTS Amendment No. 186 to District Planning Scheme No. 2 to allow Place of Worship and incidental Reception Centre as additional uses on Lot 60 (187) Hawkins Road, Jandabup and Amends Schedule 2 of District Planning Scheme No. 2 as follows:

NO	STREET/ LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE AND CONDITIONS (WHERE APPLICABLE)
A42	1-42	187 Hawkins Road, Jandabup	Lot 60 Place of Worship and incidental Reception Centre.

and the Scheme Map accordingly;

2. Pursuant to Section 35(2) of Planning and Development (Local Planning Schemes) Regulations 2015 RESOLVES that Amendment No. 186 to District Planning Scheme No. 2 is a Standard Amendment for the following reason:
  - a) amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;

3. *Pursuant to Section 81 of the Planning and Development Act 2005 REFERS Amendment No. 186 to District Planning Scheme No. 2 to the Environmental Protection Authority; and*
4. *Subject to approval from the Environmental Protection Authority, ADVERTISES Amendment No. 186 to District Planning Scheme No. 2 for a period of not less than 42 days pursuant to sub-regulations 47(2) and 47(4) of the Planning and Development (Local Planning Schemes) Regulations 2015.*

**Attachment 1** contains the proposed Scheme Amendment maps.

## **Detail**

### **Site**

The subject land is bound by Wirrega Road (unconstructed) to the north and Lake Jandabup to the west and south. It has a frontage of approximately 636 metres along Hawkins Road and a depth of 170 metres. The site was historically used for cropping and grazing and is almost entirely cleared of vegetation with the exception of grasses, hay and some isolated pockets of trees. The subject land slopes downwards towards Lake Jandabup by approximately nine metres. Four severely dilapidated structures representative of the former agricultural use of the property remain on the site.

Lake Jandabup to the west of the site is a Parks and Recreation Reserve in the Metropolitan Region Scheme (MRS) and Regional Parks and Recreation in DPS 2.

**Attachment 2** is a location plan of the subject land.

The subject site is located within the East Wanneroo District Structure Plan (EWDSP) which was formally adopted by the Western Australian Planning Commission (Commission) on 11 August 2021. The EWDSP will guide the progressive urbanisation of East Wanneroo over the next 50 years.

The EWDSP area comprises 28 precincts with the subject land located in Trichet Road Precinct 13, which is identified as Suburban Neighbourhood meaning that it is planned to be zoned and developed for residential housing. Precinct 13 falls within Stage 3 of development of the EWDSP area which is forecasted to be developed beyond 2051.

The EWDSP Map is at **Attachment 3** indicating the location of the amendment area.

## **Proposal**

The applicant seeks to amend DPS 2 by inserting Place of Worship and incidental Reception Centre as additional uses on the subject land. If approved, this amendment will facilitate the future development of a Place of Worship and incidental Reception Centre on the land for which a development application would be required.

At present, a Place of Worship is operating at 3 Buckingham Drive, Wangara. This Place of Worship was approved under delegated authority in June 2012 with a condition limiting the number of attendees (including staff) to a maximum of 250 people. It is intended the Place of Worship activity will relocate to the subject site should the necessary approvals be granted.

The applicant's justification for the proposal is summarised as follows:

1. The Commission's 'State Planning Policy 2.5 – Rural Planning' identifies that *some rural land may be suitable to accommodate facilities that serve a regional or sub-regional*

*catchment. This could include regional attractors or facilities such as places of worship.* The proposed additional uses will service a broader regional catchment for worshippers.

2. Under the EWDSP, the land to the north of the site is designated for Tourism Opportunities. The development of the Hindu Temple on the subject land will itself be a cultural tourism attractor representing a perfect transitional use between the Suburban Neighbourhood designation to the south and tourism orientated land to the north.
3. The EWDSP contemplates future subdivision and development of Precinct 13 wherein the subject land is situated occurring as Stage 3 development in 2051 or later. This timeframe cannot be used as a basis to sterilise the entire precinct and prevent all development from occurring for the next 30+ years.
4. The uses proposed are better suited to the long-term urbanisation of the area over the next 30+ years than a commercial rural/agricultural use of the property, which would likely need to be scaled down and relocated out of the area in future due its potential incompatibility with the approaching urban front.
5. As outlined in the EWDSP, the subject land will be located within the 400-metre catchment centred south of Wirrega Road making the site ideal for development of near-centre land uses. Furthermore, the subject land is situated approximately two kilometres north of the future Gngara Train Station thereby providing worshippers within and beyond the structure plan area with ready access to the subject land through a variety of private and public transport options.
6. The Place of Worship (Hindu Temple) will be a destination for spiritual growth and enlightenment, relaxation, peaceful worship, meditation, quiet contemplation, cultural celebration and community and family festivities.
7. The proposed uses can harmoniously exist in both rural and urban zones making them ideally suited for transition of the area from rural to urban over the next three decades and beyond.
8. The wide road frontage will enable ample setbacks for future development allowing for generous amounts of on-site car parking, vehicular access/egress and circulation, landscaping and utility areas for sewerage and effluent disposal.
9. The proposed additional uses will not be intrusive or offensive impacting on the existing rural or future residential neighbours.
10. The amendment proposal will ensure that present, future and prospective landowners/occupiers in the area are aware of the pre-existing entitlement to operate a Place of Worship and Reception Centre on the property thereby mitigating any complaints arising from perceived land use conflicts in future.

## Consultation

A 42-day public advertising period was carried out between 12 August 2021 and 24 September 2021 by way of on-site signs, advertisement in the local newspaper, a notice in Council offices and the City's website, and letters to the affected and nearby landowners. Administration received 14 submissions, comprising eight (8) objections, three (3) letters of support and three (3) non-objections.

A summary of the key issues raised in the objections and Administration's response is provided below:

#	Issue	Response
1.	<p>Future development will result in an impact to the rural amenity of the area caused by an increase in traffic, an increase in noise generated by the development and the built form of the development blocking views to the Jandabup Nature Reserve.</p>	<p>This application proposes the inclusion of an 'Additional Use (Place of Worship and incidental Reception Centre)' into the City's DPS 2.</p> <p>As per Administration's previous reporting and Council's decision at its meeting on 17 November 2020, the proposed 'Place of Worship' and incidental Reception Centre, will serve a regional function and is considered to be complementary to the General Rural zone in this specific context and is unlikely to impact on the rural character and amenity of the surrounding rural area.</p> <p>Notwithstanding, compatibility with the surrounding development is a question of whether the future development associated with the additional use will adversely impact rural character and amenity and/or degrade the land on which it is to be located by way of generation of noise, odour, traffic, dust or the appearance of the development.</p> <p>More information surrounding traffic is provided under the 'Traffic' section of this report however traffic impacts of individual developments are addressed through the Development Application process.</p> <p>The impact of any development on views in the Rural zone is not specifically part of the planning framework, however the impact of any future development on the character, landform, and amenity of the area will be considered through the development application process. An application for this type of development would also likely be considered by the City's Design Review Panel.</p> <p>While these above matters are relevant in the planning context, they can all be adequately addressed under the relevant planning framework at the development application stage.</p>
2.	<p>The proposed land use does not reflect future planning for the area under the East Wanneroo District Structure Plan.</p>	<p>The use of the land for a 'Place of Worship' is considered to be consistent with the future suburban residential nature of the 'Suburban Neighbourhood' designation applied to the subject site under the EWDSPP.</p> <p>Under DPS 2, a 'Place of Worship' is capable of approval in a residential area.</p>



#	Issue	Response
		More information is provided under the 'Future Planning Context' section of this report.
3.	There is already an excessive amount of 'Places of Worship' in the locality.	<p>The planning framework does not generally operate to determine the quantity of any particular land use within a given area as this should be driven by business and community needs. The need and want for the delivery of a particular use is driven by market and community demand and may be limited or controlled by the amount of land zoned for commercial, industrial or residential uses.</p> <p>However, as the application proposes to introduce a use that is ordinarily prohibited in the Rural zone, it is necessary to determine whether the land use (Place of Worship) is an appropriate use in the context of the area it is proposed to be located.</p> <p>As above, the Commission's 'State Planning Policy 2.5 – Rural Planning' identifies that some rural land may be suitable to accommodate facilities that serve a regional or sub-regional catchment. This could include regional attractors or facilities such as places of worship. The proposed additional use will service a broader regional catchment for worshippers.</p> <p>In addition, the nearest Place of Worship is located approximately 3km from the subject site to the south west, being the 'Amitabha Buddhist Association'.</p> <p>It is not considered that the inclusion of the additional use in DSP 2 over the subject site will result in a proliferation of 'Places of Worship' in the locality.</p>

A summary of the submissions are provided at **Attachment 4**.

### Consultation with other Agencies

As part of the referral and consultation process, Administration referred the application to the following external agencies for comment:

- Environmental Protection Authority (EPA) pursuant to Section 81 of the Planning and Development Act 2005;
- Department of Biodiversity, Conservation and Attractions (DBCA) through the EPA;
- Department of Water and Environmental Regulation (DWER) through the EPA;
- Department of Planning, Lands and Heritage (DPLH);
- Department of Agriculture;
- Western Power Corporation;
- ATCO Gas; and

- Water Corporation.

The above agencies provided either no objection or no comment on the proposal, with the exception of the EPA, DBCA and DWER which provided advice to Administration as part of the referral process pursuant to Section 81 of the *Planning and Development Act 2005*. These comments are provided below.

#### Environmental Protection Authority

In accordance with the Council's resolution at its meeting on 17 November 2020, the amendment was referred to the EPA for comment pursuant to sub-regulations 47(2) and 47(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

As part of that referral process, the EPA together with DBCA and DWER notified Administration that Jandabup Lake is located within Jandabup Nature Reserve, which is part of Bush Forever Site 324 and contains a diverse vegetation community and is predominantly mapped under their Environmental Protection (Swan Coastal Plain lakes) Policy 1992 as a Conservation Category Wetland (CCW).

A CCW is considered to be the most environmentally sensitive wetland category under the Environmental Protection Policy.

The wetland management category is assigned to a wetland based on the evaluation of its attributes, functions and values. It provides guidance on the nature of management and protection the wetland should be afforded. The categories applied to the Swan Coastal Plain in Western Australia are Conservation (CCW), Resource Enhancement and Multiple Use.

The Environmental Protection Policy prohibits the filling, excavating, mining, discharge or disposal of effluent and construction or alteration of a drainage system for the drainage into or out of an identified wetland, unless authorised under the *Environmental Protection Act 1986*.

The EPA has prepared and adopted 'EPA Guidance Statement No. 33' to guide the assessment of planning proposals within or abutting a wetland. The guidance statement states that a CCW should generally be afforded a 50m minimum wetland separation distance to any development.

This is provided as a base separation distance for all CCWs, subject to the submission of environmental reporting and management plans which can result in a reduced the separation distance based on the specific wetland's environmental significance and management measures proposed.

Notwithstanding, the EPA has noted that part of the general 50m separation distance would overlap the subject site and as such, has advised that future development within the amendment area as result of the proposed additional use has the potential to impact groundwater and surface water hydrology, quantity and quality associated with Jandabup Lake and wetland vegetation communities through:

- Changes in pervious surfaces,
- Stormwater runoff and disposal from impervious surfaces (buildings and carparks),
- Hydrocarbon runoff from vehicles,
- Groundwater abstraction from the superficial aquifer for landscaping,
- Nutrient runoff from landscaped areas, and effluent disposal; and
- The use of fill to achieve appropriate separation between the development and the groundwater table.

The EPA initially requested that the City obtain further information from the applicant to demonstrate the future development's ability to address the issues associated with impact to the Bush Forever site and the neighbouring wetlands.

However, following further discussions between the applicant, Administration and the EPA, it was ultimately concluded that these issues could be dealt with at a Development Application stage and through modification to the proposed Scheme Amendment text in the form of environmental conditions associated with the Additional Use.

Subsequently, on 26 July 2021, the EPA advised Administration that the Scheme Amendment did not warrant an environmental assessment.

Further detail has been provided under the 'Environmental Considerations' section of this report.

## **Comment**

### Traffic

The applicant has not provided a traffic report to support the amendment on the basis that more detailed information is necessary to determine the maximum capacity for the future facility to be built if the amendment is successful. Administration accepts this and notes that detailed consideration of traffic impacts should be undertaken at the development application stage.

Despite this, Administration has considered the vehicle movements associated with the current Place of Worship in Wangara and applied that to the proposed site as a rough guide as to the level of activity and traffic that may result from a future development. The Wangara Place of Worship has approval for a maximum of 250 people.

An estimated 126 vehicle movements per day are generated by the existing Place of Worship. These movements, in addition to an estimated 400 vehicle movements per day associated with the nearby rural properties (50 properties to the north at a rate of 8 vehicle trips per day each), is unlikely to result in significant impact on the existing road network. This is based on Main Roads WA standards which indicate that Hawkins Road can accommodate approximately 6000 vehicles per day (vpd) with current volumes of 786vpd based on traffic counts undertaken during January 2020.

Hawkins Road is currently a 20 metre wide rural road providing access to approximately 50 rural properties to the north of the subject site and it is identified as a proposed minimum 35 metre wide Integrator Arterial Road under the EWDSP. A traffic report is not required to support this scheme amendment proposal in this circumstance as more detailed consideration of the specific traffic impacts associated with a future development on the surrounding road network will be undertaken at the development application stage.

### Future Planning Context

As noted above, Administration received submissions which contended that the proposed land use is not consistent with the future planning for the area.

Council at its meeting on 17 November 2020 considered the proposal against the relevant planning framework including the objectives of the General Rural zone outlined in DPS 2, State Planning Policy 2.5 – Rural Planning (SPP 2.5), the EWDSP, Local Planning Policy 5.3: East Wanneroo (LPP 5.3) and State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7) in order to evaluate the land use's appropriateness in the current planning context and its future context and concluded as follows:

- The additional use will serve a regional function and is considered to be complementary to the General Rural zone in this specific context;
- The proposed uses will serve a regional catchment for the Hindu population throughout the City and beyond which meets the criteria for non-rural uses that can be considered on Rural zoned land as detailed in SPP2.5.
- The proposed land uses will be consistent with the planned residential context of the subject site and surrounding sites as per the EWDSP; and
- The proposed amendment meets the overriding principle of LPP 5.3 as it will not detrimentally impact on the orderly and proper planning of the area.

At the time of Council's original resolution, the EWDSP was in its final draft form but was subject to modification as a result of its own advertisement process.

The Commission considered all of the submissions received and endorsed the EWDSP, subject to finalisation of the District Water Management Plan in November 2020. The District Water Management Plan was finalised in July 2021 and the EWDSP has since been formally adopted by the Commission on 11 August 2021. The subject site was not modified as a result of the consultation process.

It is noted that the EWDSP shows an indicative park link adjacent to the site. The proposed Scheme Amendment will not impact the delivery of this park link.

The EWDSP as it applied to the subject site was not modified as a result of the advertisement process. As such, Council's resolution of support regarding the appropriateness of the proposed additional land use in its future planning context is still relevant.

The EWDSP describes suburban neighbourhoods as:

*Residential areas of average medium density, each with an identity drawn from a layout, and built form character which is responsive to natural features and the landscape. These areas are permeable and legible to all users and provide a broad range of housing choices around a focal point of community activity.*

Intended land uses identified for suburban neighbourhoods include residential, local centres and primary schools.

Under DPS 2, a 'Place of Worship' is capable of approval in a residential area. The use of the land for a 'Place of Worship' is considered to be consistent with the future Suburban Neighbourhood designation identified by the EWDSP.

Based on the above, and consistent with Council's previous decision, it is considered that the proposed land use will be consistent with the EWDSP and the overriding principle of LPP 5.3 as it will not detrimentally impact on the orderly and proper planning of the area.

### Environmental Considerations

As noted by the EPA, the subject site is in proximity to Jandabup Lake which is identified under the *Environmental Protection (Swan Coastal Plain lakes) Policy 1992* as a Conservation Category Wetland (CCW).

The EPA Guidance Statement 33 recommends that a CCW is generally afforded a 50m wetland separation distance to any development. Part of this separation distance would overlap the subject site. Currently there is no specific mapping of a wetland buffer as the process to identify a suitable buffer from the wetland has not yet been carried out.



Administration concurs with the EPAs view that any intensification of development on the site carries the potential to impact the environmental values associated with the neighbouring wetland and bush forever site and needs to be effectively managed.

The City has prepared and adopted 'Local Planning Policy 4.1: Wetlands' (LPP 4.1) on 16 October 2018 which articulates Council's position on wetland protection and management, and is to be considered by applicants, Administration, and Council in the design, assessment, and determination of planning proposals.

LPP 4.1 outlines the following objectives:

1. To ensure development within the City of Wanneroo appropriately protects and manages the environmental attributes of wetlands; and
2. To ensure development within the City of Wanneroo recognises the value and benefit of wetlands to the local environment and community.

LPP 4.1 also states that the following plans may be required at the Development Application Stage to inform the environmental considerations of a nearby wetland.

- Map illustrating the extent and classification of wetland.
- Wetland buffer study in accordance with wetland buffer guidelines developed and adopted by the Western Australian Planning Commission.
- Separation distance determination in accordance with relevant Water Quality Protection Notes developed by the Department of Water.
- Ecological values assessment.
- Rehabilitation management plan.

Through discussion with the EPA and the applicant, it was agreed that the following information should be a minimum requirement for any Development Application for a 'Place of Worship' at the subject site:

- A Water Management Plan;
- Information to demonstrate adequate setbacks and buffers from adjacent wetland;
- A Wetland Management Plan; and
- Information to demonstrate compliance with the Government Sewerage Policy

In order to address the above objectives of the LPP 4.1 and to satisfy the matters raised by the EPA, Administration recommends the following conditions be included in the Scheme Amendment text in addition to the existing scheme provisions in order to satisfy the relevant environmental framework:

*"Any development application for a Place of Worship is to be accompanied by the following documentation to the satisfaction of the local government on advice from the Department of Water and Environmental Regulation and Department of Biodiversity, Conservation and Attractions:*

- a) *A Water Management Plan to address potential development impacts to the adjoining Lake Jandabup from changes to surface and ground water hydrology and water quality;*
- b) *Information to demonstrate adequate setbacks and buffers from adjacent wetland boundaries, consistent with State policy and guidance;*
- c) *A Wetland Management Plan for the buffer to Lake Jandabup, consistent with State policy and guidance;*

*d) Information to demonstrate compliance with the Government Sewerage Policy.”*

The above provisions were provided to the EPA and the applicant as part of the referral process. The EPA and the applicant have both provided their written support for the proposed provisions.

Incidental Reception Centre

Under the City's DPS 2, an incidental use means a use of a premises which is ancillary and subordinate to the predominant use.

The applicant has stated that the 'Reception Centre' will be proposed to be used for incidental and ancillary religious ceremonies connected to the 'Place of Worship'.

For clarity the 'Reception Centre' is only permitted where it is incidental to the predominant 'Place of Worship' land use, and by the nature of an incidental use. It cannot operate alone.

Should the amendment proceed as recommended, the future use of the site will need to demonstrate that the reception centre component does not operate independently to the place of worship. The Development Application process will also require the use to be incidental.

Notwithstanding, for the purposes of clarity in the proposed Scheme provisions it is considered appropriate to remove the word 'incidental' before 'Reception Centre' and insert an additional condition that states:

*A 'Reception Centre' is only permitted where it is incidental to a 'Place of Worship'.*

Consequently, any application for a 'Place of Worship' at a Development Application stage has the opportunity to include an incidental 'Reception Centre' in its operation as long as it is ancillary and subordinate to the predominant 'Place of Worship' land use.

This modification has been included in the recommendation of this report.

Conclusion

Based on the above, Administration recommends Council support the proposed Amendment No. 186 to District Planning Scheme No. 2.

As a result of advertisement and referral to the relevant agencies, it is also recommended that the amendment documentation be modified to include the environmental provisions as notated above in order to control the impact any future development may have on Jandabup Lake and the Jandabup Nature Reserve and to include a condition of the additional use which clarifies the incidental nature of the 'Reception Centre'.

Considering the matters noted above, it is recommended that the amendment proposal be adopted with modifications and forwarded to the Western Australian Planning Commission.

**Statutory Compliance**

Amendment No. 186 has been processed in accordance with the *Planning and Development Act 2005* and the *Town Planning Regulations 1967*.

In accordance with Regulation 17(2), Council is required to consider the submissions received in respect of Amendment No. 186 and must resolve to either (a) adopt the amendment with or without modification, or (b) not proceed with the amendment.

Further, pursuant to Regulation 18(1), within 28 days of the passing of that resolution, Administration must provide the WAPC with (among other things) a schedule of submissions and Council's recommendation and response to the submissions, together with particulars of any modifications recommended to the amendment.

Administration recommends that Council adopts Amendment No. 186 in accordance with Regulation 17(2)(a), subject to the modifications outlined in this report being recommended to the WAPC, in accordance with Regulation 18(1)(c).

## Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*5 ~ A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places*

*5.1 - Develop to meet current need and future growth*

## Risk Management Considerations

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

Risk Title	Risk Rating
ST-S04 Integrated Infrastructure & Utility Planning	Moderate
Accountability	Action Planning Option
ELT (Director P&S and Director Assets)	Manage

Risk Title	Risk Rating
CO-O22 Environmental Management	Moderate
Accountability	Action Planning Option
Director Planning & Sustainability	Manage

Risk Title	Risk Rating
CO-O23 Safety of Community	Low
Accountability	Action Planning Option
Director Community and 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 have been developed to manage these risks to support existing management systems."

## Policy Implications

East Wanneroo District Structure Plan  
 District Planning Scheme No. 2  
 State Planning Policy 2.5 – Rural Planning  
 State Planning Policy 3.7 – Planning in Bushfire Prone Areas  
 Local Planning Policy 5.3: East Wanneroo  
 EPA Guidance Statement No. 33

## Financial Implications

Nil

## Voting Requirements

Simple Majority

## Recommendation

### That Council:-

1. Pursuant to Regulation 50(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, NOTES that the submissions received in respect of Amendment No. 186 to District Planning Scheme No. 2, as included in Attachment 4;
2. Pursuant to Regulation 50(3)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, SUPPORTS Amendment No. 186 to District Planning Scheme No. 2 modified as follows:

NO		STREET/ LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE AND CONDITIONS (WHERE APPLICABLE)
A42	1-42	187 Hawkins Road, Jandabup	Lot 60	<p>Place of Worship and Reception Centre.</p> <p><u>Conditions:</u></p> <ol style="list-style-type: none"> <li>1. A 'Reception Centre' is only permitted where it is incidental to a 'Place of Worship'.</li> <li>2. Any development application for a Place of Worship is to be accompanied by the following documentation to the satisfaction of the local government on advice from the Department of Water and Environmental Regulation and Department of Biodiversity, Conservation and Attractions:               <ol style="list-style-type: none"> <li>(a) A Water Management Plan to address potential development impacts to the adjoining Lake Jandabup from changes to surface and ground water hydrology and water quality;</li> <li>(b) Information to demonstrate adequate setbacks and buffers from adjacent</li> </ol> </li> </ol>



NO		STREET/ LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE AND CONDITIONS (WHERE APPLICABLE)
				<p>wetland boundaries, consistent with State policy and guidance;</p> <p>(c) A Wetland Management Plan for the buffer to Lake Jandabup, consistent with State policy and guidance;</p> <p>(d) Information to demonstrate compliance with the Government Sewerage Policy.</p>

and the Scheme Map accordingly

3. **AUTHORISES** the Mayor and the Chief Executive Officer to **SIGN** and **SEAL** the Amendment No. 186 to District Planning Scheme No. 2 documents in accordance with the City's Execution of Documents Policy; and
4. Pursuant to Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015 and subject to Item 2. above, **PROVIDES** Modified Amendment No. 186 to District Planning Scheme No. 2 to the Western Australian Planning Commission.
5. **NOTES** that under Regulation 34(a) of the Planning and Development (Local Planning Schemes) Regulations 2015 that Amendment 186 is a standard amendment.
6. **NOTIFIES** submitters of Council's decision.

*Attachments:*

1	Attachment 1 - Amendment document	20/399538
2	Attachment 2 - Location Plan	20/363250
3	Attachment 3 - East Wannon District Structure Plan Map	21/441378
4	Attachment 4 - Submission Schedule - Scheme Amendment - Amendment No. 186 - To introduce the Additional Uses of Plac 2	21/441354



# **DISTRICT PLANNING SCHEME NO. 2**

**Amendment No. 186**

**Prepared for:** Applied Pollution Control (APC Infra)  
**By:** LK Advisory

## FORM 2A

PLANNING & DEVELOPMENT ACT 2005  
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME

**CITY OF WANNEROO**  
**DISTRICT PLANNING SCHEME NO. 2**  
**AMENDMENT NO. 186**

RESOLVED that Council, pursuant to Section 75 of the *Planning and Development Act 2005*, amends District Planning Scheme No. 2 by:

1. Inserting Additional Use No. A44 in Schedule 2 – Section 1 (Clause 3.20) – ADDITIONAL USES of District Planning Scheme No. 2, as follows:

NO		STREET/ LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE AND CONDITIONS (WHERE APPLICABLE)
A44	1-44	Hawkins Road, Jandabup	Lot 60 (No. 187)	Place of Worship & incidental Reception Centre

2. Amending the Scheme Map accordingly.

The Amendment is complex under Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- An amendment that is not addressed by any local planning strategy.

Date of Council Resolution \_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_ 2020

\_\_\_\_\_  
Daniel Simms  
CHIEF EXECUTIVE OFFICER

City of Wanneroo

DISTRICT PLANNING SCHEME No. 2

Amendment No. 186

EXISTING ZONING



LEGEND

METROPOLITAN REGION SCHEME (MRS) RESERVES

Parks & Recreation

LOCAL SCHEME ZONES

General Rural

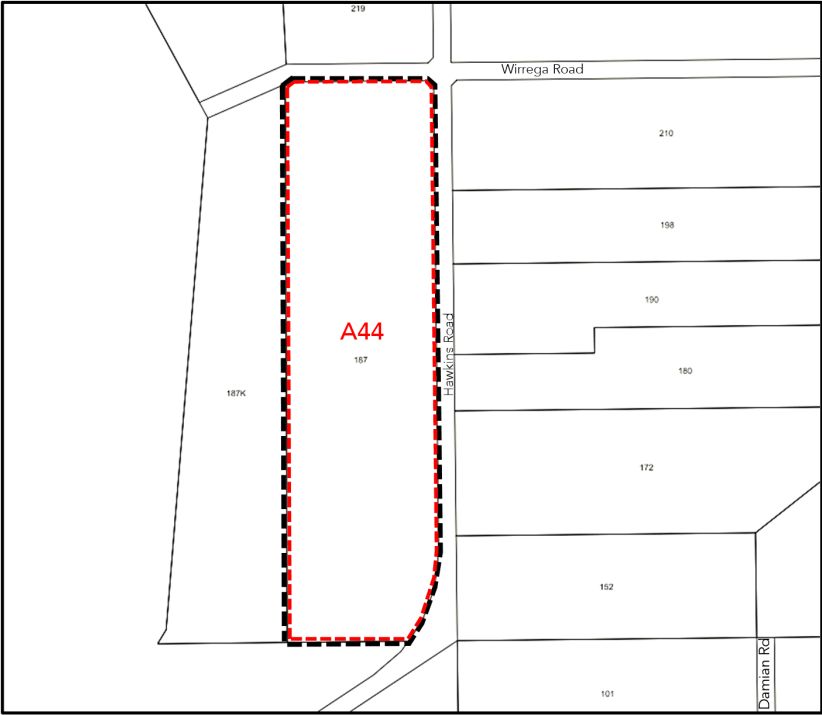
OTHER CATEGORIES

A1

 Additional Uses

Subject Land  
Lot 60 (No. 187) Hawkins Rd,  
Jandabup

PROPOSED ZONING





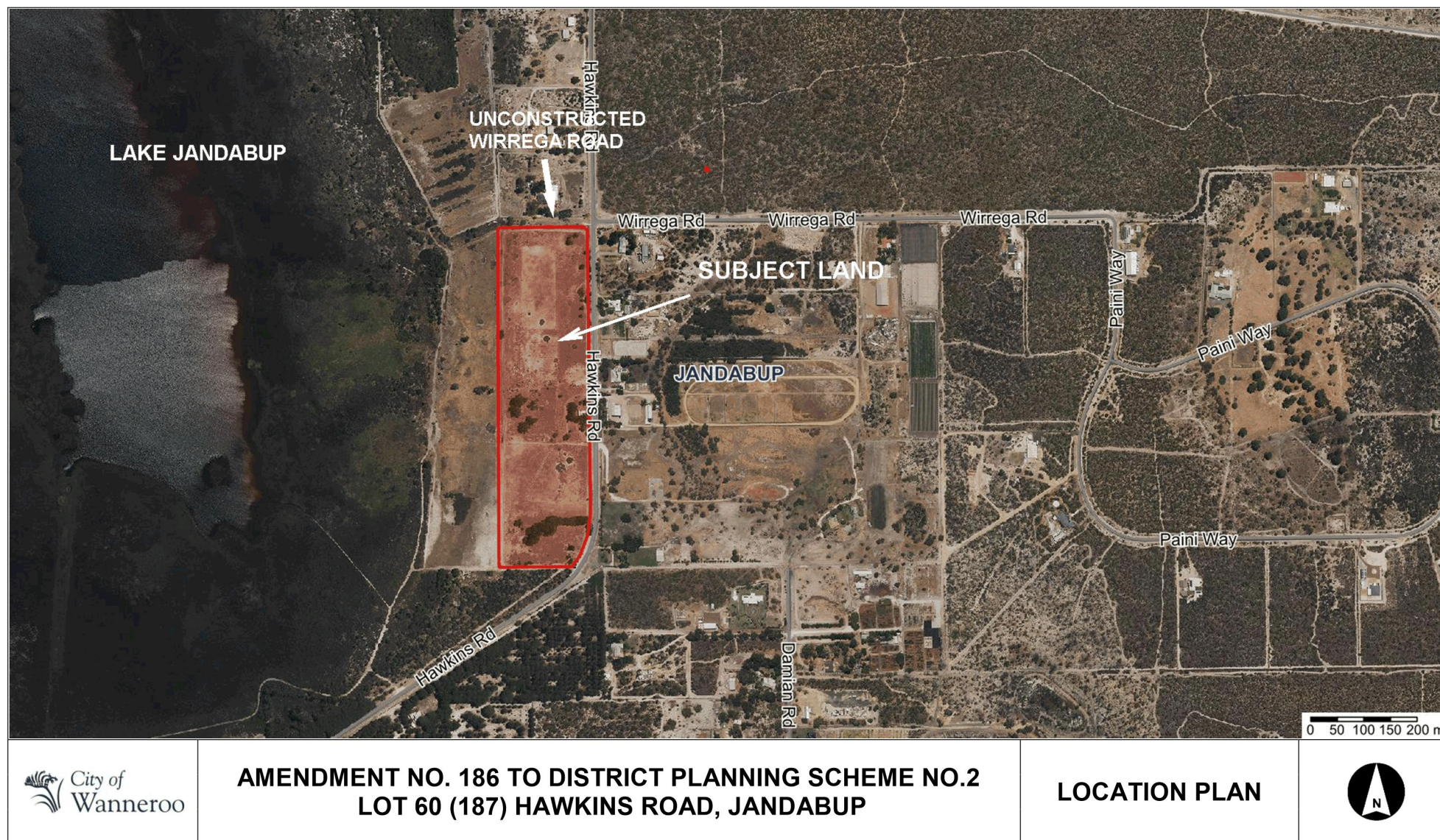
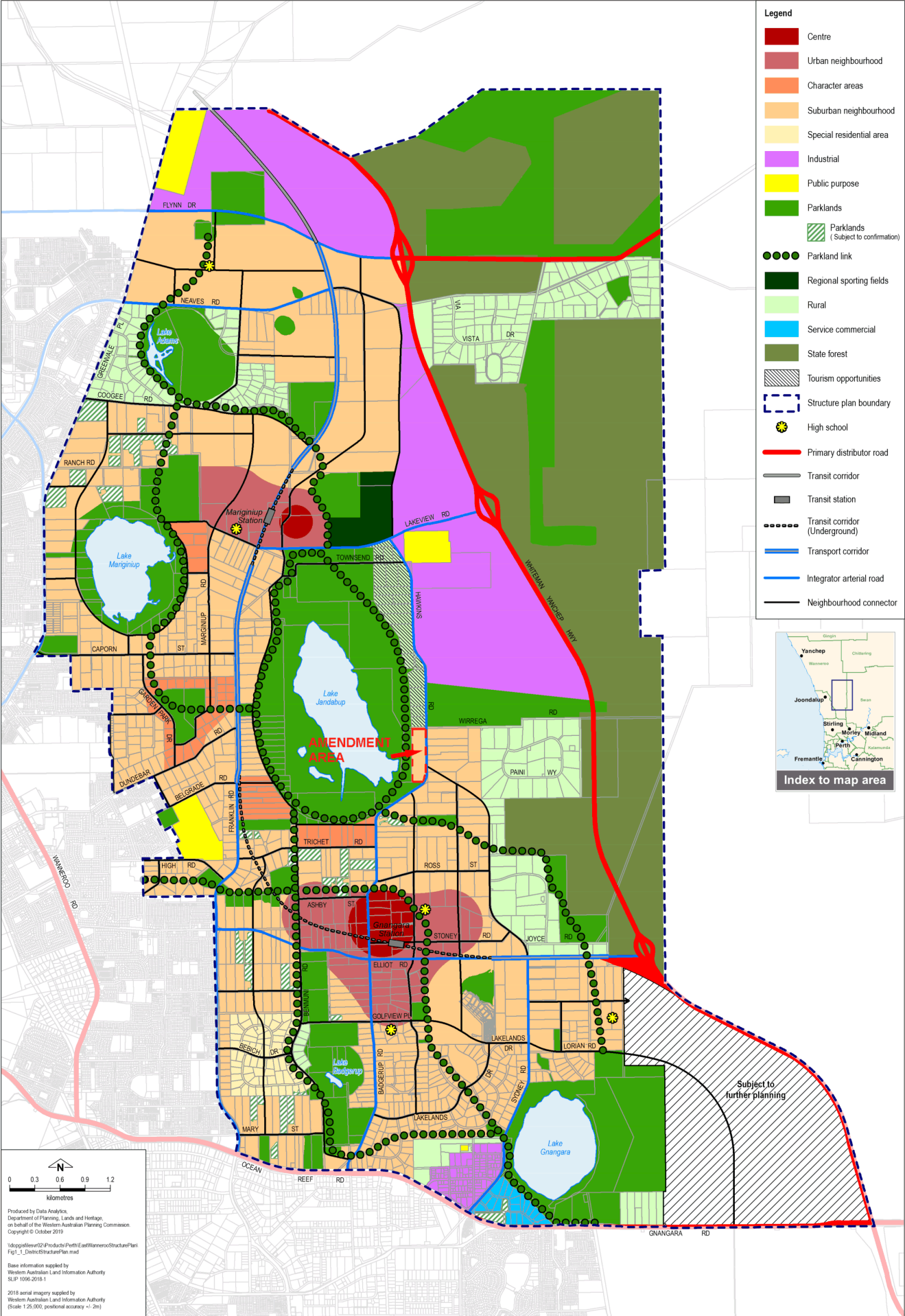




Figure 1.1 East Wanneroo District Structure Plan



East Wanneroo District Structure Plan

**CITY OF WANNEROO**  
**AMENDMENT NO. 186 TO DISTRICT PLANNING SCHEME NO. 2**  
**SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING**  
*(Advertising Closed 24 September 2021)*

Sub #	Objection/ Comment/ Support	Verbatim supporting comment	Administration Comment	Recommendation
1	Comment	ATCO Gas does not have any gas mains nor infrastructure within 2.9 kilometres of the site and therefore has no requirements nor conditions to request.	Noted.	No modification required.
2	Support	Places of worship are generally peaceful.	Noted.	No modification required.
3	Objection	This is very close to the area that is being considered for development, I feel as though this building may impact on the planning that has already been made and the years of hard work may need to be reconsidered to accommodate such a place	<p>The use of the land for a 'Place of Worship' is considered to be consistent with the future suburban residential nature of the 'Suburban Neighbourhood' designation applied to the subject site under the EWDSP.</p> <p>Under DPS 2, a 'Place of Worship' is capable of approval in a residential area.</p> <p>More information is provided under the 'Comment' section of this report.</p>	No modification required.
4	Objection	Objection to additional places of worship	<p>The nearest Place of Worship is located approximately 3km from the subject site to the south west, being the 'Amitabha Buddhist Association'.</p> <p>It is not considered that the inclusion of the additional use in DSP 2 over the subject site will result in a proliferation of 'Places of Worship' in the locality.</p>	No modification required.

5	Support	I am an atheist and will not attend this Hindu place of worship, or any other. There are many other churches for other religions and it is only fair that this be allowed, given we have a lot of people from India in the area. It is in a semi-rural area so should be no issues with traffic, parking, or noise. Please allow this to go ahead.	Noted.	No modification required.
6	Support	Necessary facility as the Hindu community has outgrown current facility. I am not a member of this community but recognise and support their right to worship. Great location for the temple.	Noted.	No modification required.
7	Objection	No comment provided	Noted.	No modification required.
8	Objection	The proposal is in an area that is planned for future urban. The East Wannon District Structure Plan is due for release imminently and this development does not suit the future requirements of the area.	The use of the land for a 'Place of Worship' is considered to be consistent with the future suburban residential nature of the 'Suburban Neighbourhood' designation applied to the subject site under the EWDSR.  Under DPS 2, a 'Place of Worship' is capable of approval in a residential area.	No modification required.
9	Objection	I do not support this project	Noted.	No modification required.
10	Comment	The Water Corporation has no objections to the proposal. The Corporation does not have any water or sewerage assets in the locality.	Noted.	No modification required.
11	Objection	Don't need another worship centre	The nearest Place of Worship is located approximately 3km from the subject site to the south west, being the 'Amitabha Buddhist Association'.  It is not considered that the inclusion of the additional use in DPS 2 over the subject site will result in a proliferation of 'Places of Worship' in the locality.	No modification required.



12	Objection	No comment provided	Noted.	No modification required.
13.	Comment	<p>I am writing regarding the proposed application you have in with the district planning scheme concerning 187 Hawkins Road Jandabup.</p> <p>Our property is opposite this proposed development, which my family and I reside on a hobby lifestyle block. I would like to make sure that there is no blocking of our view from our homesite to the lake and mindful of the driveway placements in relation to existing properties with traffic coming and going. Also the speed limit is 60 km south of our property and 80 Km north, this might pose a problem with more traffic coming and going. We also have seen a very large increase in the number of trucks utilising Hawkins road with the quarry at the end of the street.</p> <p>I hope the above points could be given attention when approving the above submission.</p>	Noted.	No modification required.
14.	Objection	<p><i>Modified to exclude personal details:</i></p> <ul style="list-style-type: none"> <li>• The increase in traffic would be detrimental to the Equestrian business operated at this objectors business due to noise and traffic.</li> <li>• The construction of the temple building and the developed car park will be noisy.</li> <li>• Hawkins Road cannot accommodate that much traffic.</li> </ul>	<p>This application proposes the inclusion of an 'Additional Use (Place of Worship and incidental Reception Centre)' into the City's DPS 2.</p> <p>Compatibility with the surrounding development is a question of whether the proposal will adversely impact rural character and amenity and/or degrade the land on which it is to be located by way of generation of noise, odour, traffic, dust or the appearance of the development.</p>	No modification required.

			<p>While these matters are relevant in the planning context, they can all be adequately addressed under the relevant planning framework at the development application stage.</p> <p>As per Administration's previous reporting and Council's decision at its meeting on 17 November 2020, the land use is considered to be capable of consideration on the subject land.</p>	
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## **Assets**

### **Infrastructure Capital Works**

#### **AS01-11/21 Wangara CCTV Project Update**

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File Ref:	41322V03 – 21/250400
Responsible Officer:	Director Assets
Disclosure of Interest:	Nil
Attachments:	2
Previous Items:	CE01-10/19 - 2019 Federal Election Commitments and Funding Agreements - Ordinary Council - 15 Oct 2019 7.00pm AS02-09/21 - Local Roads and Community Infrastructure Program - Phase 3 Extension - Ordinary Council - 07 Sep 2021 6:00pm

### **Issue**

To receive an update on the response to Tender 21149 – Construction of Wangara CCTV Project and direction on the design and construction preference for the CCTV network in the Wangara business district.

### **Background**

At its October 2019 meeting, Council was notified of and accepted \$850,000 grant funding from the Department of Infrastructure, Transport, Regional Development and Communications to construct a CCTV network in the Wangara Industrial Area (Item CE01-10/19-2019 refers).

The purpose of this CCTV network is to assist with monitoring the ingress/egress of vehicles in the industrial area as well as providing overall surveillance. Information gathered via the CCTV cameras will be shared with the WA Police as per the Memorandum of Understanding currently in place between the Minister for Police and the City of Wanneroo and will support the reduction of criminal and anti-social behaviour throughout the area.

Consultants WSP were engaged to design the proposed CCTV network. Following internal and external consultation the final design consists of 14 camera poles with 42 cameras comprised of a combination of multi-directional and licence plate recognition cameras covering the main routes through the industrial area as per the map shown in **Attachment 1**.

### **Detail**

Tender No. 21149 for the Construction of the Wangara CCTV Project was advertised on Saturday 18 September 2021 and closed on Friday 15 October 2021.

One addenda was issued that addressed clarifications following the non-mandatory briefing and site visit and did not impact the scope of works included in the original tender document.

Two design option costs were requested through the tender process:

- **Option 1** – A full fibre network connection to all 14 poles terminated at a communications hub to be constructed at the Wangara Greens Recycling Facility. All data will be stored in this communications hub and transmitted back to the Civic Centre's control room via an NBN connection; and
- **Option 2** – A hybrid option network that provides a fibre connection to eight poles terminated at a communications hub at the Wangara Greens Recycling Facility as per

option 1, with the remaining six poles to be standalone poles, with data stored at each pole and downloaded / accessed via an “on demand” 4G connection.

Both options utilise smart poles and include provision for the poles to be connected directly to an NBN service should that become an option in the future.

## **Consultation**

Consultation has been undertaken with the relevant stakeholders throughout the design process to ensure that user requirements are met including through the City’s “Your Say” page. Communication with both internal and external stakeholders will continue throughout the duration of the construction works in the form of website updates and notification to nearby residents / businesses.

## **Policy Implications**

Tenders were invited in accordance with the City’s Purchasing Policy.

## **Comment**

Despite 29 companies accessing and downloading the tender documentation, only one tender submission was received. Costs for the respective options are provided in the **Confidential Attachment 2**.

Administration does not believe that the tender submission received represents value for money and the Chief Executive Officer (under Delegation) will consider and decide the tender outcome. It is believed that the tender prices have been impacted due to the current high demand for construction activities and the lack of available work force personnel.

Administration is therefore seeking to further redesign the proposed network and to return to market to obtain submissions for a third option. The third option will provide costs to construct 14 standalone poles with data stored at each pole and downloaded / accessed via an “on demand” 4G connection.

It is also noted that at its September 2021 meeting Council approved, in principle, the inclusion of \$370,000 additional funding for the Wangara CCTV project from the Phase 3 LRCIP (AS02-09/21). At the time of acceptance it was anticipated that this would cover the shortfall between building a hybrid option or a full fibre option. Administration is therefore seeking to retain the funding allocation from LRCIP for the Wangara CCTV project to allow the standalone poles connected by 4G option to be constructed.

The intention is to go to market for the third 4G option in order to complete the procurement process.

The Federal Government representative, administering the Community Development Grant, has been notified of the delay. They are agreeable to the idea of granting an extension of time for the project and shall be providing an official response in due course.

## **Statutory Compliance**

Tenders were invited in accordance with the requirements of Section 3.57 of the *Local Government Act 1995*. The tendering procedures and evaluation complied with the requirements of Part 4 of the *Local Government (Functions and General) Regulations 1996*.



## Strategic Implications

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

*“5 ~ A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places*

*5.5 - People feel safe in public places*

*1.2.1 Enable community to be prepared and to recover from emergency situations”*

## Risk Management Considerations

<b>Risk Title</b>	<b>Risk Rating</b>
CO-O02 Technological Advancement	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Corporate Strategy & Performance	Manage
<b>Risk Title</b>	<b>Risk Rating</b>
CO-O23 Safety of Community	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Community and Place	Manage

The above risk/s relating to the issue 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 this risk to support existing management systems.

## Policy Implications

Tenders were invited in accordance with the City's Purchasing Policy.

## Financial Implications

Based on the tenderer's lump sum price, expenditures incurred to date, contingencies and associated works, the project total cost /estimated expenditure for each option is summarised in the Confidential Attachment.

The project is funded by a combination of Federal Government grants and municipal funding as summarised below:

PR-4297 - Wangara Industrial Area, Wangara, New CCTV Network:

- \$850,000 from Federal Department of Infrastructure, Transport, Regional Development and Communications under their Community Development Grant;
- \$370,000 from LRCIP Phase 3 Grant; and
- \$54,903 from Municipal Funds

Anticipated operational cost for this project shall be funded from Operating Expenditure budget.

## Voting Requirements

Absolute Majority

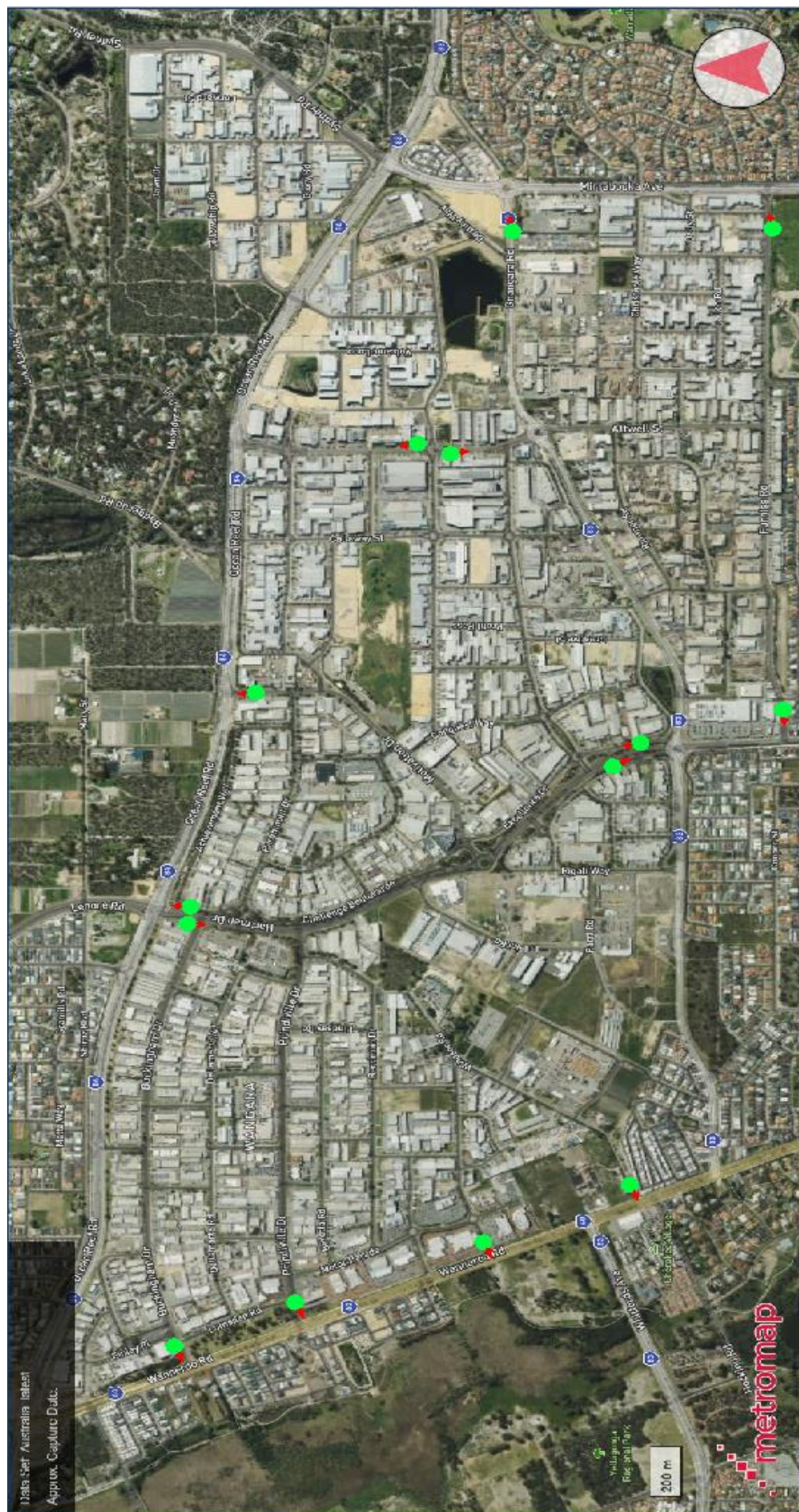
## Recommendation

### That Council:-

1. Receives the update for the Wangara CCTV project; and
2. That Council DELEGATES BY ABSOLUTE MAJORITY to the Chief Executive Officer the authority to consider and determine any recommendation from the procurement process for the redesigned Option 3 – Standalone pole solution for Wangara CCTV project, subject to confirmed budgetary provisions and the requirements of the Local Government (Functions and General) Regulations 1996.

#### Attachments:

1.  Attachment 1 - Map of Wangara 21/487240
2. Attachment 2 - 21149 Wangara CCTV Project Confidential Attachment Confidential



## LEGEND

CAMERA ON POLE GENERAL CAMERA DIRECTION OF VIEW

## **Attachment 2 – 21149 Wangara CCTV Project**

*This attachment is confidential and distributed under separate cover to all Council Members.*

### **Administration Use Only**

Attachment 2 – HPE #21/478919



## Parks & Conservation Management

### AS02-11/21 Tender Number 21207 - Provision of Tree Maintenance Services

File Ref: 43739 – 21/474306  
 Responsible Officer: Director Assets  
 Disclosure of Interest: Nil  
 Attachments: 2

#### Issue

To consider Tender No. 21207 for the provision of Tree Maintenance Services for trees located within parks, reserves and streetscapes for an initial contract term of three years with options to extend for a further two periods of twelve months.

#### Background

Tree maintenance works have previously been undertaken under contract by Geoff's Tree Services with the current Contract due to expire on 31 January 2022.

The contract provides for tree maintenance services for trees located within parks, reserves and streetscapes. The primary objective is to provide professional, industry approved techniques to improve the City's trees in means of aesthetics, amenity value and safety.

Due to the increase in growth and amount of work in the current Contract, the new Contract was advertised as two separable portions, split geographically to service the North & South of the City with Joondalup Drive being the dividing road that separates the North from the South.

#### Detail

Tender No. 21207 for the Provision of Tree Maintenance Services was advertised on 18 September 2021 and closed on 8 October 2021.

Essential details of the proposed contract are as follows:

Item	Detail
Contract Form	Goods and Services - Separable Portion of Services
Contract Type	Schedule of Rates
Contract Duration	Three (3) Years
Commencement Date	1 February 2022
Expiry Date	31 January 2025
Extension Permitted	Yes, two (2) periods of one (1) Year
Rise and Fall	Maximum Perth All Groups CPI increases upon extensions.

Tender submissions were received from the following companies:

- Geoff's Tree Services Pty Ltd; and
- Tree Amigos Tree Surgeons Pty Ltd

The Tender Evaluation panel comprised:

- Coordinator Trees and Conservation
- Tree Technical Officer
- Coordinator Safety Systems and
- Project Manager Infrastructure Capital Works

### Probity Oversight

Oversight to the tender assessment process was undertaken by an external Probity Advisor (William Buck Consulting (WA) Pty Ltd) and the City's Contracts Officer.

Tender submissions were evaluated in accordance with the Procurement and Evaluation Plan (PEP). The PEP included the following selection criteria:

Item No	Criteria	Weighting
1	Sustainable (Corporate Social Responsibility) Procurement a. Environmental Considerations 5% b. Buy Local 15% c. Reconciliation Action Plan 2.5% d. Disability Access & Inclusion 2.5%	25%
2	*OSH	20%
3	*Methodology, Resources and Capacity for maintenance services	25%
4	*Demonstrated Experience of tenderer and personnel performing the services	30%

Pricing is not included in the qualitative criteria and is considered as part of the overall value for money assessment. Tenderers must achieve a minimum acceptable qualitative score (as determined by the City) and for each of the qualitative criteria marked \* above to be considered for further evaluation.

Both tender submissions received were conforming and were included in the evaluation process.

### Evaluation Criteria 1 - Sustainable Procurement (25%)

An assessment was made to determine the ranking based on the tenderers' sustainable procurement policy and practices.

#### Sub Criteria – Environmental Considerations (5%)

An assessment was made to determine the ranking based on the tenderers' environmental policy and practices.

The assessment of this sub-criterion determined the following ranking:

Tenderer	Ranking
Geoff's Tree Services	1
Tree Amigos	2

**Sub Criteria – Buy Local (15%)**

An assessment was made to determine the ranking based on the responses provided, detailing the following information:

- Purchasing arrangements through local businesses;
- Location of tenderers offices and workshops;
- Residential municipality of staff and subcontractors; and
- Requirements for new employees arising from award of the contract.

The assessment of this sub-criterion determined the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Geoff's Tree Services	1
Tree Amigos	2

**Sub Criteria – Reconciliation Action Plan (2.5%)**

An assessment was made to determine the ranking based on the responses provided that relate to:

- Relationships - building positive relationships between indigenous and non-indigenous people;
- Respect – Recognising the contribution of indigenous people to Australia and learning more about the history, culture and diversity in a two-way communication process; and
- Opportunities – attracting, developing and retaining organisational talent to build opportunities for aboriginal employment, training development and mentoring.

The assessment of this sub-criterion determined the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Geoff's Tree Services	1
Tree Amigos	2

**Sub Criteria – Disability Access and Inclusion (2.5%)**

An assessment was made to determine the ranking based on the responses provided that relate to:

- People with disabilities have the same buildings and facilities access opportunities as other people;
- People with disabilities receive information in a format that will enable them to access information readily as other people are able to access it;
- People with disabilities receive the same level and quality of service from staff as other people receive;
- People with disabilities have the same opportunities as other people to make complaints; and
- People with disabilities have the same opportunities as other people to participate in any employment opportunities.

The assessment of this sub-criterion determined the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Geoff's Tree Services	1
Tree Amigos	2

The overall assessment of the sustainable procurement evaluation criterion resulting in the following tenderer ranking:

<b>Tenderer</b>	<b>Ranking</b>
Geoff's Tree Services	1
Tree Amigos	2

### **Evaluation Criteria 2 – Occupational Health and Safety (20%)**

Evidence of safety management policies and practices were assessed from the tenderers submission. The assessment for safety management was based on the tenderers response to an Occupational Health and Safety Management System Questionnaire included within the tender documentation.

Both tenderers provided details of their safety management systems with the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Geoff's Tree Services	1
Tree Amigos	2

### **Criteria 3 - Methodology, Resources and Capacity for Maintenance Services (25%)**

An assessment was made to determine the ranking based on tenderers current workload and resources. The tenderers resources as presented in their tender submission were assessed in order to evaluate their capacity to meet the requirements of the contract. Assessment of this criterion considered the tendering entity's understanding of the methodology to provide Tree Maintenance services. Assessment of the criterion also considered the Tenderers staffing resources and qualifications in order to meet the terms of the contract.

The assessment of this criterion determined the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Geoff's Tree Services	1
Tree Amigos	2

### **Evaluation Criteria 4 – Demonstrated Experience of tenderer and personnel performing the services (30%)**

The tenderers relevant experience in tree pruning, maintenance, industry specific knowledge and experience of local government procedures were assessed in this criterion.

The assessment of this criterion determined the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Geoff's Tree Services	1
Tree Amigos	2

### **Overall Weighted Assessment and Ranking**

Tenderers' submissions were reviewed in accordance with the Procurement and Evaluation Plan with the following key observations:

- The tenderers submissions were evaluated in accordance with the selection criteria and were assessed as having the necessary resources, previous experience, capabilities and safety managements systems to undertake the services; and



- The tenderers policies and procedures for the Provision of Tree Maintenance complied with the tender specification.

The overall qualitative assessment determined the following ranking:

Tenderer	Ranking
Geoff's Tree Services	1
Tree Amigos	2

### Price Assessment

The assessment of Tenderers' Schedule of Rates determined pricing against each separable portion and for both portions combined. The following tenderer ranking resulted against each separable portion and for both combined portions.

Tenderer	Ranking
Geoff's Tree Services	1
Tree Amigos	2

The **Confidential Attachment** provides detailed pricing information relating to both tenderers.

### Overall Value for Money Assessment

The overall value for money assessment determined is based on the qualitative assessment and pricing. This assessment resulted in the following tenderer ranking:

Tenderer	Ranking
Geoff's Tree Services	1
Tree Amigos	2

### Consultation

Nil

### Overall Comment

The tender submission from Geoff's Tree Services Pty Ltd achieved the highest ranking in accordance with the assessment criteria and weighting as detailed in the Procurement and Evaluation Plan and is therefore recommended as the successful tenderer for both Separable Portion 1 and Separable Portion 2.

### Statutory Compliance

Tenders were invited in accordance with the requirements of Section 3.57 of the *Local Government Act 1995*. The tendering procedures and evaluation complied with the requirements of Part 4 of the *Local Government (Functions and General) Regulations 1996*.

### Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*4 ~ A sustainable City that balances the relationship between urban growth and the environment*

*4.3 - Manage natural assets and resources*

*5 ~ A well-planned, safe and resilient city that is easy to travel around and provides a connection between people and places*

*5.2 – Plan for and manage land use*

*Manage and maintain assets*

## Enterprise Risk Management Considerations

Risk Title	Risk Rating
ST-S26 Resilient and Productive Communities	Moderate
Accountability	Action Planning Option
Director Community and Place	Manage

Risk Title	Risk Rating
CO-O22 Environmental Management	Moderate
Accountability	Action Planning Option
Director Planning and Sustainability	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 have been developed to manage this risk to support existing management systems.

## Financial and Performance Risk

### Financial Risk

A financial risk assessment was undertaken as part of the tender evaluation process and the outcome of this independent assessment by Equifax Australasia Credit Rating Pty Ltd advised that Geoff's Tree Services Pty Ltd has been assessed with a satisfactory financial capacity to meet the requirements of the contract.

### Performance Risk

Geoff's Tree Services Pty Ltd is the incumbent contractor and holds a number of maintenance contracts for local government and agencies. Independent reference checks have indicated that the recommended Tenderer is able to meet the requirements of the tender.

## Policy Implications

Tenders were invited in accordance with the requirements of the City's Purchasing Policy.

## Financial (Budget) Implications

The costs associated with the Provision of Tree Maintenance Services are included in the annual Parks and Conservation Management Operational Budget. Refer to the Confidential Attachment for anticipated costs during the initial term of the contract.

## Voting Requirements

Simple Majority

## Recommendation

**That Council ACCEPTS the tender submitted by Geoff's Tree Services Pty Ltd for Tender No. 21207, for the Provision of Tree Maintenance Services for an initial period of three years, with two, one year extension options exercisable at the discretion of the City and in accordance with the conditions of tendering.**

*Attachments:*

1. Attachment 1 - RFT 21207: Provision of Tree Maintenance Services - Confidential Attachment Confidential
2. Attachment 2 - 21207 Final Probity Report - Provision of Tree Maintenance Services Confidential

**Attachment 1 – 21141 – RFT 21207: Provision of Tree Maintenance Services**

*This attachment is confidential and distributed under separate cover to all Council Members.*

**Administration Use Only**  
Attachment 1 – HPE #21/474943



**Attachment 2 – 21207 Final Probity Report - Provision of Tree Maintenance Services**

*This attachment is confidential and distributed under separate cover to all Council Members.*

## **Community & Place**

### **Community Facilities**

<b>CP01-11/21</b>	<b>State Government Showgrounds</b>	<b>Funding</b>	<b>Commitments:</b>	<b>Wanneroo</b>
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File Ref:	2675 – 21/374295
Responsible Officer:	Director Community and Place
Disclosure of Interest:	Nil
Attachments:	1

### **Issue**

To consider State Government funding commitments made to sporting clubs that utilise the Wanneroo Showgrounds and requests by the clubs for the City to deliver the projects on their behalf.

### **Background**

The State Government has advised that it has provided funding commitments for various projects to sporting clubs that utilise the facilities at the Wanneroo Showgrounds. One of these projects is for the installation of solar panels at the Wanneroo Showgrounds (**Attachment 1**) which has since been confirmed by the Department of Local Government, Sport and Cultural Industries (**DLGSCI**):

- \$41,000 to the Wanneroo Amateur Football Club (WAFC) for solar panels.

The following funding commitments have also been made to clubs, however the project scopes are still being determined and will be subject to future Council reporting as required:

- \$500,000 to the WAFC towards a building extension;
- \$35,000 to the Wanneroo Cricket Club for a canopy over the kiosk area;
- \$30,000 to the WAFC for two dugouts; and
- \$3,500 to the Wanneroo Junior Football Club towards a shade sail.

As per the grant conditions, funds cannot be used on internal costs (e.g. design, survey, project management etc.), which are typically costed at 10-15% of the project budget. As the sporting clubs have requested that the City deliver these projects on their behalf, additional municipal funds will be required to cover these internal costs.

### **Detail**

#### **Solar Panels: \$41,000**

**Current Situation:** The WAFC has received a grant of \$41,000 for the provision of additional solar panels to be installed over the spectator's area at the Wanneroo Showgrounds. The WAFC has requested that this project be delivered by the City.

**Recommendation:** Given the nature of this project, it is recommended that the WAFC transfer the grant funds to the City and the City lists the project for delivery in 2021/22 as per the grant conditions. Once the grant funds are transferred, the City can commence delivery of the project.

**Funding Shortfall:** \$4,100 as a result of internal project fees.

## Consultation

Since the announcement of the State Government funding commitments, direct consultation has been, and continues to be undertaken with each of the clubs regarding the scope of their grant projects. Wider community engagement will be undertaken in accordance with the City's Community Engagement Policy and Framework as required.

## Comment

Administration is not typically advised of election commitments prior to their announcements and as such are unable to provide guidance on project scope or cost estimates. Once the City is advised, consultation is then undertaken with the relevant Government Department and clubs to determine a suitable scope of works, resourcing and scheduling. Delivery of the projects will be subject to the Administration completing the appropriate project planning and resourcing schedule.

As part of the funding acceptance for the solar panel project, the City will enter into a Memorandum of Understanding with the WAFC that will outline the obligations of each party in relation to the delivery of the project, including that the WAFC will be responsible for any funding shortfalls for the project.

## Statutory Compliance

Nil

## Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*1 ~ An inclusive and accessible City with places and spaces that embrace all*

*1.3 - Facilities and activities for all*

## Risk Management Considerations

Risk Title	Risk Rating
ST-S23 Stakeholder relationships	Moderate
Accountability	Action Planning Option
Chief Executive Officer	Manage

Risk Title	Risk Rating
ST-G09 Long Term Financial Planning	Low
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 risk register. Action plans have been developed to manage/mitigate/accept this risk to support existing management systems.

## Policy Implications

Nil

## Financial Implications

The below table outlines the financial implications as a result of accepting this grant.

Project	Grant	Muni Required	Total
Solar Panels	\$41,000	\$4,100	\$45,100

This project has not been provided for in the City's 2021/22 budget or Long Term Financial Plan. A municipal funding amount of \$4,100 will be required to be allocated through the 2021/22 mid-year budget review process from savings in other projects to cover internal project delivery costs.

## Voting Requirements

Absolute Majority

## Recommendation

That Council:-

1. **ACCEPTS by ABSOLUTE MAJORITY** the external grant funding as outlined in the table below:

From	To	Amount	Description
Grant funding	Wanneroo Showgrounds Solar Panels Project	\$41,000	Grant funding received by Wanneroo Amateur Football Club will be transferred to the City
Municipal Funding	Wanneroo Showgrounds Solar Panels Project	\$4,100	Municipal funding savings identified at the 2021/22 mid-year budget review

2. **NOTES** that a municipal funding amount of \$4,100 will be allocated to the project in the 2021/22 mid-year budget review process through savings in other projects;
3. **NOTES** that the project will not commence until the external grant funding has been received by the City; and
4. **NOTES** that the City will enter into a Memorandum of Understanding with the Wanneroo Amateur Football Club to outline the obligations of each party in relation to the delivery of the project.

Attachments:



Attachment 1 - Wanneroo Showgrounds Aerial - Election Commitments 21/458982





	City of Wanneroo does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that City of Wanneroo shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in this information. Based on information provided by and with the permission of the Western Australian Land Authority trading as LANDGATE.	Wanneroo Clubrooms	Date: 18/10/2021	
			Printed by Finau, Nerisa	
			Scale = 1:500	

## **CP02-11/21     Alkimos Aquatic & Recreation Centre - Concept Design and Community Engagement Strategy**

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File Ref:	40645V04 – 21/462617
Responsible Officer:	Director Community and Place
Disclosure of Interest:	Nil
Attachments:	3
Previous Items:	<p>MN01-02/18 - Provision of Aquatic Facilities in the North Coast Ward - Ordinary Council - 06 Feb 2018 7.00pm</p> <p>CP02-03/19 - Progress Report - North Coast Aquatic and Recreation Facility Needs and Feasibility Assessment - Ordinary Council - 05 Mar 2019 7.00pm</p> <p>CP06-04/19 - PT01-03/19 - Support for Early Provision of an Aquatic Facility - Ordinary Council - 09 Apr 2019 7.00pm</p> <p>3.1 - North Coast Regional Aquatic and Recreation Centre Needs and Feasibility Study - Forum - 26 Nov 2019 6.00pm</p> <p>CP01-02/20 - North Coast Aquatic and Recreation Centre Needs and Feasibility Study - Ordinary Council - 10 Feb 2020 7:00pm</p> <p>3.3 - North Coast Aquatic and Recreation Facility Business Case - Forum - 14 Jul 2020 6:00pm</p> <p>CP03-09/20 - Alkimos Aquatic and Recreation Centre - Site Selection, Master Planning and Land Acquisition - Ordinary Council - 22 Sep 2020 7:00pm</p> <p>3.1 - Alkimos Aquatic and Recreation Centre: Facility Components, Master Plan and Community Engagement - Forum - 03 Nov 2020 5:30pm</p> <p>3.2 - Alkimos Aquatic and Recreation Centre - Project Update - Forum - 02 Mar 2021 6:00pm</p> <p>CP03-03/21 - Alkimos Aquatic and Recreation Centre Project Working Group - Terms of Reference - Ordinary Council - 16 Mar 2021 6:00pm</p> <p>4.1 - Alkimos Aquatic and Recreation Centre - Concept Design and Engagement Strategy - Forum - 14 Sep 2021 5:30pm</p>

### **Issue**

To consider the proposed concept design for the Alkimos Aquatic and Recreation Centre and seek approval for release of Concept 5 for the purposes of community engagement and funding advocacy.

### **Background**

At its meeting held on 10 February 2020, Council considered report CP01-02/20 in relation to the North Coast Aquatic and Recreation Centre Needs and Feasibility Study and resolved the following:

1. *ENDORSES the North Coast Aquatic and Recreation Centre Needs and Feasibility Study, as per Attachments 1 and 2; and*
2. *NOTES the development of a detailed Business Case to consider the development of a proposed facility at Yanchep and/or Alkimos, with the Business Case considering various development options inclusive of a 25m or a 50m indoor pool as per the draft scope in Attachment 7.*

As a result, at its meeting held on 28 July 2020, Council considered report CP01-07/2020 North Coast Aquatic and Recreation Centre Business Case and resolved the following:

1. *ENDORSES the North Coast Aquatic and Recreation Centre Business Case, as detailed in Attachment 2;*
2. *AUTHORISES Administration to commence planning works towards the provision of the North Coast Aquatic and Recreation Centre at Alkimos Central as per the recommendations of the Business Case;*
3. *REQUESTS Administration to undertake further analysis of Options 1 and 2 of the Summary Business Case (Attachment 2) to enable consideration of indoor and outdoor options for the aquatic components; and*
4. *NOTES that community consultation regarding the location and conceptual design elements of the facility will occur following Council consideration of the work as per recommendation 3 above.*

At its meeting held on 22 September 2020, Council considered report CP03-09/20 Alkimos Aquatic and Recreation Centre – Site Selection, Master Planning and Land Acquisition and resolved the following:

1. *ENDORSES Option 5, as per Attachment 1, as the preferred site for the Alkimos Aquatic and Recreation Centre within Alkimos Central, subject to item 4 below;*
2. *AUTHORISES the Chief Executive Officer to progress the land acquisition of Option 5, as per Attachment 1, negotiate commercial terms (including a purchase price), engage property valuations, surveys and due diligence investigations, and execute a sale contract and related documentation, provided that the sale contract will be subject to:*
  - a) *the City's independent valuation of the Option 5 site, noting item 4 below;*
  - b) *the approval of Council; and*
  - c) *the City's compliance with Section 3.59, if applicable having regard to regulation 8A of the Local Government (Functions and General) Regulations 1996 (WA);*
3. *NOTES that a Site Master Plan is currently being progressed, with the outcomes of this Master Plan to be reported to Council at a future meeting; and*
4. *NOTES that a further report to Council, incorporating analysis of the site options (including acquisition cost as a criterion in addition to the criteria identified in this report) and recommendation of a preferred site, will be submitted to Council if the City and Development WA do not agree that Options 1, 2, 3, 4 and 5 will be valued equally on an englobo basis.*

Administration, in consultation with the Alkimos Aquatic and Recreation Centre Project Working Group (**Project Working Group**), has been preparing concept designs and costings in line with the approved business case and the findings of the community engagement undertaken in 2020/21.

## Detail

Initially, three concept designs and costings were developed for consideration by the Project Working Group at its inaugural meeting on 19 July 2021. From that meeting, two additional concepts, 4 and 5, were developed based on further refinement of the functionality requirements. Concept designs 1 to 5 are provided in **Attachment 1**.

The demand modelling from the approved business case recommended the following mix of facilities to be delivered at the Alkimos Central location by 2028:

- 1,900sqm of programmable water space (Leisure/children's pool, learn to swim pool, lap pool, hot water pool);
- Indoor Sports Courts (4 Courts)

Supported by complementary facilities including:

- Health & Fitness Suite;
- Crèche; and
- Café & Community Spaces.

The approved Business Case recommends the inclusion of these complementary facilities as being critical to the operation and revenue generation of a facility of this type.

In terms of additional concepts that were developed following the July 2021 meeting of the Project Working Group, Concept 5 meets the criteria identified within the approved business case.

Concept 4, which does not include a number of these complementary facilities, tests the recommendation of the business case and as the tables below show, the impact of removing the majority of these complementary facilities results in an increase in direct operating costs for Concept 4 over Concept 5 of \$1.65M in the first five years of operation.

Projected Direct Operational Costs - Concept 4						
	Year 1	Year 2	Year 3	Year 4	Year 5	Total
<b>Income</b>	\$2,794,980	\$3,160,794	\$3,444,347	\$3,729,357	\$3,993,319	<b>\$17,122,797</b>
<b>Expenditure</b>	\$3,638,105	\$3,677,548	\$3,919,681	\$4,179,625	\$4,403,178	<b>\$19,818,138</b>
<b>Op Cost</b>	<b>-\$843,126</b>	<b>-\$516,754</b>	<b>-\$475,334</b>	<b>-\$450,268</b>	<b>-\$409,859</b>	<b>-\$2,695,341</b>

Projected Direct Operational Costs - Concept 5						
	Year 1	Year 2	Year 3	Year 4	Year 5	Total
<b>Income</b>	\$4,134,288	\$4,664,827	\$5,085,912	\$5,528,677	\$5,922,605	<b>\$25,336,308</b>
<b>Expenditure</b>	\$4,694,817	\$4,870,946	\$5,275,200	\$5,601,184	\$5,936,330	<b>\$26,378,478</b>
<b>Op Cost</b>	<b>-\$560,529</b>	<b>-\$206,120</b>	<b>-\$189,288</b>	<b>-\$72,508</b>	<b>-\$13,726</b>	<b>-\$1,042,170</b>

The above tables also demonstrate the potential of Concept 5 to move towards a direct operating surplus after five years as the surrounding community and businesses grow within the catchment of the facility.

This confirms that Concept 5 is the more financially efficient facility compared to Concept 4, whilst still providing the facilities required to meet the demand modelling from the approved business case.

The capital cost for construction of Concepts 4 and 5 are listed in the table below:

Element	Value	Unit	\$ Rate	Concept 4	Concept 5
Main Building	8,468	sqm	\$3,146	\$26,640,328	\$26,640,328
Function/Crèche Space	906	sqm	\$2,750	\$176,000	\$2,491,500
25m Competition Pool	1,426	sqm	\$3,736	-	-
Gym & Group Fitness	1,590	sqm	\$2,667	\$325,000	\$4,240,530
Health Lounge & Program Pool	862	sqm	\$3,323	\$2,864,426	\$2,864,426
50m Competition Pool	2,915	sqm	\$1,411	\$4,113,065	\$4,113,065
Water Slides	81	1		\$1,295,000	\$1,295,000
Environmental Design Elements		1		\$5,695,000	\$5,695,000
				<b>\$41,108,819</b>	<b>\$47,339,849</b>
<b>Non Contract Costs</b>					
Authorities Fees & Charges, Land		1		\$3,075,000	\$3,075,000
Professional Fees		0.11		\$4,521,970	\$5,207,383



Element	Value	Unit	\$ Rate	Concept 4	Concept 5
Smart Cities Allowance		1		\$100,000	\$100,000
CoW Staff Allowance		1		\$250,000	\$250,000
CoW Disbursements (legal)		1		\$250,000	\$250,000
Relocation		1		\$50,000	\$50,000
				<b>\$8,246,970</b>	<b>\$8,932,383</b>
<b>Gross Project Cost</b>				<b>\$49,355,789</b>	<b>\$56,272,232</b>
Escalation to Tender		0.079		\$3,247,597	\$3,739,848
Escalation to Construction		0.030		\$1,233,265	\$1,420,195
<b>ESTIMATED TOTAL</b>				<b>\$53,836,650</b>	<b>\$61,432,276</b>

It should be noted that the cost estimates are reflective of the market for the third quarter of 2021, which has shown an increase in construction costs in the region of 15-20% compared to costs prepared in the second quarter of 2021.

At its meeting of 23 September 2021, the Project Working Group resolved the following:

*That the Alkimos Aquatic and Recreation Centre Project Working Group:*

1. *ENDORSES Concept 5 for the Alkimos Aquatic and Recreation Centre to be submitted to Council for consideration for use in public consultation and funding advocacy; and*
2. *NOTES that subject to Council approval, Concept 5 is intended to be released with a depiction of the elements that can be funded by the existing commitments and elements that require additional funding.*

## Consultation

The proposed community engagement on Concept 5 for the Alkimos Aquatic and Recreation Centre will use the Social Pinpoint platform to gather input from participants. This platform allows participants to comment on the aspects of the concept design and add suggestions or ideas to the concept.

The platform will allow participants to view a three dimensional “fly-through” video of Concept 5 to be able to visualise the relationship between the various components of the design ahead of making comment, which a two dimensional schematic plan does not allow. The video can be revisited as many times as the participants require to familiarise themselves with the proposed concept.

Throughout the consultation period, contributions can be moderated to ensure that comments are respectful and appropriate.

It is proposed that consultation be open from 6 December 2021 through until 28 January 2022, with outcomes reported to Council in March 2022. The extended consultation period allows for community input prior to and post the Christmas holiday period.

The consultation page will also link participants to the City’s advocacy plan for seeking additional funding for the project, providing a toolbox to support a targeted, community driven campaign to secure up to \$30M additional funding for the project. Supporting this toolbox will be a version of Concept 5 with a depiction of the elements that can be funded by the existing commitments and elements that require additional funding (**Attachment 2**). Further detail on the proposed advocacy plan for the Alkimos Aquatic and Recreation Centre is provided under a separate report to this agenda.

## Comment

In parallel with the design and proposed community engagement actions outlined in this report, Administration is working with Development WA and the Department of Planning, Lands and Heritage to acquire and vest the 3.5 hectare site for the Alkimos Aquatic and Recreation Centre. The 3.5 hectare lot is to be fully serviced and have road access.

The focus of the negotiations has been the site identified as 'Option 5' in previous reports to Council. The negotiations remain ongoing however in summary, the current basis of the land allocation for Option 5 is that:

- The recreation portion comprising approximately 1.5 hectares (with the final percentage of the site allocated to that portion still to be confirmed by the parties) will be a contribution funded by the Alkimos Eglinton Developer Contribution Plan (DCP).
- The aquatic portion comprising approximately 2 hectares (with the final percentage of the site allocated to that portion still to be confirmed by the parties) will be vested to the Crown by Development WA, with no requirement for the City to provide any payment or other consideration for the land as confirmed by the State Government.
- The recreation and aquatic portion will be amalgamated into one land parcel vested to the Crown and under the City's management. The management order will identify the purpose of 'Recreation, Community Centre, Entertainment and Ancillary or beneficial use', and provide the City with a power to lease or licence (with the consent of the Minister for Lands) for a maximum term of 42 years.

Following an 'in principle' agreement being reached with Development WA, a report will be provided to Council to approve the land acquisition. This will address the site valuation and comparison considerations identified in the Council resolution for item CP03-09/20.

## Statutory Compliance

Nil

## Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*1 ~ An inclusive and accessible City with places and spaces that embrace all*

*1.3 - Facilities and activities for all*

## Risk Management Considerations

Risk Title	Risk Rating
ST-G09 Long Term Financial Planning	Low
<b>Accountability</b>	<b>Action Planning Option</b>
Director Corporate Strategy & Performance	Mitigate
Risk Title	Risk Rating
ST-S23 Stakeholder Relationships	Low
<b>Accountability</b>	<b>Action Planning Option</b>
Chief Executive Officer	Manage
Risk Title	Risk Rating
ST-S26 Resilient & Productive Communities	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Community and Place	Manage

The above risks relating to the issue contained within this report have 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.

## Policy Implications

Nil

## Financial Implications

The sum of \$40M has been included for the Alkimos Aquatic and Recreation in the City's Long Term Financial Plan as follows:

	<b>Municipal</b>	<b>Grants</b>	<b>DCP (Res)</b>	<b>Total Cost</b>
2020/21	\$80,000	\$0	\$0	\$80,000
2021/22	\$1,497,600	\$300,000	\$1,572,400	\$3,370,000
2022/23	\$1,230,000	\$700,000	\$0	\$1,930,000
2023/24	\$3,446,624	\$9,000,000	\$3,053,376	\$15,500,000
2024/25	\$8,103,400	\$5,000,000	\$6,016,600	\$19,120,000
<b>Total</b>	<b>\$14,357,624</b>	<b>\$15,000,000</b>	<b>\$10,642,376</b>	<b>\$40,000,000</b>

The Federal Government has provided a grant of \$5M and the formal agreement between the City and the Commonwealth Department of Health was executed on 15 January 2021, with the funds being released to the City in July 2023.

Through the City's Advocacy Plan it is recognised that additional funding is required for the project and the plan identifies the need to source up to a further \$30m from the Federal Government.

The State Government has committed a grant of \$10M towards the project through the WA Recovery Plan funding program, with \$1M to be released for planning and design development in 2021 and the remaining \$9M being released for construction in 2023.

The project is eligible for funding under the Department of Local Government, Sport and Cultural Industries CSRFF program to a maximum of \$2M and it is intended that an application will be submitted on finalisation of concept designs seeking funding for the construction phase from 2023.

The project may also be eligible for Lotterywest funding for the crèche and community components of the building and an application will be submitted on finalisation of concept designs seeking funding for the construction phase from 2023.

<b>Potential Funding Sources</b>	
Current LTFP	\$40,000,000
Advocacy Plan	\$30,000,000
CSRFF	\$2,000,000
LotteryWest	\$1,500,000
<b>Total</b>	<b>\$73,500,000</b>

If successful with the advocacy plan and grant applications, the above funding would allow the City to progress with the project and deliver on the whole of Concept 5.

In addition, from 2025/26 the City's Long Term Financial Plan includes operating income and expenditure for the Alkimos Aquatic and Recreation Centre.

To further understand the long-term financial impact of the facility, a Net Present Value exercise was undertaken for three design options of facility, being the base \$40M option (assuming no additional funding being available), Concept 4 and Concept 5.

The table below summaries both the capital investment for each of the design options and the overall operational costs over a period of 40 years through to 2066. Assumptions for business growth and CPI growth in both income and expenditure are applied consistently over all three models, with the full details of the Net Present Value exercise in **Attachment 3**.

	<b>\$40m Base</b>	<b>Concept 4</b>	<b>Concept 5</b>
	\$	\$	\$
Facility Build	(42,235,000)	(56,067,000)	(61,430,000)
<b>Total</b>	<b>(42,235,000)</b>	<b>(56,067,000)</b>	<b>(61,430,000)</b>
Federal Grants	5,000,000	20,000,000	20,000,000
State Grants	10,000,000	12,000,000	12,000,000
LotteryWest	-	1,500,000	1,500,000
DCP	12,842,000	12,842,000	12,842,000
Municipal	14,388,000	9,725,000	15,088,000
<b>Total</b>	<b>42,4230,000</b>	<b>56,067,000</b>	<b>61,430,000</b>
<b>NPV (Exc. Corp on-costs)</b>	<b>(57,617,000)</b>	<b>(39,218,000)</b>	<b>(8,354,000)</b>
<b>NPV (Inc. Corp on-costs)</b>	<b>(113,071,000)</b>	<b>(94,672,000)</b>	<b>(63,808,000)</b>

Net Present Value is shown at two levels, before corporate on costs and inclusive of corporate on costs. The corporate on-costs are aligned to the current values for Aquamotion and Kingsway Indoor Stadium combined for comparative purposes.

Whilst representing a larger up front capital investment, the net present value exercise shows that the Concept 5 design has an overall lower long-term cost to the City whilst delivering the required facilities to meet the needs of the community.

## Voting Requirements

Simple Majority

## Recommendation

That Council:-

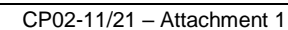
1. **ENDORSES** the release of Concept 5 for the Alkimos Aquatic and Recreation Centre (refer Attachment 2) to be utilised for the purposes of community engagement and funding advocacy; and
2. **NOTES** that Concept 5 is to be released with a depiction of the elements that can be funded by the existing commitments and elements that require additional funding (refer Attachment 2).

Attachments:

- |   |           |
|---|-----------|
| 1. <a href="#">Attachment 1 - Alkimos Aquatic &amp; Recreation Centre - Concepts 1- 5 - September 2021</a>      | 21/392570 |
| 2. <a href="#">Attachment 2 - Alkimos Aquatic &amp; Recreation Centre - Funding Elements</a>                    | 21/470509 |
| 3. <a href="#">Attachment 3 - Alkimos Aquatic &amp; Recreation Centre - Projected Profit and Cashflow (NPV)</a> | 21/487402 |



## TUART DRIVE



# Alkimos ARC - Concept 2

TUART DRIVE

PEDESTRIAN PATH

- 1 WIND LOBBY
- 2 ENTRY LOBBY
- 3 RECEPTION
- 4 RETAIL
- 5 DRY CAFE LOUNGE
- 6 CAFE BAKERY
- 7 AQUATIC CAFE LOUNGE
- 8 KITCHEN
- 9 CROCK
- 10 STORE
- 11 BIRTHDAY PARTIES
- 12 FORCOURT WATERPLAY
- 13 ADMINISTRATION
- 14 MANAGER
- 15 STAFF LOUNGE
- 16 LOCKERS
- 17 F
- 18 M
- 19 STORE
- 20 MALE CHANGE
- 21 UAT
- 22 UAT
- 23 CLN
- 24 1ST AID
- 25 UAT
- 26 UAT
- 27 CHANGE VILLAGE
- 28 FEMALE CHANGE
- 29 LEISURE POOL HALL
- 30 WIND LOBBY
- 31 25m POOL HALL
- 33 LANDSCAPING
- 34 WARM WATER PROGRAMME POOL
- 35 HEALTH LOUNGE
- 36 UAT
- 37 UAT
- 38 CHANGING PLACES
- 39 PLANT
- 40 SPA ROOM
- 41 SAUNA
- 42 STEAM
- 43 TANNING ROOM
- 44 POOL PLANT
- 45 EXTERNAL PLANT YARD
- 54 GYMNASIUM
- 55 PT AREA
- 56 STORE
- 57 FITNESS ROOM 2
- 58 FITNESS ROOM 3
- 59 WIND LOBBY
- 60 APPRAISAL 1
- 61 APPRAISAL 2
- 62 OFFICE
- 63 FITNESS ROOM 1
- 64 FEMALE CHANGE
- 65 MALE CHANGE
- 66 UAT
- 67 COMMS
- 68 CONTROL ROOM
- 69 FEMALE CHANGEROOM
- 70 CL
- 71 CHANGING PLACES
- 72 UAT
- 73 UAT
- 74 MALE CHANGEROOM
- 75 SHW / WC
- 76 SHW / WC
- 77 UMPIRES OFFICE
- 78 SPORTS COURT ONE
- 79 STORE
- 80 STORE
- 81 STORE
- 82 STORE
- 83 SPORTS COURT TWO
- 84 STORE
- 85 STORE
- 86 STORE
- 87 STORE
- 88 MEETING
- 89 STORE
- 90 STORE
- 91 CHAIR STORE
- 92 BOARD ROOM
- 93 FUNCTION ROOM
- 94 STAFF
- 95 CONE
- 96 CONE
- 97 CONE
- 98 CONE
- 99 QUIET
- 100 TOILET
- 101 KITCHEN
- 102 CROCK
- 103 REC
- 104 TOY STORE
- 105 OUTDOOR PLAY
- 109 MALE
- 109 FEMALE
- 110 UAT
- 111 CL
- 122 CLN
- 123 UAT

PROPOSED MASTER FLOOR PLAN - Scheme 2

1 : 350

donovan  
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RECREATION CENTRE  
City of WimmerooGROUND LAYOUT PLAN  
Scheme 2

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WORKSHOP ISSUE

## TUART DRIVE

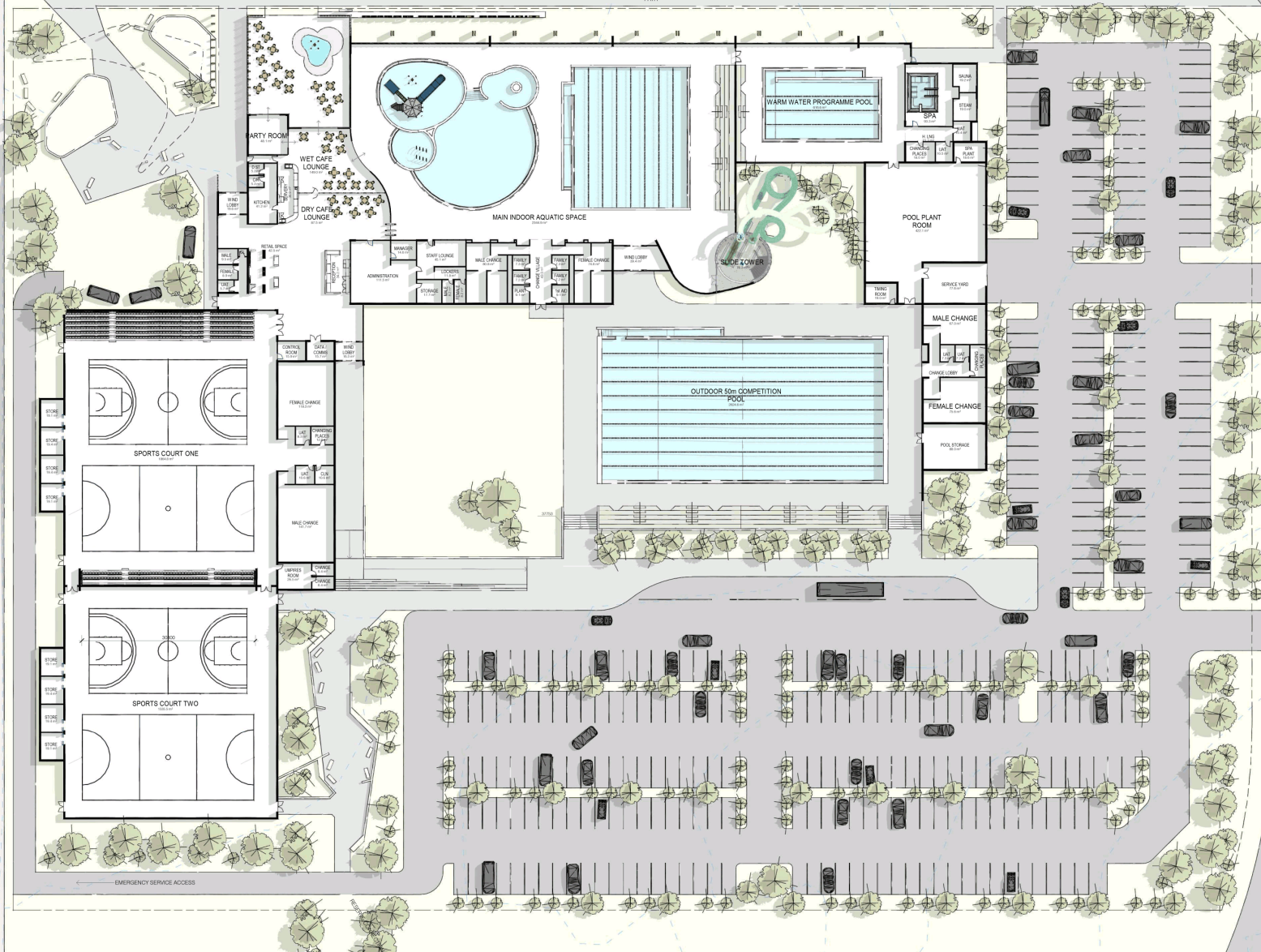




# Alkimos ARC - Concept 4

TUART DRIVE

PATH



PROPOSED MASTER FLOOR PLAN - Scheme 4  
1 : 350

donovan  
payne

ALKIMOS AQUATIC AND  
RECREATION CENTRE  
City of Wanneroo

GROUND LAYOUT PLAN  
Scheme 4

• BLACK HATCH SHOWS ALL DIMENSIONS, HEIGHTS AND LEVELS FOR  
• THE BUILDING, CONCRETE, WALL AND FLOOR  
• AND RELEVANT TO CONSTRUCTION  
• ALL DIMENSIONS, HEIGHTS AND LEVELS, SERVICES AND  
• AND SPECIAL REQUIREMENTS, INCLUDING ALL DIMENSIONS, HEIGHTS AND LEVELS, SERVICES AND  
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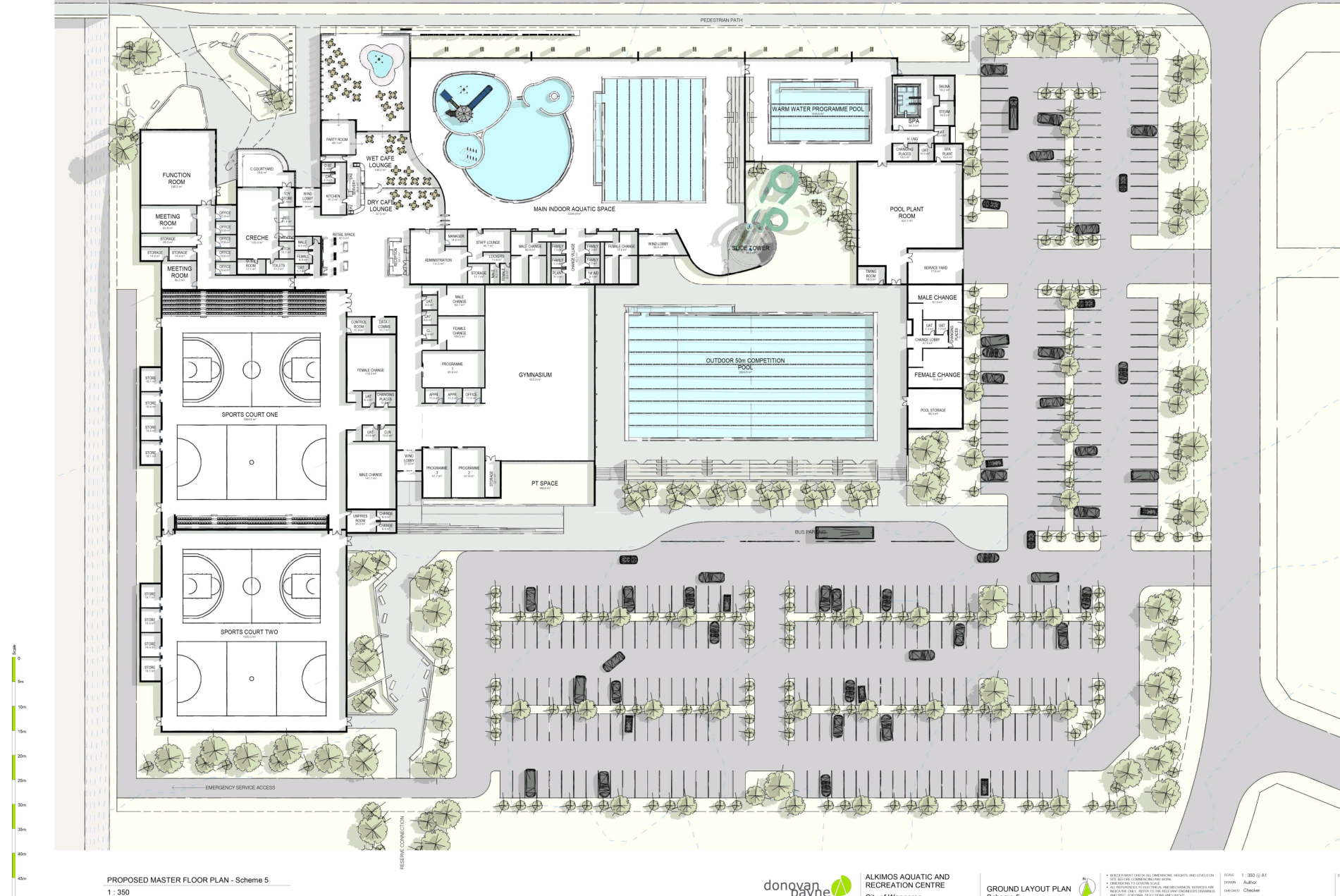
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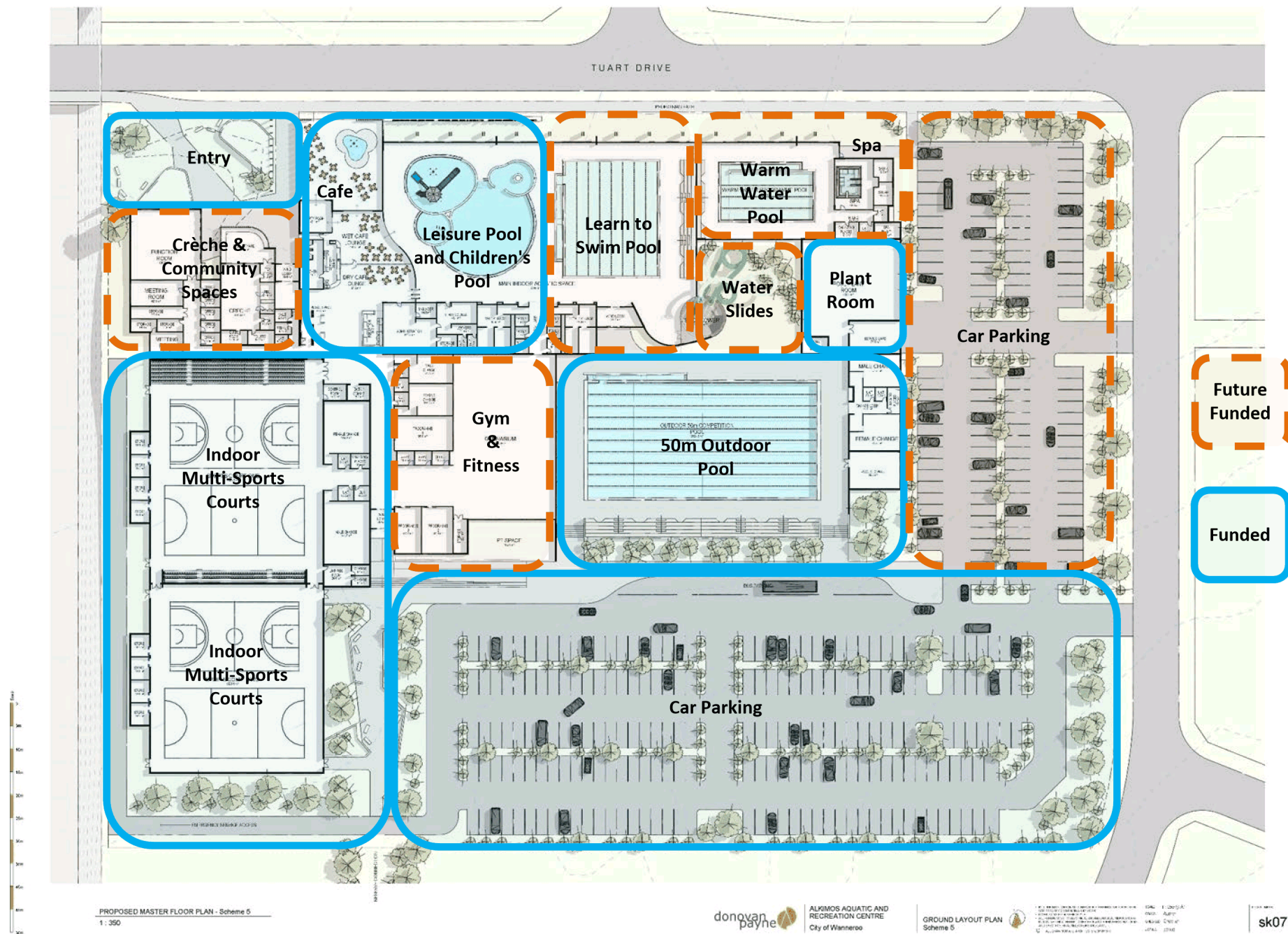
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# Alkimos ARC - Concept 5

TUART DRIVE







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CP02-11/21 – Attachment 3





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## Community Safety & Emergency Management Report

### CP03-11/21 Dog Exercise Options for Western Oval of Gumblossom Reserve and Children's Playgrounds

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File Ref:	4190 – 21/464159
Responsible Officer:	Director Community and Place
Disclosure of Interest:	Nil
Attachments:	1
Previous Items:	CP05-07/21 - Dog Exercise Options for Shared-Use Parks and Children's Playgrounds - Ordinary Council - 13 Jul 2021 6:00pm

#### Issue

To consider the comments received regarding dog exercise provisions for the western oval of Gumblossom Reserve and children's playgrounds.

#### Background

At its July 2021 meeting, Council considered a report (CP05-07/21) regarding Dog Exercise Options for Shared-Use Parks and Children's Playgrounds. The essence of the report is as follows:

##### Shared Use Parks

The report provided three options for Council's consideration in regards to the western oval of Gumblossom Reserve that is subject to a shared use agreement between the Department of Education and the City, following concerns raised by the school. The main issue raised was the perceived risk to students and staff when dogs are exercised off lead during school activities on the oval.

The following options were provided:

*Option 1:* Dogs permitted on lead during the hours of 8.00am – 4.00pm on all school days, and are permitted off lead at all other times. This option provides a restriction that stipulates set times and days, making it clear for users.

*Option 2:* Dogs permitted on lead at times the reserve is being used for sport (whether this be school or community) or other activities as stipulated by the City, and are permitted off lead at all other times. This option is less stringent whereby dogs are not restricted to leads at specific times during school hours as the school or community may not be physically using the reserve for sport at all times within the indicated timeframe. This may prove challenging to seek compliance given the potential confusion with designated activities and times.

*Option 3:* Dogs permitted off lead at all times with no change to current designation as a dog exercise area, noting that this does not address the concerns that have been raised.

##### Children's Playgrounds

In regard to Children's Playgrounds at its meeting on 28 June 2016 Council discussed the installation of "Dogs on Leash" signs on approach to all playground areas and it was resolved that Council:-

1. Does NOT SUPPORT the immediate installation of Dogs on Leash signs in all playgrounds;

2. *APPROVES a programmed installation of Dogs on Leash sign(s) on the perimeter of the playgrounds over a five year period from 2016/2017 with the priority order based on an assessment matrix to be prepared by Administration;*
3. *APPROVES the installation of Dogs on Leash signs in playgrounds outside of the program where complaints about dogs affecting the use of playgrounds justify such installation; and*
4. *REQUEST Administration to undertake a proactive education program in relation to responsible dog ownership.*

Signs were subsequently installed in a number of playground areas, however these signs conflict with a resolution made in 2014 (CB04-09/14 refers) where Council resolved that:

*SPECIFIES BY ABSOLUTE MAJORITY as a dog exercise area, all public reserves vested in or under the care, control and management of the City of Wanneroo, excluding road and street reserves, designated as dog exercise areas for the purposes of the Dog Act 1976.*

To give effect to the provisions of Section 31(3) of the Dog Act 1976 and enable Administration to enforce dogs being on lead at playgrounds, the City needs to specify that playgrounds, where signage has been installed, are places where a dog must be on a lead.

In playgrounds where no signage has been installed the current designation would prevail, namely allowing dogs to remain off-lead.

## **Detail**

In considering the report (CP05-07/21) it was resolved that Council:

1. *APPROVES the advertising of the intention to deem playgrounds in parks in the City of Wanneroo, where appropriate signage has been installed, to become designated places where dogs must be on lead at all times;*
2. *APPROVES the advertising of the intention to deem Gumblossom Western Oval, where signage is installed, to become designated as places where dogs must be on lead at specified times, namely from 8.00am to 4.00pm on school days at parks/ovals subject to Shared Use Agreements with the Department of Education;*
3. *NOTES that a further report will be presented to Council at the end of the 28 day notification period to request approval of areas as specified in accordance with Section 31(3C) of the Dog Act 1976; and*
4. *REQUESTS Administration to undertake community consultation in relation to the remaining 15 parks/ovals that are subject to shared use agreements with the Department of Education regarding introducing the provision of dogs being on leads at specified times on school days.*

Subsequently, the City advertised its intention to deem playgrounds in parks within the City of Wanneroo, where appropriate signage has been installed, to become designated places where dogs must be on lead at all times; and deem the Gumblossom Western Oval, where signage is installed, to become designated as places where dogs must be on lead at specified times, namely from 8.00am to 4.00pm on school days on 16 August 2021 by placing an advertisement in the Wanneroo Times, placing notices on all City Noticeboards and placing the proposal on Your Say on the City's website.

## **Consultation**

Respondents were requested to submit their comments to the City via email, correspondence or in person. The comment period was advertised to conclude on 16 September 2021.

During the consultation period however, concern was expressed that nearby residents to Gumblossom Reserve had not been sufficiently notified. As a result, a further notification was posted to residents in a 500-metre radius of the reserve and the comment period was extended to 30 September 2021.

A total of 12 comments were received, 11 in relation to the proposed dog control prohibition change at Gumblossom Reserve and one in regard to the proposed dog control prohibition change at children's playgrounds.

A summary of the comments provided is detailed in the table below, noting there were similar themes expressed by a number of respondents for and against the proposed changes.

#### Gumblossom Reserve Dog Control Provision

<b>Comments</b>	<b>No of Respondents</b>	<b>For/against</b>
No dog control incidents observed	6	Against
Most dog owners are responsible	5	Against
Change prevents practical use of facility for dogs	6	Against
Safety of school children is a state responsibility	1	Against
Change because of small group of irresponsible dog owners – over reaction	3	Against
Restricts opportunity to socialise dogs that assist appropriate dog behaviour	1	Against
Alternative control – dogs on lead only when oval in use by school children	3	Against
Great compromise for all – just common sense	1	For

#### *Dog Control Incidents*

The main comments provided were suggesting that there are few or no dog control incidents occurring, that most dog owners are responsible and that changes will significantly affect the ability of dog owners to effectively use the oval and exercise their pets without restriction.

An analysis of City records relating to dog control complaints revealed that in the past four years there have been 18 dog control incidents reported. These consist of seven dog attacks – two involving school students, eight reports of dogs wandering and three dog collections where unattended dogs were impounded. It should be noted these incidents are only the reported incidents. It is likely there were others that have not been reported but it is not possible to estimate the number of incidents that may not have reported.

In terms of proactive actions the City has provided regular patrols to monitor dog control and provide advice to dog owners regarding their rights and responsibilities. In the majority of patrols, no dog control incidents were observed. This included during events held on the shared use oval, however there was a minor attack where both dogs were being exercised off lead that was resolved between dog owners in the presence of City staff, with no injury to either dog.

#### *Alternative Dog Control Prohibition*

In addition, an alternative dog control prohibition was suggested; to have dogs on lead whenever the oval is in use by the school.

Whilst this may be an option, it creates opportunity for conflict between students and dog owners to occur, as it requires a dog owner to immediately leash their dog should a student come onto the oval. This may not be practical dependent on where the dog is at the time and



the proximity to its owner. It would also require a dog owner to exercise their dog on another area of the oval or leave dependent on the level of student activity. This option is not recommended as it is difficult to regulate and will still expose children to dogs that are off leash.

#### *Petition UP0109/21*

During the comment period a petition was presented at the Ordinary Council Meeting on 7 September 2021. Petition UP01-09/21 was submitted requesting Council's consideration:

*That all Education Department shared ovals, within the City of Wanneroo, remain designated dog exercise areas, without restrictions during the hours of 8.30 to 4.00pm on weekdays; and there are sufficient local laws already in place to deal with issues surrounding dog behaviour.*

The petition contained 455 entries from residents in the City from Alkimos (6), Ashby (1), Banksia Grove (1), Butler (35), Carramar (6), Clarkson (40), Eglinton (4), Hocking (1) Jindalee (14), Merriwa (27), Mindarie (45), Neerabup (1), Quinns Rocks (229), Ridgewood (15), Tapping (2), Two Rocks (2) Wanneroo (1) and Yanchep. There was also entries from outside the City from Heathridge (2) and Kinross (1) in the City of Joondalup. There were 22 entries that were either a double entry or were not discernible and therefore could not be verified.

The petition does indicate there is some community support for not introducing any prohibition to current dog exercise provisions. This is acknowledged however many of the petitioners' residences are spread across the City and as such they may not frequently utilise the western oval of Gumblossom Reserve and likely would not be adversely affected by the proposed prohibition.

#### Children's Playground Dog Control Provision

Comments	No of Respondents	For/against
<ul style="list-style-type: none"> <li>• Supportive of dogs on lead</li> <li>• Alternative - Dogs should be prohibited from playgrounds</li> <li>• Dogs are unpredictable and can scare children/people</li> <li>• Dogs can carry disease – "toxocariasis" in excrement</li> <li>• Other Cities restrict dogs around playgrounds</li> <li>• The City provides many dog parks/facilities</li> </ul>	1	For

Comments received support the introduction of dog control provisions, however go further in terms of suggesting dogs should be prohibited entirely. This level of prohibition is simpler to enforce and does not provide the opportunity for dogs to defecate in the playground. It would also significantly reduce the chances of unwanted child/dog interaction considering dogs should not be in proximity to children when using they (children) are using playground facilities.

Prohibiting dogs from the playground area would prevent dog owners from allowing dogs on lead to defecate in the playground regardless of their intention to pick it up. However, it would also restrict exercise and play options for families who attend play areas to accommodate their children and pets.

#### **Comment**

#### Western Oval Gumblossom Reserve Proposed Dog Control Provision

The comments and petition received in response to the advertised dog control provision has indicated there is opposition to the proposal. However balanced against the level of dog control incidents that have occurred, the risk to students and that there are many other locations

available to satisfy exercising dog off lead at all times, it is suggested that the proposed prohibition to restrict dogs to being on lead between 8.00am and 4.00pm on school days should be supported.

### Children's Playground Dog Control Provision

The comments received support the introduction of dog control provision at all playgrounds in the City and have also suggested that more stringent control may be applicable. Given that the advertised intent was to have dogs on lead in children's playgrounds, it is not possible to increase the level of prohibition without further Council resolution and public advertising as required by legislation.

To support the introduction of the proposed prohibitions the City would conduct a proactive dog control education campaign to ensure residents and users of City facilities are aware of the new provisions and also ensure that adequate signage and complementary advertising is in place.

### **Statutory Compliance**

In accordance with Section 31(3C) of the Dog Act 1976 the City has provided 42 days notice of its intent to specify places where dogs will be restricted, namely being required to be on lead between specified times (8.00am to 4.00pm on school days) at Gumblossom Reserve (western oval) and all City of Wanneroo Children's Playgrounds where signage is installed.

The proposed prohibition is now able to be approved by Council.

### **Strategic Implications**

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*1 ~ An inclusive and accessible City with places and spaces that embrace all*

*1.3 - Facilities and activities for all*

### **Risk Management Considerations**

<b>Risk Title</b>	<b>Risk Rating</b>
ST-S23 Stakeholder Relationships	Low
<b>Accountability</b>	<b>Action Planning Option</b>
Chief Executive Officer	Manage

<b>Risk Title</b>	<b>Risk Rating</b>
ST-S26 Resilient and Productive Communities	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Community and Place	Manage

<b>Risk Title</b>	<b>Risk Rating</b>
CO-O23 Safety of Community	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Community and 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 have been developed to manage these risks to support existing management systems.

All sporting activities in which local governments are involved have the potential to cause injury and/or ill health to participants, spectators and third parties. However, administration believes the health benefits for the community outweigh these risks, and will continue to plan, deliver, fund and permit events and activities which support a healthy and active population – subject to robust risk assessment and management that can be evidenced. The City provides facilities that are for leisure and general recreation activities and as a facility provider; ensures facility design and support the community to utilise the facilities. Therefore the City will accept a low to moderate level of risk to ensure health and safety impacts are reduced to 'as low as reasonable practicable' (ALARP) and reputation risk is restricted to low.

### **Policy Implications**

Nil.

### **Financial Implications**

Any changes made will require updated signage on location and implementation of a communications plan. These costs can be covered within the 2021/22 budget.

### **Voting Requirements**

Absolute Majority

### **Recommendation**

**That Council:-**

- 1. SPECIFIES BY ABSOLUTE MAJORITY that Gumblossom Reserve No 28376 (Western Oval as depicted in Attachment 1) is designated as a place where dogs must be on lead between 8.00am and 4.00pm on school days;**
- 2. SPECIFIES BY ABSOLUTE MAJORITY playgrounds in the City of Wanneroo are designated as places where dogs must be on lead at all times where advisory signage has been installed;**
- 3. NOTES Administration will undertake a proactive education program in relation to responsible dog ownership; and**
- 4. ADVISES the Petition organiser of Council's decision.**

*Attachments:*



*Attachment 1 - Proposed Lead Required Area - Gumblossom Park 21/258916*

## Attachment 1 – Proposed Lead Required Area





## **Corporate Strategy & Performance**

### **Business & Finance**

#### **CS01-11/21      Financial Activity Statement for the Period Ended 30 September 2021 and Quarter 1 Review of the 2021/22 Annual Budget Report**

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File Ref: 42309 – 21/436036  
Responsible Officer: Director, Corporate Strategy & Performance  
Disclosure of Interest: Nil  
Attachments: 9

### **Issue**

#### **1. Financial Activity Statement**

To consider the Financial Activity Statement for the period ended 30 September 2021.

#### **2. Quarter 1 Review of the 2021/22 Annual Budget (Q1 Review)**

To consider the Q1 Review of the Annual Budget for 2021/22 (Annual Budget) as reflected in attachments 7, 8 and 9.

### **Background**

#### **Financial Activity Statement**

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. For the 2021/22 financial year 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. For the 2021/22 financial year, 10% and a value greater than \$100,000 will be used for the reporting of variances.”

#### **Quarter 1 Review of the 2021/22 Annual Budget (Q1 Review)**

In accordance with Local Government (Financial Management) Regulations 1996, the Q1 Review of the Annual Budget 2021/22 has been prepared in compliance with the following:

“Regulation 33A (3) of the *Local Government (Financial Management) Regulations 1996* requires a local government to consider a review of its Annual Budget for that year. Council is to consider the review including any recommendations and determine whether or not to adopt in whole or parts of it. “

The Revised Budgets resulting from the Q1 are detailed in Attachments 7, 8 and 9 are inclusive of endorsed amendments from Council and recommendations from the Monthly Financial Activity Statements approved by 30 September 2021.

## Detail

### Financial Activity for the period ended 30 September 2021

Council adopted the Annual Budget for the 2021/22 financial year on 29 June 2021 (SCS01-06/21). The figures in this report are compared to the adopted budget.

### Overall Comments Month-to-Date

#### *Results from Operations*

The Financial Activity Statement report for the month of September 2021 shows an overall favourable variance from Operations (before Non-Operating Revenue and Expenses) of \$620k.

The favourable variance is mainly due to underspends in Employee Costs and Materials & Contracts.

Description	Current Month - September 2021					Comments
	Actual \$m	Original Budget \$m	Variance \$m	Variance %		
Operating Revenue	2.4	2.7	(0.3)	(11.1)	☹	Overall unfavourable variance is mainly due to lower revenue from Rates and Fees & Charges. Please refer to Notes 1, 2 and 3.
Operating Expense	(16.7)	(17.6)	0.9	5.1	☺	The favourable variance is mainly due to underspends in Employee Costs and Material & Contracts. Please refer to notes 4 and 5 for further details.
Result from Operations	(14.3)	(14.9)	0.6	4.0		

#### *Capital Program*

During September 2021, \$3.0m was spent on various capital projects of which \$2.0m was spent on Sport Facilities, Roads and IT Equipment and Software (Refer to **Attachment 3** for further details).

Description	Month Actual \$m	Month Revised Budget \$m	% Complete of Month Revised Budget
Expenditure	3.0	5.1	58.8%

### Overall Comments on Year-to-Date (YTD) Figures

#### *Results from Operations*

The Financial Activity Statement report for the year-to-date of September 2021 shows an overall favourable variance from Operations (before Non-Operating Revenue and Expenses) of \$6.5m.

The YTD favourable variance is due to higher revenue from Operating Grants and underspends in Employee Costs, Materials & Contracts, Utility Charges and Interest Expenses.

Description	Year-To-Date September 2021					Comments
	Actual \$m	Original Budget \$m	Variance \$m	Variance %		
Operating Revenue	176.9	176.8	0.1	0.1	☺	Overall Operating Revenue favourable variance is due to Operating Grants income more than budgeted. Please refer to Notes 1, 2 and 3.
Operating Expense	(46.6)	(53.0)	6.4	12.1	☺	The favourable variance is mainly due to underspends in Employee Costs, Material & Contracts, Utility Charges and Interest Expenses. Please refer to notes 4, 5 and 6 for further details.
Result from Operations	130.3	123.8	6.5	5.3		

### Capital Program

At the end of September 2021, \$7.3m was expended on various capital projects of which \$2.2m was spent on Sports Facilities, \$1.1m on Roads and a further \$1.0m on Waste Management (Refer **Attachment 4** for Top Capital Projects 2021/22).

Description	YTD Actual \$m	YTD Revised Budget \$m	% Complete of YTD Revised Budget	Annual Revised Budget \$m	% Complete of Annual Revised Budget
Expenditure	7.3	16.9	43.2%	82.6	8.8%

### Investment Portfolio Performance

Portfolio Value \$m	Monthly Weighted Return	Comments
465.0	0.41%	Portfolio balance has increased by \$42.9m from August 2021. The monthly weighted return is 0.41% which is above the set benchmark (12 months UBS Australia Bank Bill Index) by 0.37%. (Refer to <b>Attachment 5</b> 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:

- Current month comparison of Actuals to Budgets; and
- 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 SEPTEMBER 2021

Description	Current Month					Year to Date					Annual		
	Actual \$	Original Budget \$	Variance		Notes	Actual \$	Original Budget \$	Variance		Revised Budget \$	Variance		Notes
			\$	%				\$	%		\$	%	
<b>Revenues</b>													
Rates	406	200,000	(199,594)	(99.8)	⊖	138,162,281	138,367,680	(205,399)	(0.1)	⊖	141,191,680	0	1
Operating Grants, Subsidies & Contributions	213,459	205,968	7,491	3.6	⊕	1,821,143	1,492,012	329,131	22.1	⊕	8,015,370	0	2
Fees & Charges	1,644,951	1,804,691	(159,740)	(8.9)	⊖	35,881,983	35,995,872	(113,889)	(0.3)	⊖	50,296,054	0	3
Interest Earnings	419,383	384,150	35,233	9.2	⊕	831,241	779,822	51,419	6.6	⊕	2,283,458	0	0
Other Revenue	76,928	56,050	20,878	37.2	⊕	181,782	156,129	25,653	16.4	⊕	725,295	0	0
<b>Total Operating Revenue</b>	<b>2,355,127</b>	<b>2,650,859</b>	<b>(295,732)</b>	<b>(11.2)</b>		<b>176,878,430</b>	<b>176,791,515</b>	<b>86,915</b>	<b>0.0</b>		<b>202,511,857</b>	<b>0</b>	<b>0</b>
<b>Expenses</b>													
Employee Costs	(6,431,219)	(6,688,154)	236,935	3.6	⊕	(19,043,651)	(20,192,457)	1,148,806	5.7	⊕	(77,092,475)	0	4
Materials & Contracts	(5,264,739)	(5,974,804)	710,065	11.9	⊕	(13,139,715)	(18,045,950)	4,906,235	27.2	⊕	(73,738,173)	0	5
Utility Charges	(810,391)	(792,191)	(18,200)	(2.3)	⊖	(2,050,039)	(2,367,878)	317,839	13.4	⊖	(9,755,555)	0	6
Depreciation	(3,700,952)	(3,700,952)	0	0.0	⊖	(11,102,856)	(11,102,856)	0	0.0	⊖	(44,411,424)	0	0
Interest Expenses	(343,406)	(343,441)	35	0.0	⊖	(951,064)	(1,029,084)	78,020	7.6	⊖	(4,115,430)	0	0
Insurance	(112,060)	(98,629)	(13,431)	(13.6)	⊖	(333,706)	(295,387)	(38,319)	(13.0)	⊖	(1,285,633)	0	0
<b>Total Operating Expenditure</b>	<b>(16,662,767)</b>	<b>(17,578,171)</b>	<b>915,404</b>	<b>5.2</b>		<b>(46,621,031)</b>	<b>(53,033,612)</b>	<b>6,412,581</b>	<b>12.1</b>		<b>(210,398,690)</b>	<b>0</b>	<b>0</b>
<b>RESULT FROM OPERATIONS</b>	<b>(14,307,640)</b>	<b>(14,927,312)</b>	<b>619,672</b>	<b>4.2</b>		<b>130,257,399</b>	<b>123,757,903</b>	<b>6,499,496</b>	<b>5.3</b>		<b>(7,886,833)</b>	<b>0</b>	<b>0</b>
<b>Non Operating Revenue &amp; Expenses</b>													
Non Operating Grants, Subsidies & Contributions	158,555	1,589,672	(1,431,117)	(90.0)	⊖	2,338,940	4,769,016	(2,430,076)	(51.0)	⊖	19,522,024	446,000	2
Contributed Physical Assets	0	0	0	0.0	⊖	0	0	0	0.0	⊖	12,180,000	0	0
Non Operating Contract Expenses	0	0	0	0.0	⊖	0	0	0	0.0	⊖	(15,000,000)	0	0
Profit on Asset Disposals	90,602	309,167	(218,565)	(70.7)	⊖	114,689	614,536	(499,847)	(81.3)	⊖	4,945,035	0	8
Loss on Assets Disposals	0	0	0	0.0	⊖	0	(1,013,273)	1,013,273	100.0	⊖	(1,013,273)	0	8
TPS* & DCP** Revenues	444,560	720,799	(276,239)	(38.3)	⊖	1,260,579	1,304,397	(43,818)	(3.4)	⊖	25,630,638	0	9
TPS* & DCP** Expenses	(70,797)	(840,411)	769,614	91.6	⊕	(203,107)	(995,507)	792,400	79.6	⊕	(19,907,771)	0	10
<b>Total Non Operating Revenue and Expenses</b>	<b>622,920</b>	<b>1,779,227</b>	<b>(1,156,307)</b>	<b>(65.0)</b>		<b>3,511,101</b>	<b>4,679,169</b>	<b>(1,168,068)</b>	<b>(25.0)</b>		<b>26,356,653</b>	<b>446,000</b>	<b>2</b>
<b>NET RESULT (OPERATING &amp; NON OPERATING)</b>	<b>(13,684,720)</b>	<b>(13,148,085)</b>	<b>(536,635)</b>	<b>(4.1)</b>		<b>133,768,500</b>	<b>128,437,072</b>	<b>5,331,428</b>	<b>(4.2)</b>		<b>18,469,820</b>	<b>446,000</b>	<b>2</b>
<b>Other Comprehensive Income</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>		<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL COMPREHENSIVE INCOME</b>	<b>(13,684,720)</b>	<b>(13,148,085)</b>	<b>(536,635)</b>	<b>(4.1)</b>		<b>133,768,500</b>	<b>128,437,072</b>	<b>5,331,428</b>	<b>(4.2)</b>		<b>18,469,820</b>	<b>446,000</b>	<b>2</b>

Key



\*TPS= Town Planning Schemes

\*\*DCP= Developers Contribution Plans



**Revenues****Note 1 Rates*****Month to Date - (Actual \$0.4k, Adopted Budget \$200k)***

The variance is unfavourable by \$199.6k mainly due to timing differences of Interim Rates.

***Year to Date - (Actual \$138.2m, Adopted Budget \$138.4m)***

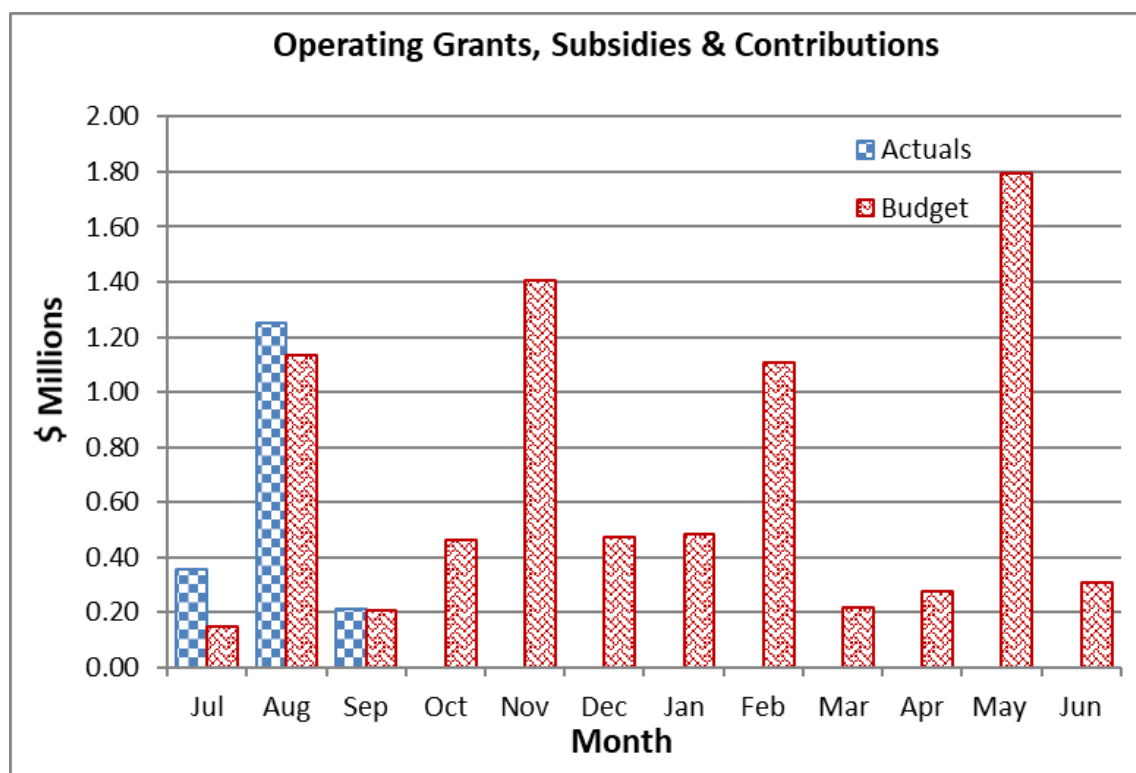
The variance is unfavourable by \$205k as a result of the timing differences of Interim Rates.

**Note 2 Operating Grants, Subsidies & Contributions*****Month to Date - (Actual \$213k, Adopted Budget \$206k)***

The favourable variance of \$7k mainly relates to higher Operations Cash Sponsorship Income of \$12k, partially offset by Insurance Claims of \$4k.

***Year to Date - (Actual \$1.8m, Adopted Budget \$1.5m)***

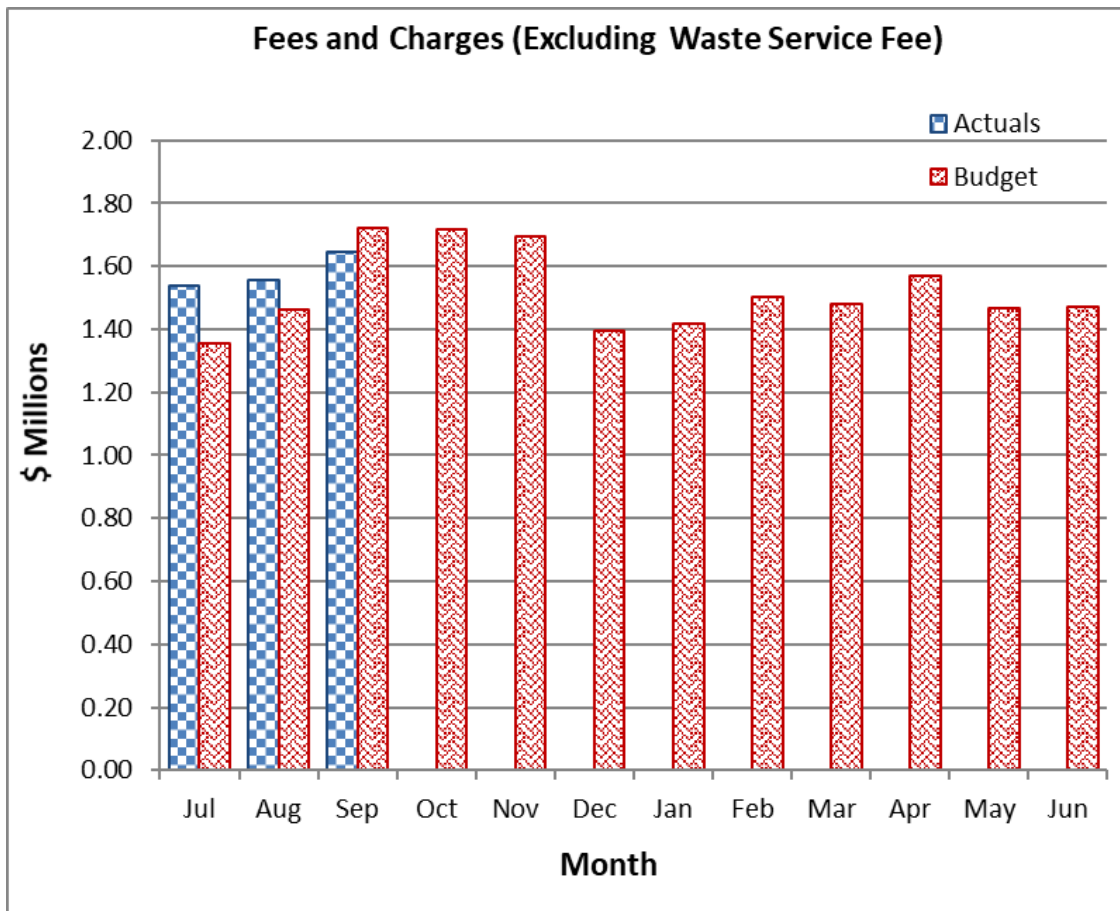
The favourable variance of \$329k is mainly due to Legal Fees Reimbursements of \$127k, Container Deposit Scheme \$136k and Facilities Lease Income from the Kingsway Regional Sporting Facility of \$46k.

**Note 3 Fees and Charges*****Month to Date - (Actual \$1.6m, Adopted Budget \$1.8m)***

The unfavourable variance of \$160k for September is mainly due to the reduction in Facility Booking Fee of \$147k, Rubbish Collection Fees of \$82k and Rates Instalment Admin Fee of \$83k partially offset by \$176k increase from Application License Permit Fees.

**Year to Date - (Actual \$35.9m, Adopted Budget \$36.0m)**

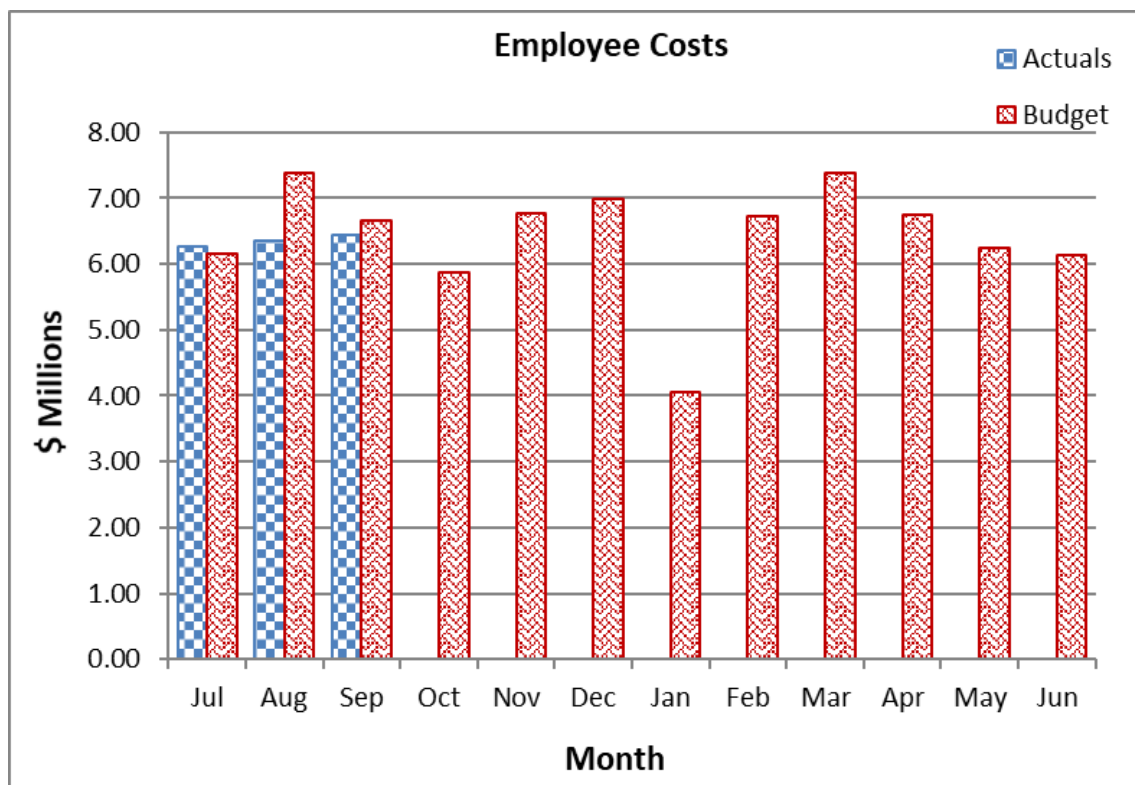
The variance is unfavourable by \$114k is mainly due to the lower Rubbish Collection Fee Income of \$314k and lower Facility Booking Income of \$271k partially offset by the higher Application License Permit Fee Income of \$154k and higher Inspection Fee Income of \$311k.

**Expenses****Note 4     Employee Costs****Month to Date - (Actual \$6.4m, Adopted Budget \$6.7m)**

The favourable variance of \$237k is mainly arising from deferment in filling certain vacant roles due to current market conditions.

**Year to Date - (Actual \$19.0m, Adopted Budget \$20.2m)**

The variance is favourable by \$1.1m from deferment in filling certain vacant roles due to current market conditions.



**Note 5     Materials & Contracts**

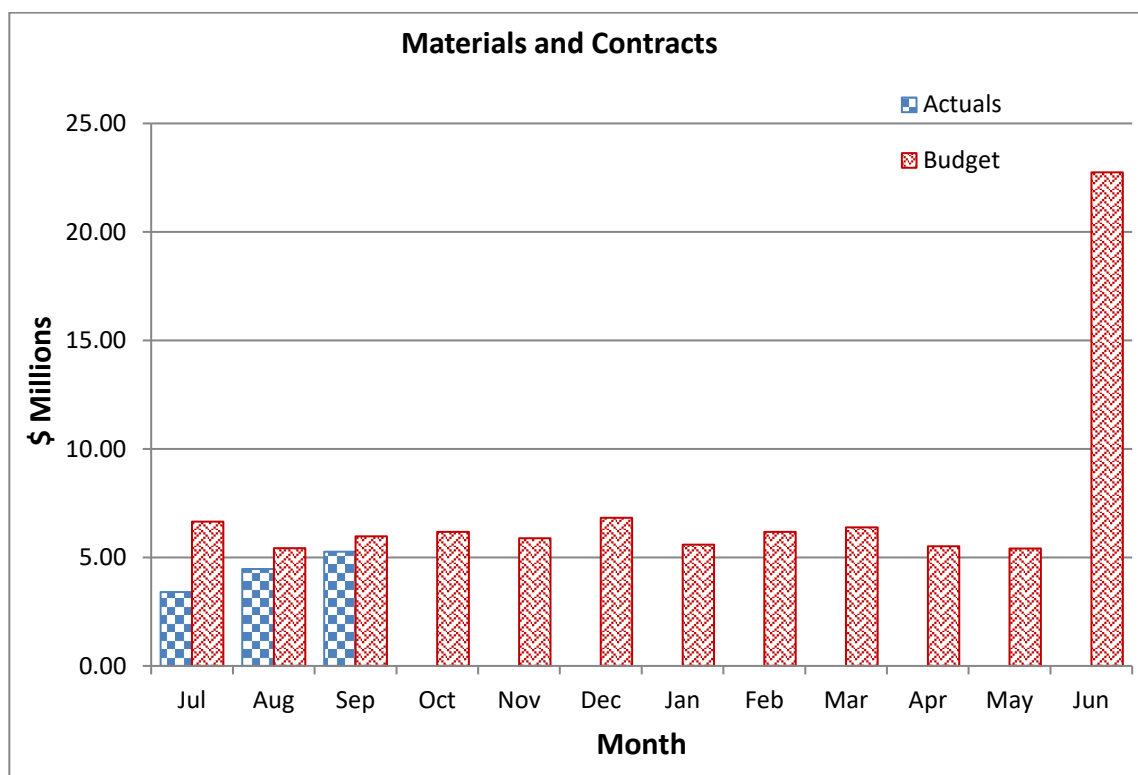
***Month to Date - (Actual \$5.3m, Adopted Budget \$6.0m)***

The variance is favourable by \$710k mainly due to lower Contract Expenses of \$401k, lower Refuse Removal Expenses of \$250k and lower Tamala Park Regional Council Rate Expenses of \$57k.

***Year to Date - (Actual \$13.1m, Adopted Budget \$18.0m)***

The variance is favourable by \$4.9m mainly due to:

- Lower Contract Expenses of \$1.5m to maintain road drainage structures, road reserve land, community centre buildings, special waste management projects and subsidised facility use contract expenses;
- Lower Refuse Removal Expenses of \$2.1m is due to delay in incurring expenses than anticipated at the budget development stage;
- Lower Leases/Rental Fee Expenses of \$283k is mainly due to refund of Land Tax for Lot 8000 Splendid Avenue; and
- Remaining \$1.0m favourable variance is due to delayed expenses related to Material Expenses, Consulting Fees, Postage, Legal Fees, Minor Equipment Purchases and Discount Allowed.



**Note 6     Utility Charges**

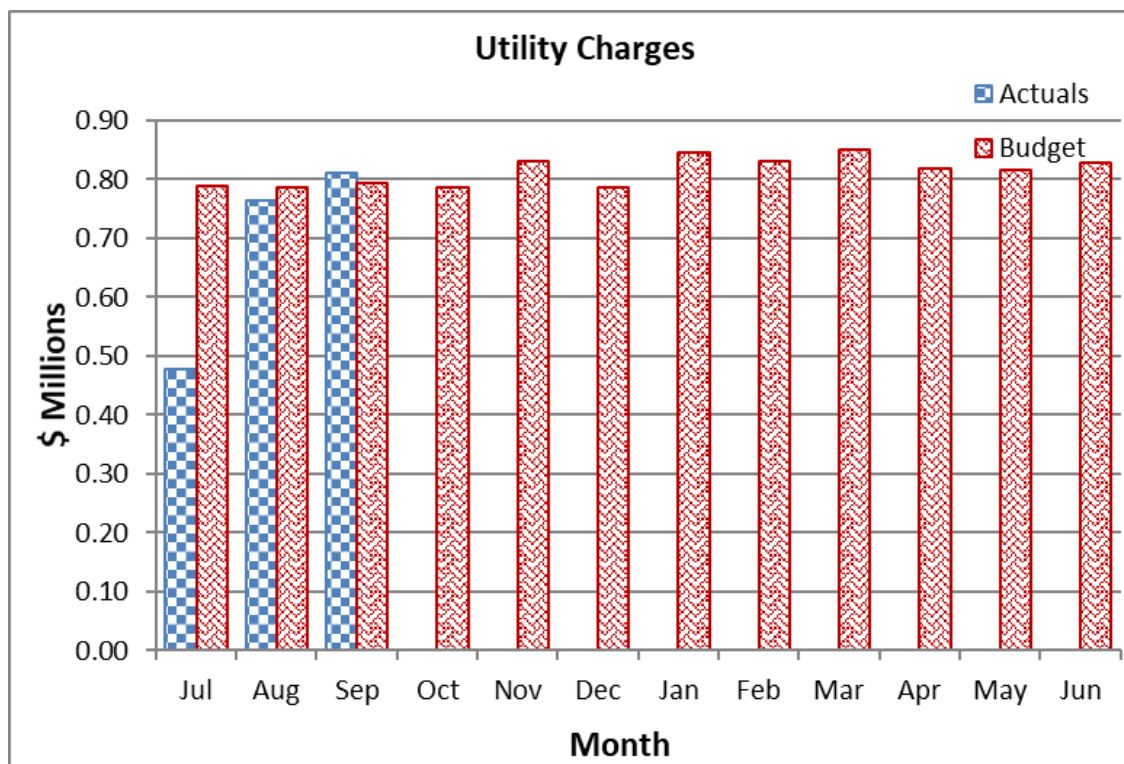
***Month to Date - (Actual \$810k, Adopted Budget \$792k)***

The variance is unfavourable by \$18k which is mainly due to higher electricity expenses of \$28k partially offset by lower water consumption and service charge expenses of \$10k.

***Year to Date - (Actual \$2.1m, Adopted Budget \$2.4m)***

The variance is favourable by \$318k that is due to lower electricity, water, gas and telephone expenses.





### **Non Operating Revenue & Expenses**

#### **Note 7 Non Operating Grants, Subsidies & Contributions**

##### ***Month to Date – (Actual \$159k, Adopted Budget \$1.6m)***

The unfavourable variance of \$1.4m is attributed to grants received but performance obligations have not been met. Under the Australian Accounting Standard (AASB) 1058, grants with performance obligations can only be recognised upon meeting the attached obligations.

##### ***Year to Date – (Actual \$2.3m, Adopted Budget \$4.8m)***

The unfavourable variance of \$2.4m is also for the same reason as mentioned under the Month to Date variance.

#### **Note 8 Profit / Loss on Asset Disposals**

##### ***Month to Date – (Combined Actual \$91k, Combined Adopted Budget \$309k)***

The unfavourable variance of \$219k is a result of delays in disposal of land.

##### ***Year to Date – (Combined Actual \$115k, Combined Adopted Budget -\$399k)***

The variance is favourable by \$513k which is due to delays in disposal of plant & equipment.

#### **Note 9 TPS & DCP Revenues**

##### ***Month to Date – (Actual \$445k, Adopted Budget \$721k)***

The unfavourable variance of \$276k is due to lower Headwork Levy Income from cells.

**Year to Date – (Actual \$1.3m, Adopted Budget \$1.3m)**

The unfavourable variance of \$44k is due to lower Cash Capital Contribution Income of \$59k partially offset by higher Town Planning Schemes Interest Income of \$9k and Reserve Interest Income of \$6k.

**Note 10 TPS & DCP Expenses****Month to Date – (Actual \$71k, Adopted Budget \$840k)**

The favourable variance of \$770k is mainly due to lower Contract Expenses of \$734k and Legal Fee Expenses of \$32k.

**Year to Date – (Actual \$203k, Adopted Budget \$996k)**

The favourable variance of \$792k is mainly due to lower Contract Expenses of \$828k partially offset by higher Audit Fee Expenses of \$43k.

**Statement of Financial Position (Attachment 2)**

**CITY OF WANNEROO**  
**STATEMENT OF FINANCIAL POSITION**  
**AS AT 30 SEPTEMBER 2021**

Description	30 Jun 2021 Actual \$	30 September 2021 Actual \$	Movement		Notes
			\$	%	
Current Assets	430,654,372	552,264,382	121,610,010	28.2	
Current Liabilities	(91,206,084)	(89,125,885)	2,080,199	2.3	
<b>NET CURRENT ASSETS</b>	<b>339,448,288</b>	<b>463,138,497</b>	<b>123,690,209</b>	<b>36.4</b>	<b>1</b>
Non Current Assets	2,345,021,476	2,355,033,623	10,012,147	0.4	<b>2</b>
Non Current Liabilities	(161,585,976)	(161,519,832)	66,144	0.0	<b>3</b>
<b>NET ASSETS</b>	<b>2,522,883,788</b>	<b>2,656,652,288</b>	<b>133,768,500</b>	<b>5.3</b>	
<b>TOTAL EQUITY</b>	<b>(2,522,883,788)</b>	<b>(2,656,652,288)</b>	<b>133,768,500</b>	<b>5.3</b>	

**Note 1 - Net Current Assets**

When compared to the opening position as at 30 June 2021, Net Current Assets have increased by \$124m, which is predominately due to levying of 2021/22 Rates and Waste Service Fees in July 2021.

Current Assets movements mainly consist of an increase in Current Receivables of \$70.6m and a net increase of Investments and Cash of \$51.0m.

**Note 2 - Non-Current Assets**

Non-Current Assets as at 30 September 2021 have increased by \$10.0m from 30 June 2021 Actuals. The movement is due to an increase in Investments of \$14.3m, work in progress of \$7.0m partially offset by accumulated depreciation of \$11.1m (estimated) and the reduction in Receivables of \$134k.

**Note 3 - Non-Current Liabilities**

Non-Current Liabilities as at 30 September 2021 have decreased by \$66k which is due to movement in provisions and the interest bearing liabilities.

The existing loan with the Western Australia Treasury Corporation remains unchanged making up 46% of total Non-Current Liabilities. The balance 54% consists of various provisions and payables.

**Financial Performance Indicators**

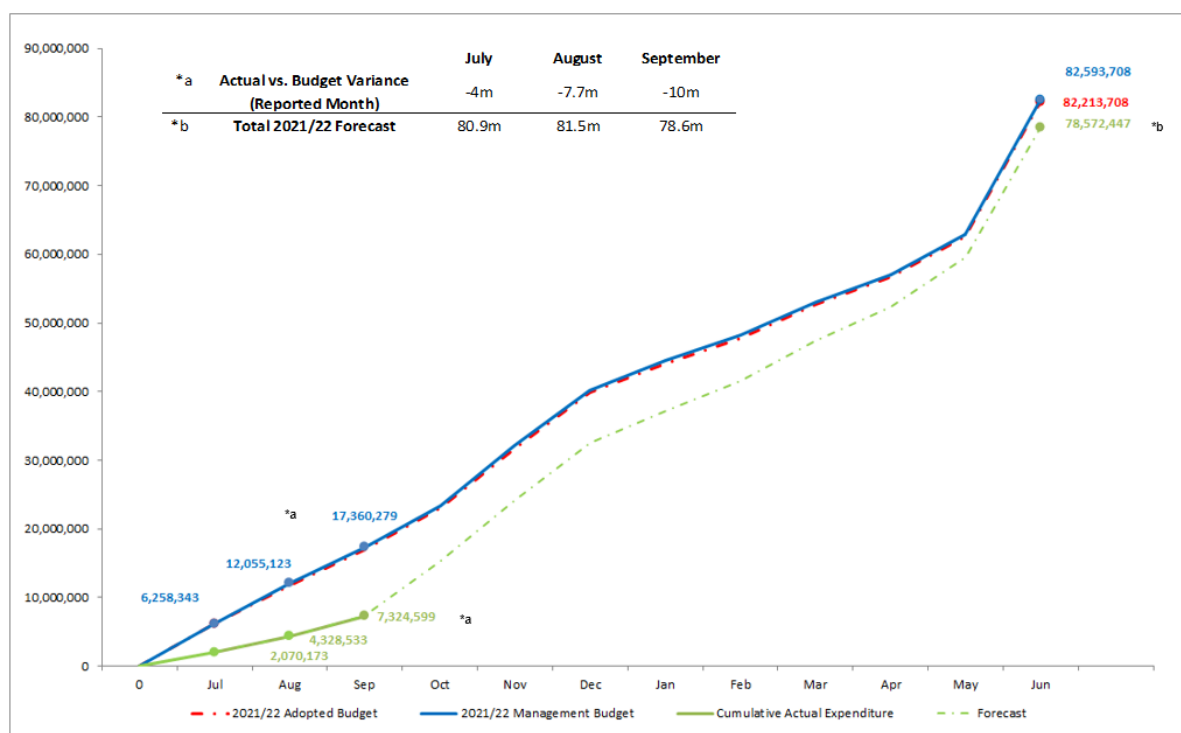
The ratios will be published as part of the Statutory Financial Statements which are currently under review.

**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	20	116,080	204,702	4,598,374	4.5%
Community Safety	7	85,581	183,935	2,240,261	8.2%
Conservation Reserves	4	16,304	21,955	452,000	4.9%
Corporate Buildings	4	72,534	136,561	979,830	13.9%
Environmental Offset	4	29,500	35,760	427,000	8.4%
Fleet Mgt - Corporate	6	4,950	250,513	12,771,624	2.0%
Foreshore Management	8	56,619	65,515	3,489,582	1.9%
Golf Courses	3	20,065	21,788	643,117	0.0%
Investment Projects	11	69,892	171,416	2,610,688	6.6%
IT Equipment & Software	17	303,993	871,278	9,583,746	9.1%
Parks Furniture	12	267,846	387,037	4,467,587	8.7%
Parks Rehabilitation	1	41,883	168,712	1,486,800	11.3%
Passive Park Development	8	19,625	56,574	1,131,179	5.0%
Pathways and Trails	5	138,858	322,666	3,236,956	10.0%
Roads	18	465,730	1,107,258	7,877,863	14.1%
Sports Facilities	39	1,273,801	2,192,250	20,976,401	10.5%
Stormwater Drainage	2	322	2,149	570,000	0.4%
Street Landscaping	7	6,658	42,321	275,896	15.3%
Traffic Treatments	14	19,668	46,381	2,755,008	1.7%
Waste Management	5	45,155	1,035,827	2,019,796	0.0%
<b>Grand Total</b>	<b>195</b>	<b>2,996,066</b>	<b>7,324,599</b>	<b>82,593,708</b>	<b>8.9%</b>

During September 2021, \$3.0m was spent. Details of significant expenditure for the month are included in **Attachment 3**. Up to 30 September 2021, the City has spent \$7.3m, which represents 9% of the \$82.6m Capital Works Revised Budget.

*Capital Expenditure to September 2021 – Portfolio View Only*

The City's forecast spend of \$78.6m represents 95.13% of the 2021/22 revised budget.

To further expand on the Capital Works Program information above, updates in key capital projects are selected to be specifically reported on, is provided in the Top Capital Projects attachment to this report (**Attachment 4**).

### **Capital Changes**

The following changes are proposed to be made to the 2021/22 Capital Works budget.

PR-1087 Recurring Program, Renew Transport Infrastructure Assets – The City has received additional direct grant funds of \$175,000, enabling Municipal funds to be reallocated.

PR-4352 Blackmore Avenue, Girrawheen, Renew Blackmore Avenue, Templeton Cres to Beach Rd – The budgeted Metropolitan Regional Roads Group (MRRG) grant funding of \$148,464 is to be removed in line with the Metropolitan Regional Roads Group (MRRG) 2021/22 Rehabilitation Program approved project listing and will be rescheduled for 2022/23.

PR-2409 Yanchep Industrial Area, Yanchep, Upgrade Roads and Drainage Infrastructure – An additional \$250,000 is required to complete the civil works for this project. It is proposed that the funds will be sourced from the following sources:

1. Municipal savings of \$175,000 identified in PR-1087 Recurring Program, Renew Transport Infrastructure Assets due to the additional forthcoming grant funds,
2. Municipal savings of \$50,000 identified in PR-4273 Santa Barbara Parade, Marmion Avenue, Quinns Rocks, Upgrade Intersection as the project now being fully grant funded, and
3. Savings of \$25,000 identified in PR-4263 Recurring Program, Upgrade Streetscape Infrastructure due to reduced scope of works.



PR-2094 Recurring Program, New CCTV Network and Supporting Infrastructure – Additional funds of \$34,232 are required to install CCTV for the newly created fleet compound at the Civic Centre. It is proposed that the funds will be sourced from savings identified in PR-4352 Blackmore Avenue, Girrawheen, Renew Blackmore Avenue, Templeton Cres to Beach Rd, which has not been included in the approved Metropolitan Regional Roads Group (MRRG) 2021/22 Rehabilitation Program.

PR-4339 Cafaggio Crescent, Wanneroo, Upgrade Parking – A further \$25,000 is required to create additional parking bays adjacent to the Civic Centre. It is proposed that the funds will be sourced from savings identified in PR-4352 Blackmore Avenue, Girrawheen, Renew Blackmore Avenue, Templeton Cres to Beach Rd, which has not been included in the approved Metropolitan Regional Roads Group (MRRG) 2021/22 Rehabilitation Program.

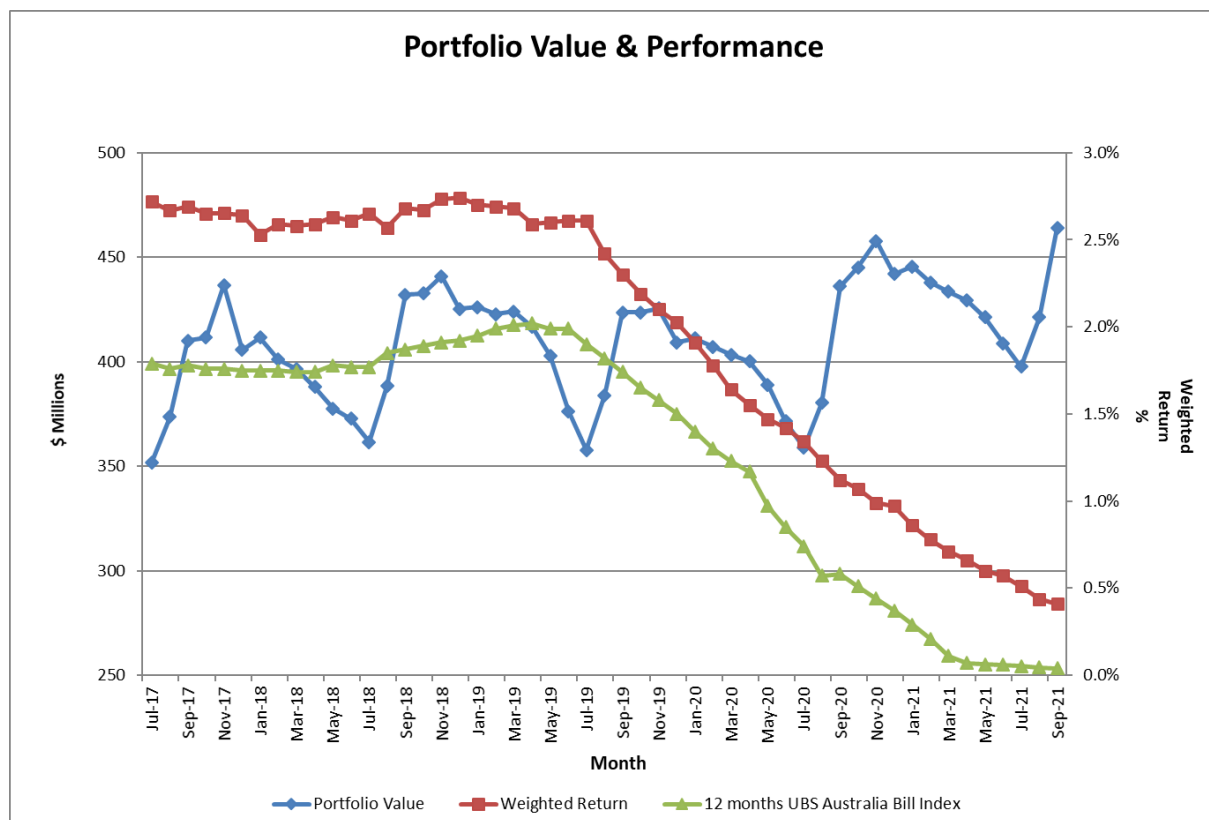
PR-4350 Mather Drive, Neerabup, Upgrade from Flynn Drive to Pederick Road – Additional funds of \$58,000 are required for increased design costs due to extended scope. It is proposed that the funds be sourced from PR-4328 Civic Drive, Wanneroo, renew from Dundobar Rd to Celestine St. The City has received additional grant funds for this project, enabling Municipal funds to be reallocated.

PR-4305 Kingsbridge Park, Butler, New Security Lighting – An additional amount of \$13,000 is required due to cost increases for the solar poles. It is proposed to fund this with savings identified in PR-4304 Sheffield Park, Wanneroo New Security Lighting.

PR-4365 Brazier Rd, Yanchep, Upgrade Services – It is proposed to transfer \$100,000 from Place Management operating GL 728966.9399.227 to PR-4365, due to the works being capital in nature.

### **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 September 2021, the City held an investment portfolio (cash & cash equivalents) of \$464.1m (Face Value), equating to \$465.0m inclusive of accrued interest. The City's year to date investment portfolio return has exceeded the UBS Australia Bank Bill rate index benchmark by 0.37% pa (0.41% pa vs. 0.04% pa), however it is noted that Interest Earnings were budgeted at a 0.43% yield.

The Reserve bank of Australia has lowered its cash rate to a historical low of 0.10% in November 2020, which is expected to continue in to the future. This has affected the City's ability to attract higher interest rates from ADI's.

### **Rate Setting Statement (Attachment 6)**

The Rate Setting Statement represents a composite view of the finances of the City, identifying the movement in the 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 the reconciliation of Net Current Assets Surplus/ (Deficit) Carried Forward (detailed below).

#### **NET CURRENT ASSETS SURPLUS/(DEFICIT) CARRIED FORWARD**

**AS AT 30 SEPTEMBER 2021**

Description	30 Jun 2021 Actual \$	30 September 2021 Actual \$	30 Jun 2022
			Adopted Budget \$
<b>Current Assets</b>			
Cash & Cash Equivalents - Unrestricted	66,422,135	120,115,150	5,098,612
Cash & Cash Equivalents - Restricted	348,190,963	345,512,119	344,199,497
Receivables	15,737,191	86,317,961	16,539,300
Inventory	304,083	319,152	326,400
<b>TOTAL CURRENT ASSETS</b>	<b>430,654,372</b>	<b>552,264,382</b>	<b>366,163,809</b>
<b>Current Liabilities</b>			
Payables*	(69,562,042)	(67,130,312)	(29,724,590)
Provisions	(21,644,042)	(21,995,573)	(21,687,259)
<b>TOTAL CURRENT LIABILITIES</b>	<b>(91,206,084)</b>	<b>(89,125,885)</b>	<b>(51,411,849)</b>
<b>Net Current Assets</b>	<b>339,448,288</b>	<b>463,138,497</b>	<b>314,751,960</b>
<b>Adjustments for Restrictions</b>			
Cash & Cash Equivalents - Restricted	(348,190,963)	(345,512,119)	(344,199,497)
Provision for leave liability (Cash Backed)	13,280,492	13,860,382	12,631,569
Contract Liabilities*	26,552,346	26,552,346	14,435,412
TPS Receivables	(648,800)	(110,437)	-
TPS Payables	1,228,244	635,987	-
<b>TOTAL RESTRICTED ASSETS</b>	<b>(307,778,681)</b>	<b>(304,573,841)</b>	<b>(317,132,516)</b>
<b>Surplus/(Deficit) Carried Forward</b>	<b>31,669,607</b>	<b>158,564,656</b>	<b>(2,380,556)</b>

*\*The change in the AASB Standard 15 has resulted in the City now recognising Grants and Contributions received as a liability when performance obligations have not yet been met.*

### **Quarter 1 Review of the 2021/22 Annual Budget (Q1 Review)**

The Quarter 1 review of the 2021/22 Annual Budget (Q1 Review) was undertaken for the period to 30 September 2021. Commentaries on Revised Budgets as a result of the Q1 Review are provided below. (Refer to **Attachment 7** for more details).

There are no adjustments identified through the Q1 Review reflecting no impact to the Operating Budget Deficit and Total Comprehensive Income. (Refer to **Attachment 8** for more details).

Per the Rate Setting Statement, the cash deficit reported at the time of the adoption of the 2021/22 Annual Budget of \$2.3m remains unchanged. (Refer to **Attachment 9** for more details).

### **Consultation**

This document has been prepared in consultation with Responsible Officers for review and analysis.

The Q1 Review has been done by the service unit managers and discussed and approved by the Executive Leadership Team.

### **Comment**

#### **Financial Activity Statement**

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%.

### **Quarter 1 Review of the 2021/22 Annual Budget (Q1 Review)**

The City is still in a deficit position after the Q1 Review and will continue monitoring the financial position of its operations and further reviews are undertaken as part of the Mid-Year Review (MYR) of 2021/22 Annual Budget.

### **Statutory Compliance**

This monthly financial report complies with *Section 6.4 of the Act and Regulations 33A and 34 of the Local Government (Financial Management) Regulations 1996*.

*Section 6.8(1) (b) of the Local Government Act 1995* requires an absolute majority decision by Council for any budget amendments.

## Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*7 ~ A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services*

*7.2 - Responsibly and ethically managed*

## Risk Management Considerations

Risk Title	Risk Rating
Financial / Commercial	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 Corporate Risk Register. Action plans have been developed to manage this risk to support existing management systems.

### "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;
- Reserves Policy; and
- Strategic Budget Policy.

## Financial Implications

As outlined in the report and detailed in **Attachments 1 to 9**.

## 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 September 2021 consisting of:**
  - a) **September 2021 year to date Financial Activity Statement;**
  - b) **September 2021 year to date Net Current Assets Position; and**
  - c) **September 2021 year to date Material Financial Variance Notes.**
2. **APPROVES BY ABSOLUTE MAJORITY the following changes to the 2021/22 Capital Works Budget:**

Number	From	To	Amount	Description
PR-1087	State Government Grant	PR-1087 Recurring Program, Renew Transport Infrastructure Assets	\$175,000	Additional direct grant funds received
PR-4352	PR-4352 Blackmore Ave, Girrawheen, Renew Blackmore Ave, Templeton Cres to Beach Rd	Metropolitan Regional Roads Group ( <b>MRRG</b> ) Grants	(\$148,464)	Grant to be removed in line with Metropolitan Regional Roads Group (MRRG) 2021/22 Rehabilitation Program approved project listing
PR-2409	PR-1087 Recurring Program, Renew Transport Infrastructure Assets	PR-2409 Yanchep Industrial Area, Yanchep, Upgrade Roads and Drainage Infrastructure	\$175,000	Funds required to complete civil works
PR-2409	PR-4273 Santa Barbara Parade, Marmion Avenue, Quinns Rocks, Upgrade Intersection	PR-2409 Yanchep Industrial Area, Yanchep, Upgrade Roads and Drainage Infrastructure	\$50,000	Funds required to complete civil works
PR-2409	PR-4263 Recurring Program, Upgrade Streetscape Infrastructure	PR-2409 Yanchep Industrial Area, Yanchep, Upgrade Roads and Drainage Infrastructure	\$25,000	Funds required to complete civil works
PR-2094	PR-4352 Blackmore Ave, Girrawheen, Renew Blackmore Ave, Templeton Cres to Beach Rd	PR-2094 Recurring Program, New CCTV Network and Supporting Infrastructure	\$34,232	Funds to install CCTV at Civic Centre fleet compound
PR-4328	MRRG Grants	PR-4328 Civic Drive, Wanneroo, renew from Dundobar Rd to Celestine St	\$92,397	Additional grant funds received for project
PR-4339	PR-4352 Blackmore Ave, Girrawheen, Renew Blackmore Ave, Templeton Cres to Beach Rd	PR-4339 Cafaggio Crescent, Wanneroo, Upgrade Parking	\$25,000	Funds required for additional parking bays
PR-4350	PR-4328 Civic Drive, Wanneroo, renew from Dundobar Rd to Celestine St	PR-4350 Mather Drive, Neerabup, Upgrade from Flynn	\$58,000	Funds required for extended scope

Number	From	To	Amount	Description
		Drive to Pederick Road		
PR-4305	PR-4304 Sheffield Park, Wanneroo, New Security Lighting	PR-4305 Kingsbridge Park, Butler, New Security Lighting	\$13,000	Funds required due to cost increases for solar poles
PR-4365	Operating GL – 728966.9399.227	PR-4365 Brazier Rd, Yanchep, Upgrade Services	\$100,000	Funds transferred to project as capital in nature

**3. APPROVES BY ABSOLUTE MAJORITY the Quarter 1 Review of the 2021/22 Annual Budget as shown in Attachments 7, 8 and 9.**

*Attachments:*

<a href="#"><u>1</u></a>	<i>Attachment 1 - Statement of Comprehensive Income September 2021</i>	<i>21/452753</i>
<a href="#"><u>2</u></a>	<i>Attachment 2 - Statement of Financial Position September 2021</i>	<i>21/452760</i>
<a href="#"><u>3</u></a>	<i>Attachment 3 - Significant Capital Expenditure September 2021</i>	<i>21/455547</i>
<a href="#"><u>4</u></a>	<i>Attachment 4 - Top Capital Projects 2021/22 September 2021</i>	<i>21/452768</i>
<a href="#"><u>5</u></a>	<i>Attachment 5 - Investment Report September 2021</i>	<i>21/452775</i>
<a href="#"><u>6</u></a>	<i>Attachment 6 - Rate Setting Statement September 2021</i>	<i>21/452781</i>
<a href="#"><u>7</u></a>	<i>Attachment 7 - Quarter 1 Review of the 2021/22 Annual Budget - Statement of Comprehensive Income</i>	<i>21/466491</i>
<a href="#"><u>8</u></a>	<i>Attachment 8 - Quarter 1 Review of the 2021/22 Annual Budget - Rate Setting Statement</i>	<i>21/463117</i>
<a href="#"><u>9</u></a>	<i>Attachment 9 - Quarter 1 Review of the 2021/22 Annual Budget - Reserves Summary</i>	<i>21/463119</i>

CITY OF WANNEROO  
STATEMENT OF COMPREHENSIVE INCOME BY NATURE OR TYPE  
FOR THE PERIOD ENDED 30 SEPTEMBER 2021

Attachment 1

Description	Current Month						Year to Date						Annual			
	Actual	Original Budget	Variance		Notes		Actual	Original Budget	Variance				Revised Budget	Variance		Notes
	\$	\$	\$	%			\$	\$	\$	%			\$	\$	%	
<b>Revenues</b>																
Rates	406	200,000	(199,594)	(99.8)	⊖	1	138,162,281	138,367,680	(205,399)	(0.1)	⊖		141,191,680	0	0	1
Operating Grants, Subsidies & Contributions	213,459	205,968	7,491	3.6	⊕	2	1,821,143	1,492,012	329,131	22.1	⊕		8,015,370	0	0	2
Fees & Charges	1,644,951	1,804,691	(159,740)	(8.9)	⊖	3	35,881,983	35,995,872	(113,889)	(0.3)	⊖		50,296,054	0	0	3
Interest Earnings	419,383	384,150	35,233	9.2	⊕		831,241	779,822	51,419	6.6	⊕		2,283,458	0	0	
Other Revenue	76,928	56,050	20,878	37.2	⊕		181,782	156,129	25,653	16.4	⊕		725,295	0	0	
<b>Total Operating Revenue</b>	<b>2,355,127</b>	<b>2,650,859</b>	<b>(295,732)</b>	<b>(11.2)</b>			<b>176,878,430</b>	<b>176,791,515</b>	<b>86,915</b>	<b>0.0</b>			<b>202,511,857</b>	<b>0</b>	<b>0</b>	
<b>Expenses</b>																
Employee Costs	(6,431,219)	(6,668,154)	236,935	3.6	⊕	4	(19,043,651)	(20,192,457)	1,148,806	5.7	⊕		(77,092,475)	0	0	4
Materials & Contracts	(5,264,739)	(5,974,804)	710,065	11.9	⊕	5	(13,139,715)	(18,045,950)	4,906,235	27.2	⊕		(73,738,173)	0	0	5
Utility Charges	(810,391)	(792,191)	(18,200)	(2.3)	⊖	6	(2,050,039)	(2,367,878)	317,839	13.4	⊕		(9,755,555)	0	0	6
Depreciation	(3,700,952)	(3,700,952)	0	0.0	⊕		(11,102,856)	(11,102,856)	0	0.0	⊕		(44,411,424)	0	0	
Interest Expenses	(343,406)	(343,441)	35	0.0	⊕		(951,064)	(1,029,084)	78,020	7.6	⊕		(4,115,430)	0	0	
Insurance	(112,060)	(98,629)	(13,431)	(13.6)	⊖		(333,706)	(295,387)	(38,319)	(13.0)	⊖		(1,285,633)	0	0	
<b>Total Operating Expenditure</b>	<b>(16,662,767)</b>	<b>(17,578,171)</b>	<b>915,404</b>	<b>5.2</b>			<b>(46,621,031)</b>	<b>(53,033,612)</b>	<b>6,412,581</b>	<b>12.1</b>			<b>(210,398,690)</b>	<b>0</b>	<b>0</b>	
<b>RESULT FROM OPERATIONS</b>	<b>(14,307,640)</b>	<b>(14,927,312)</b>	<b>619,672</b>	<b>4.2</b>			<b>130,257,399</b>	<b>123,757,903</b>	<b>6,499,496</b>	<b>5.3</b>			<b>(7,886,833)</b>	<b>0</b>	<b>0</b>	
<b>Non Operating Revenue &amp; Expenses</b>																
Non Operating Grants, Subsidies & Contributions	158,555	1,589,672	(1,431,117)	(90.0)	⊖	7	2,338,940	4,769,016	(2,430,076)	(51.0)	⊖		19,522,024	446,000	2	7
Contributed Physical Assets	0	0	0	0.0	⊕		0	0	0	0.0	⊕		12,180,000	0	0	
Non Operating Contract Expenses	0	0	0	0.0	⊕		0	0	0	0.0	⊕		(15,000,000)	0	0	
Profit on Asset Disposals	90,602	309,167	(218,565)	(70.7)	⊖	8	114,689	614,536	(499,847)	(81.3)	⊖		4,945,035	0	0	8
Loss on Assets Disposals	0	0	0	0.0	⊕	8	0	(1,013,273)	1,013,273	100.0	⊕		(1,013,273)	0	0	8
TPS* & DCP** Revenues	444,560	720,799	(276,239)	(38.3)	⊖	9	1,260,579	1,304,397	(43,818)	(3.4)	⊖		25,630,638	0	0	9
TPS* & DCP** Expenses	(70,797)	(840,411)	769,614	91.6	⊕	10	(203,107)	(995,507)	792,400	79.6	⊕		(19,907,771)	0	0	10
<b>Total Non Operating Revenue and Expenses</b>	<b>622,920</b>	<b>1,779,227</b>	<b>(1,156,307)</b>	<b>(65.0)</b>			<b>3,511,101</b>	<b>4,679,169</b>	<b>(1,168,068)</b>	<b>(25.0)</b>			<b>26,356,653</b>	<b>446,000</b>	<b>2</b>	
<b>NET RESULT (OPERATING &amp; NON OPERATING)</b>	<b>(13,684,720)</b>	<b>(13,148,085)</b>	<b>(536,635)</b>	<b>(4.1)</b>			<b>133,768,500</b>	<b>128,437,072</b>	<b>5,331,428</b>	<b>(4.2)</b>			<b>18,469,820</b>	<b>446,000</b>	<b>2</b>	
Other Comprehensive Income	0	0	0	0.0			0	0	0	0.0			0	0	0	
<b>TOTAL COMPREHENSIVE INCOME</b>	<b>(13,684,720)</b>	<b>(13,148,085)</b>	<b>(536,635)</b>	<b>(4.1)</b>			<b>133,768,500</b>	<b>128,437,072</b>	<b>5,331,428</b>	<b>(4.2)</b>			<b>18,469,820</b>	<b>446,000</b>	<b>2</b>	

Key

&gt; 0% ⊕

-0% to -10% ⊖

&lt; -10% ⊖

\*TPS=Town Planning Schemes

\*\*DCP=Developers Contribution Plans

## Attachment 2

## CITY OF WANNEROO

## STATEMENT OF FINANCIAL POSITION

AS AT 30 SEPTEMBER 2021

Description	30/06/2021 Actual \$	30/09/2021 Actual \$
<b>Current Assets</b>		
Cash at Bank	3,222,672	603,897
Investments	411,390,426	465,023,372
Receivables	15,737,191	86,317,961
Inventories	304,083	319,152
	<b>430,654,372</b>	<b>552,264,382</b>
<b>Current Liabilities</b>		
Payables	(69,562,042)	(67,130,312)
Provisions	(21,644,042)	(21,995,573)
	<b>(91,206,084)</b>	<b>(89,125,885)</b>
<b>NET CURRENT ASSETS</b>	<b>339,448,288</b>	<b>463,138,497</b>
<b>Non Current Assets</b>		
Receivables	4,090,236	3,956,020
Investments	19,881,929	34,107,048
Inventories	21,764,680	21,764,680
Land	120,658,909	120,658,909
Buildings	203,618,265	201,980,073
Plant	15,828,618	15,828,618
Equipment	42,970,431	42,355,893
Furniture & Fittings	4,881,189	4,049,205
Infrastructure	1,856,769,580	1,848,751,438
Work in Progress	54,557,639	61,581,739
	<b>2,345,021,476</b>	<b>2,355,033,623</b>
<b>Non Current Liabilities</b>		
Interest Bearing Liabilities	(74,390,877)	(74,372,179)
Provisions & Payables	(87,195,099)	(87,147,653)
	<b>(161,585,976)</b>	<b>(161,519,832)</b>
<b>NET ASSETS</b>	<b>2,522,883,788</b>	<b>2,656,652,288</b>
<b>Equity</b>		
Retained Surplus	(1,214,009,125)	(1,349,854,940)
Reserves - Cash/Investment Backed	(244,930,311)	(242,852,996)
Reserves - Asset Revaluation	(1,063,944,352)	(1,063,944,352)
<b>TOTAL EQUITY</b>	<b>(2,522,883,788)</b>	<b>(2,656,652,288)</b>



**Attachment 3****Significant Capital expenditure for Sep 2021**

- \$397K Halesworth Park, Butler, New Sports Facilities
- \$265K Dalvik Park, Merriwa, New Sports Amenities Building and Carpark
- \$265K Recurring Program, Renew Transport Infrastructure Assets
- \$141K Upgrade Roads and Drainage Infrastructure, Yanchep Industrial Area
- \$140K Recurring Program, Renew Park Assets
- \$122K New Family Change Area, Wanneroo
- \$121K Upgrade External Accessibility, Kingsway Olympic Soccer
- \$105K Renew Finance Systems

**Significant (LTD) commitments in the Capital Works Program as at 30 Sep 2021**

- \$6.69m Recurring Program, Renew Domestic Waste Vehicles
- \$1.82m Renew Finance System
- \$1.44m Recurring Program, Renew Park Assets
- \$1.40m Dalvik Park, Merriwa, New Sports Amenities Building and Carpark
- \$1.23m Recurring Program, Renew Transport Infrastructure Assets
- \$1.09m Renew Assets Management System
- \$1.03m Three Bin Kerbside Collection System
- \$916K Upgrade Roads and Drainage Infrastructure, Yanchep Industrial Area
- \$868K Renew Asphalt, Wanneroo Rd to Hainsworth Avenue East Bound
- \$529K Halesworth Park, Butler, New Sports Facilities
- \$783K Recurring Program, New Domestic Mobile Garbage Bins
- \$540K New Family Change Area, Wanneroo Aquamotion
- \$647K Renewal, rehabilitation and upgrade of existing irrigation infrastructure throughout the City
- \$616K Renewal of Bridge, Boardwalk and Viewing tower, Studmaster Park
- \$587K Recurring Program, Renew Heavy Trucks
- \$586K New Building, Landsdale Library and Youth Innovation Hub
- \$555K Recurring Program, New Playground Equipment
- \$527K Neerabup Industrial Area, Neerabup, New Development
- \$501K Recurring Program, Renew Light Vehicles
- \$486K New Pathways, Various Locations
- \$473K Recurring Program, Renew Park Structures
- \$392K Recurring Program, Renew Corporate Building Assets
- \$352K Recurring Program, Upgrade Beach Accessways
- \$339K Upgrade various playgrounds and provide accessible pathways
- \$392K Upgrade Sports Floodlighting, Ferrara Park
- \$299K Upgrade Sports Floodlighting, Belhaven Park
- \$288K Upgrade To Dual Carriageway from Wanneroo Road to Old Yanchep Road
- \$275K Recurring Program, New IT Equipment and Software
- \$242K New Public Car Park, Dundobar Road
- \$238K New Sports Amenities Building, Heath Park
- \$227K Upgrade External Accessibility, Kingsway Olympic Soccer Club
- \$222K Upgrade Passive Park, Wonambi Park
- \$212K Recurring Program, Replace IT Equipment and Software
- \$211K Upgrade Carpark and Surrounds - Frederick Stubbs Park, Quinns Rocks
- \$201K Gumblossom Park, Quinns Rocks, Upgrade Path Network
- \$177K Recurring Program, Renew Plant

**Attachment 3**

- \$159K *Renewal of sporting structures that have reached the end of their useful life*
- \$158K *Upgrade from Flynn Drive to Pederick Road*
- \$148K *Recurring Program, New Installation of Shade Structures*
- \$147K *Upgrade Oval Extension, Abbeville Park*
- \$136K *Recurring Program, New Corporate Business Systems*
- \$127K *Upgrade sports amenities building, Warradale Reserve*
- \$123K *New Sites for Environmental Offset Requirements*
- \$122K *Recurring Program, Upgrade Corporate Business Systems*
- \$119K *Recurring Program, New Park Equipment*
- \$106K *Upgrade Building and open space, Clarkson Youth Centre*
- \$104K *Recurring Program, New CCTV Network and Supportive Infrastructure*
- **LTD – Life to Date**

**As at 30 Sep 2021, the City has spent \$4.1m (28%) of the \$14.7m carry forward budget from 2020/2021. Significant Actual (YTD) expenditure against carry forward projects include (% shown as Actual expenditure against Carry Forward budget only):**

- \$1.01m *Three Bin Kerbside Collection System (78%)*
- \$488K *Halesworth Park, Butler, New Sports Facilities (100%)*
- \$387K *Renew Finance System (36%)*
- \$250K *New Family Change Area, Wanneroo Aquamotion (100%)*
- \$220K *Upgrade External Accessibility, Kingsway Olympic Soccer Club (100%)*
- \$175K *Renew Assets Management System (49%)*
- \$146K *Recurring Program, Renew Heavy Trucks (100%)*
- \$132K *Recurring Program, New IT Equipment and Software (18%)*
- \$123K *Neerabup Industrial Area, Neerabup, New Development (22%)*
- \$111K *New Pathways, Various Locations (100%)*

Top Capital Projects 2021/22 - September 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	1,453,172	33,130	1,420,042	0	3,985,000	3,982,123	2,877					75	S4. Design	Detailed design is progressing.
PMO16061	PR-2955	23756	Halesworth Park, Butler, New Sports Facilities	6,148,235	617,923	5,530,310	2	20,824,937	20,824,936	1					78	S5. Delivery	Southern oval (SP1) and Northern oval (SP2) opened to public on 6 September. Market conditions for construction industry price escalations in labour and materials may impact costs.
PMO16175	PR-2664	25883	Landsdale Library and Youth Innovation Hub, New Building	1,811,000	54,212	456,787	1,300,001	10,501,250	10,501,249	1					30	S4. Design	Concept design presented to Project Board for consideration. Funding of quantity surveying under review. Anticipated mid-year review for multi-year project.
PMO18063	PR-4088	30136	Neerabup Industrial Area, Neerabup, New Development	1,660,059	123,489	1,085,040	451,530	15,855,004	15,855,004	0					23	S5. Delivery	Lot 9100 subdivision planning application lodged with WAPC, decision expected October 2021. Industrial subdivision engineering design will continue following approval. Stage 1 resource extraction works continues, renewable energy supply model responses received, form of Tender being developed. Water infrastructure planning contract works continues with Development Funding Process started with the Water Corporation. Rebudget at mid-year review for multi-year project.
PMO19001	PR-2792	32947	Dalvik Park, Merriwa, New Sports Amenities Building and Carpark	1,692,750	240,221	1,253,909	198,620	2,263,306	2,263,306	0					81	S5. Delivery	Construction is underway with roof structure completed and door & window installation in progress. Expense of \$209,197 overstated in FY 20/21 reversed 21/22 resulting in current year variance.
PMO19071	PR-4180	37143	Alexander Drive, Landsdale, New Shared Pathway from Gnaragara Rd to Hepburn Ave	1,525,000	6,397	1,518,603	(0)	3,200,000	3,176,888	23,112					16	S4. Design	Design review in progress.
PMO19098	PR-4219	37618	Quinns Road, Quinns Rocks, Upgrade Traffic Treatments Tapping Way Roundabout to Marmion Ave	1,101,666	2,731	1,098,934	1	1,207,638	1,202,366	5,272					24	S4. Design	Construction anticipated December to January 2022 during school holidays to minimise construction impact.
PMO20004	PR-4238	38839	Three Bin Kerbside Collection New System	1,552,904	1,010,509	471,000	71,395	6,794,858	6,538,598	256,260					90	S5. Delivery	Roll out completed. Waste Operations undertaking 20% (~7500) of activities that the contractor was unable to complete.
PMO20049	PR-4271	40569	Splendid Park, Yanchep, Upgrade Splendid Park Cycling Path	2,207,100	30,292	2,176,808	0	2,397,100	2,329,509	67,591					59	S4. Design	Detailed design complete and review in progress. Increase in construction cost anticipated due to market conditions.

Top Capital Projects 2021/22 - September 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
PMO20057	PR-4277	40645	Alkimos, New Alkimos Aquatic and Recreation Centre	3,449,667	46,625	3,403,042	0	40,000,000	40,000,215	(215)					27	S4. Design	Refinement of concept designs continues towards wider community engagement.
PMO21060	PR-4347	42656	Flynn Drive, Neerabup, Upgrade from Wanneroo Road to Old Yanchep Road	450,000	23,785	441,355	(15,140)	22,762,313	22,762,313	0					14	S3. Delivery Planning	Design Consultant has been awarded to cover duplication from Wanneroo to Old Yanchep Road. Actual construction works will extend as far as possible to Old Yanchep Road with the funds provided. MRWA Funding \$20M approval / reporting has been issued to CoW based on a standard 40%/40%/20% arrangement. Federal Government funding \$2.5M requires Project Proposal Report to be completed; issued to MRWA for comments. Request to DWER for required clearing approval requirements. The detailed design is not complete therefore required service relocations are unknown and approvals for land clearing of vegetation unconfirmed. Detailed concept design for duplication of Flynn Drive to Old Yanchep Road anticipated in December 2021.
				23,051,553	2,189,314	18,855,830	2,006,409	129,791,406	129,436,505	354,901							
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 September 2021										
Face Value \$	Interest Rate %	Borrower	Rating	Maturity Date	Purchase price	Deposit Date	Current Value \$	YTD Accrued Interest \$		Accrued Interest
<b>Current Account Investment Group</b>										
14,141,000.00	0.01	Commonwealth Bank of Australia Perth	A1	N/A		N/A	14,141,000.00			
14,141,000.00	0.01%						14,141,000.00			
<b>Term Investment Group</b>										
0.00	1.05	Westpac Banking Corporation	A1	19-May-2021	10,000,000.00	19-May-2020	0.00	-		0.00
0.00	0.76	Westpac Banking Corporation	A1	07-September-2021	10,000,000.00	07-September-2020	0.00	-		0.00
0.00	0.95	National Australia Bank	A1	05-July-2021	5,000,000.00	02-July-2020	0.00	-		0.00
5,000,000.00	0.35	National Australia Bank	A1	14-July-2022	5,000,000.00	13-July-2021	5,003,787.67	3,787.67		3,787.67
0.00	0.86	Westpac Banking Corporation	A1	28-July-2021	5,000,000.00	28-July-2020	0.00	-		0.00
0.00	0.83	Westpac Banking Corporation	A1	05-August-2021	10,000,000.00	07-August-2020	0.00	-		0.00
0.00	0.83	Westpac Banking Corporation	A1	11-August-2021	5,000,000.00	11-August-2020	0.00	-		0.00
0.00	0.85	National Australia Bank	A1	11-August-2021	5,000,000.00	11-August-2020	0.00	-		0.00
5,000,000.00	0.33	Westpac Banking Corporation	A1	18-August-2022	5,000,000.00	18-August-2021	5,001,943.84	1,943.84		1,943.84
15,000,000.00	0.32	Westpac Banking Corporation	A1	24-August-2022	15,000,000.00	24-August-2021	15,004,865.75	4,865.75		4,865.75
0.00	0.76	Westpac Banking Corporation	A1	14-September-2021	10,000,000.00	07-September-2020	0.00	-		0.00
0.00	0.70	Australia & New Zealand Bank	A1	20-July-2021	10,000,000.00	07-September-2020	0.00	-		0.00
0.00	0.70	Australia & New Zealand Bank	A1	28-July-2021	15,000,000.00	15-September-2020	0.00	-		0.00
0.00	0.71	Commonwealth Bank of Australia Perth	A1	22-September-2021	5,000,000.00	22-September-2020	0.00	-		0.00
15,000,000.00	0.70	Westpac Banking Corporation	A1	07-October-2021	15,000,000.00	07-October-2020	15,102,986.30	26,465.75		102,986.30
5,000,000.00	0.66	Commonwealth Bank of Australia Perth	A1	21-October-2021	5,000,000.00	21-October-2020	5,031,101.37	8,317.81		31,101.37
10,000,000.00	0.62	Commonwealth Bank of Australia Perth	A1	28-October-2021	10,000,000.00	28-October-2020	10,057,243.84	15,627.40		57,243.84
10,000,000.00	0.60	Westpac Banking Corporation	A1	06-November-2021	10,000,000.00	06-November-2020	10,053,917.81	15,123.29		53,917.81
10,000,000.00	0.59	Commonwealth Bank of Australia Perth	A1	29-November-2021	10,000,000.00	27-November-2020	10,014,709.59	14,871.23		14,709.59
10,000,000.00	0.53	Commonwealth Bank of Australia Perth	A1	09-December-2021	10,000,000.00	09-December-2020	10,042,835.62	13,358.90		42,835.62
10,000,000.00	0.52	Commonwealth Bank of Australia Perth	A1	16-December-2021	10,000,000.00	21-December-2020	10,040,317.81	13,106.85		40,317.81
20,000,000.00	0.48	Commonwealth Bank of Australia Perth	A1	11-January-2022	20,000,000.00	11-January-2021	20,068,909.59	24,197.26		68,909.59
10,000,000.00	0.47	National Australia Bank	A1	17-January-2022	10,000,000.00	14-January-2021	10,033,350.68	11,846.58		33,350.68
10,000,000.00	0.48	Commonwealth Bank of Australia Perth	A1	20-January-2022	10,000,000.00	21-January-2021	10,033,139.73	12,098.63		33,139.73
5,000,000.00	0.48	Commonwealth Bank of Australia Perth	A1	28-January-2022	5,000,000.00	29-January-2021	5,016,043.84	6,049.32		16,043.84
10,000,000.00	0.46	Commonwealth Bank of Australia Perth	A1	03-February-2022	10,000,000.00	04-February-2021	10,029,994.52	11,594.52		29,994.52
10,000,000.00	0.46	Commonwealth Bank of Australia Perth	A1	10-February-2022	10,000,000.00	11-February-2021	10,029,112.33	11,594.52		29,112.33
5,000,000.00	0.46	Commonwealth Bank of Australia Perth	A1	15-February-2022	5,000,000.00	15-February-2021	5,005,734.25	5,797.26		5,734.25
15,000,000.00	0.50	Commonwealth Bank of Australia Perth	A1	23-February-2022	15,000,000.00	23-February-2021	15,045,000.00	18,904.11		45,000.00
15,000,000.00	0.50	Commonwealth Bank of Australia Perth	A1	09-March-2022	15,000,000.00	09-March-2021	15,042,123.29	18,904.11		42,123.29
30,000,000.00	0.46	Commonwealth Bank of Australia Perth	A1	29-March-2022	30,000,000.00	08-April-2021	30,066,164.38	34,783.56		66,164.38
20,000,000.00	0.37	Westpac Banking Corporation	A1	10-May-2022	20,000,000.00	10-May-2021	20,028,991.78	18,652.05		28,991.78
10,000,000.00	0.40	Westpac Banking Corporation	A1	19-May-2022	10,000,000.00	19-May-2021	10,014,684.93	10,082.19		14,684.93
15,000,000.00	0.42	Bankwest	A1	10-December-2021	15,000,000.00	10-June-2021	15,019,331.51	15,879.45		19,331.51
15,000,000.00	0.43	Bankwest	A1	10-June-2022	15,000,000.00	10-June-2021	15,019,791.78	16,257.53		19,791.78
5,000,000.00	0.35	Westpac Banking Corporation	A1	20-June-2022	5,000,000.00	18-June-2021	5,004,986.30	4,410.96		4,986.30
15,000,000.00	0.35	Australia & New Zealand Bank	A1	19-April-2022	15,000,000.00	23-June-2021	15,014,239.73	13,232.88		14,239.73
5,000,000.00	0.35	Westpac Banking Corporation	A1	28-July-2022	5,000,000.00	28-July-2021	5,003,068.49	3,068.49		3,068.49
15,000,000.00	0.35	National Australia Bank	A1	29-July-2022	15,000,000.00	29-July-2021	15,009,061.64	9,061.64		9,061.64
10,000,000.00	0.34	National Australia Bank	A1	05-August-2022	10,000,000.00	06-August-2021	10,005,123.29	5,123.29		5,123.29
10,000,000.00	0.35	National Australia Bank	A1	12-August-2022	10,000,000.00	11-August-2021	10,004,794.52	4,794.52		4,794.52
15,000,000.00	0.33	Westpac Banking Corporation	A1	12-August-2022	15,000,000.00	12-August-2021	15,006,645.21	6,645.21		6,645.21
10,000,000.00	0.25	Australia & New Zealand Bank	A1	11-April-2022	10,000,000.00	24-August-2021	10,002,534.25	2,534.25		2,534.25
20,000,000.00	0.34	Westpac Banking Corporation	A1	16-September-2022	20,000,000.00	16-September-2021	20,002,608.22	2,608.22		2,608.22
20,000,000.00	0.33	Westpac Banking Corporation	A1	16-September-2022	20,000,000.00	16-September-2021	20,002,531.51	2,531.51		2,531.51
15,000,000.00	0.35	Suncorp	A1	08-September-2022	15,000,000.00	22-September-2021	15,001,150.68	1,150.68		1,150.68
10,000,000.00	0.35	Suncorp	A1	22-September-2022	10,000,000.00	22-September-2021	10,000,767.12	767.12		767.12
15,000,000.00	0.35	Suncorp	A1	28-September-2022	15,000,000.00	28-September-2021	15,000,287.67	287.67		287.67
450,000,000.00	0.43%						450,863,880.82	390,326.03		863,880.82
	Weighted Return									
464,141,000.00	0.41%	Totals					465,004,880.82	390,326.03		863,880.82

0.04% 12 month UBS Australia Bank Bill Index for 30 September 2021

0.37% 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.

**RATE SETTING STATEMENT  
(FINANCIAL ACTIVITY STATEMENT)  
FOR THE PERIOD ENDED 30 SEPTEMBER 2021**

Attachment 6

Description	Year To Date				Annual			
	Actual	Adopted Budget	Variance		Adopted Budget	Revised Budget	Variance	
	\$	\$	\$	%	\$	\$	\$	%
<b>Opening Surplus/(Deficit)</b>	<b>31,669,607</b>	<b>1,373,000</b>	<b>30,296,607</b>	<b>0</b>	<b>1,373,000</b>	<b>1,373,000</b>	<b>0</b>	<b>0</b>
<b>OPERATING ACTIVITIES</b>								
<b>Revenues</b>								
Operating Grants, Subsidies & Contributions	1,821,143	1,492,012	329,131	22	8,015,370	8,015,370	0	0
Fees & Charges	35,881,983	35,995,872	(113,889)	(0)	50,296,054	50,296,054	0	0
Interest Earnings	831,241	779,822	51,419	7	2,283,458	2,283,458	0	0
Other Revenue	181,782	156,129	25,653	16	725,295	725,295	0	0
	<b>38,716,149</b>	<b>38,423,835</b>	<b>292,314</b>	<b>1</b>	<b>61,320,177</b>	<b>61,320,177</b>	<b>0</b>	<b>0</b>
<b>Expenses</b>								
Employee Costs	(19,043,651)	(20,192,457)	1,148,806	6	(77,092,475)	(77,092,475)	0	0
Materials & Contracts	(13,139,715)	(18,045,950)	4,906,235	27	(88,738,173)	(88,738,173)	0	0
Utility Charges	(2,050,039)	(2,367,878)	317,839	13	(9,755,555)	(9,755,555)	0	0
Depreciation	(11,102,856)	(11,102,856)	0	0	(44,411,424)	(44,411,424)	0	0
Interest Expenses	(951,064)	(1,029,084)	78,020	8	(4,115,430)	(4,115,430)	0	0
Insurance	(333,706)	(295,387)	(38,319)	(13)	(1,285,633)	(1,285,633)	0	0
	<b>(46,621,031)</b>	<b>(53,033,612)</b>	<b>6,412,581</b>	<b>12</b>	<b>(225,398,690)</b>	<b>(225,398,690)</b>	<b>0</b>	<b>0</b>
<b>Non-Cash Amounts Excluded</b>								
Depreciation	11,102,856	11,102,856	0	0	44,411,424	44,411,424	0	0
	<b>3,197,974</b>	<b>(3,506,921)</b>	<b>6,704,895</b>	<b>191</b>	<b>(119,667,089)</b>	<b>(119,667,089)</b>	<b>0</b>	<b>0</b>
<b>INVESTING ACTIVITIES</b>								
Non Operating Grants, Subsidies & Contributions	2,338,940	4,769,016	(2,430,076)	(51)	19,076,024	19,522,024	446,000	2
Contributed Physical Assets	0	0	0	0	12,180,000	12,180,000	0	0
Profit on Asset Disposals	114,689	614,536	(499,847)	(81)	4,945,035	4,945,035	0	0
Loss on Assets Disposals	0	(1,013,273)	1,013,273	100	(1,013,273)	(1,013,273)	0	0
TPS & DCP Revenues	1,260,579	1,304,397	(43,818)	(3)	25,630,638	25,630,638	0	0
TPS & DCP Expenses	(203,107)	(995,507)	792,400	80	(19,907,771)	(19,907,771)	0	0
Capital Expenditure	(7,214,698)	(16,930,000)	9,715,302	57	(82,213,708)	(82,593,708)	(380,000)	(0)
Proceeds From Disposal Of Assets	305,287	1,440,000	(1,134,713)	(79)	8,640,000	8,640,000	0	0
	<b>(3,398,310)</b>	<b>(10,810,831)</b>	<b>7,412,521</b>	<b>69</b>	<b>(32,663,055)</b>	<b>(32,597,055)</b>	<b>66,000</b>	<b>0</b>
<b>Non-Cash Amounts Excluded</b>								
Contributed Physical Assets	0	0	0	0	(12,180,000)	(12,180,000)	0	0
Profit on Asset Disposals	(114,689)	(614,536)	499,847	0	(4,945,035)	(4,945,035)	0	0
Loss on Assets Disposals	0	1,013,273	(1,013,273)	(100)	1,013,273	1,013,273	0	0
Movement in Non Current Lease Liability	(18,698)	0	(18,698)	0	0	0	0	0
Movement in Non- Current Deferred Pensioner Rates	134,216	0	134,216	0	0	0	0	0
Movement in Non- Current Leave Liability Provision	(47,446)	0	(47,446)	0	0	0	0	0
	<b>(14,271,736)</b>	<b>398,737</b>	<b>(14,670,473)</b>	<b>(3,679)</b>	<b>(16,111,762)</b>	<b>(16,111,762)</b>	<b>0</b>	<b>0</b>
	<b>(17,670,046)</b>	<b>(10,412,094)</b>	<b>(7,257,952)</b>	<b>(70)</b>	<b>(48,774,817)</b>	<b>(48,708,817)</b>	<b>66,000</b>	<b>0</b>
<b>FINANCING ACTIVITIES</b>								
Contributions from New Loans	0	0	0	0	15,000,000	15,000,000	0	0
Transfers from Restricted Grants, Contributions & Loans	60,503	284,906	(224,403)	(79)	1,709,434	1,709,434	0	0
Transfers to Restricted Grants, Contributions & Loans	0	0	0	0	0	0	0	0
Transfers from Reserves	2,077,314	7,236,245	(5,158,931)	(71)	43,417,469	43,417,469	0	0
Transfers to Reserves	0	(6,516,552)	6,516,552	100	(39,099,312)	(39,099,312)	0	0
Cash Backed Employee Provisions Transfers	579,890	0	579,890	0	0	0	0	0
Transfers from Trust Fund- Cash Paid in Lieu of POS	0	411,513	(411,513)	0	2,469,079	2,469,079	0	0
Transfers from Schemes	541,027	3,651,904	(3,110,877)	(85)	21,911,423	21,911,423	0	0
Transfers to Schemes	(53,894)	(3,651,904)	3,598,010	99	(21,911,423)	(21,911,423)	0	0
	<b>3,204,840</b>	<b>1,416,112</b>	<b>1,788,729</b>	<b>126</b>	<b>23,496,670</b>	<b>23,496,670</b>	<b>0</b>	<b>0</b>
<b>(DEFICIT)/SURPLUS</b>	<b>20,402,375</b>	<b>(11,129,903)</b>	<b>31,532,278</b>	<b>(283)</b>	<b>(143,572,236)</b>	<b>(143,506,236)</b>	<b>66,000</b>	<b>0</b>
<b>Amount To Be Raised From Rates</b>	<b>138,162,281</b>	<b>138,367,680</b>	<b>(205,399)</b>	<b>(0)</b>	<b>141,191,680</b>	<b>141,191,680</b>	<b>0</b>	<b>0</b>
<b>Closing Surplus/(Deficit)</b>	<b>158,564,656</b>	<b>127,237,777</b>	<b>31,326,879</b>	<b>25</b>	<b>(2,380,556)</b>	<b>(2,314,556)</b>	<b>66,000</b>	<b>0</b>

QUARTER 1 REVIEW OF THE 2021/22 ANNUAL BUDGET  
STATEMENT OF COMPREHENSIVE INCOME BY NATURE OR TYPE

Attachment 7

Description	Year to Date 30 September 2021			Annual Budget 2021/22				
	Actual	Original Budget	Variance	Original Budget	Adopted Changes	Revised	Proposed Q1 Changes	Revised
	\$	\$	\$	\$				\$
<b>Revenues</b>								
Rates	138,162,281	138,367,680	(205,399)	141,191,680		141,191,680		141,191,680
Operating Grants, Subsidies & Contributions	1,821,143	1,492,012	329,131	8,015,370		8,015,370		8,015,370
Fees & Charges	35,881,983	35,995,872	(113,889)	50,296,054		50,296,054		50,296,054
Interest Earnings	831,241	779,822	51,419	2,283,458		2,283,458		2,283,458
Other Revenue	181,782	156,129	25,653	725,295		725,295		725,295
<b>Total Operating Revenue</b>	<b>176,878,430</b>	<b>176,791,515</b>	<b>86,915</b>	<b>202,511,857</b>	<b>0</b>	<b>202,511,857</b>	<b>0</b>	<b>202,511,857</b>
<b>Expenses</b>								
Employee Costs	(19,043,651)	(20,192,457)	1,148,806	(77,092,475)		(77,092,475)		(77,092,475)
Materials & Contracts	(13,139,715)	(18,045,950)	4,906,235	(73,738,173)		(73,738,173)		(73,738,173)
Utility Charges	(2,050,039)	(2,367,878)	317,839	(9,755,555)		(9,755,555)		(9,755,555)
Depreciation	(11,102,856)	(11,102,856)	0	(44,411,424)		(44,411,424)		(44,411,424)
Interest Expenses	(951,064)	(1,029,084)	78,020	(4,115,430)		(4,115,430)		(4,115,430)
Insurance	(333,706)	(295,387)	(38,319)	(1,285,633)		(1,285,633)		(1,285,633)
<b>Total Operating Expenditure</b>	<b>(46,621,031)</b>	<b>(53,033,612)</b>	<b>6,412,581</b>	<b>(210,398,690)</b>	<b>0</b>	<b>(210,398,690)</b>	<b>0</b>	<b>(210,398,690)</b>
<b>RESULT FROM OPERATIONS</b>	<b>130,257,399</b>	<b>123,757,903</b>	<b>6,499,496</b>	<b>(7,886,833)</b>		<b>(7,886,833)</b>	<b>0</b>	<b>(7,886,833)</b>
<b>Non Operating Revenue &amp; Expenses</b>								
Non Operating Grants, Subsidies & Contributions	2,338,940	4,769,016	(2,430,076)	19,076,024	446,000	19,522,024		19,522,024
Contributed Physical Assets	0	0	0	12,180,000		12,180,000		12,180,000
Non Operating Contract Expenses	0	0	0	(15,000,000)		(15,000,000)		(15,000,000)
Profit on Asset Disposals	114,689	614,536	(499,847)	4,945,035		4,945,035		4,945,035
Loss on Assets Disposals	0	(1,013,273)	1,013,273	(1,013,273)		(1,013,273)		(1,013,273)
TPS* & DCP** Revenues	1,260,579	1,304,397	(43,818)	25,630,638		25,630,638		25,630,638
TPS* & DCP** Expenses	(203,107)	(995,507)	792,400	(19,907,771)		(19,907,771)		(19,907,771)
<b>Total Non Operating Revenue and Expenses</b>	<b>3,511,101</b>	<b>4,679,169</b>	<b>(1,168,068)</b>	<b>25,910,653</b>	<b>446,000</b>	<b>26,356,653</b>	<b>0</b>	<b>26,356,653</b>
<b>NET RESULT (OPERATING &amp; NON OPERATING)</b>	<b>133,768,500</b>	<b>128,437,072</b>	<b>5,331,428</b>	<b>18,023,820</b>	<b>446,000</b>	<b>18,469,820</b>	<b>0</b>	<b>18,469,820</b>
<b>Other Comprehensive Income</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL COMPREHENSIVE INCOME</b>	<b>133,768,500</b>	<b>128,437,072</b>	<b>5,331,428</b>	<b>18,023,820</b>	<b>446,000</b>	<b>18,469,820</b>	<b>0</b>	<b>18,469,820</b>

\*TPS=Town Planning Schemes

\*\*DCP=Developers Contribution Plans

## QUARTER 1 REVIEW OF THE 2021/22 ANNUAL BUDGET

## RATE SETTING STATEMENT

Attachment 8

Description	Year To Date 30 September 2021			Annual Budget 2021/22				
	Actual	Original Budget	Variance	Original Budget	Adopted Changes	Revised	Proposed Q1 Changes	Revised Budget
	\$	\$	\$	\$				\$
<b>Opening Surplus/(Deficit)</b>	<b>31,669,607</b>	<b>1,373,000</b>	<b>30,296,607</b>	<b>1,373,000</b>		<b>1,373,000</b>		<b>1,373,000</b>
<b>OPERATING ACTIVITIES</b>						<b>0</b>		<b>0</b>
<b>Revenues</b>						<b>0</b>		<b>0</b>
Operating Grants, Subsidies & Contributions	1,821,143	1,492,012	329,131	<b>8,015,370</b>		8,015,370		8,015,370
Fees & Charges	35,881,983	35,995,872	(113,889)	<b>50,296,054</b>		50,296,054		50,296,054
Interest Earnings	831,241	779,822	51,419	<b>2,283,458</b>		2,283,458		2,283,458
Other Revenue	181,782	156,129	25,653	<b>725,295</b>		725,295		725,295
	<b>38,716,149</b>	<b>38,423,835</b>	<b>292,314</b>	<b>61,320,177</b>	<b>0</b>	<b>61,320,177</b>	<b>0</b>	<b>61,320,177</b>
<b>Expenses</b>						<b>0</b>		<b>0</b>
Employee Costs	(19,043,651)	(20,192,457)	1,148,806	(77,092,475)		(77,092,475)		(77,092,475)
Materials & Contracts	(13,139,715)	(18,045,950)	4,906,235	(88,738,173)		(88,738,173)		(88,738,173)
Utility Charges	(2,050,039)	(2,367,878)	317,839	(9,755,555)		(9,755,555)		(9,755,555)
Depreciation	(11,102,856)	(11,102,856)	0	(44,411,424)		(44,411,424)		(44,411,424)
Interest Expenses	(951,064)	(1,029,084)	78,020	(4,115,430)		(4,115,430)		(4,115,430)
Insurance	(333,706)	(295,387)	(38,319)	(1,285,633)		(1,285,633)		(1,285,633)
	<b>(46,621,031)</b>	<b>(53,033,612)</b>	<b>6,412,581</b>	<b>(225,398,690)</b>	<b>0</b>	<b>(225,398,690)</b>	<b>0</b>	<b>(225,398,690)</b>
<b>Non-Cash Amounts Excluded</b>						<b>0</b>		<b>0</b>
Depreciation	11,102,856	11,102,856	0	44,411,424		44,411,424		44,411,424
	<b>3,197,974</b>	<b>(3,506,921)</b>	<b>6,704,895</b>	<b>(119,667,089)</b>	<b>0</b>	<b>(119,667,089)</b>	<b>0</b>	<b>(119,667,089)</b>
<b>INVESTING ACTIVITIES</b>						<b>0</b>		<b>0</b>
Non Operating Grants, Subsidies & Contributions	2,338,940	4,769,016	(2,430,076)	19,076,024	446,000	19,522,024		19,522,024
Contributed Physical Assets	0	0	0	12,180,000		12,180,000		12,180,000
Profit on Asset Disposals	114,689	614,536	(499,847)	4,945,035		4,945,035		4,945,035
Loss on Assets Disposals	0	(1,013,273)	1,013,273	(1,013,273)		(1,013,273)		(1,013,273)
TPS & DCP Revenues	1,260,579	1,304,397	(43,818)	25,630,638		25,630,638		25,630,638
TPS & DCP Expenses	(203,107)	(995,507)	792,400	(19,907,771)		(19,907,771)		(19,907,771)
Capital Expenditure	(7,214,698)	(16,930,000)	9,715,302	(82,213,708)	(380,000)	(82,593,708)		(82,593,708)
Proceeds From Disposal Of Assets	305,287	1,440,000	(1,134,713)	8,640,000		8,640,000		8,640,000
	<b>(3,398,310)</b>	<b>(10,810,831)</b>	<b>7,412,521</b>	<b>(32,663,055)</b>	<b>66,000</b>	<b>(32,597,055)</b>	<b>0</b>	<b>(32,597,055)</b>
<b>Non-Cash Amounts Excluded</b>						<b>0</b>		<b>0</b>
Contributed Physical Assets	0	0	0	(12,180,000)		(12,180,000)		(12,180,000)
Profit on Asset Disposals	(114,689)	(614,536)	499,847	(4,945,035)		(4,945,035)		(4,945,035)
Loss on Assets Disposals	0	1,013,273	(1,013,273)	1,013,273		1,013,273		1,013,273
Movement in Non Current Lease Liability	(18,698)	0	(18,698)	0		0		0
Movement in Equity Accounted Investments	(14,225,119)	0	(14,225,119)	0		0		0
Movement in Non- Current Deferred Pensioner Rates	134,216	0	134,216	0		0		0
Movement in Non- Current Leave Liability Provision	(47,446)	0	(47,446)	0		0		0
	<b>(14,271,736)</b>	<b>398,737</b>	<b>(14,670,473)</b>	<b>(16,111,762)</b>	<b>0</b>	<b>(16,111,762)</b>	<b>0</b>	<b>(16,111,762)</b>
						<b>0</b>		<b>0</b>
	<b>(17,670,046)</b>	<b>(10,412,094)</b>	<b>(7,257,952)</b>	<b>(48,774,817)</b>	<b>66,000</b>	<b>(48,708,817)</b>	<b>0</b>	<b>(48,708,817)</b>
<b>FINANCING ACTIVITIES</b>						<b>0</b>		<b>0</b>
Contributions from New Loans	0	0	0	15,000,000		15,000,000		15,000,000
Transfers from Restricted Grants, Contributions & Loans	60,503	284,906	(224,403)	1,709,434		1,709,434		1,709,434
Transfers to Restricted Grants, Contributions & Loans	0	0	0	0		0		0
Transfers from Reserves	2,077,314	7,236,245	(5,158,931)	43,417,469		43,417,469		43,417,469
Transfers to Reserves	0	(6,516,552)	6,516,552	(39,099,312)		(39,099,312)		(39,099,312)
Cash Backed Employee Provisions Transfers	579,890	0	579,890	0		0		0
Transfers from Trust Fund- Cash Paid in Lieu of POS	0	411,513	(411,513)	2,469,079		2,469,079		2,469,079
Transfers from Schemes	541,027	3,651,904	(3,110,877)	21,911,423		21,911,423		21,911,423
Transfers to Schemes	(53,894)	(3,651,904)	3,598,010	(21,911,423)		(21,911,423)		(21,911,423)
	<b>3,204,840</b>	<b>1,416,112</b>	<b>1,788,729</b>	<b>23,496,670</b>	<b>0</b>	<b>23,496,670</b>	<b>0</b>	<b>23,496,670</b>
<b>(DEFICIT)/SURPLUS</b>	<b>20,402,375</b>	<b>(11,129,903)</b>	<b>31,532,278</b>	<b>(143,572,236)</b>	<b>66,000</b>	<b>(143,506,236)</b>	<b>0</b>	<b>(143,506,236)</b>
<b>Amount To Be Raised From Rates</b>	<b>138,162,281</b>	<b>138,367,680</b>	<b>(205,399)</b>	<b>141,191,680</b>	<b>0</b>	<b>141,191,680</b>	<b>0</b>	<b>141,191,680</b>
<b>Closing Surplus/(Deficit)</b>	<b>158,564,656</b>	<b>127,237,777</b>	<b>31,326,879</b>	<b>(2,380,556)</b>	<b>66,000</b>	<b>(2,314,556)</b>	<b>0</b>	<b>(2,314,556)</b>



## QUARTER 1 REVIEW OF THE 2021/22 ANNUAL BUDGET

## RESERVES SCHEDULE

Attachment 9

Details	Annual Budget 2021/22				
	Original Budget \$	Adopted Changes \$	Revised \$	Proposed Q1 Changes \$	Revised Budget \$
<b>Alkimos/Eglinton District Community Facilities Reserve</b>					
Opening Balance	17,180,292		17,180,292		17,180,292
Transfer to Reserve	3,021,574		3,021,574		3,021,574
Transfer from Reserve	(1,551,418)		(1,551,418)		(1,551,418)
Closing Balance	18,650,448		18,650,448		18,650,448
<b>Asset Replacement/Enhancement Reserve</b>					
Opening Balance	59,830,019		59,830,019		59,830,019
Transfer to Reserve	12,021,714		12,021,714		12,021,714
Transfer from Reserve	(6,979,165)		(6,979,165)		(6,979,165)
Closing Balance	64,872,568		64,872,568		64,872,568
<b>Carry Forward Capital Projects Reserve</b>					
Opening Balance	3,728,681		3,728,681		3,728,681
Transfer to Reserve	0		0		0
Transfer from Reserve	(3,728,681)		(3,728,681)		(3,728,681)
Closing Balance	0		0		0
<b>Coastal Infrastructure Management Reserve</b>					
Opening Balance	15,708,579		15,708,579		15,708,579
Transfer to Reserve	61,186		61,186		61,186
Transfer from Reserve	(228,300)		(228,300)		(228,300)
Closing Balance	15,541,465		15,541,465		15,541,465
<b>Domestic Refuse Reserve</b>					
Opening Balance	10,769,391		10,769,391		10,769,391
Transfer to Reserve	41,947		41,947		41,947
Transfer from Reserve	(3,672,659)		(3,672,659)		(3,672,659)
Closing Balance	7,138,679		7,138,679		7,138,679
<b>Golf Courses Reserve</b>					
Opening Balance	1,150,162		1,150,162		1,150,162
Transfer to Reserve	557,881		557,881		557,881
Transfer from Reserve	(420,000)		(420,000)		(420,000)
Closing Balance	1,288,043		1,288,043		1,288,043
<b>Leave Liability Reserve</b>					
Opening Balance	15,806,887		15,806,887		15,806,887
Transfer to Reserve	61,569		61,569		61,569
Transfer from Reserve	0		0		0
Closing Balance	15,868,456		15,868,456		15,868,456
<b>Loan Repayment Reserve</b>					
Opening Balance	56,461,381		56,461,381		56,461,381
Transfer to Reserve	1,889,920		1,889,920		1,889,920
Transfer from Reserve	0		0		0
Closing Balance	58,351,301		58,351,301		58,351,301
<b>Neerabup Development Reserve</b>					
Opening Balance	3,882,211		3,882,211		3,882,211
Transfer to Reserve	1,015,121		1,015,121		1,015,121
Transfer from Reserve	(2,312,059)		(2,312,059)		(2,312,059)
Closing Balance	2,585,273		2,585,273		2,585,273
<b>Plant Replacement Reserve</b>					
Opening Balance	17,858,008		17,858,008		17,858,008
Transfer to Reserve	3,760,857		3,760,857		3,760,857
Transfer from Reserve	(12,621,624)		(12,621,624)		(12,621,624)
Closing Balance	8,997,241		8,997,241		8,997,241
<b>Cash Paid in Lieu of Public Open Space Prior to 10 April 2006 Reserve</b>					
Opening Balance	0		0		0
Transfer to Reserve	2,469,079		2,469,079		2,469,079
Transfer from Reserve	0		0		0
Closing Balance	2,469,079		2,469,079		2,469,079
<b>Regional Open Space Reserve</b>					
Opening Balance	18,356,759		18,356,759		18,356,759
Transfer to Reserve	6,071,501		6,071,501		6,071,501
Transfer from Reserve	0		0		0
Closing Balance	24,428,260		24,428,260		24,428,260
<b>Section 152 Reserve (formerly Section 20A Land Reserve)</b>					
Opening Balance	784,255		784,255		784,255
Transfer to Reserve	3,055		3,055		3,055
Transfer from Reserve	0		0		0
Closing Balance	787,310		787,310		787,310
<b>Strategic Land Reserve</b>					
Opening Balance	6,025,480		6,025,480		6,025,480
Transfer to Reserve	5,921,470		5,921,470		5,921,470
Transfer from Reserve	(20,000)		(20,000)		(20,000)
Closing Balance	11,926,950		11,926,950		11,926,950
<b>Strategic Projects/Initiatives Reserve</b>					
Opening Balance	24,996,872		24,996,872		24,996,872
Transfer to Reserve	1,470,718		1,470,718		1,470,718
Transfer from Reserve	(10,098,268)		(10,098,268)		(10,098,268)
Closing Balance	16,369,322		16,369,322		16,369,322
<b>TPS 20 - District Distributor Headworks Reserve</b>					
Opening Balance	7,345,829		7,345,829		7,345,829
Transfer to Reserve	28,612		28,612		28,612
Transfer from Reserve	0		0		0
Closing Balance	7,374,441		7,374,441		7,374,441
<b>Yanchep Bus Reserve</b>					
Opening Balance	119,794		119,794		119,794
Transfer to Reserve	5,467		5,467		5,467
Transfer from Reserve	0		0		0
Closing Balance	125,261		125,261		125,261
<b>Yanchep/Two Rocks District Community Facilities Reserve</b>					
Opening Balance	1,764,218		1,764,218		1,764,218
Transfer to Reserve	697,641		697,641		697,641
Transfer from Reserve	(1,785,295)		(1,785,295)		(1,785,295)
Closing Balance	676,564		676,564		676,564
<b>CONSOLIDATED SUMMARY</b>					
Opening Balance	261,768,818		261,768,818		261,768,818
Transfer to Reserve	39,099,312		39,099,312		39,099,312
Transfer from Reserve	(43,417,469)		(43,417,469)		(43,417,469)
Closing Balance	257,450,661		257,450,661		257,450,661

## Transactional Finance

### CS02-11/21 Warrant of Payments for the Period to 30 September 2021

File Ref: 1859V02 – 21/448499  
 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 September 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 September 2021:

Funds	Vouchers	Amount
<b>Director Corporate Services Advance A/C Accounts Paid – September 2021</b>		
Cheque Numbers	122125 - 122259	\$ 351,536.07
EFT Document Numbers	4232 - 4261	<u>\$ 19,600,107.82</u>
<b>TOTAL ACCOUNTS PAID</b>		<b><u>\$19,951,643.89</u></b>
Less Cancelled Cheques		(\$3,297.41)
Manual Journals		(\$44,642.12)
Town Planning Scheme		<u>(\$51,318.83)</u>
<b>RECOUP FROM MUNICIPAL FUND</b>		<b><u>\$19,852,385.53</u></b>
<b>Municipal Fund – Bank A/C Accounts Paid – September 2021</b>		
Recoup to Director Corporate Services Advance A/C		\$19,852,385.53
Payroll – Direct Debits		<u>\$3,713,538.57</u>
<b>TOTAL ACCOUNTS PAID</b>		<b><u>\$23,565,924.10</u></b>
<b>Town Planning Scheme Accounts Paid – September 2021</b>		
Cell 1		\$420.00
Cell 2		\$420.00
Cell 3		\$350.00
Cell 4		\$48,028.83
Cell 5		\$350.00
Cell 6		\$420.00
Cell 7		\$420.00
Cell 8		\$420.00
Cell 9		<u>\$490.00</u>

<b>TOTAL ACCOUNTS PAID</b>				<b>\$51,318.83</b>
<b>WARRANT OF PAYMENTS SEPTEMBER 2021</b>				
<b>ID NO.</b>	<b>PAYMENT</b>	<b>DATE</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
1	00122125	06/09/2021	Albox	\$1,813.35
			Storage Boxes - Heritage & Museums	
2	00122126	06/09/2021	Double G (WA) Pty Ltd	\$139,636.20
			Install Irrigation System - Anchorage Drive - Parks	
3	00122127	06/09/2021	Neverfail Springwater Limited	\$23.76
			Water Delivery Services - Print Room	
4	00122128	06/09/2021	Two Rocks Volunteer Bush Fire Brigade	\$1,117.88
			Reimbursement - Various Items For Operations Requirements	
5	00122129	07/09/2021	Michael Hofman	\$25.14
			Refund - Dog Registration - Duplicate Payment	
6	00122130	07/09/2021	Edward Jennings	\$320.00
			Refund - Development Application - Incomplete	
7	00122131	07/09/2021	John Robertsen	\$1,000.00
			Refund - Street & Verge Bond	
8	00122132	07/09/2021	Laurence Realty North	\$11.60
			Refund - Copies Of Plans - No Longer Required	
9	00122133	07/09/2021	Stephanie Gannaway	\$10.80
			Refund - Copies Of Plans - Not Available	
10	00122134	07/09/2021	Lora Sutalo	\$233.30
			Refund - Building Approval Certificate Fees - Incorrect Application	
11	00122135	07/09/2021	Building Certification Services WA	\$171.65
			Refund - Building Application - Lodged In Error	
12	00122136	07/09/2021	SCB Property Solutions Pty Ltd	\$110.00
			Refund - Building Application - Not Approved Within Correct Timeframe	
13	00122137	07/09/2021	Tapping Development Alliance Pty Ltd	\$962.25
			Refund - Development Application - Paid Twice	
14	00122138	07/09/2021	Duy Khanh Nguyen	\$65.60
			Refund - Copies Of Plans - Not Available	
15	00122139	07/09/2021	John Delaney	\$146.83
			Refund - Subdivision Fee - Duplicate Payment	
16	00122140	07/09/2021	Rates Refund	\$155.40
17	00122141	07/09/2021	Rates Refund	\$1,614.00
18	00122142	07/09/2021	Rates Refund	\$152.38
19	00122143	07/09/2021	Mrs Dolat Khan	\$350.00

			Bond Refund	
20	00122144	07/09/2021	Rates Refund	\$917.22
21	00122145	07/09/2021	Rates Refund	\$250.10
22	00122146	07/09/2021	Rates Refund	\$126.69
23	00122147	07/09/2021	Rates Refund	\$595.70
24	00122148	07/09/2021	Rates Refund	\$412.04
25	00122149	07/09/2021	Rates Refund	\$9.65
26	00122150	08/09/2021	Cr F Cvitan	\$4,596.15
			Monthly Meeting Allowance	
27	00122151	08/09/2021	Cr X Nguyen	\$2,690.46
			Monthly Meeting Allowance	
28	00122152	14/09/2021	Rates Refund	\$896.78
29	00122153	14/09/2021	Rates Refund	\$430.21
30	00122154	14/09/2021	Rates Refund	\$138.78
31	00122155	14/09/2021	Rates Refund	\$605.37
32	00122156	14/09/2021	Miss Karen Bentley	\$850.00
			Bond Refund	
33	00122157	14/09/2021	Rates Refund	\$442.33
34	00122158	14/09/2021	Rates Refund	\$654.41
35	00122159	14/09/2021	Rates Refund	\$597.72
36	00122160	14/09/2021	Rates Refund	\$271.50
37	00122161	14/09/2021	Rates Refund	\$605.93
38	00122162	14/09/2021	Rates Refund	\$548.36
39	00122163	14/09/2021	Rates Refund	\$775.60
40	00122164	14/09/2021	Mr Stuart Macdonald	\$350.00
			Bond Refund	
41	00122165	14/09/2021	Rates Refund	\$2,200.00
42	00122166	14/09/2021	Rates Refund	\$566.68
43	00122167	14/09/2021	Rates Refund	\$194.69
44	00122168	14/09/2021	Ms Vanita Proctor	\$850.00
			Bond Refund	
45	00122169	14/09/2021	Rates Refund	\$751.36
46	00122170	14/09/2021	Rates Refund	\$589.66
47	00122171	14/09/2021	Rates Refund	\$595.70
48	00122172	14/09/2021	Rates Refund	\$744.46
49	00122173	14/09/2021	Ngoc Tan Huynh	\$850.00
			Bond Refund	
50	00122174	14/09/2021	Lena Ng	\$54.75
			Refund - Junior Programs - Kingsway	
51	00122175	14/09/2021	Planning Solutions	\$295.00
			Refund - Development Application Fees - Incomplete	
52	00122176	14/09/2021	Dreamlife International Incorporate	\$444.00
			Refund - Development Application - Incorrect Fee Paid	
53	00122177	14/09/2021	Willo Electrical	\$147.00
			Refund - Development Application Fee - Exempt	
54	00122178	14/09/2021	Dynamic Planning & Developments	\$320.00



			Refund - Development Application - Exempt	
55	00122179	14/09/2021	Paramount Patios	\$171.65
			Refund - Building Application - Cancelled	
56	00122180	14/09/2021	Leanesha Marrone	\$147.60
			Refund - Skin Penetration Inspection - Cancelled	
57	00122181	14/09/2021	Boris Marinovic	\$2,000.00
			Refund - Street & Verge Bond	
58	00122182	14/09/2021	Julia Parish	\$1,000.00
			Refund - Street & Verge Bond	
59	00122183	14/09/2021	Brett Marshall	\$2,000.00
			Refund - Street & Verge Bond	
60	00122184	14/09/2021	Linnenbank Nominees Pty Ltd T/As Ben Linnenbank	\$2,000.00
			Refund - Street & Verge Bond	
61	00122185	14/09/2021	Christopher & Sandra Zencich	\$233.30
			Refund - Existing Structure Application Fees - Not Within City Of Wanneroo	
62	00122186	14/09/2021	Ginette Neale	\$13.00
			Refund - Naidoc Cooking Class - Cancelled	
63	00122187	14/09/2021	Daniel Norris	\$2,000.00
			Refund - Street & Verge Bond	
64	00122188	14/09/2021	Cocoon Collective	\$2,000.00
			Refund - Street & Verge Bond	
65	00122189	14/09/2021	Joanne Chang	\$13.00
			Refund - Naidoc Cooking Class - Cancelled	
66	00122190	14/09/2021	Michelle Murie	\$13.00
			Refund - Naidoc Cooking Class - Cancelled	
67	00122191	14/09/2021	Nola Armstrong	\$26.00
			Refund - Naidoc Cooking Class - Cancelled	
68	00122192	14/09/2021	Lloyd George	\$11.60
			Refund - Copies Of Plans - Not Available	
69	00122193	14/09/2021	Andrew Orgill	\$122.00
			Refund Of Application Fees - Incorrect Application Lodged	
70	00122194	14/09/2021	Welink Construction Pty Ltd	\$2,000.00
			Refund - Street & Verge Bond	
71	00122195	14/09/2021	Dior Group	\$172.63
			Refund - Building Application - Paid Twice	
72	00122196	14/09/2021	Purestyle Engineering & Design	\$172.63
			Refund - Building Application Fees - Paid Twice	
73	00122197	14/09/2021	Terrace Homes	\$644.46

			Refund - Building Application Fee - Additional Fees Taken In Error	
74	00122198	14/09/2021	101 Residential Pty Ltd	\$3,293.60
			Refund - Building Application Fees - Paid Twice	
75	00122199	14/09/2021	Ashby Operations Centre Petty Cash	\$286.30
			Petty Cash	
76	00122200	14/09/2021	BGC Construction	\$367.52
			Refund - Building Application Admin Fee - Out Of Timeframe	
77	00122201	14/09/2021	Museum Petty Cash	\$99.30
			Petty Cash	
78	00122202	14/09/2021	Rates Refund	\$644.39
79	00122203	14/09/2021	Cindy Lane	\$660.00
			2 X Art Tnt Talks - July And August - Cultural Services	
80	00122204	14/09/2021	Department of Transport	\$190.40
			Licence Fees - WN 34551/1QCD 090 - Fleet Assets	
	00122205	14/09/2021	Cancelled	
81	00122206	14/09/2021	Logiudice Property Group	\$879.70
			Quarterly Admin/Reserve Fund Levy - Property	
82	00122207	14/09/2021	Sage Copywriting	\$1,260.00
			Consultation - Economic Development Website	
83	00122208	14/09/2021	Skipper Transport Parts	\$1,001.86
			Vehicle Spare Parts - Stores	
84	00122209	14/09/2021	Wanneroo Towing Service	\$171.60
			Towing Services For The City	
85	00122210	20/09/2021	Jana Braddock	\$660.00
			2 Artist Talks - Cultural Development	
86	00122211	20/09/2021	Switch Entertainment Perth Pty Ltd	\$1,000.00
			Deposit - Community Concert 21.11.2021 - Cultural Development	
87	00122212	20/09/2021	Wadjak Northside Aboriginal Community (Aboriginal Corporation)	\$825.00
			Dance Performance - Flag Raising Ceremony - Community Planning & Development	
88	00122213	21/09/2021	Swift Demolition	\$10,714.00
			Shed Demolition - 185 Mary Street Wanneroo - Property	
89	00122214	21/09/2021	City of Fremantle	\$7,629.60
			Long Service Leave Entitlements - Philip St John - Payroll	
90	00122215	21/09/2021	Raj Kumar	\$850.00
			Bond Refund	
91	00122216	21/09/2021	Ms Caitlin Moores	\$100.00
			Bond Refund	
92	00122217	21/09/2021	City of Wanneroo	\$634.90

			Finance Petty Cash	
93	00122218	21/09/2021	Telstra	\$27,297.85
			Navman Charges - Fleet Assets	
			Phone / Internet Charges For The City	
94	00122219	28/09/2021	(A) Pod Pty Ltd	\$30,662.50
			Consultancy Services - Development Of Concept Designs For The Proposed Alkimos Aquatic And Leisure Centre - Facilities	
95	00122220	28/09/2021	Australian Institute of Landscape	\$595.00
			Registration - Conference Festival 13 - 16.10.2021 - 1 Attendee - Land Development	
96	00122221	28/09/2021	DJ City	\$1,515.00
			LD Systems Wireless Headset Microphone System - Cultural Services	
97	00122222	28/09/2021	International Leaders Pty Ltd	\$9,900.00
			Executive Leaders Business Mentoring Program - Economic Development	
98	00122223	28/09/2021	Northern Lawnmower & Chainsaw Specialists	\$914.75
			Vehicle Spare Parts - Fleet	
99	00122224	28/09/2021	SAI Global Australia Pty Ltd	\$33,759.56
			Standards Subscription - I2 Platform - ICT	
100	00122225	28/09/2021	Skipper Transport Parts	\$161.44
			Vehicle Spare Parts - Stores	
101	00122226	28/09/2021	Third Light Limited	\$8,454.12
			Third Light Chorus - Billing Period 27.06.2021 - 27.06.2022 - Communications & Brand	
102	00122227	28/09/2021	Wanneroo Patios	\$172.63
			Refund - Building Application - Duplicate	
103	00122228	29/09/2021	Harbourside Village Pool	\$66.67
			Refund Overcharged Public Swimming Pool Sample - Reissue Of Cheque 00120325	
104	00122229	29/09/2021	Shayna Taplin	\$13.00
			Refund - Naidoc Cooking Workshop - Cancelled	
105	00122230	29/09/2021	Sue Berman	\$13.00
			Refund - Naidoc Cooking Workshop - Cancelled	
106	00122231	29/09/2021	Ja-On Park	\$13.00
			Refund - Naidoc Cooking Workshop - Cancelled	
107	00122232	29/09/2021	Brooke Brown	\$107.20
			Hire Fees Refund	
108	00122233	29/09/2021	Gordana Galea	\$1,048.80
			Refund - Swimming Classes - Overpayment	

109	00122234	29/09/2021	Raj Kumar	\$283.00
			Hire Fee Refund	
110	00122235	29/09/2021	Ashlee Annear	\$76.00
			Refund - Copies Of Plans - Not Available	
111	00122236	29/09/2021	Uniting Care West	\$54.00
			Refund - Copies Of Plans - Not Required	
112	00122237	29/09/2021	All Retaining Systems	\$192.00
			Refund - Development Application - Withdrawn	
113	00122238	29/09/2021	Enzo Romano	\$441.00
			Refund - Development Application - Not Required	
114	00122239	29/09/2021	Natasha Whyte	\$222.00
			Refund - Development Application - Withdrawn	
115	00122240	29/09/2021	VDG Steamworks Pty Ltd	\$704.00
			Refund - Development Application - Withdrawn	
116	00122241	29/09/2021	One Cert Pty Ltd	\$147.00
			Refund - Development Application - Withdrawn	
117	00122242	29/09/2021	Paramount Patios	\$171.65
			Refund - Building Application - Duplicate Payment	
118	00122243	29/09/2021	Guiseppe Jintano	\$295.00
			Refund - Development Application - Withdrawn	
119	00122244	29/09/2021	John Simpson	\$1,839.60
			Refund - Development Application - Withdrawn	
120	00122245	29/09/2021	Jeffrey Pitt	\$20.00
			Refund - Optus Stadium Tour - Gold Program	
121	00122246	29/09/2021	Shelford Construction Pty Ltd	\$755.40
			Refund - Building Application - Duplicate Payment	
122	00122247	29/09/2021	EView Group	\$22.13
			Refund - Copies Of Plans - Duplicate Payment	
123	00122248	29/09/2021	Dior Conveyancing	\$94.96
			Vendors Portion Of Rates - Re-Issue Of Stale Cheque 00119266	
124	00122249	29/09/2021	Rates Refund	\$494.00
125	00122250	29/09/2021	Lily Nails Salon	\$110.00
			Refund - Occupancy Permit - Rejected	
	00122251	28/09/2021	Cancelled	
126	00122252	28/09/2021	101 Residential Pty Ltd	\$2,826.21
			Refund - Building Application - Duplicate	
127	00122253	28/09/2021	Amanda Jane Harrington	\$850.00



			Product Photography Workshop - YTRAC - Place Management	
128	00122254	28/09/2021	City of Wanneroo	\$90.30
			Museum Petty Cash	
129	00122255	28/09/2021	City of Wanneroo	\$175.20
			Wanneroo Library Petty Cash	
130	00122256	28/09/2021	City of Wanneroo	\$289.10
			Ashby Operations Centre Petty Cash	
131	00122257	28/09/2021	Perth Patio Magic Pty Ltd	\$273.20
			Refund - Building Application Fee - Double Payment	
132	00122258	28/09/2021	Telstra	\$3,334.75
			Internet / Phone Charges For The City	
133	00122259	28/09/2021	Vikings Softball & Wanneroo Giants	\$3,783.57
			Refund - Overpayment Of Invoice 195942	
			<b>Total Director Corporate Services Advance - Cheques</b>	<b>\$351,536.07</b>
<b>ELECTRONIC FUNDS TRANSFER</b>				
	00004232	03/09/2021		
134			Accenture Australia Pty Ltd	\$126,500.00
			FMIS - Milestone Payment For Completion Of Re Plan - ICT	
135			BE Projects (WA) Pty Ltd	\$242,234.36
			Progress Claim 4 - Dalvik Park Sports Amenities Building - Assets	
136			Bollig Design Group Ltd	\$37,325.75
			Consultancy - Sports Amenities Building - Halesworth Park - Assets	
137			Mastec Australia Pty Ltd	\$155,115.11
			Bin Rollout - Stage 2 & 4 Phase 2 & 3 - Waste Services	
	00004233	06/09/2021		
138			Bollig Design Group Ltd	\$11,291.50
			Roof Shelter For Kiosk - Wanneroo BMX Pearsall Upgrade - Assets	
	00004234	06/09/2021		
139			ABM Landscaping	\$3,058.99
			Replay Pavers - Mirrabooka Avenue - Assets	
140			Advanced Traffic Management	\$1,788.73
			Traffic Control - Yanchep Industrial Area - Assets	
141			AE Hoskins Building Services	\$4,034.25
			Roof Repairs - Jenolan Community Centre - Building Maintenance	

142			AFGRI Equipment Australia Pty Ltd	\$801.39
			Vehicle Spare Parts - Fleet	
143			Air Communications	\$20,440.93
			Install Wireless Wide Area Network - 23.09.2019 - 23.09.2022 - ICT	
144			All Australian Safety Pty Ltd	\$150.00
			Anti Fog Lens Wipes - Parks	
145			Aslab Pty Ltd	\$4,180.00
			Asphalt Testing - Various Locations - Assets	
146			Atom Supply	\$2,011.49
			PPE Equipment - Stores Stock	
147			AV Truck Service Pty Ltd	\$909.54
			Vehicle Spare Parts - Fleet	
148			Because We Care Pty Ltd	\$16,533.00
			Dog Waste Bags - Waste Services	
149			BeChallenged Team Building Pty Ltd	\$10,142.00
			Workshop - Team Learning & Development - 19.10.2021 - Communications & Brand	
150			Better Pets and Gardens Wangara	\$204.34
			Animal Care Centre Supplies	
151			Bladon WA Pty Ltd	\$235.67
			Staff Uniforms - Health & Compliance	
152			Bollog Design Group Ltd	\$3,300.00
			Consultancy - Toilet & Changeroom Renewal - Kingsway Stadium	
153			Boya Equipment	\$58.62
			Spraypack Components - Parks	
154			BP Australia Ltd	\$80,093.92
			Fuel Issues For August 2021	
155			Bridgestone Australia Limited	\$7,440.55
			Tyre Fitting Services For The City	
156			Car Care (WA) Mindarie	\$269.50
			Monthly Cleaning - Community Transport Buses - Community Planning & Development	
157			Car Care Motor Company Pty Ltd	\$2,022.56
			Vehicle Services For The City	
158			Carramar Resources Industries	\$2,429.36
			Disposal Of Waste - Yanchep Industrial Area - Assets	
159			Cathara Consulting Pty Ltd	\$5,362.50
			Casual Labour For The City	
160			Challenge Batteries WA	\$188.10
			Vehicle Batteries - Fleet	
161			Chillo Refrigeration & Air-Conditioning	\$2,576.75
			Service Ice Machines - Various Locations - Building Maintenance	

			Repair Fridge - WLCC - Building Maintenance	
162			Chris Kershaw Photography	\$1,732.50
			Photography - Citizenship Ceremonies - Events	
163			Civica Pty Ltd	\$6,256.80
			Spydus Managed Services - 01.05.2021 - 30.04.2022 - ICT	
164			Clark Equipment Sales Pty Ltd	\$698.92
			Bobcat Front Windscreen - Stores	
165			Clinipath Pathology	\$1,215.50
			Medical Fees For The City	
166			Coastal Navigation Solutions	\$1,536.70
			Public Artwork Maintenance - Kahana Park - Cultural Services	
167			Coates Hire Operations Pty Ltd	\$12,047.38
			Equipment Hire - Yanchep Industrial Area - Assets	
168			Corsign (WA) Pty Ltd	\$60.50
			Sign - Bin Enclosure - Hinckley Park - Assets	
169			CR Kennedy & Co Pty Ltd	\$3,003.00
			Subscription - WA RTK Unlimited - 13.08.2021 - 12.08.2022 - Surveys	
170			Deans Auto Glass	\$484.00
			Fit Windscreen - Isuzu Fvy - Fleet	
171			Department Of Biodiversity, Conservation And Attractions	\$430.00
			Flag Raising Ceremony - 17.08.2021 - Community Planning & Development	
172			Dowsing Group Pty Ltd	\$98,667.07
			Replace Kerbing - Various Locations - Engineering	
			Upgrade Footpath Connection - Gumblossom Reserve - Assets	
173			El Irrigation Pty Ltd	\$275.00
			Repair Irrigation Equipment - Eastwall Park - Parks	
174			Forrest And Forrest Games	\$1,584.00
			Supply Medium Report For Extra Categories When Analysing Soil & Leaf Testing Data - Parks	
			Supply Specification For Blending Of Fertilisers - Parks	
175			Frontline Fire & Rescue Equipment	\$7,205.10
			Vehicle Repairs - Fleet	
176			Fusion Applications Pty Ltd	\$6,600.00
			OICS Architecture Integration - ICT	
177			Gen Connect Pty Ltd	\$393.25
			Service Generator - Depot & Clarkson Bushfire Brigade - Building Maintenance	

178			Geoff's Tree Service Pty Ltd	\$93,343.81
			Pruning Works For The City	
179			Global Marine Enclosures Pty Ltd	\$2,479.29
			Winter Maintenance - July - September - Assets Maintenance	
180			Green Options Pty Ltd	\$12,910.72
			Rotary Mowing - Active Parks - Parks	
181			Hays Personnel Services	\$3,249.95
			Casual Labour For The City	
182			Heatley Sales Pty Ltd	\$3,166.99
			Stock - Stores Issues	
183			Hitachi Construction Machinery Pty Ltd	\$2,070.04
			Vehicle Filters For Depot Store	
184			Hydroquip Pumps	\$1,001.00
			Pump Service - Exeter Park - Parks	
			Inspect Pump - Nanatee Park - Parks	
185			Imagesource Digital Solutions	\$434.50
			Acrylic Labels - Cockman House - Cultural Services	
			Coreflute Sign - Toilet Access Closure - Assets	
186			Integrity Industrial Pty Ltd	\$22,955.84
			Casual Labour For The City	
187			Irrigation Australia	\$714.00
			Membership - Annual IAL - Chris Langsford - 01.07.2021 - 30.06.2022 - Parks	
188			J Blackwood & Son Ltd	\$3,504.14
			PPE Supplies - Various Service Units	
			Stock - Stores Issues	
189			James Bennett Pty Ltd	\$2,541.91
			Book Purchases - Library Services	
190			JBS & G Australia Pty Ltd	\$605.00
			Contaminated Site Audit - Lot 9005 Motivation Drive - Property Services	
191			Jeffery Electronics	\$990.00
			Repair Irrigation Control System - Abbeville Park - Parks	
192			Kleenheat Gas Pty Ltd	\$13.65
			Gas Supplies For The City	
193			Kleenit	\$2,024.90
			Graffiti Removal For The City	
			High Pressure Cleaning - Dog Kennels & Courtyard - Rangers	
194			Landcare Weed Control	\$2,556.13
			Handweeding - Caporn - Parks	
195			Laundry Express	\$600.07
			Cleaning Of Linen - Council & Corporate Support	
196			LD Total	\$5,396.28



			Cylinder Mowing - Parks	
197			Logo Appointments	\$6,946.72
			Casual Labour For The City	
198			Mayday Earthmoving	\$3,701.50
			Heavy Equipment Hire For The City	
199			Michael Page International (Australia) Pty Ltd	\$7,640.82
			Casual Labour For The City	
200			Millennium Cleaning (WA) Pty Ltd	\$145.75
			Deep Cleaning - Yanchep Community Hub - Rangers	
201			Miracle Recreation Equipment Pty Ltd	\$434.50
			Repair Playground Equipment - Dalvik Park - Parks	
202			NAPA - GPC Asia Pacific Pty Ltd	\$818.32
			Vehicle Spare Parts - Fleet	
203			Noma Pty Ltd	\$660.00
			Design Review Panel - Approval Services	
204			Northern Lawnmower & Chainsaw Specialists	\$764.60
			Vehicle Spare Parts - Stores	
205			Nutrien Ag Solutions Limited	\$13,068.00
			Fertiliser 25Kg - Parks	
206			On Tap Plumbing & Gas Pty Ltd	\$9,043.16
			Plumbing Maintenance For The City	
207			Paperbark Technologies Pty Ltd	\$425.00
			Aerial Inspection - Ruthin Way - Parks	
208			Plantrite	\$1,608.75
			Plants - Parks	
209			Powerhouse Batteries Pty Ltd	\$104.41
			Vehicle Spare Parts - Fleet	
210			Prestige Alarms	\$231.00
			Alarm Services For The City	
211			Ralph Beattie Bosworth	\$1,463.00
			Contract Administration - Dalvik Park - July 2021 - Assets	
212			Reliable Fencing WA Pty Ltd	\$6,858.50
			Barrier Works - Various Locations - Parks	
213			Repco	\$1,999.76
			Vehicle Spare Parts - Fleet / Stores	
214			Roads 2000	\$76,930.47
			Progress Claim 1 - Lisford Avenue - Assets	
215			Rogers Axle & Spring Works Pty Ltd	\$990.00
			Vehicle Spare Parts - Fleet	
216			Safety And Rescue Equipment	\$440.00
			Safety Equipment Inspection - Ashby Operations Centre - Building Maintenance	

217			Scott Print	\$313.50
			Printing - Envelopes - Office Of The Mayor	
218			Seabreeze Landscape Supplies	\$48.00
			Brickies Sand - Parks	
219			Smartbuilt Perth Pty Ltd	\$198.00
			Pest Control Services For The City	
220			St John Ambulance Western Australia	\$141.90
			First Aid Supplies - OSH	
221			Steens Gray & Kelly	\$528.00
			Completion Reporting / Presentation - Phil Renkin Recreation Centre - Assets	
222			Stiles Electrical & Communication Services Pty Ltd	\$4,286.03
			Electrical Upgrade - Girrawheen Complex - Assets	
223			Terravac Vacuum Excavations Pty Ltd	\$6,082.40
			Location Of Services For The City	
224			The Distributors Perth	\$246.25
			Snacks & Confectionery - Kingsway Stadium	
225			The Trustee for Hayto Trust	\$2,722.50
			Provision Of Raw Footage - City Of Wanneroo Events - Communications & Brand	
			Photography - Soccer Changeroom Extension - Communications & Brand	
			Videography - Yanchep Lagoon Primary - Cultural Services	
226			The Trustee for Knightside Trust	\$9,476.50
			Progress Payment - Neerabup Industrial Area Compliance - Advocacy & Economic Development	
227			Toll Transport Pty Ltd	\$910.98
			Courier Services For The City	
228			Toro Australia Group Sales Pty Ltd	\$783.35
			Vehicle Spare Parts - Fleet	
229			Total Landscape Redevelopment Services Pty Ltd	\$3,630.00
			Install Sports Seats - Kingsway Baseball - Parks	
230			TQuip	\$1,234.45
			Atomic Blade - Stores Stock	
231			Turf Care WA Pty Ltd	\$3,174.60
			Application Of Fertilisers At City Of Wanneroo Parks	
232			W.I.S.D.O.M. in Your Life	\$770.00
			Welcome To Country - Naidoc Week Flag Raising Ceremony - Community Planning & Development	
233			WA Hino Sales & Service	\$121.66
			Vehicle Spare Parts - Fleet	

234			Wanneroo Central Bushfire Brigade	\$116.97
			Reimbursement - Catering - B1 Training Course - Fire Services	
			Reimbursement - Catering - Level 1 Incident Control Course - Fire Services	
235			Wanneroo Electric	\$9,884.04
			Electrical Maintenance For The City	
236			West Coast Bus Charters	\$330.00
			Coach Charter - Merriwa Primary & Wanneroo Library - Library Services	
237			Western Australian Treasury Corporation	\$9,244.92
			Loan Interest Payment - 23.09.2021 - Finance	
238			Winc Australia Pty Limited	\$4,998.83
			Stationery Purchases For The City	
239			WSP Australia Pty Ltd	\$19,670.75
			Consultancy Services - CCTV & Automatic Gates - Assets	
	00004235	06/09/2021		
240			Viva Energy Australia Pty Ltd	\$63,258.18
			Fuel Issues For The City	
241			WEX Australia Pty Ltd	\$1,048.58
			Fuel Issues For The City	
	00004236	07/09/2021		
242			Hodge Collard Preston Unit Trust	\$7,128.00
			Consultancy - Concept Design Heath Park New Sports Amenities Building - Assets	
			Architectural Consultancy - Wanneroo Aquamotion - Assets	
243			Kleenheat Gas Pty Ltd	\$249.40
			Gas Supplies For The City	
244			LD Total	\$11,396.00
			First Claim - Hepburn Roundabouts - Assets	
245			Ralph Beattie Bosworth	\$4,708.00
			Design Services - Health Park Sports Amenities - Assets	
	00004237	07/09/2021		
246			Rates Refund	\$591.28
247			Rates Refund	\$933.32
248			Rates Refund	\$3,529.35
	00004238	07/09/2021		
249			Alinta Gas	\$1,714.60
			Gas Supplies For The City	

250		Australian Manufacturing Workers Union	\$113.60
		Payroll Deductions	
251		Australian Services Union	\$518.00
		Payroll Deductions	
252		Australian Taxation Office	\$1,143,140.00
		Payroll Deductions	
253		Brett Williams	\$2,000.00
		Refund - Street & Verge Bond	
254		Buckby Contracting Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
255		Carrisa Pty Ltd T/A Zircon Projects Ltd	\$2,000.00
		Refund - Street & Verge Bond	
256		Celebration Homes Pty Ltd	\$3,458.28
		Refund - 2 Street & Verge Bonds	
257		CFMEU	\$114.00
		Payroll Deductions	
258		Child Support Agency	\$1,494.82
		Payroll Deductions	
259		City of Wanneroo - Payroll Rates	\$4,594.00
		Payroll Deductions	
260		City of Wanneroo - Social Club	\$648.00
		Payroll Deductions	
261		Cr Glynis Parker	\$81.24
		Travel Allowance - July 2021	
262		Cr Lewis Flood	\$454.48
		Travel Allowance August 2021	
263		Dale Alcock Homes Pty Ltd	\$22,916.55
		Refund - 12 Street & Verge Bonds	
264		First Homebuilders Pty Ltd	\$2,000.00
		Refund - Street & Verge Bond	
265		Fleet Network	\$998.25
		Payroll Deductions	
266		HBF Health Limited	\$687.56
		Payroll Deductions	
267		Homebuyers Centre	\$716.40
		Refund - Development Application - Withdrawn	
268		Indoor Sports WA Incorporated	\$200.00
		Sponsorship - 2021 National Indoor Netball Championships - 1 Attendee - Adelaide 02 - 09.10.2021	
269		JCorp Pty Ltd	\$3,172.40
		Refund - Building Application - Paid Twice - Lot 6 Tiller Turn Yanchep	
270		Lee Taylor	\$2,000.00
		Refund - Street & Verge Bond	
271		LGRCEU	\$1,527.26
		Payroll Deductions	
272		Luxury Living WA Pty Ltd Trading As Status Residential	\$4,000.00



			Refund - 2 Street & Verge Bonds	
273			Maxxia Pty Ltd	\$8,605.42
			Payroll Deductions	
274			Mr Brent Sciaresa	\$744.75
			Reimbursement - Study Assistance - Asset Management & Building Pathology	
275			Mr Colin Moore	\$2,000.00
			Refund - Street & Verge Bond	
276			Mr Derek Tucker	\$2,000.00
			Refund - Street & Verge Bond	
277			Mr Fethi Kiylik	\$1,000.00
			Refund - Street & Verge Bond	
278			Mr Geoffrey Murray	\$1,000.00
			Refund - Street & Verge Bond	
279			Mr Iqwal Bhambra	\$1,000.00
			Refund - Street & Verge Bond	
280			Mr Wayne Hartshorn	\$1,000.00
			Refund - Street & Verge Bond	
281			Mrs Darja Gromova	\$2,000.00
			Refund - Street & Verge Bond	
282			Mrs Jeanette McDonald	\$1,000.00
			Refund - Street & Verge Bond	
283			Mrs Lisa Champion	\$2,000.00
			Refund - Street & Verge Bond	
284			Mrs Sharronjit Govender	\$25.00
			Refund - Copies Of Plans - Not Available	
285			Mrs Tanya Stangroom	\$150.00
			Dog Registration Refund - Sterilised	
286			Ms Lisa Daly	\$2,000.00
			Refund - Street & Verge Bond	
287			Paragon Homes Group Pty Ltd	\$2,000.00
			Refund - Street & Verge Bond	
288			Paywise Pty Ltd	\$1,342.31
			Payroll Deductions	
289			School Sport Western Australia Incorporated	\$75.00
			Sponsorship - 1 Member - State Football (Soccer) Championships Albany, Bunbury & Busselton 14 - 20.08.2021	
290			Simsai Construction Group Pty Ltd	\$2,000.00
			Refund - Street & Verge Bond	
291			Smartsalary	\$6,910.19
			Payroll Deductions	
292			Synergy	\$18,590.44
			Power Supplies For The City	
293			Trailer Parts Pty Ltd	\$681.70
			Vehicle Spare Parts - Fleet	
294			Water Corporation	\$5,317.91

			Water Meter Installation - Breakwater Park - Assets	
			Water Supplies For The City	
295			Wow Group (WA) Pty Ltd	\$2,733.97
			Refund - Building Application - Paid Twice	
	00004239	07/09/2021		
296			Kingsway Christian College Darch	\$2,799.50
			50% Payment - Venue Hire 15.09.2021 - Youth Services	
297			Ungerboeck Systems International Pty Ltd	\$473.00
			Consultancy - 2 Hour Training Session - Business Systems	
	00004240	08/09/2021		
298			City of Wanneroo - Rates	\$1,810.00
			Rates Assessment Deductions	
299			Cr Brett Treby	\$2,690.46
			Monthly Meeting Allowance	
300			Cr Christopher Baker	\$2,690.46
			Monthly Meeting Allowance	
301			Cr Domenic Zappa	\$1,705.46
			Monthly Meeting Allowance	
302			Cr Dot Newton	\$2,590.46
			Monthly Meeting Allowance	
303			Cr Glynis Parker	\$2,690.46
			Monthly Meeting Allowance	
304			Cr Jacqueline Huntley	\$2,690.46
			Monthly Meeting Allowance	
305			Cr Lewis Flood	\$2,575.46
			Monthly Meeting Allowance	
306			Cr Linda Aitken	\$2,690.46
			Monthly Meeting Allowance	
307			Cr Natalie Sangalli	\$2,690.46
			Monthly Meeting Allowance	
308			Cr Paul Miles	\$2,490.46
			Monthly Meeting Allowance	
309			Cr Sonet Coetzee	\$2,690.46
			Monthly Meeting Allowance	
310			Mayor Tracey Roberts	\$11,248.47
			Monthly Meeting Allowance	
	00004241	14/09/2021		
311			Cr Huu Van Nguyen	\$2,690.46
			Monthly Meeting Allowance	
	00004243	14/09/2021		
312			Rates Refund	\$1,930.46

313			Rates Refund	\$3,747.84
	00004244	14/09/2021		
314			Alinta Gas	\$191.50
			Gas Supplies For The City	
315			Ashmy Pty Ltd	\$6,000.00
			Refund - 3 Street & Verge Bonds	
316			Aveling Homes Pty Ltd	\$2,000.00
			Refund - Street & Verge Bond	
317			BGC Residential Pty Ltd	\$3,391.84
			Refund - Building Application Fees - Paid Twice	
318			Blueprint Homes (WA) Pty Ltd	\$8,000.00
			Refund - 4 Street & Verge Bonds	
319			Celebration Homes Pty Ltd	\$10,000.00
			Refund - 5 Street & Verge Bonds	
320			D2R Pty Ltd	\$2,000.00
			Refund - Street & Verge Bond	
321			Department of Fire & Emergency Services	\$7,465,151.03
			2021 / 2022 ESL Quarter 1 Contribution - Finance	
322			Department of Transport	\$1,945.30
			Vehicle Ownership Search - Community Safety	
323			First Homebuilders Pty Ltd	\$2,000.00
			Refund - Street & Verge Bond	
324			Fleet Network	\$59.88
			Input Tax Credits For Salary Packaging - 31.08.2021	
325			Gemmill Homes Pty Ltd	\$10,000.00
			Refund - 5 Street & Verge Bonds	
326			Halpd Pty Ltd Trading As Affordable Living Homes	\$2,000.00
			Refund - Street & Verge Bond	
327			Home Group WA Pty Ltd	\$4,000.00
			Refund - 2 Street & Verge Bonds	
328			Homebuyers Centre	\$6,000.00
			Refund - 3 Street & Verge Bonds	
329			LGISWA	\$244,902.34
			Insurance - Actual Wages Adjustment 2020 / 2021 - People & Culture	
			Insurance - Performance Based Adjustments 2019 / 2020 - People & Culture	
			Insurance - Motor Vehicle Adjustment 2020 / 2021 - Governance	
330			Luxury Living WA Pty Ltd Trading As Status Residential	\$2,000.00
			Refund - Street & Verge Bond	
331			Materon Investments WA Pty Ltd	\$627.56

			Refund - Development Application Fee - Charged Twice	
332			Maxxia Pty Ltd	\$646.24
			Input Tax Invoice For Salary Packing For August 2021	
333			Miss Tra-Mi Nguyen	\$1,000.00
			Refund – Street & Verge Bond	
334			Mr Graham Woodard	\$243.55
			Keyholder Volunteer Payments	
335			Mr Phillipe De Bosscher	\$1,000.00
			Refund – Street & Verge Bond	
336			Mr Thulani Mahlangu	\$2,000.00
			Refund – Street & Verge Bond	
337			Ms Cara Ford	\$1,900.00
			Refund – Street & Verge Bond	
338			Ms Peggy Brown	\$145.00
			Keyholder Volunteer Payments	
339			Pattersons Insurerbuild	\$2,000.00
			Refund – Street & Verge Bond	
340			Paywise Pty Ltd	\$101.92
			Input Tax Credits For Salary Packaging For August 2021	
341			Pure Homes Pty Ltd Trading As B1 Homes	\$2,000.00
			Refund – Street & Verge Bond	
342			Smart Martial Arts & Taekwondo	\$600.00
			Sponsorship - 8 Members - Australian Taekwondo Belmont - 24 - 25.07.2021	
343			Synergy	\$593,870.27
			Power Supplies For The City	
344			Water Corporation	\$6,024.62
			Water Supplies For The City	
345			Western Power	\$3,300.00
			Design Fees - Ferrara Way - Girrawheen - Assets	
	00004245	14/09/2021		
346			AARCO Environmental Solutions Pty Ltd	\$2,324.85
			Asbestos Removal - St Ives PAW - Parks	
347			Acurix Networks Pty Ltd	\$6,257.90
			Monthly Charges - September 2021 - ICT	
348			Advanced Traffic Management	\$3,668.39
			Traffic Control Services & Equipment For The City	
349			AE Hoskins Building Services	\$7,631.25
			Repair Roof - Fleet Workshop - Building Maintenance	
350			Air Liquide Australia	\$190.08
			Gas Cylinder Hire - Stores	



351			Ambrosini Global Resources Pty Ltd	\$2,906.94
			Casual Labour For The City	
352			Armaguard	\$316.85
			Cash Collection Services For The City	
353			Asstetic Australia Proprietary Limited	\$231,820.60
			SDD Approval - Schedule - ICT	
			Annual Subscription - 01.07.2021 - 30.06.2022 - ICT	
354			Atom Supply	\$15.58
			Lynch Pin - Stores	
355			Aussie Natural Spring Water	\$31.50
			15L Return Swap Over Bottles - Place Management	
356			Australasian Performing Right Association	\$1,007.63
			Licence Fees - Kingsway	
357			Australian Airconditioning Services Ltd	\$31,130.44
			Airconditioning Maintenance For The City	
358			Australian Institute of Management Resource Development Centre Incorporated	\$734.00
			Training - Create, Resource & Track Projects - 1 Attendee - 15 - 16.07.2021 - Parks	
359			Australian Property Consultants	\$1,100.00
			Consultancy - Rental Valuation - Property Services	
360			Axiell Pty Ltd	\$12,650.00
			Software Licence - Museum Collections Management System - ICT	
361			Azility	\$2,517.90
			Utility Control Core X 3 Scorekeeping Service - ICT	
362			Ball & Doggett Pty Ltd	\$356.72
			Print Room - Paper Supplies	
363			Banksia Grove Development Nominees	\$288,222.55
			Bond Refund - Banksia Grove Stage 50B WAPC 156073	
364			Bidfood Perth	\$1,080.02
			Tea / Coffee Supplies - Stores	
365			Blackwell & Associates Pty Ltd	\$440.00
			Design Review Panel - Planning Services	
366			Bladon WA Pty Ltd	\$1,106.06
			Corporate Uniforms - Various Employees	
367			Bollig Design Group Ltd	\$43,505.00
			Consultancy - Southern Suburbs Library - Assets	
			Consultancy - Sports Amenities Building - Halesworth Park - Assets	

368			Boral Construction Materials Group	\$628.98
			Concrete Mix - Bayport Circuit - Engineering	
369			Brian Zucal & Associates	\$5,940.00
			Revaluation - East Wanneroo Development Areas - Cells 1 To 9 - Property Services	
			Revaluation - Mary Street - Property Services	
370			Bridgestone Australia Limited	\$380.60
			Tyre Fitting Services For The City	
371			Bring Couriers	\$77.69
			Courier Services - Health Services	
372			Brownes Foods Operations Pty Limited	\$555.68
			Milk Deliveries For The City	
373			Bucher Municipal Pty Ltd	\$11,968.81
			Vehicle Spare Parts - Stores / Fleet	
374			Budo Group Pty Ltd	\$178.75
			Install Door Stoppers - Phil Renkin Centre - Assets	
375			Cabcharge	\$956.83
			Cabcharge Services	
376			Car Care Motor Company Pty Ltd	\$1,788.48
			Vehicle Services For The City	
377			Carramar Resources Industries	\$496.65
			Disposal Of Rubble - Assets / Engineering	
378			Castledine Gregory	\$9,278.01
			Legal Fees For The City	
379			Cathara Consulting Pty Ltd	\$5,362.50
			Casual Labour For The City	
380			Chandler Macleod Group Limited	\$10,244.02
			Casual Labour For The City	
381			Cherry's Catering	\$1,612.90
			Catering - Council Dinner - Corporate Support	
382			Civica Pty Ltd	\$2,607.55
			Consultancy - Finalise Actus Implementation And Project Coordination - ICT	
383			Clinipath Pathology	\$1,496.00
			Medical Fees For The City	
384			CMO Trading Pty Ltd	\$249.40
			Volleyball Net - Kingsway Stadium	
385			Coca Cola Amatil Pty Ltd	\$231.30
			Beverages - Kingsway Stadium	
386			Corsign (WA) Pty Ltd	\$462.00
			Sign - Two Rocks Sea Wreck Management Trial - Coastal Projects	
387			Courtney Aaron	\$4,000.00

			Commissioning Of Aboriginal Artwork For Corporate Brand - Communications & Brand	
388			Critical Fire Protection & Training Pty Ltd	\$7,714.95
			Fire Detection Equipment Maintenance For The City	
389			CS Legal	\$17,099.19
			Court Fees - Rating Services	
390			Daimler Trucks Perth	\$298.95
			Vehicle Spare Parts - Fleet	
391			Dave Lanfear Consulting	\$5,346.00
			Feasibility Study - Wanneroo Recreation Centre - Facilities	
392			DC Golf	\$96,526.90
			Commission Fees - August - Carramar & Marangaroo Golf Courses - Property	
393			Diamond Lock & Security	\$6,226.00
			Locking Services - Stores	
394			Direct Communications	\$85.25
			Labour Repairs - Fleet	
395			Dowsing Group Pty Ltd	\$4,670.91
			Install Kerbing - Nullagine Road - Engineering	
			Pathway - Opposite 152 Scenic Drive - Engineering	
396			Drainflow Services Pty Ltd	\$6,572.44
			Road Sweeping Services For The City	
397			E & MJ Rosher	\$818.10
			Vehicle Spare Parts - Stores	
398			Economic Development Australia Limited	\$100.00
			4 Tickets - The Impact Of Local Government On The Economy Of WA - 02.09.2021 - Economic Development	
399			Edge People Management	\$3,236.31
			Return To Work Monitoring & Ergonomic Assessment - OSH	
400			Eleanor Mulder	\$800.00
			Children's Drama Workshops For Children's Book Week - Library Services	
401			ELM Estate Landscape Maintenance	\$308.00
			Marking Of Goal Posts & Irrigation - Leatherback Park	
402			Environmental Industries Pty Ltd	\$56,662.32
			Landscape Maintenance For The City	
403			Ergolink	\$1,970.37
			Office Chairs For The City	
404			Ernst & Young	\$5,225.00
			GST Advice Preparation - Property Services	
405			Fusion Applications Pty Ltd	\$31,748.75

			Consultancy Services - Oracle Specialist - ICT	
406			Geoff's Tree Service Pty Ltd	\$21,488.68
			Pruning Works For The City	
407			Glenn Swift Entertainment	\$2,860.00
			Children's Workshops For Children's Book Week - Library Services	
408			Hays Personnel Services	\$11,246.61
			Casual Labour For The City	
409			Hitachi Construction Machinery Pty Ltd	\$58.60
			Vehicle Filters For Depot Store	
410			Hodge Collard Preston Unit Trust	\$5,252.50
			Architectural Services - Warradale Reserve Clubroom - Assets	
411			Hose Right	\$6,410.94
			Vehicle Hoses - Fleet	
412			Houspect WA	\$1,500.00
			Dilapidation Report - 185 Mary Street - Property Services	
413			Hydroquip Pumps	\$209.00
			Irrigation Repairs - Pyrenees Park - Parks	
414			Iconic Property Services Pty Ltd	\$5,151.72
			Cleaning Services For The City	
415			Imagesource Digital Solutions	\$733.44
			Printing - Plaque Sticker - Belhaven & Hardcastle Park - Facilities	
			Pull-Up Banner - Kingsway	
			A Frame Posters - Cultural Services	
416			Impact Training Corporation	\$720.00
			Sales Training - Aquamotion	
417			Integrity Industrial Pty Ltd	\$38,376.50
			Casual Labour For The City	
418			Integrity Staffing	\$24,595.60
			Casual Labour For The City	
419			Interfire Agencies Pty Ltd	\$8,732.24
			Gloves & Fire-Brake Foam - Fire Services	
420			Iron Mountain Australia Group Pty Ltd	\$5,365.31
			Document Management Services For The City	
421			Isentia Pty Ltd	\$3,503.50
			Media Monitoring Services - Communications & Brand	
422			J Blackwood & Son Ltd	\$2,111.47
			PPE Issues - Various Service Units	
423			Jadu Software Pty Ltd	\$990.00
			Additional Storage - ICT	
424			James Bennett Pty Ltd	\$1,927.96
			Book Purchases - Library Services	



425			Kerb Direct Kerbing	\$18,496.87
			Asset Renewal Program - Buntine Way - Assets	
426			Kinetic IT Pty Ltd	\$10,541.27
			Kinectic Threat Intelligence - ICT	
427			Kleenit	\$16,823.35
			Graffiti Removal For The City	
428			Kyocera Document Solutions	\$5,010.94
			Service Printer - Clarkson Library - ICT	
			Photocopier Reading For The City	
429			Landcare Weed Control	\$20,077.34
			Landscape Maintenance For The City	
430			LD Total	\$13,178.00
			Claim 2 - Hepburn Roundabout - Assets	
			Spraying - Franklin Road - Parks	
431			Let's All Party	\$176.00
			Chair Hire - Flag Raising Ceremony - Community Development	
432			LG Solutions	\$6,050.00
			Financial Reporting Templates - 2020 / 2021 - Finance	
433			Local Government Professionals Aust WA	\$340.00
			Event Registration - Finance For Non-Financial People - 13.09.2021 - 1 Attendee - Procurement	
434			Logo Appointments	\$4,351.37
			Casual Labour For The City	
435			Mackay Urban Design	\$550.00
			Design Review Panel Meeting - 26.08.2021 Acting Chair - Planning Services	
436			Manheim Pty Ltd	\$1,276.44
			Selling & Towage Fees - Rangers	
437			Marketforce Pty Ltd	\$38,993.10
			Advertising Services For The City	
438			Mastec Australia Pty Ltd	\$29,227.44
			Green Bins & Yellow Lid Bins - Waste Services	
439			Mayday Earthmoving	\$22,066.00
			Excavator Hire - Engineering	
440			Meter Office	\$173.80
			Waterproof Paper - Health Services	
441			Michael Joseph Cruise	\$1,956.00
			Videography Production - Youth Services	
442			Michael Page International (Australia) Pty Ltd	\$4,060.94
			Casual Labour For The City	
443			Mindarie Regional Council	\$439,850.75

			Refuse Disposal For The City	
444			Miracle Recreation Equipment Pty Ltd	\$192.50
			Play Equipment Repair - Dinosaur Park - Parks	
445			NAPA - GPC Asia Pacific Pty Ltd	\$1,026.51
			Vehicle Spare Parts - Fleet	
446			Natural Area Holdings Pty Ltd	\$2,802.80
			Weed Control & Planting - Western Pines - Strategic Land Use Planning & Environment	
447			Netsight Pty Ltd	\$1,780.90
			Myosh Annual Subscription - ICT	
448			Noma Pty Ltd	\$440.00
			Design Review Panel Attendance - Simon Venturi - 26.08.2021 - Planning Services	
449			Northern Lawnmower & Chainsaw Specialists	\$2,170.00
			BG 86 Blower - Fleet Assets	
			Garden Edger - Parks	
			Vehicle Spare Parts - Fleet	
450			NS Projects Pty Ltd	\$10,175.00
			Contract Variation - Carramar Golf Course Strategic Plan - Property	
451			Nu-Trac Rural Contracting	\$4,379.51
			Beach Cleaning - Shorehaven & Eden Beach - Engineering	
452			Officeworks Superstores Pty Ltd	\$755.95
			SD Card - Waste Services	
453			On Tap Plumbing & Gas Pty Ltd	\$9,044.98
			Plumbing Maintenance For The City	
454			Paperbark Technologies Pty Ltd	\$1,220.00
			Arborist Report - Taywood Park - Parks	
			Qtra Reinspections - Church Street Marri - Parks	
455			Parker Black & Forrest	\$911.90
			Locking Services For The City	
456			Place Score Pty Ltd	\$2,200.00
			Australian Liveability Census 2021 - Strategic & Business Planning	
457			Plantrite	\$10,388.40
			Plants - Parks	
458			Platinum Window Tinting & Glass Repairs	\$380.00
			Fit Security Film & Tint - Bobcat - Fleet	
459			Porter Consulting Engineers	\$15,175.33
			Design Consultancy - Mather Drive Duplication - Assets	
			Consultancy Services - Road Upgrades - Neerabup Industrial Area - Assets	
460			Prestige Alarms	\$5,065.95

			Alarm / CCTV Services For The City	
461			Programmed Skilled Workforce Limited	\$1,593.41
			Casual Labour For The City	
462			RAC Motoring & Services Pty Ltd	\$99.00
			Call Out - Flat Battery - WN 33222 - Cultural Development	
463			Reliable Fencing WA Pty Ltd	\$27,729.35
			Fencing / Gate Repairs For The City	
464			REM Consulting	\$12,111.32
			Casual Labour For The City	
465			Ricoh Australia Pty Ltd	\$2,475.80
			Copier Lease Charges - Print Room	
466			Roads 2000	\$89,452.33
			Progress Claim - Lisford Avenue - Assets	
			Progress Claim - Buntine Way - Assets	
467			Roy Gripske & Sons Pty Ltd	\$92.08
			Stock - Stores Issues	
468			Safety Wise Solutions	\$3,600.00
			ICAM Lead Investigator Course - 15 - 16/07/2021 - 2 Attendees - People & Culture	
469			Scatena Clocherty Architects	\$660.00
			Consultancy Services - Shelvock Park Sports Amenities Building - Assets	
470			Shred-X	\$312.18
			Shredding Services For The City	
471			Signs & Lines	\$38,936.80
			Sign - Yanchep Entry Statement - Assets	
472			Site Architecture Studio	\$550.00
			Design Consultancy - Wanneroo Changing Place Facility - Facility Projects	
473			Site Sentry Pty Ltd	\$1,540.00
			4 Site Sentry Towers - Wangara Recycling Facility - Waste Services	
474			SJ McKee Maintenance Pty Ltd	\$723.00
			Repair Works - Various Locations - Waste	
475			Smartbuilt Perth Pty Ltd	\$87.38
			Pest Control Services For The City	
476			Solv Solutions	\$14,418.80
			Licence Fee - Solvinjury - August 2021 - July 2022 - ICT	
477			Sonic Healthplus Pty Ltd	\$2,407.00
			Medical Fees For The City	
478			South East Regional Centre for Urban Landcare Incorporated	\$55.00

			Registration - Aquatic Weed Management Training - Decision Makers - 1 Attendee - Parks	
479			<a href="#">SPORTENG</a>	\$3,762.00
			Irrigation Design And Consultancy Services - Frederick Duffy - Assets	
480			<a href="#">St John Ambulance Western Australia</a>	\$201.27
			First Aid Supplies - OSH	
481			<a href="#">StrataGreen</a>	\$346.51
			Haglof Electronic Clinometer - Parks	
482			<a href="#">Suez Recycling &amp; Recovery Pty Ltd</a>	\$215,494.65
			Refuse Disposal - Waste Services	
483			<a href="#">Sureklean Products</a>	\$198.66
			Truck Wash & Degreaser - Stores	
484			<a href="#">Systems Edge Management Services Pty Ltd</a>	\$4,411.00
			Business Case - Tourist Park - Quinns Road - Property Services	
485			<a href="#">Task Exchange Pty Ltd</a>	\$12,885.40
			Renewal - Lag Hub Cloud Package - 19.09.2021 - 18.09.2022 - ICT	
486			<a href="#">Technology One Limited</a>	\$2,695.00
			Upgrade Test & Spatial Consulting Services - ICT	
487			<a href="#">Terravac Vacuum Excavations Pty Ltd</a>	\$5,889.68
			Location Of Services For The City	
488			<a href="#">The Distributors Perth</a>	\$194.85
			Snacks And Confectionery - Kingsway	
489			<a href="#">The Royal Life Saving Society Australia</a>	\$21,611.31
			Home Pool Inspection - 26.06.2021 - 31.07.2021 - Compliance	
490			<a href="#">The Trustee for Knightside Trust</a>	\$4,609.00
			Progress Payment - Neerabup Industrial Area Compliance - Economic Development	
491			<a href="#">Think Promotional</a>	\$1,133.00
			Promotional Items - Business Wanneroo - Advocacy & Economic Development	
492			<a href="#">Thirty4 Pty Ltd</a>	\$211.20
			QNAV Monthly Mobile Data - Rangers	
493			<a href="#">Toll Transport Pty Ltd</a>	\$13.05
			Courier Services - Stores	
494			<a href="#">Total Landscape Redevelopment Service Pty Ltd</a>	\$24,510.75
			Drinking Fountain Repairs - Parks	
495			<a href="#">Triton Electrical Contractors Pty Ltd</a>	\$1,298.00
			Irrigation Electrical Works - Various Locations - Parks	
496			<a href="#">Truck Centre WA Pty Ltd</a>	\$5,361.31
			Vehicle Spare Parts - Fleet / Stores	



497			Turf Care WA Pty Ltd	\$13,465.54
			Turfing Works For The City	
498			United Fasteners WA Pty Ltd	\$294.65
			Vehicle Spare Parts - Fleet	
499			WA Hino Sales & Service	\$875.72
			Stock - Store Issues	
			Vehicle Service - Fleet	
500			WA Library Supplies	\$679.16
			Labels And Barcodes Protectors - Library Services	
501			WA Limestone Company	\$370.26
			Crushed Limestone - Engineering	
502			Wanneroo Business Association Incorporated	\$14,850.00
			Sponsorship - 01.07.2021 - 31.12.2021 - Economic Development	
503			Wanneroo Electric	\$24,942.65
			Electrical Maintenance For The City	
504			West Australian Young Readers Book	\$122.50
			Stickers, Posters, & Bookmarks - Library Services	
505			West Coast Turf	\$15,257.00
			Turfing Works For The City	
506			William Buck Consulting (WA) Pty Ltd	\$7,837.50
			Probity Advisor Services - Final Fee - Property Services	
			Internal Audit Services - August 2021 - Payroll Review - Enterprise Risk	
			Audit Plan - August 2021 - Enterprise Risk	
507			Workpower Incorporated	\$20,817.31
			Landscape Maintenance For The City	
508			Wurth Australia Pty Ltd	\$639.43
			Vehicle Spare Parts - Fleet	
509			Zetta Pty Ltd	\$308.00
			Jira Service Desk Licences - ICT	
510			Zipform Pty Ltd	\$6,361.64
			Artwork, Programming & Printing - Waste Vouchers Rates 2021 / 2021 - Waste	
511			Zoodata	\$286.00
			Inspect Remote Training - ICT	
	00004246	15/09/2021		
512			Australia Post	\$114,838.41
			Postage Charges For The City	
	00004247	15/09/2021		
513			El Irrigation Pty Ltd	\$9,483.02

			Progress Claim 1 - Irrigation Modifications - Dalvik Park - Assets	
514			<a href="#">RW Quantity Surveyors</a>	\$4,730.00
			Progress Claim 2 - Aquamotion Changeroom - Assets	
			Stage 4 - Pre-Tender Estimate - Aquamotion Changeroom - Assets	
	00004248	16/09/2021		
			<a href="#">National Australia Bank</a>	
			Flexipurchase - May 2021 \$48,460.62 - Breakdown On Page 53	
	00004249	21/09/2021		
515			<a href="#">AARCO Environmental Solutions Pty Ltd</a>	\$2,959.00
			Remove Asbestos - Various Locations - Parks	
516			<a href="#">Action Glass &amp; Aluminium</a>	\$554.73
			Glazing Services For The City	
517			<a href="#">Adelphi Apparel</a>	\$2,167.00
			Staff Uniforms - Community Safety	
518			<a href="#">Advanced Traffic Management</a>	\$20,080.89
			Traffic Control Services For The City	
519			<a href="#">Alexander House of Flowers</a>	\$115.00
			Arrangement - 60th Anniversary B & A Thomas - Mayors Office	
520			<a href="#">Alison Bannister Career Coaching</a>	\$1,633.50
			Adult Learners Week - 'Pathways To Employment' - Cultural Services	
			Workshop - Building An Effective LinkedIn Profile - 08.09.2021 - Cultural Services	
521			<a href="#">All Australian Safety Pty Ltd</a>	\$405.85
			Prescription Safety Glasses - Parks Employee	
522			<a href="#">Allstamps</a>	\$35.40
			Name Stamp - Property	
523			<a href="#">Altronic Distributors</a>	\$8.00
			Vehicle Spare Parts - Fleet	
524			<a href="#">Atom Supply</a>	\$136.62
			Lens Cleaning Wipes - Stores	
525			<a href="#">Aussie Natural Spring Water</a>	\$2,375.89
			Water Supplies - Fire Services / Place Management	
526			<a href="#">Aussie Scaffold Pty Ltd</a>	\$1,529.00
			Install / Dismantle Scaffold - Buckingham House - Building Maintenance	
527			<a href="#">Australian Airconditioning Services Pty Ltd</a>	\$317.20

			Airconditioning Maintenance For The City	
528			AV Truck Service Pty Ltd	\$2,238.79
			Vehicle Spare Parts - Fleet / Stores	
529			Ball & Doggett Pty Ltd	\$155.69
			Print Room Paper Supplies	
530			Benara Nurseries	\$3,238.55
			Plants - Parks	
531			Bengineering Transport Equipment	\$275.00
			Vehicle Spare Parts - Fleet	
532			Better Pets and Gardens Wangara	\$220.61
			Animal Care Centre Supplies	
533			Bladon WA Pty Ltd	\$7,929.93
			Staff Uniforms - Library Services	
534			BOC Limited	\$61.76
			Gas Bottles - Fleet / Community Safety	
535			Boral Construction Materials Group	\$3,198.64
			Concrete Mix - Various Locations - Engineering	
536			Boss Bollards	\$594.00
			Bollard - Richard Aldersea Park - Parks	
537			Bowden Tree Consultancy	\$792.00
			Picus Sonic Tomography Testing - Picus Test - Wanneroo Showgrounds - Parks	
538			Bridgestone Australia Limited	\$16,059.95
			Tyre Fitting Services For The City	
539			Brownes Foods Operations Pty Limited	\$301.15
			Milk Deliveries For The City	
540			Bucher Municipal Pty Ltd	\$121.33
			Vehicle Spare Parts - Fleet	
541			Business Station Incorporated	\$323.00
			Training Room Hire - Advocacy & Economic Development	
542			Canon Production Printing Australia Pty Ltd	\$101.62
			Scanner Charges - Customer Relations	
543			Car Care (WA) Mindarie	\$269.50
			Cleaning Of Community Transport Buses - Community Planning & Development	
544			Car Care Motor Company Pty Ltd	\$5,097.94
			Vehicle Services - Fleet	
545			Cardno (WA) Pty Ltd	\$24,471.15
			Consultancy Design - Frederick Stubbs Carpark Upgrade - Assets	
546			Carramar Resources Industries	\$503.63
			Material Disposal - Engineering	
547			Castledine Gregory	\$400.40
			Legal Fees For The City	

548			CDM Australia Pty Ltd	\$474.10
			LCD Screen Repair - ICT	
549			Cherry's Catering	\$1,612.90
			Catering Services For The City	
550			Civica Pty Ltd	\$110.00
			Quarterly SMS Data Usage - Library	
551			Clark Equipment Sales Pty Ltd	\$2,409.17
			Vehicle Spare Parts - Fleet	
552			Claw Environmental	\$173.80
			Collect Polystyrene - Waste	
553			Cleanaway Equipment Services Pty Ltd	\$414.77
			Refuse Disposal - Waste	
554			Coca Cola Amatil Pty Ltd	\$409.83
			Beverages For Kingsway	
555			Commissioner of Police	\$50.10
			National Police Check - 3 Volunteers - Community Development	
556			Critical Fire Protection & Training Pty Ltd	\$330.00
			Hydrant Service - Clarkson Volunteer Bushfire Brigade - Building Maintenance	
557			CS Legal	\$15,421.97
			Court Fees - Rating Services	
558			CW Brands Pty Ltd	\$839.08
			Stock - Stores Issues	
559			David Golf & Engineering Pty Ltd	\$4,514.40
			Flag Tube Self Check Yellow - Parks	
560			Diamond Lock & Security	\$2,300.00
			Stock - Store Issues	
561			Direct Communications	\$132.00
			Standard Microphone - Fleet	
562			Dowsing Group Pty Ltd	\$20,484.58
			Concrete Works - Various Locations - Engineering	
563			Drainflow Services Pty Ltd	\$43,915.74
			Bulk Sweep Carpark - Various Locations - Engineering	
564			DVA Fabrications	\$825.00
			Bookcases - Cultural Services	
565			Ecoblue International	\$1,603.25
			Ad Blue Bulk - Stores Stock	
566			Edith Cowan University	\$54,060.60
			Research Project - Yellagonga Wetlands - 2020 / 2021 Program - Strategic Land & Urban Planning	
567			Elliotts Irrigation Pty Ltd	\$24,001.90
			Pump Start Node - Enterprise Park Parks	
			Irrigation Parts Replacement - Parks	
568			Environmental Industries Pty Ltd	\$128,450.52
			Landscape Maintenance For The City	

569			Equifax Australasia Credit Rating Pty Ltd	\$1,037.52
			Financial & Performance Assessment - Procurement	
570			Ergolink	\$259.15
			Office Chair - Assets	
571			External Works	\$31,757.00
			Spraying - Pipidinn Road - Parks	
			Slashing And Spraying - Blackwood Meadow - Parks	
572			Flick Anticimex Pty Ltd	\$897.60
			Sanitary Services For The City	
573			Forch Australia Pty Ltd	\$1,260.77
			Brake, Glass & Hand Cleaners - Stores	
574			Geoff's Tree Service Pty Ltd	\$98,380.97
			Tree Pruning Across The City Parks	
575			Great Southern Fuels	\$2,348.90
			Fuel - Stores Stock	
576			Hays Personnel Services	\$3,249.95
			Casual Labour For The City	
577			Heatley Sales Pty Ltd	\$786.63
			Stock - Stores Issues	
578			Hickey Constructions Pty Ltd	\$16,555.00
			Limestone Repair - Two Rocks Road - Parks	
			Repair Concrete Steps - Lake Joondalup - Parks	
			Repaint Bus Stop - Lizford Avenue Two Rocks - Engineering	
579			Horizon West Landscape Construction	\$390.50
			Replace Basketball Ring - Hinckley Park - Parks	
580			Hose Right	\$602.57
			Vehicle Spare Parts - Fleet	
581			Hydra Storm	\$1,982.20
			Precast Lids & Bases - Yanchep Industrial Area - Assets	
582			Hydroquip Pumps	\$44,024.93
			Irrigation Works - Various Locations - Parks	
583			Iconic Property Services Pty Ltd	\$14,769.80
			Cleaning Services For The City	
584			Identity Perth	\$3,575.00
			Concept & Design - Strategic Community Plan - Strategic & Business Planning	
585			Imagesource Digital Solutions	\$121.00
			Acrylic Object Label & Artwork - Cultural Services	
586			IMCO Australasia Pty Ltd	\$4,290.00
			Permanent Asphalt Repair - Engineering	



587			Insight GIS	\$5,882.80
			Subscription - MI Pro Software - ICT	
588			Integrity Industrial Pty Ltd	\$31,412.92
			Casual Labour For The City	
589			Intelife Group	\$3,374.80
			Vehicle Cleaning Services For The City	
590			Interfire Agencies Pty Ltd	\$2,298.57
			PPE Issues - Rangers	
			Led Mini Bar - Fleet Management	
591			J Blackwood & Son Ltd	\$2,992.67
			PPE Issues - Various Service Units	
592			Jackson McDonald	\$10,560.00
			Legal Fees For The City	
593			JDSI Consulting Engineers	\$9,108.00
			Variation 23 & 25 - Civil Consultancy - Butler North District Open Space - Assets	
594			K2 Audiovisual Pty Ltd	\$3,545.86
			Visual Equipment Upgrade - ICT	
595			Kevrek	\$726.00
			Service Crane - Fleet	
596			Kleenheat Gas Pty Ltd	\$5,575.40
			Gas Supplies For The City	
597			Kleenit	\$1,195.27
			Graffiti Removal For The City	
598			Komatsu Australia Pty Ltd	\$917.12
			Car Service - Komatsu 96113 - Fleet	
			Fuel Filter - Stores	
599			Landcare Weed Control	\$55,938.58
			Landscape Maintenance For The City	
600			LD Total	\$39,373.44
			Landscape Maintenance For The City	
601			Living Turf	\$17,292.00
			Supply Fertiliser - Parks	
602			Local Government Professionals Australia WA	\$2,200.00
			2021 - 2022 Silver Local Government Membership	
603			Logo Appointments	\$13,744.90
			Casual Labour For The City	
604			Major Motors	\$942.41
			Vehicle Spare Parts - Stores / Fleet	
605			Manheim Pty Ltd	\$5,831.18
			Vehicle Selling & Towage Fees - Rangers	
606			Marketforce Pty Ltd	\$8,764.21
			Advertising Services For The City	
607			Mayday Earthmoving	\$9,141.00
			Heavy Equipment Hire For The City	
608			McLeods	\$5,030.40

			Legal Fees For The City	
609			Michael Page International (Australia) Pty Ltd	\$7,262.78
			Casual Labour For The City	
610			Midalia Steel Pty Ltd	\$535.16
			Steel Supplies - Fleet	
611			Millennium Cleaning (WA) Pty Ltd	\$603.26
			Office Cleaning Services - YTRAC - Place Management	
612			Mindarie Regional Council	\$125,096.92
			CoW Reimbursement of Admin Exp Sept 2021 - Waste	
			Refuse Disposal For The City	
613			Mini-Tankers Australia Pty Ltd	\$6,013.02
			Fuel - Fleet Assets	
614			Minuteman Press - Wanneroo	\$210.75
			Printing - Flyers - Yanchep National Park 2021 - Economic Development	
615			Miracle Recreation Equipment Pty Ltd	\$5,084.20
			Playground Equipment Repairs - Parks	
616			Mr Rollershutter	\$1,470.00
			Repair Rollershutter - Yanchep Beach Kiosk - Building Maintenance	
617			NAPA - GPC Asia Pacific Pty Ltd	\$36.96
			Vehicle Spare Parts - Fleet	
618			Navman Wireless Australia Pty Ltd	\$18.15
			Solar Tracker Fees - 05.09.2021 - 04.10.2021 - Fleet Assets	
619			Nilfisk Advance Pty Ltd	\$245.52
			Blade Kit - Kingsway	
620			NS Projects Pty Ltd	\$10,286.10
			Strategic Plan - Carramar Golf - Property Services	
621			Nutrien Ag Solutions Limited	\$260.81
			Easytie Tree - Parks	
			15Kg Bucket Of Wara Barb Staples - Parks	
622			On Tap Plumbing & Gas Pty Ltd	\$6,363.93
			Plumbing Maintenance For The City	
623			Paperbark Technologies Pty Ltd	\$4,620.00
			Qtra Reinspection - Various Locations - Parks	
624			Parker Black & Forrest	\$832.37
			Locking Services For The City	
625			Parks & Leisure Australia	\$1,122.00
			Registration - WA Playspace Technical Tour - 09.09.2021 - 6 Attendees - Parks	
626			Platinum Window Tinting & Glass Repairs	\$1,560.00
			Install Security / Window Film - Fleet	

627			Power Vac Pty Ltd	\$367.88
			Vehicle Spare Parts - Fleet	
628			Powerhouse Batteries Pty Ltd	\$1,294.48
			Vehicle Spare Parts - Workshop	
629			Prestige Alarms	\$12,608.20
			Alarm / CCTV Services For The City	
630			Productive Plastics	\$1,551.00
			Acrylic Barriers For The Museum	
631			Programmed Skilled Workforce Limited	\$2,969.79
			Casual Labour For The City	
632			Quinns Rock Bush Fire Brigade	\$47.16
			Reimbursement - Catering - Course 28 - 29.08.2021 - Community Safety	
633			Ralph Beattie Bosworth	\$1,463.00
			Cost Estimating - Dalvik Park - Assets	
634			Reliable Fencing WA Pty Ltd	\$54,833.90
			Fencing Works For The City	
635			Rexel Electrical Supplies Pty Ltd	\$14.00
			Vehicle Spare Parts - Fleet	
636			Ricoh Australia Pty Ltd	\$3,719.33
			Image Charge - Production Machine - Print Room	
637			Riskwest	\$2,810.50
			Workshop - Risk Appetite Statements - 27.07.2021 - Enterprise Risk	
638			RJ Vincent & Co	\$76,843.92
			Certificate 15 - Halesworth Park - New Sports Facilities - Assets	
639			Roads 2000	\$37,298.26
			Asphalt - Engineering	
			Traffic Management Plan - Flynn Drive - Engineering	
640			Rolsteel Enterprises Pty Ltd	\$5,445.00
			Modify Truck Body - Contracts And Procurement	
641			Roy Gripske & Sons Pty Ltd	\$1,204.30
			Stock - Stores Issue	
642			Safety World	\$143.00
			PPE Issues - Parks	
643			Sealanes	\$2,104.16
			Food/Beverages - Council & Corporate Support	
644			Sebel Pty Ltd	\$10,727.20
			600 X Postural Adult Chairs - Gumblossom Community Centre - Community Facilities	
645			Sifting Sands	\$4,882.76
			Sand Cleaning - Various Locations - Parks	
646			SJ McKee Maintenance Pty Ltd	\$693.00

			Repair Works - Various Locations - Waste	
647			Skyline Landscape Services (WA)	\$2,123.75
			Landscape Maintenance For The City	
648			Smart Urban Pty Ltd	\$3,014.00
			100 Bollard Sleeve Inserts - Engineering	
649			Smartbuilt Perth Pty Ltd	\$759.00
			Pest Control Services For The City	
650			Smartech Systems Oceania Pty Ltd	\$150.24
			Print Room Supplies	
651			SOLO Resource Recovery	\$157,338.57
			Collect Organic Waste - Waste	
652			Sonic Healthplus Pty Ltd	\$4,889.50
			Medical Fees For The City	
653			St John Ambulance Western Australia	\$417.16
			First Aid Supplies For The City	
654			Stantec Australia Pty Ltd	\$8,159.25
			Wanneroo Civic Centre Parking Study - Road And Traffic Services	
655			Statewide Cleaning Supplies Pty Ltd	\$899.76
			Cleaning Supplies - Stores	
656			Statewide Pump Services	\$11,165.00
			Sewerage Pump - Kingsway Olympic Soccer Clubrooms - Building Maintenance	
			Pump Station Inspection - Javez Street - Engineering	
657			Stewart & Heaton Clothing Company Pty Ltd	\$1,875.22
			Uniforms - Fire Services	
658			Stiles Electrical & Communication Services Pty Ltd	\$11,363.56
			Release Retention - Hainsworth Park Floodlighting - Assets	
			Retention Release - Koondoola Park Floodlighting - Assets	
659			Strategic DCP Consulting	\$3,892.17
			Consulting Services - Neerabup Industrial Area - Strategic Land Use Planning	
660			Suez Recycling & Recovery (Perth) Pty Ltd	\$85,625.90
			Refuse Disposal - Waste	
661			Tamala Park Regional Council	\$21,108.00
			GST Payable For August 2021 Pursuant To Section 153B Of Agreement	
662			Taman Tools	\$770.00
			Grinding Disc - Stores Stock	
663			Terravac Vacuum Excavations Pty Ltd	\$1,184.70

			Services Location - Phil Renkin - Assets	
664			<a href="#">The Distributors Perth</a>	\$150.60
			Snacks And Confectionery - Kingsway	
665			<a href="#">The Hire Guys Wangara</a>	\$220.00
			Equipment Hire - Arrow Board - Waste	
666			<a href="#">The Joy of Wood</a>	\$850.00
			Demonstration - Woodworking Techniques - Cultural Services	
667			<a href="#">The Perth Mint</a>	\$753.50
			Australian Citizen Coins - Events	
668			<a href="#">The Royal Life Saving Society Australia</a>	\$23,553.68
			Home Pool Inspections - August 2021 - Compliance	
669			<a href="#">The Spanish Casa</a>	\$900.00
			Deposit - Catering Small Business Day Event - Advocacy & Economic Development	
670			<a href="#">The Trustee for Talis Unit Trust</a>	\$18,417.22
			Consultancy Services - Property Services	
671			<a href="#">The Trustee for TLC Solutions Australia Unit Trust</a>	\$1,320.00
			Leadership Development Session - 13.09.2021 - People & Culture	
672			<a href="#">Tim Eva's Nursery</a>	\$77.00
			Tree Supply - Olea Manzanillo - Parks	
673			<a href="#">TJ Depiazzi &amp; Sons</a>	\$20,706.84
			Mulch Supplies - Parks	
674			<a href="#">Toll Transport Pty Ltd</a>	\$903.93
			Courier Services For The City	
675			<a href="#">Toolmart</a>	\$269.00
			Fuel Ratchet - Fleet	
676			<a href="#">Toro Australia Group Sales Pty Ltd</a>	\$2,615.91
			Vehicle Spare Parts - Fleet	
677			<a href="#">Total Landscape Redevelopment Service Pty Ltd</a>	\$15,961.00
			Reinstatement & Alteration Of Turf & Irrigation Cages & Fencing - Kingsway Sporting Complex - Assets	
678			<a href="#">Training Services Australia</a>	\$660.00
			Training - Safety and Health Representative - OSH	
679			<a href="#">Triton Electrical Contractors Pty Ltd</a>	\$13,059.75
			Electrical Works - Various Locations - Parks	
680			<a href="#">Trophy Shop Australia</a>	\$246.60
			Name Badge - Various Employees	
681			<a href="#">Turf Care WA Pty Ltd</a>	\$129,357.73
			Turfing Works For The City	
682			<a href="#">Two Rocks IGA</a>	\$120.00



			Catering - Instagram Marketing Workshop - Place Management	
683			Ungerboeck Systems International Pty Ltd	\$1,892.00
			Training - Gold Program Administrator - ICT	
684			Vocus Communications	\$247.50
			NBN Connection - Wire Track - ICT	
685			WA Garage Doors Pty Ltd	\$990.00
			Door Repairs - Various Locations - Building Maintenance	
686			WA Hino Sales & Service	\$304.81
			Fuel Filter - Stores Stock	
687			WA Library Supplies	\$679.16
			Barcode Protectors - Library Services	
688			WA Limestone Company	\$1,910.96
			Crushed Limestone - Yanchep Industrial Area - Assets	
689			Wanneroo Electric	\$7,720.97
			Electrical Maintenance For The City	
690			West Coast Turf	\$14,672.90
			Turfing Works For The City	
691			Western Resource Recovery Pty Ltd	\$1,829.52
			Empty Washdown Bay - Fleet - Building Maintenance	
692			Western Tree Recyclers	\$13,439.84
			Transport And Processing Of Green Waste - Waste	
693			William Buck Audit (WA) Pty Ltd	\$47,124.00
			Audit Services - East Wanneroo Cell 1 - Planning	
			Audit Services - Cell / DCP Annual Cost Review 2021 / 2022 - Strategic Land Use Planning & Environment	
694			Wilson Security	\$205.34
			Security Services For The City	
695			Work Clobber	\$199.26
			Staff Uniforms - Parks	
696			Workpower Incorporated	\$8,881.85
			Landscape Maintenance For The City	
697			Yanchep Beach Joint Venture	\$8,948.89
			Rent, Variable Outgoings & Rates And Taxes - Yanchep Hub - Property Services	
698			Zetta Pty Ltd	\$10,190.47
			Network Managed Services - ICT	
	00004250	21/09/2021		
699			Rates Refund	\$1,916.60
700			Rates Refund	\$3,600.00

	00004251	21/09/2021		
701			Access Without Barriers Pty Ltd	\$110,700.72
			Progress Claim 3 - Kingsway Olympic Soccer Club Madeley Upgrade External Accessibility - Assets	
	00004252	21/09/2021		
702			Rates Refund	\$2,599.80
703			Rates Refund	\$11,151.11
704			Rates Refund	\$1,694.57
705			Rates Refund	\$898.99
706			Rates Refund	\$775.60
707			Rates Refund	\$1,864.23
708			Rates Refund	\$2,155.07
	00004253	21/09/2021		
709			Water Corporation	\$16,852.56
			Water Supplies For The City	
	00004254	22/09/2021		
710			Alinta Gas	\$1,765.00
			Gas Supplies For The City	
711			Ashmy Pty Ltd	\$2,000.00
			Refund - Street & Verge Bond	
712			Australian Manufacturing Workers Union	\$113.60
			Payroll Deductions	
713			Australian Services Union	\$518.00
			Payroll Deductions	
714			Australian Taxation Office	\$562,187.00
			Payroll Deductions	
715			Bich Van Tran	\$360.00
			Vehicle Crossing Subsidy	
716			Celebration Homes Pty Ltd	\$34,000.00
			Refund - 17 Street & Verge Bonds	
717			CFMEU	\$114.00
			Payroll Deductions	
718			Child Support Agency	\$1,478.76
			Payroll Deductions	
719			City of Wanneroo	\$5,348.00
			Payroll Deductions	
720			Fleet Network	\$998.25
			Payroll Deductions	
721			Gemmill Homes Pty Ltd	\$3,110.51
			Refund - 2 Street & Verge Bonds	
722			Gymnastics Western Australia Incorporated	\$75.00
			Sponsorship - 1 Member - Go For 2+5 WA State Championships - Loftus Centre 30.04.2021 - 02.05.2021	
723			HBF Health Limited	\$687.56

			Payroll Deductions	
724			Home Group WA Pty Ltd	\$2,000.00
			Refund - Street & Verge Bond	
725			Homebuyers Centre	\$6,000.00
			Refund - 3 Street & Verge Bonds	
726			JCorp Pty Ltd	\$2,268.47
			Refund - 2 Street & Verge Bonds	
727			LGRCEU	\$1,527.26
			Payroll Deductions	
728			Little People Daycare	\$130.00
			Refund - Overpayment Of Food Safety Services - Receipt 6259353	
729			Local Government Planners Association	\$85.00
			Delivering Amenity: The Challenges and Triumphs of Public Open Space - 26.08.2021 - 1 Attendee - Strategic Land Use Planning	
730			Maxxia Pty Ltd	\$9,111.72
			Payroll Deductions	
731			Miss Bree Dunne	\$103.32
			Dog Registration Refund - Sterilised	
732			Mr Daniel Mackin	\$133.50
			Refund - Pre Paid Lessons - No Availability	
733			Mr Royston Fairman	\$360.00
			Vehicle Crossing Subsidy	
734			Mrs Amanda Fotheringham-Jackson	\$150.00
			Dog Registration Refund - Sterilised	
735			Mrs Amanda Pearce	\$111.40
			Reimbursement - Lunch On Tour - 13.09.2021 - Strategic Land Use Planning	
736			Mrs Jade Wright	\$1,000.00
			Refund - Street & Verge Bond	
737			Ms Anne Welsby	\$2,154.79
			Reimbursement - Study Assistance	
738			Ms Taylor Bradford	\$360.00
			Vehicle Crossing Subsidy	
739			Optus	\$1,169.74
			Phone Charges For The City	
740			Paywise Pty Ltd	\$1,654.31
			Payroll Deductions	
741			Planning Institute of Australia Limited	\$6,225.00
			Registration - 15 Members - Planning	
742			Smartsalary	\$6,115.55
			Payroll Deductions	
743			Synergy	\$9,989.92
			Power Supplies For The City	
744			Vodafone Hutchinson Australia Pty Ltd	\$188.76
			SMS Charges - Fire Services	

745			Western Power	\$1,320.00
			Design Fee - Shelvock Park Carpark - Assets	
	00004255	23/09/2021		
746			BE Projects (WA) Pty Ltd	\$274,399.93
			Progress Claim 5 - Dalvik Park Sports Amenities Building - Assets	
	00004256	24/09/2021		
747			Access Without Barriers Pty Ltd	\$19,143.49
			Final Claim - Kingsway Olympic Soccer Clubrooms - Assets	
	00004257	28/09/2021		
748			Accenture Australia Pty Ltd	\$6,600.00
			Management - Additional Non-Production Oracle - ICT	
749			Access Technologies	\$18,421.70
			Install Cable Gate - Civic Centre Carpark - Assets	
750			Action Glass & Aluminium	\$317.30
			Glazing Services For The City	
751			Adelphi Apparel	\$660.00
			PPE Issues - Rangers	
752			Advanced Traffic Management	\$27,708.84
			Traffic Control Services For The City	
753			All Australian Safety Pty Ltd	\$2,250.01
			Prescription Safety Glasses - Assets Employees	
			Irrigation Items - Parks	
754			Allaboutxpert Australia Pty Ltd	\$9,900.00
			Technical Support Services - August 2021 - ICT	
755			Amgrow Australia Pty Ltd	\$1,870.00
			Eraze 20Lt X 10 - Parks	
756			Aqua Attack Drilling	\$2,387.00
			Decommission Old Bore - Hinckley Park & Charnwood Park - Parks	
757			Archival Survival Pty Ltd	\$671.35
			Document Wallets & Sleeves - Cultural Services	
758			Armaguard	\$246.38
			Cash Collection Services For The City	
759			Ascon Survey And Drafting Pty Ltd	\$2,337.50
			Surveying Works - Marangaroo Golf Course - Assets	
760			Aslab Pty Ltd	\$1,518.00
			Basecourse & Limestone Compliance Testing - Steveage Street Yanchep - Assets	

761			Australasian Performing Right Association	\$28,123.07
			Music For Councils - 2021 / 2022 - Community Facilities	
762			Australian Airconditioning Services Pty Ltd	\$58,149.27
			Airconditioning Maintenance For The City	
763			Australian Communications & Media Authority	\$71.00
			Licence Renewal - Land Mobile/Ambulatory System - ICT	
764			Autism Swim	\$820.80
			4th Year Renewal Centre - Aquamotion	
765			Autosmart North Metro Perth	\$435.60
			Floor Smart - Fleet	
766			B Online Learning Pty Ltd	\$2,200.00
			Articulate Storyline Expert Online - Library Services	
767			Banhams WA Pty Ltd	\$1,529.00
			Diesel Pump Repairs - Hainsworth Avenue - Building Maintenance	
768			Bardfield Engineering	\$12,155.00
			Installation Of New Basketball Units - Various Locations - Assets	
769			Bee Advice	\$160.00
			Remove Bees - Longleaf Park - Parks	
770			Benara Nurseries	\$114.35
			Plants - Parks	
771			Binley Fencing	\$1,980.65
			Temporary Fencing - Yanchep Industrial Area - Assets	
			Temporary Fencing - Dundobar Road - Assets	
772			Bladon WA Pty Ltd	\$2,582.80
			Promotional Items - Events - Place Management	
773			Boral Construction Materials Group	\$1,580.70
			Concrete Mix - Various Locations - Engineering	
774			Borrell Rafferty Associates Pty Ltd	\$3,971.00
			Consulting Engineers - Halesworth Park - Assets	
775			Boya Equipment	\$794.97
			Backpack Sprayer - Parks	
776			Bridgestone Australia Limited	\$6,065.04
			Tyre Fitting Services For The City	
777			Brownes Foods Operations Pty Limited	\$223.45
			Milk Deliveries For The City	
778			Bucher Municipal Pty Ltd	\$3,958.89
			Vehicle Spare Parts - Fleet	



779			Business Agility Pty Ltd	\$1,689.60
			Consultancy Services - May - Aug 2021 - Advocacy & Economic Development	
780			Cabcharge	\$1,048.29
			Cabcharge Services For The City	
781			Car Care Motor Company Pty Ltd	\$1,017.50
			Vehicle Services For The City	
782			Carramar Resources Industries	\$2,174.90
			Disposal Of Rubble - Engineering / Assets	
783			Castledine Gregory	\$81,752.75
			Legal Fees For The City	
784			Cat Welfare Society Incorporated	\$1,980.00
			Provision Of Cat Management For The City - Community Safety	
785			Chandler Macleod Group Limited	\$10,244.02
			Casual Labour For The City	
786			Cherry's Catering	\$7,656.00
			Catering Services For The City	
787			Chris Kershaw Photography	\$1,430.00
			Photography - Express Citizenship Ceremonies - Place Management	
			Photography - School Leadership Program Showcase - Youth Services	
788			City of Gosnells	\$6,050.00
			Subscription - Switch Your Thinking - Strategic Environmental Planning	
789			Coates Hire Operations Pty Ltd	\$7,136.47
			Equipment Hire - Yanchep - Assets	
790			Commercial Aquatics Australia	\$2,078.08
			Plant Maintenance - Aquamotion	
791			Corsign (WA) Pty Ltd	\$1,315.56
			Sticker - Help Us Protect Our Trees - Parks	
			Sticker - LRCIP - Quinns Mindarie Community Centre - Assets	
			Sign - Rousset Road - Dead End Hazard - Assets	
			Sign - Flag Pole Project - Assets	
792			Cossill & Webley Consulting Engineers	\$12,290.52
			Consulting Engineering Services - Highclere Boulevard - Assets	
			Consulting Engineering Services - Kingsbridge Boulevard Traffic Management - Assets	
			Traffic Study Review - Flynn Drive Duplication - Assets	
793			Critical Fire Protection & Training Pty Ltd	\$1,457.50
			Call Out - Fault On Fire Panel - Aquamotion	

			EWIS Log Book - Community Safety	
			Monthly Fire Equipment Test Various Sites - Building Maintenance	
794			CS Legal	\$9,949.75
			Court Fees - Rating Services	
795			Dave Lanfear Consulting	\$11,385.00
			Consultancy Services - Wanneroo Animal Care Centre - Projects	
796			Department of the Premier and Cabinet	\$285.60
			Fire Mitigation Notice - Community Services	
797			Double G (WA) Pty Ltd	\$287.10
			Irrigation Parts - Hainsworth Park - Parks	
798			Dowsing Group Pty Ltd	\$76,027.08
			Concrete Works - Various Locations - Engineering	
799			Drainflow Services Pty Ltd	\$68,719.75
			Drain Cleaning & Road Sweeping Services For The City	
800			E & MJ Rosher	\$5,515.34
			Vehicle Spare Parts - Fleet	
801			EI Irrigation Pty Ltd	\$16,313.18
			Installation Of Irrigation - Various Locations - Assets	
802			Elliotts Irrigation Pty Ltd	\$0.02
			Irrigation Parts Replacement - Parks	
803			Emerge Associates	\$6,600.00
			Variation 2 - Consultancy Services - Splendid Park - Assets	
804			Environmental Industries Pty Ltd	\$7,339.51
			Landscape Maintenance For The City	
805			EPC Technologies Pty Ltd	\$38,236.00
			Neerabup - Solar Stage 1 - Economic Development	
806			Epic Catering	\$3,020.00
			Catering Services For The City	
807			Ergolink	\$968.92
			Office Chairs - Community Safety	
808			Flick Anticimex Pty Ltd	\$82.78
			Hygienic Services For The City	
809			Focus Consulting WA Pty Ltd	\$7,700.00
			Electrical Consulting Services - Chesterfield Park - Assets	
			Electrical Consulting Services - Broadview Park - Assets	
810			Frontline Fire & Rescue Equipment	\$316.15
			Staff Uniforms - Community Safety	
811			Fusion Applications Pty Ltd	\$22,646.25
			Consulting Services - ICT	

812			Gary Martin	\$9,080.00
			CEO Performance Review 2021 - Legal	
813			Geoff's Tree Service Pty Ltd	\$65,283.72
			Pruning Works For The City	
814			Glenn Swift Entertainment	\$550.00
			Storyteller - Book Week 2021 - Merriwa Primary - Cultural Services	
815			Green Options Pty Ltd	\$10,262.37
			Rotary Mowing - Various Locations - Parks	
816			Greens Hiab Service	\$786.50
			Remove - Alf Posts - Wanneroo Showgrounds - Parks	
817			Hancock Creative Pty Ltd	\$1,925.00
			Instagram Marketing For Business Workshop - Place Management	
818			Hanson Construction Materials Pty Ltd	\$1,102.20
			Concrete Works - Various Locations - Engineering	
819			Hays Personnel Services	\$5,411.13
			Casual Labour For The City	
820			Hickey Constructions Pty Ltd	\$5,207.40
			Urara Park Repair Pavers - Trip Hazard - Parks	
			Wildlife Steps - Ridgewood Lake - Parks	
821			Hidrive Group	\$1,964.25
			Vehicle Repairs - Fleet	
822			Horizon West Landscape Construction	\$4,620.00
			Consolidation Basin Turf / Carpark August 2021 - Hinckley Park - Assets	
823			Hose Right	\$2,810.47
			Vehicle Hoses - Fleet	
824			Hydro quip Pumps	\$20,784.50
			Irrigation Repairs - Various Locations - Parks	
825			Iconic Property Services Pty Ltd	\$54,600.51
			Cleaning Services For The City	
826			Identity Perth	\$4,944.50
			Yanchep Lagoon Identity Development Plan - Place Management	
827			Imagesource Digital Solutions	\$1,171.50
			Printing - Window Decals - Aquamotion	
			Printing - Banner - Aquamotion	
828			Indoor Gardens Pty Ltd	\$297.00
			Civic Centre Foyer - Plant Hire - Customer Relations	
829			Information Proficiency	\$1,980.00
			Training - Content Manager - Information Management	
830			Integrity Industrial Pty Ltd	\$59,318.51

			Casual Labour For The City	
831			Integrity Staffing	\$15,144.43
			Casual Labour For The City	
832			Wixom Operations Pty Ltd	\$1,891.33
			Disinfection Of Pools Chlorine Gas Supply	
833			J Blackwood & Son Ltd	\$2,950.79
			PPE Issues - Various Service Units	
834			James Bennett Pty Ltd	\$6.60
			Book Purchases - Library Services	
835			Jansen Audio	\$132.00
			Repair Speakers - Aquamotion	
836			Kerb Direct Kerbing	\$82,037.53
			Kerbing Works For The City	
837			Kleenheat Gas Pty Ltd	\$159.80
			Gas Supplies For The City	
838			Kleenit	\$9,634.85
			Graffiti Removal For The City	
839			Landcare Weed Control	\$8,558.51
			Landscape Maintenance For The City	
840			Landscape Elements	\$2,000.00
			Refund - Street & Verge Bond	
841			LD Total	\$59,766.67
			Landscape Maintenance For The City	
842			Ligna Construction	\$88.00
			Replace / Repair Steps - Spinifex Park - Parks	
843			Local Government Professionals Australia NSW	\$1,100.00
			Council Comparison Window Access - 2021 - Strategic & Business Planning	
844			Logo Appointments	\$11,596.59
			Casual Labour For The City	
845			Marindust Sales & Ace Flagpoles	\$5,775.00
			Install 2 Flag Poles - Assets	
846			Matrix Traffic and Transport Data Pty Ltd	\$1,628.00
			Vehicle & Pedestrian Counts - Dundobar Road - Traffic Services	
847			Mayday Earthmoving	\$8,497.50
			Heavy Equipment Hire For The City	
848			Meter Office	\$110.00
			Waterproof Stickers - Aquamotion	
849			Michael Page International (Australia) Pty Ltd	\$4,269.64
			Casual Labour For The City	
850			Microway	\$967.95
			360 Teams Annual Subscription - People & Culture	
851			Mindarie Regional Council	\$436,437.46
			Refuse Disposal For The City	

852			Minter Ellison	\$2,902.46
			Legal Fees For The City	
853			Miracle Recreation Equipment Pty Ltd	\$13,763.64
			Playground Equipment Repairs - Parks	
854			Musica Viva Australia	\$32,262.00
			Outer Metro Arts - Primary School Project Components - Cultural Services	
855			NAPA - GPC Asia Pacific Pty Ltd	\$83.00
			Split Tubing - Fleet	
856			Natural Area Holdings Pty Ltd	\$26,962.65
			Grass Control Program - Parks	
857			North Metropolitan Tafe	\$1,787.90
			Training - CIV Horticulture - Develop Procedures To Minimise - Parks Employees	
858			Nu-Trac Rural Contracting	\$5,512.17
			Beach Cleaning - Quinns Beach - Engineering	
859			Nutrien Ag Solutions Limited	\$14.05
			Interest Charges On Overdue Invoice - Parks	
860			O'Brien Harrop Access	\$385.00
			Desktop Accessibility Audit - Assets	
861			Officeworks Superstores Pty Ltd	\$184.00
			Shurtuff Bags - Corporate Support	
862			On Tap Plumbing & Gas Pty Ltd	\$5,243.05
			Plumbing Maintenance For The City	
863			Oracle Customer Management Solution Ltd	\$5,600.46
			After Hours Service - July 2021 - Customer Services	
864			Paperbark Technologies Pty Ltd	\$1,650.00
			Arbor Reports - Golf Links - Parks	
865			Parks & Leisure Australia	\$577.50
			Registration - WA Deconstructed Conference : Leadership Management 17.09.2021 - 3 Attendees - Parks	
866			Perth Energy Pty Ltd	\$146,720.75
			Power Supplies For The City	
867			Perth Heavy Tow	\$330.00
			Towing Services For The City	
868			Perth Office Equipment Repairs	\$291.50
			Service Guillotine & Cutting Sticks - Corporate Support	
869			Perth Testing & Tagging Pty Ltd	\$165.00
			Testing And Tagging Equipment - Assets	
870			Play Check	\$11,715.00
			2021 / 2022 Bi Annual Playground Audit - Parks	
871			Prestige Alarms	\$5,112.04



			Alarm / CCTV Services For The City	
872			Print Smart Online Pty Ltd	\$560.38
			Printing - Membership Agreement Book - Aquamation	
873			Pritchard Francis Consulting Pty Ltd	\$1,155.00
			Consultancy Services - Water Management - September 2021 - Economic Development	
874			Programmed Skilled Workforce Limited	\$1,361.25
			Casual Labour For The City	
875			Ralph Beattie Bosworth	\$2,926.00
			Contract Administration - Dalvik Park - Assets	
876			Reliable Fencing WA Pty Ltd	\$8,358.90
			Fencing Works For The City	
877			REM Consulting	\$6,243.24
			Casual Labour For The City	
878			Roads 2000	\$321,024.93
			Road Works For The City	
879			Rogers Axle & Spring Works Pty Ltd	\$947.10
			Vehicle Spare Parts - Fleet	
880			Rubek Automatic Doors	\$911.90
			Automatic Door Repairs - Building Maintenance	
881			RW Quantity Surveyors	\$2,970.00
			Construction Cost Estimating - Montrose Park - Assets	
882			Safety World	\$103.95
			PPE Issues - Waste	
883			Sammy Aldo De Vita	\$395.00
			Legal Fees For The City	
884			Scoop Digital Pty Ltd	\$5,610.00
			Annual Hosting, Licensing, Maintenance & Performance - Discover Wanneroo Website - Economic Development	
885			Sigma Chemicals	\$1,201.20
			Pool Chemical Supply - Aquamation	
886			Site Environmental & Remediation Services Pty Ltd	\$1,622.50
			Remediate Asbestos Contaminated Soil - Ashley Park - Assets	
887			SJ McKee Maintenance Pty Ltd	\$3,035.00
			Repair Works - Various Locations - Waste	
			Repair Retic - Piazza - Waste	
888			Slater-Gartrell Sports	\$2,083.40
			Court / Post / Equipment Repairs - Kingsway	
			Sports Equipment - Kingsway	
889			Smartbuilt Perth Pty Ltd	\$1,725.34

			Pest Control Services For The City	
890			Social Pinpoint	\$9,086.00
			Social Pinpoint Online Mapping Tool - Place Management	
891			Sonic Healthplus Pty Ltd	\$5,361.40
			Medical Fees For The City	
892			Sphere Architects	\$7,095.00
			Architectural Design Services - Montrose Park Tennis Club - Assets	
893			Sport and Recreation Surfaces	\$1,430.00
			Pressure Wash - Tennis Court - Wanneroo Showgrounds - Parks	
894			Sprayline Spraying Equipment	\$749.10
			Knapsack Sprayer - Parks	
895			St John Ambulance Western Australia	\$4,000.41
			First Aid Supplies & Training Services For The City	
896			Statewide Pump Services	\$2,838.00
			Storm Pump Water - Burt Street - Engineering	
897			Steens Gray & Kelly	\$5,676.00
			Variation 1 - Phil Renkin Centre Two Rocks - Assets	
898			Stewart & Heaton Clothing Company Pty Ltd	\$20.49
			Freight Charges - Community Safety	
899			Terravac Vacuum Excavations Pty Ltd	\$20,897.25
			Location Of Services For The City	
900			The Factory (Australia) Pty Ltd	\$1,340.27
			Monthly Christmas Decoration Storage - Building Maintenance	
901			The Honda Shop	\$1,977.00
			Vehicle Spare Parts - Fleet	
902			The Trustee For Smith Family Trust	\$661.38
			Support / Training Suited To Local Community Groups / Sports Clubs - Community Development	
903			Think Promotional	\$212.85
			150 Discover Wanneroo Branded Eco Cutlery Sets - Economic Development	
904			Three Chillies Design Pty Ltd	\$58,960.88
			Surface Coating - BMX Riding - Assets	
905			Tim Eva's Nursery	\$154.00
			Agonis Flexuosa 35L - Parks	
906			TJ Depiazzi & Sons	\$19,678.23
			Pinebark Mulch - Various Locations - Parks	
907			Toolmart	\$1,066.00
			Tool Purchases - Fleet / Parks	
908			Toro Australia Group Sales Pty Ltd	\$2,012.62

			Vehicle Spare Parts - Fleet	
909			Total Landscape Redevelopment Service Pty Ltd	\$5,302.00
			Renew Park Structure - Wanneroo Flag Pole - Assets	
910			Trophy Shop Australia	\$109.60
			Name Badges - Various Employees	
911			Turf Care WA Pty Ltd	\$770.00
			Apply Spearhead - Jimbub Swamp Oval - Parks	
912			W.I.S.D.O.M. in Your Life	\$990.00
			Welcome To Country - Shaun Nannup - Community Services	
913			WA Limestone Company	\$5,232.10
			Crushed Limestone - Yanchep Industrial Area - Assets	
914			WA Rangers Association Incorporated	\$1,650.00
			2021 Professional Development Conference - 15 - 16.09.2021 - 3 Employees - Community Safety	
915			WA Structural Consulting Engineers Ltd	\$3,740.00
			Structural Engineering - Phil Renkin Ventilation - Assets	
916			Wangara Subaru & Volkswagen	\$1,450.90
			Vehicle Repairs - Fleet	
917			Wanneroo Agricultural Machinery	\$7,503.10
			Vehicle Spare Parts - Fleet	
			Tractor Hire - Parks	
918			Wanneroo Central Bushfire Brigade	\$4,528.81
			Annual Contribution - City Of Wanneroo - Community Safety	
			Reimbursement - Operational Materials - Fire Services	
919			Wanneroo Electric	\$28,345.33
			Electrical Maintenance For The City	
920			Wanneroo Fire Support Brigade	\$4,000.00
			Annual Contribution - City Of Wanneroo - Community Safety	
921			Wanneroo Glass	\$1,342.00
			Install Awnings - Animal Care Centre - Building Maintenance	
922			West Coast Turf	\$11,385.00
			Turfing Works For The City	
923			Western Go Organics JV	\$227,171.34
			Contamination Waste Surcharge - Waste	
924			West-Sure Group Pty Ltd	\$287.32
			Cash Collection Services For The City	
925			Winc Australia Pty Limited	\$4,065.20
			Stationery Purchases For The City	
926			Work Clobber	\$125.10

			PPE Issues - Assets	
927			Workpower Incorporated	\$5,799.75
			Landscape Maintenance For The City	
928			Wrenoil	\$16.50
			Collection Of Waste Disposal From WRC - Waste	
929			WSP Australia Pty Ltd	\$15,494.88
			Consultancy Services - Wangara CCTV - Assets	
930			Zetta Pty Ltd	\$54,743.59
			Monthly Service Fee - ICT	
	00004258	28/09/2021		
931			Access Without Barriers Pty Ltd	\$1,060.99
			Variation 2 - Kingsway Olympic Soccer Clubrooms - Gate Modification - Assets	
932			Bollig Design Group Ltd	\$11,484.00
			Professional Services - Wanneroo BMX Pearsall Upgrade - Assets	
933			Department of Training and Workforce Development	\$6,270.00
			Training - Animal Welfare In Emergencies Program - 2 Attendees - Community Safety	
934			Moodjar Consultancy	\$14,855.50
			Noongar Naming Project - Southern Suburbs Library - Assets	
	00004259	28/09/2021		
935			Rates Refund	\$1,864.67
936			Rates Refund	\$1,000.00
937			Rates Refund	\$4,242.17
938			Rates Refund	\$439.41
939			Rates Refund	\$1,000.00
940			Rates Refund	\$1,627.52
941			Rates Refund	\$176.47
	00004260	28/09/2021		
942			Ms Susan Bilchuris	\$850.00
			Bond Refund	
	00004261	28/09/2021		
943			Alinta Gas	\$34.00
			Gas Supplies For The City	
944			BGC Residential Pty Ltd	\$3,387.04
			Refund - 2 Building Application Fees - Double Payment	
945			Blueprint Homes (WA) Pty Ltd	\$4,000.00
			Refund - 2 Street & Verge Bonds	
946			Rates Refund	\$368.65

947			Dale Alcock Homes Pty Ltd	\$3,021.46
			Refund - Development Application - Withdrawn	
			Refund - Street & Verge Bond	
948			Dale Caton	\$163.75
			Refund - Cashless Balance Account Money Refunded - Aquamotion	
949			Department of Planning, Lands and Heritage	\$15,550.00
			Application Fee Accepted By The City - Applicant Marieka Van Den Bergh - Urbis - Reference DAP/21/02080 - Property Address Lot 408 (19) Neerabup Road Clarkson - Proposal - Supermarket Specialty Retail And Café	
			Application Fee Accepted By The City - Applicant - Planning Solutions - Reference DAP/21/02077 Address - Lot 132 (1351) & Lot 1 (1369) Wanneroo Road Proposal - Service Station	
950			Distinct Living Pty Ltd	\$2,000.00
			Refund - Street & Verge Bond	
951			Gemmill Homes Pty Ltd	\$2,000.00
			Refund - Street & Verge Bond	
952			Homebuyers Centre	\$36,000.00
			Refund - 18 Street & Verge Bonds	
953			Landgate	\$8,893.45
			Gross Rental Valuations - Rates	
954			Luxury Living WA Pty Ltd Trading As Status Residential	\$6,000.00
			Refund - 3 Street & Verge Bonds	
955			Maxxia Pty Ltd	\$799.41
			Payroll Deductions	
956			Motorcycling Western Australia	\$150.00
			Sponsorship - 2 Members - WAMX Junior State Championship - Bunbury 16 - 17.10.2021	
957			Mr Douglas Mostert	\$2,000.00
			Refund - Street & Verge Bond	
958			Mr Graham Woodard	\$243.55
			Keyholder Volunteer Payments	
959			Mrs Jacqueline Lunn	\$1,000.00
			Refund - Street & Verge Bond	
960			Ms Peggy Brown	\$145.00
			Keyholder Payments	
961			Pindan Homes Pty Ltd	\$2,000.00
			Return - Street & Verge Bond	
962			Pure Homes Pty Ltd Trading As B1 Homes	\$6,000.00
			Refund - 3 Street & Verge Bonds	
963			Redink Homes Pty Ltd	\$6,000.00
			Refund - 3 Street & Verge Bonds	



964			Smartsalary	\$510.30
			Input Tax Credits For Salary Packaging - August 2021 - Finance	
965			SSB Pty Ltd	\$6,000.00
			Refund - 3 Street & Verge Bonds	
966			Synergy	\$26,189.25
			Power Supplies For The City	
967			Ventura Home Group Pty Ltd	\$2,000.00
			Refund - Street & Verge Bond	
968			Vodafone Hutchinson Australia Pty Ltd	\$55.00
			SMS Charges - Emergency Services	
969			Water Corporation	\$93,849.17
			Water Supplies For The City	
			<b>Total Director Corporate Services Advance - EFTs</b>	<b>\$19,551,647.20</b>
<b>NATIONAL AUSTRALIA BANK</b>				
	00004248	16/09/2021		
			National Australia Bank	
			Flexipurchase - May 2021	
			Assets	
970			Blooming Nursery - Citrus Trees - Cockman House	\$693.00
971			Bunnings - Hardware Purchases	\$1,229.65
972			Conference Logistics - Registration - Australasian Vertebrate Pest Conference	\$357.00
973			Galvins Plumbing Supplies - Materials	\$31.67
974			Landsdale Rose Gardens - Heritage Roses - Cockman House	\$165.00
975			Logmein Aus Pty Ltd - Yearly Subscription To Rainbird Controller Services	\$498.50
976			Microsoft Onedrive - 100gb Monthly Subscription	\$3.00
977			MM Electrical - Specialised Gel Connectors	\$51.63
978			Nutrien Ag Solutions - Items To Be Allocated - Vehicle 95292	\$532.90
979			Officeworks 0607 - 5 Heavy Duty USB Charging Leads	\$119.40
980			Paypal - Registration - Training Course Fees - 1 Attendee	\$1,067.00
981			Richgro Garden - Landscape Mix	\$80.00
982			Wizard Pharmacy - Primapore Adhesive Dressings	\$30.87
983			Woolworths - Aeroguard Odourless Insect Spray	\$23.00
984			Work Clobber - PPE Issues	\$294.30

			<b>Assets Maintenance</b>	
985			ABC Blinds/Curtains - Roller Blind Chain Control Part	\$15.00
986			Barnetts Architectural Hardware - Hardware Purchases	\$2,897.30
987			Bunnings - Hardware Purchases	\$10,619.28
988			Commercial Stationery - Wall Clock	\$34.65
989			Hallite Transeals - Vehicle Spare Parts	\$1,393.92
990			Lindan Pty Ltd - Reflective Tape	\$26.40
991			LTV Wangara - Hardware Purchases	\$46.48
992			Madiba Marketing Pty Ltd - Floor Graphic	\$220.00
993			Pattos Paint Shop - Paint Supplies	\$215.56
994			Action Lock Services - Keycode - Domestic Cut	\$71.00
995			Next Site Pty Ltd - New Boot For Magnus	\$137.50
996			Super Cheap Auto - Fibreglass Filler	\$23.99
997			Valspar - Paint Supplies	\$1,250.32
998			Woolworths - Brownes Milk Full Cream	\$13.00
999			Work Clobber - PPE Issues - Parks Employees	\$832.50
			<b>Business Manager Aquamotion &amp; Kingsway</b>	
1000			Facebook - Advertising - Term 2 Junior Clinics And April Group Fitness Promo	\$396.07
1001			Campaignmonitor - Subscription - May	\$196.90
1002			Joondalup Cycle City - Bike Seats - Spin Bikes	\$330.92
1003			Fitness Australia - Business Registration	\$750.00
			<b>Community Development</b>	
1004			Bunnings - Hardware Purchases	\$376.40
1005			City Of Wanneroo - Ungerboeck "Non Live" Test	\$12.07
1006			Coles - Catering Items - Program Activities	\$736.08
1007			Kmart - Items - Program Activities	\$141.05
1008			Mentimeter - Mentimeter Account - Community Development	\$392.27
1009			Officeworks - Red Folders - Emergency Management Plans	\$16.53
1010			Point Parking Pty Ltd - Parking Fees	\$10.00
1011			Scooter Hut - Scooter Prizes	\$303.12
1012			Super Retail Group Ltd - Items - Program Activities	\$117.92
1013			Woolworths Online - Catering Items - Program Activities	\$183.00
1014			Zoom - Zoom Account For Community Development	\$209.90

			<b>Community Facilities</b>	
1015			Australian Institute Of Management - Emotional Intelligence Training	\$125.00
1016			Coles - Cockroach Baits For Sauna	\$12.00
1017			Department Of Health Pharmacy - Poisons Permit Renewal	\$127.00
1018			Facebook - Advertising	\$57.36
1019			Priceline Pharmacy Wanneroo - Ventolin - First Aid Kits	\$21.98
1020			RLSSWA - Pool Lifeguard Requalifications	\$318.00
1021			Wanneroo Central News - Card	\$9.99
			<b>Community Safety &amp; Emergency Management</b>	
1022			Coles - Bottled Water - Meeting Attendees At Off Site Meeting	\$15.20
1023			CPP Convention Centre - Parking Fees	\$18.17
1024			City Of Perth Parking - Parking Fees	\$14.64
			<b>Council &amp; Corporate Support</b>	
1025			Aldi Stores - In House Catering Requests	\$2.30
1026			Coles - In House Catering Requests	\$736.28
1027			Epic Catering Services - Catering Items - Elected Members MRC Meeting	\$24.00
1028			Wanneroo Fresh - In House Catering Requests	\$197.95
			<b>Cultural Development</b>	
1029			A Aarons Florist - Meet The Author Materials	\$40.00
1030			Amazon - Local Stock Purchase	\$252.71
1031			Booktopia Pty Ltd - Purchase - Community History	\$22.95
1032			Bookwhen - Software Subscription - Online Booking Program For Museum In A Box	\$390.00
1033			Bunnings Group Ltd - Hardware Purchases	\$627.86
1034			Cafe Elixir - Catering - Author Talk, Rachael Johns	\$300.00
1035			Coles - Catering - Events	\$421.55
1036			Dymocks Online - Book Club Kit & Local Stock Purchase	\$243.72
1037			Hire King - Program Materials	\$98.99
1038			Howards Storage - Purchases - Museum	\$154.70
1039			Jaycar Pty Ltd - Materials - STEM Activities At Wanneroo Library	\$105.40

1040		Jbhifi.com.au - Minor Equipment For WLCC	\$239.00
1041		Kmart - Program Materials	\$63.50
1042		News Limited - Australian Newspaper Subscription - Wanneroo Library	\$72.00
1043		Officeworks - Clipboards	\$62.25
1044		Post Wanneroo Post - Permission Forms - Lego League	\$9.05
1045		Alond Pty Ltd - Additional Resources - Printing Badges	\$311.10
1046		Red Dot Stores - Hygiene Products	\$65.00
1047		Sanity Web Store - Play School Program Props	\$124.60
1048		Slimline Warehouse - Display Materials	\$978.65
1049		5 Little Bears - Clothing Lacing Cards - All About The Past Sewing Activity	\$71.70
1050		Spotlight - Sewing Needles - Buckingham House	\$62.99
1051		Super Cheap Auto - Batteries - STEM Session	\$15.00
1052		The Lit Centre Incorporated - CBW Local Stock Titles	\$128.70
1053		Trybooking Public Library - Attendance - Personal Development Day - 2 Staff	\$283.90
1054		Vimeo Plus - Vimeo Online Video Platform Subscription	\$111.10
1055		Waldecks - Indoor Plant - Girrawheen Library	\$337.90
1056		Walton Cycles Pty Ltd - Air Pump - Trolley Girrawheen Library	\$59.00
1057		Wanewsdti - West Australian Subscriptions	\$432.00
		Customer & Information Services	
1058		Gethomesafe - Monthly Software Subscriptions - May 2021	\$349.23
1059		Google Cloud - Google Cloud Search Monthly Fee And Map API Fee - May 2021	\$78.54
1060		Inflectra Corporation - Spiratest 20 User Edition - Subscription	\$5,159.31
1061		Local Government Managers - Induction To Local Government Training 2 Attendees - 19.08.2021	\$650.00
1062		Paypal - Cash Drawer Trigger For Mandalay Weighbridge Project	\$85.50
1063		Paypal - Charge Name: Zoom Standard Pro Monthly - Quantity:2	\$46.18
1064		Paypal - connectwanneroo.com.au, connectwanneroo.net.au Renewed	\$46.18
1065		Paypal - Jira Software (Cloud) Standard 10 Users	\$1,039.98

1066			Paypal - Zoom Accounts - Charge Name: Standard Biz Monthlyquantity	\$338.68
1067			Post Wanneroo Post SWA - Mail Redirection, Registered & Tracked Postage Charges	\$1,333.35
1068			Todoist - Subscription Period 17.05.2021 - 17.05.2022	\$48.00
			<b>Marketing, Communications and Events</b>	
1069			Campaignmonitor - Online Tool Used For Distribution Of City's Publications.	\$1,077.57
1070			D & A Food Pty Ltd - Lunch - Team Meeting 27.05.2021	\$65.80
1071			Facebook - Advertising Services	\$784.15
1072			Freshworks Incorporated - Monthly Subscription	\$347.51
1073			Officeworks - Monitor For After Hours Work And USB For General Office Use	\$378.00
1074			Spotify - Advertising Services	\$10.72
1075			Taskers - Flagpole Winch Handles	\$233.75
1076			Yumpu Publishing - Internet And Intranet Content Management System Subscription	\$32.48
			<b>Parks &amp; Conservation Management</b>	
1077			Bunnings - Hardware Purchases	\$47.90
			<b>Property Services</b>	
1078			Asic - Company Searches	\$34.00
1079			Carine IGA - Stationary - Public Meeting	\$14.98
1080			Coles - Bottled Water Refreshments - Public Meeting	\$8.60
1081			Jbhifi.com.au - Office Tech Stationary	\$405.99
1082			Kmart - Stationary - Public Meeting	\$27.00
1083			Wanneroo Central News - Stationary - Public Meeting	\$11.80
			<b>Waste Management</b>	
1084			Amart Furniture - Bar Stools - Kitchen	\$356.00
1085			Bunnings - Hardware Purchases	\$538.18
			<b>Total - National Australia Bank</b>	<b>\$48,460.62</b>
			<b>Total - National Australia Bank &amp; EFT's</b>	<b>\$19,600,107.82</b>
<b>CANCELLED CHEQUES FROM PREVIOUS PERIOD</b>				
1086	121842	06.07.2021	Lena Ng	-\$54.75
1087	122000	03.08.2021	Cara Ford	-\$1,900.00
1088	120325	27.10.2021	Harbourside Village Pool	-\$66.67
1089	121543	18.05.2021	Ngoc Tan Huynh	-\$850.00



1080	122084	23.08.2021	Robert Boyd Publications	-\$425.99
			<b>Total</b>	<b>-\$3,297.41</b>
<b>TOWN PLANNING SCHEME</b>				
			Cell 1	
1081			William Buck Audit	\$420.00
			Cell 2	
1082			William Buck Audit	\$420.00
			Cell 3	
1083			William Buck Audit	\$350.00
			Cell 4	
1084			Castledine Gregory Land Compensation	\$8,434.55
1085			William Buck Audit	\$420.00
1086			Castledine Gregory Land Compensation	\$39,174.28
			Cell 5	
1087			William Buck Audit	\$350.00
			Cell 6	
1088			William Buck Audit	\$420.00
			Cell 7	
1089			William Buck Audit	\$420.00
			Cell 8	
1090			William Buck Audit	\$420.00
			Cell 9	
1091			William Buck Audit	\$490.00
			<b>Total</b>	<b>\$51,318.83</b>
<b>MANUAL JOURNAL</b>				
1092	12937/2022	29.09.2021	Returned Creditor Reject Fee 24.09.2021	\$2.50
1093	12917/2022	17.09.2021	Lodgement Fee 16.09.2021 26 Unpaid Infringements	\$2,067.00
1094	12917/2022	17.09.2021	Lodgement Fee 02.09.2021 22 Unpaid Infringements	\$1,749.00
1095	12912/2022	17.09.2021	Reverse Accrual NAB Flexi Purchase May 2021	-\$48,460.62
			<b>Total</b>	<b>-\$44,642.12</b>
<b>GENERAL FUND BANK ACCOUNT</b>				
			<b>Payroll Payments - September 2021</b>	
1096			07.09.2021	\$83,891.41
1097			07.09.2021	\$1,777,818.19
1098			07.09.2021	\$23,448.32
1099			07.09.2021	\$817.82
1100			21.09.2021	\$1,794,852.01
1101			21.09.2021	\$6,374.78
1102			21.09.2021	\$4,330.09

1103			21.09.2021	\$22,005.95
			<b>Total</b>	<b>\$3,713,538.57</b>
			<b>Recoup to Director Corporate Services Advance A/C</b>	<b>\$19,852,385.53</b>
			<b>Direct Payments Total (Includes Payroll, Advance Recoup, Credit Cards And Bank Fees)</b>	<b>\$23,565,924.10</b>

At the close of September 2021, outstanding creditors amounted to \$862,721.03.

## Consultation

Nil

## Comment

The list of payment (cheques and electronic transfers) and the end of month total of outstanding creditors for the month of September 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 2021 – 2031:

*7 ~ A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services*

*7.2 - Responsibly and ethically managed*

## 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 September 2021, as detailed in this report.**

*Attachments: Nil*

## Customer & Information Services

### CS03-11/21 Revised Customer First Strategy 2021-2026 and Our Customer Service Commitment

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File Ref:	20213V02 – 21/441165
Responsible Officer:	Director, Corporate Strategy & Performance
Disclosure of Interest:	Nil
Attachments:	4

#### Issue

To adopt the 2021-2026 Customer First Strategy and proposed changes to the City's Our Customer Service Commitment.

#### Background

##### Customer First Strategy:

As the City continues to grow with an expanded customer-base, so too does customer expectations – both in terms of our service offerings and the customer experience. Customer service has changed over the last 5 years at the City, since the implementation of the City's Customer First Strategy (CFS) in 2016; which was utilised initially as an internal empowerment tool, influencing culture for the delivery of customer service excellence across the organisation.

In early 2021, an extensive review was undertaken and a new revised draft CFS (**Attachment 1**) was developed. The new revised Strategy sets the scene for the next 5 years and has a strong focus on the City being committed to maturing its level of service to customers by putting them at the heart of everything we do.

As the CFS is a Corporate Business Plan action (and ongoing), it is recommended to seek adoption from Council so that the strategy can be an external facing document that is accessible to our customers.

##### Our Customer Service Commitment:

The City's current Our Customer Service Commitment was endorsed at Ordinary Council Meeting on 6 December 2016 (CS03-12/16) and is due for review. The Commitment has been reviewed, in parallel to the Customer First Strategy, and sets the standards for employees to follow as well as detailing to our customers the level of service they can expect to receive when connecting with the City via our many customer channels.

This report also seeks Council adoption of the revised Customer Service Commitment (**Attachment 2**).

#### Detail

##### Customer First Strategy:

The review of the Customer First Strategy involved various activities including: -

- Undertaking extensive research through engaging a consultant and an in-house exercise in order to understand industry trends, challenges and opportunities, benchmarking and best-practice.
- Analysing results from the 2020 Community Survey to validate if any key themes or commentary were in alignment with current strategy objectives.

- Creating and delivering a survey to understand what customers preferred method of contact is, what factors are important to them when connecting with the City and what they would like to see improved.
- Delivering focus groups in order to understand what channels our customers are currently using, what channels they enjoy, what their frustrations are, what devices they use and when, and what service excellence looks like to them.
- Seeking feedback from key internal stakeholders on the draft CFS and in particular leaders across the various different business areas of the organisation.

A summary of the proposed principles and associated strategies are noted below:

**EASE** – *We make it easier and simpler to deal with the City.*

- Design processes & procedures with the customer in mind.
- Drive continuous improvement and creative solutions for an improved customer experience.
- Remove barriers to service.
- Reduce effort for our customer to connect and interact with us
- Make it easier to do business or to start a new business
- Put the customer at the heart of everything we do.
- Enabling the customer to personalise their service experience.

**ACCESSIBILITY** - *We ensure information and our services are accessible to all.*

- Improve physical and digital access to information and services, including the formatting of documents.
- Provide service in the customer's channel of choice via their device of choice.
- Optimise technology to enhance accessibility and the customer experience.
- Ensure open and frequent communication and keep customers informed.
- Ensure Service Centres are located to provide ease of access to our diverse customer base.
- Seek feedback on how we can improve service and accessibility.

**RELIABILITY** - *We deliver a reliable, consistent and high quality customer experience.*

- Develop measures to track performance and consistency of the customer experience.
- Follow-through on commitments.
- Promote customer experience as a whole-of-City responsibility.
- Operate transparently and communicate openly.
- Secure our customer's personal data.

**RESPONSIVENESS** - *We respond in a timely manner and use feedback to improve.*

- Advocate in the customer's best interest.
- Create opportunities for feedback & suggestions on how we can improve.
- Communicate our customer commitment and be clear about what we can and cannot deliver.
- Track our performance against customer expectations.
- Actively participate in, and support, a Voice of the Customer (VoC) program.
- Seek feedback on Customer Experience (Ease) and Customer Satisfaction (Resolution).

Once the revised CFS is adopted, implementation will be through an Annual Action Plan, aligned to the City's associated service planning and budget processes.



### **Our Customer Service Commitment:**

The refreshed version of Our Customer Service Commitment (**Attachment 2**) will assist in the City's planned approach to embedding customer first culture and aiming to be the leader in local government customer service. The document has been updated to reflect and align with the City's draft Customer First Strategy 2021-26 and outlines the proposed changes via tracked changes.

### **Consultation**

A customer experience survey was conducted between March-April 2021 in order to understand community expectations and preferred contact channels. Key findings included: -

- The majority of participants were over the age of 50.
- Over 70% of participants own a property within the City of Wanneroo.
- Over 60% of participants were female.
- The preferred method of contact the City is via email, closely followed by telephone, then SMS.
- Participants rated the following factors as most important (1 being most important): -
  1. Access to help and information
  2. Knowledgeable Customer Relations Officers
  3. Speed of service
  4. The process of your enquiry being resolved
  5. Being able to provide feedback
  6. Having information in other languages
- 80% of participants advised they were able to obtain the information required at first point of contact.
- The average customer rating was 4 out of 5 stars.
- Some things customers would like to see improved were: -
  - Renew the website as a priority to make it user friendly.
  - Minimise red-tape and processes.
  - Respond to emails faster.
  - Have direct debit facility.
  - Have a web chat service available.
  - Ability to access previous and current rate notices on the website.
  - Have the rates balance available on the website.
  - Ability to track building and planning applications.

Furthermore, two external focus group sessions were scheduled for Thursday 10 June and Friday 11 June 2021 in order to understand from our customers what channels they are currently using, what channels they enjoy, what their frustrations are, what devices they use, when they utilise certain devices and what excellence looks like to them. Unfortunately, due to limited numbers these were cancelled. The External Focus Group sessions were then modified and a new survey created – where those who were interested were able to complete within the comfort of their own home.

The survey was also sent to the City's Disability Access & Inclusion Group and Disability Interagency Network Opportunity (DINO) Group.

**Attachment 3** provides a summary of the results and findings, as well as analysis compared to the results from the internal focus groups – to validate the findings.

## Comment

There are several factors that impact the City with regards to current trends and issues affecting customer contact, including the continued growth of the City's northern corridor. As more people and businesses move into the City we need to be efficient, effective and innovative to keep up with the growing demand and needs of our customers. The draft 2021-2026 Customer First Strategy therefore includes reference to the City being committed to embracing and adopting best-practice channel and technology solutions to meet our customer expectations. The strategy document provides a list of what these digital solutions can include to highlight to our community what we are striving towards. Any proposed implementation of any new technology or channels however will be carefully planned for in the City's annual service planning and budgetary processes and the internal Customer First Strategy Action Plan.

## Statutory Compliance

Nil.

## Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*7 ~ A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services*

*7.5 - Customer focused information and services*

## Risk Management Considerations

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

The City acknowledges that in order to provide high quality and accessible services to the community, it needs to be agile and understand the needs of and build trust with the community. The City seeks innovative initiatives and/or activities that will strengthen its ability to provide uninterrupted essential services to the community. Therefore the City is prepared to accept moderate reputational risk to achieve a better whole of community outcome.

## Policy Implications

Our Customer Service Commitment supports the City's Compliments, Feedback and Complaints Policy.

## Financial Implications

The associated costs regarding the document design of both the Customer First Strategy and Our Customer Service Commitment has been budgeted for in the Customer Relations Centre 2020/21 Annual Operational Budget. This will be in alignment with the City's Brand.

It is anticipated that once the internal Customer First Strategy action plan is developed that a significant number of actions align to operational efficiencies that may result in cost benefits including the progress of introducing new technology and tools such as simplified workflows.

## Voting Requirements

Simple Majority

## Recommendation

That Council:-

1. **ADOPTS the 2021-2026 Customer First Strategy (Attachment 1); and**
2. **APPROVES the revised Our Customer Service Commitment (Attachment 2).**

Attachments:

<a href="#"><u>1</u></a>	Attachment 1 - DRAFT Customer First Strategy 2021-2026	21/267914
<a href="#"><u>2</u></a>	Attachment 2 - DRAFT Our Customer Service Commitment (with track changes)	16/399780[v2]
<a href="#"><u>3</u></a>	Attachment 3 - DRAFT Our Customer Service Commitment (without track changes)	21/486825
<a href="#"><u>4</u></a>	Attachment 4 - Customer Relations Centre - External Focus Groups - Summary Results 2021	21/266419



# Customer First Strategy

2021-2026

Version 1.0

Date: 28/6/2021

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## FOREWORD –

I am pleased to share the 2021-2026 City of Wanneroo Customer First Strategy – an extension of our initial Customer First Strategy of 2016-2020.

The City of Wanneroo is strongly committed to being a leader in customer service in local government. With the City's core purpose being to serve the community, we need to continue to adapt and improve by listening to our customers' needs and by providing them with clear expectations of what can be delivered.

The Customer First Strategy, Customer Service Commitment, and supporting internal Action Plan combine to form a comprehensive approach for how the City of Wanneroo will continue to mature the level of service we provide our customers over the next five years.

Customer feedback has been largely positive and a significant number of customer service improvements have been achieved over the past 5 years through our customer first approach. Some highlights include:

- Providing greater access to our online services through development of various online forms and applications.
- Providing customer service to our community at Yanchep Two Rocks Access Centre.
- Reducing red tape for people who want to do business in the City through the Small Business Friendly Approvals Program.
- Providing skills, training and various tools to support our team members to deliver a quality customer experience to our customers.

We know we must continue to adapt to keep up with changing customer expectations, current trends, and best practice in customer service. We have a diverse range of customers including businesses, residents, and visitors to our beautiful City. By putting the customer at the heart of everything we do, we can design, refine, and deliver an optimised customer experience and strive to be among the best local governments to deal with.

This 2021 Strategy is the foundation of our customer focus over the next five years and outlines our future direction and guiding principles to ensure we achieve our goal to provide the best possible customer experience to our community.

### CEO

Daniel Simms

## INTRODUCTION

Customer service has changed over the last five years since the City of Wanneroo's 2016 Customer First Strategy was endorsed as an internal empowerment document. Trends in service delivery across all industries and sectors including local government has seen changes in customer expectations that have been influenced not only by global and local events but also due to changes in technology.

The 2021 strategy document continues the evolution of the City's commitment to providing our customers with a high-quality experience when connecting with us with an aim to continue the maturity of our customer focus journey.

Furthermore, this strategy involves every team member across the organisation. While technology is certainly part of the solution, it is only an enabler that supports our people in delivering a great customer experience.

To continue to provide excellence in service delivery, the City of Wanneroo must continually review, refine and adapt what we do to keep up with the changing needs and expectations of our customers.

This 2021 Customer First Strategy has evolved to meet the changing landscape of how our customers define good service and is a roadmap for how the City of Wanneroo will work to improve the customer experience for all our customers across each area of our business. It guides our people to ensure their operational decisions are aligned with our customer service ambition.

Consultation and feedback from our customers have helped to identify and define the following key Principles for the City's 2021 Customer First Strategy:

- Ease – we seek to make it easier and simpler to deal with us.
- Accessibility – we must be accessible and available to our diverse community.
- Reliability – we are consistent and do what we say we will.
- Responsiveness – we respond in a timely manner and track our performance.

Our City continues to grow. The current population of 216,162 (ABS, 2021) people is forecasted to increase by 71 per cent by the year 2041 to 370,273.<sup>1</sup>

To keep up with this significant growth and to ensure we continue to meet the changing needs of our customers both now and into the future, we will remain open to new and innovative ideas when it comes to enhancing the customer experience.

This will include leveraging technology and advancing our digital capability. It will mean identifying ways to make it easier to interact with the City such as enhanced channel options, and will mean looking within to continually review our processes and practices to improve the customer experience.

The strategy also recognises industry best-practice and global trends in moving to a broader, more contemporary definition of Customer Experience as an overarching concept - encompassing traditional ideas of customer service along with recognition of the entire end to end customer journey with the City.

Whilst the City is committed to having customer-focus as a core corporate value, this 2021 Customer First Strategy will assist in embedding a 'Customer First' focus across the City of

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<sup>1</sup> [City of Wanneroo .idcommunity](https://www.wanneroo.wa.gov.au/city-of-wanneroo-idcommunity)

Wanneroo through a service-oriented lens – putting the customer at the heart of everything we do and how we do it. This perspective aligns with the City's commitment to one culture, one system, one vision.

## OUR CUSTOMERS

### Who are our customers?

As the City grows, so too does our external customer base along with evolving expectations of what they want from local government in terms of service and customer experience. Our customers include anyone who connects with the City of Wanneroo. They are diverse and have different needs and expectations depending on their involvement and connections with the City.

Examples of our customers include:

- Ratepayers
- Residents
- Visitors
- Developers
- Community groups
- Sporting clubs
- State/Federal Government
- Suppliers
- Small and medium-sized businesses
- Business owners
- Community members
- Employees (internal customers), most of whom live in our City
- Partners who help us deliver on our service promise
- Internal staff

### Defining the Customer Experience

At the City of Wanneroo we understand that every interaction a customer has with us shapes their experience and perception of our brand; - whether it be through accessing our services through our website, contacting us by phone or email, or visiting us in person. The City has adopted the following definition of Customer Experience in line with global trends, contemporary ideas, and language around customer expectations, service and experience.

*Customer Experience encompasses the sum of all experiences a customer has with an organisation and its service offerings. Throughout the duration of their relationship with that organisation and the interaction with the organisation's service, systems and people, these experiences impact the customer's perception and feelings of that organisation.*

Furthermore, we understand that the "Ease" of doing business with an organisation is the #1 driver of how customers perceive their service experience and that "Resolution" of their issue or enquiry is the #1 driver of customer satisfaction<sup>2</sup>.

Collectively, these definitions provide a baseline for how we define, design and deliver service to our customers.

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<sup>2</sup> [Qualtrics](#)  
[SQM Call Centre FCR Experts](#)

## THE CONSULTATION PROCESS

In reviewing the City's progress to date and subsequently developing this 2021 Customer First Strategy, an expansive consultation process was undertaken including:

- Community input via:
  - Focus groups
  - Surveys
  - Customer feedback
  - Complaints
  - Compliments
- City team members - direct feedback from various customer-facing staff via focus groups from various different business areas named below that inform, impact, and influence the customer experience. Importantly, these team members are also customers of the City:
  - Infrastructure Capital Works
  - Asset Planning
  - Office of CEO
  - Traffic Services
  - Customer Relations Centre
  - Community Safety and Emergency Management
  - Place Management
  - Corporate Strategy & Performance
  - Customer and Information Services
  - Communications and Brand
  - Place Management
  - Community and Place
  - Office of Mayor
  - Community Development
  - Community Facilities Operations
  - Strategic and Business Planning
  - Waste Services
  - People and Culture
- Research of Industry trends and global best-practice including trends in local government across Australia and internationally.
- Data analysis of information gained from leading industry advisers.

## WHO IS RESPONSIBLE FOR DELIVERING THE CUSTOMER EXPERIENCE?

Customer Service is a commitment which means each City of Wanneroo team member has a critical role to play in supporting the City's commitment to providing the highest level of customer service to both internal and external customers.

We understand a customer may have several contacts with more than one person from our organisation as well as other touchpoints that may not be with a person – for example, visiting a City facility or accessing the City's website. Each of these contacts or touchpoints has a direct bearing on the customer experience.

Team members are supported in understanding and meeting their respective service obligations relevant to their role. In doing so, we recognise there may be times when team members face unfamiliar or difficult service situations. In these circumstances there are a range of support services and training available to support our people and their wellbeing to maintain a safe working environment including:

- Customer service skills and expectations training across the City to ensure consistency in approach.
- Complaint management and conflict resolution handling skills.
- Mental wellbeing in today's world.
- Acknowledging the unique demands and personal circumstances of our customers and our people due to global pandemics and other events throughout the service experience.

This strategy serves to clearly communicate to both internal and external stakeholders, the City's commitment to providing a positive and consistent customer experience when connecting with all areas of the City.



## MATURING IN OUR CUSTOMER FOCUS JOURNEY

### The last 5 years – where we've come from

While all organisations globally are maturing in their journey to being customer focused, the City of Wanneroo has progressed over the last 5 years with noticeable steps forward in:

- Embedding customer as a key corporate value.
- Implementing corporate customer service standards.
- Providing customer service training for all City team members including new team members.
- Recruitment interview questions including questions around core values, including customer service.
- Enabling payments to be made online – and experiencing a 30 per cent increase in online activity in 2020.
- Continual development of online applications and forms, such as for fire permits, payments, animal, and building & planning application approvals.
- Implementing a visitor management system at the Civic Centre.
- Implementing a Personal Information Privacy Policy.
- Developing of Application software, such as a new Swim Schools mobile App.
- Providing additional public wifi hotspots, starting with the Civic Centre amphitheatre.
- Extending the opening hours of libraries, Cockman House, Buckingham House and Animal Care Centre.
- Implementing a hearing loop in the Civic Centre to support our hearing-impaired customers.
- Implementing electronic Rates notices.
- Providing customer service at City of Wanneroo events and other service centre locations such as Yanchep Two Rocks Access Centre.
- Improved readability of Rates Notices by splitting the Rates & State Government charges.
- Improving the intake of the Owner and Occupier roll.
- Implementing a new Payroll self-service kiosk for our staff.
- Improvements made to existing Customer Request Management (CRM) System.
- Reducing red tape for people who want to do business in the City through the Small Business Friendly Approvals Program.
- Providing skills, training and various tools to support our team members to deliver a quality customer experience to our customers.
- Redesigning service to support our community during COVID-19 pandemic, such as through “Call and Collect” and “Send Print Collect” services at libraries.
- Providing a variety of rate payment options as mediums to ease financial burden imposed upon City ratepayers.

### Evolving Customer Experience maturity – where we are going

The next 5 years will see the City move further along the road to customer service excellence. As we emerge from the foundation phase where customer service was seen as the primary responsibility of some business units, we want to move to a level of awareness and understanding that the customer experience is a critical consideration in decision making for all business units.

Through our evolving maturity, we see:

- Increased easy, low-effort digital acceptance for even more connections (payments, transactions, following up and problem solving).
- Elevated sensitivity towards personal data security, while balancing the desire for open data and transparency.
- A growing community appetite for sustainable and renewable solutions in energy, transport and communications, driving changes in customer service solutions (e.g. paperless and contactless transactions).
- Improvement in providing accessible communications to our diverse community.
- A greater customer demand for easy access using different devices to growing the range of communications channels - delivering a knowledgeable service with personalised, easy and simple transition between channels that are consistent in tone, content, navigation, capability and functionality.
- The desire to observe and capture the voice of the customer at key touchpoints.
- An uplift in the skills of our people to contemporary service interaction standards – reflecting the changing needs particularly related to empathy and enquiry resolution.
- All areas of the organisation becoming more engaged and aware of the customer needs.
- Core value of ownership for improving the customer experience.
- More operational decisions being based on customer focus value improvements.
- A recognition of how changes in society such as working from home and the global pandemic have impacted our business and service offering and those of our residents and businesses.

### Service Channel trends

Our customers have a range of options when connecting with the City. These currently include:

- **In person** – by attending the City of Wanneroo Civic Centre and/or Clarkson Library Customer Service desk or other service locations (for example, our Libraries and Community Centres and Yanchep Two Rocks Access Centre).
- **On-site visits** – where our staff will meet with you in person at your place of residence, in the community or at a location convenient to you.
- **Via the telephone** – through our Customer Relations Centre or directly with our staff.
- **Online** form submissions via our website.
- Via **digital channels** and services – by accessing the City's Website, Social Media channels & apps and eRates.
- **In writing** – which also includes email.

Today's customers have a range of options when it comes to interacting with providers across various sectors. They rightly expect to be able to access products or services via their preferred channel (channel of choice \*) and via their preferred device (device of choice\*) which differ by time of day, enquiry type and where they are. Research is showing emerging channels of messaging (SMS text) from a handheld device, and chatbot and live-chat to support online activities, are increasing in acceptance for enquiry types. Usage of laptops, computers and tablets are more likely to be used during office hours and to provide information or documentation, whereas handheld devices are more likely to be used for time-sensitive, more detailed or problem-solving enquiries (e.g. reporting issues or following up on progress of action or enquiry).

There are clear opportunities for City of Wanneroo to improve upon our existing channel options. This will include improved access to digital services and creation of additional channel options.

These improvements need to offer the following benefits and support the City of Wanneroo's guiding principles around customer experience:

- Making it easier to deal with the City
- Enhance accessibility and availability
- Drive efficiencies across the organisation
- Support automated and simplified workflows
- Improve service levels
- Reduce complaints.

It is worth noting that the channel options available to customers along with their experience via their chosen channel has a direct impact on the customer experience. Where possible, we seek to provide service via the customer's channel of choice for their different enquiries and activities, rather than limiting that choice to what the City has in the past offered.

The demand for enquiries to be managed across devices and channels will drive the increased need for consistency in processes, information, capability and visual rendering, along with omni-channel capability enabling movement between channels and devices seamlessly and at whim.

Industry research<sup>3</sup> illustrates that customer expectations around channel options are evolving due to a range of factors, including their experiences when dealing with other organisations and advances in technology. The City of Wanneroo is committed to embracing and adopting best-practice channel and technology solutions to meet these expectations.

With technology as an enabler, these digital solutions can include:

- Live chat.
- Webchat Bot – with Artificial Intelligence (AI).
- Expanded scope, functionality, and capability of social media channels.
- SMS.
- Messenger app notification systems.
- Asynchronous messaging utilising a wider range of platforms e.g. WhatsApp, Facebook messenger and text.
- Video conferencing for meetings with customers e.g.. Zoom.
- Maturity of processes and capability around capturing data to complete requests online i.e. to replace paper or web-based forms and utilise robotic process automation (RPA) for simple routine processes.
- Integration of all of the above to enable customers to seamlessly move between channels while maintaining continuity of conversation/information flow - referred to as omni-channel.

We also acknowledge the customer's experience of the City of Wanneroo typically starts well before they call us or visit one of our service centres – their bin is collected, they venture to a dog off-leash area, interact with a road worker when crossing the street, or a cleaner or gardener in the park.

The customer's device of choice influences their channel options and by extension, their choice of channel.

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<sup>3</sup> [Forrester](#)  
[Gartner](#)

## HOW WILL WE GET THERE?

### Four Principles

Customer consultation and feedback accompanied by research around industry best practice and a review of our journey as a maturing service-driven organisation, has helped to shape and define the following key principles for the City's 2021 Customer First Strategy. These principles support the City's intention to provide the best possible customer experience consistently across every connection we have with our customers.

They are summarised here and expanded further on the following pages with a range of supporting strategies to help realise the respective intent. These are critical aspects of our service offering that we know our customers most value when dealing with the City.

1. **Ease** – we seek to make it easier and simpler to connect with us – we look at what we do from the customer's perspective and seek to remove barriers and complexity.
2. **Accessibility** – we must be accessible and available to our diverse community - from the physical location of our service centres to our digital solutions and the formatting of documents - we ensure equitable ease of access to services.
3. **Reliability** – we do what we say we will – we provide a consistently positive experience that our customers can rely on - we communicate openly and operate transparently – we make informed decisions and provide valued customer-focused services - we keep personal customer data secure.
4. **Responsiveness** – we respond in a timely manner – we are open to feedback - we measure our performance around customer satisfaction and resolution of issues.

### Internal Action Plan

In addition to the four principles above, this 2021 Customer First Strategy is supported by the internal Customer First Action Plan.

The Action Plan is reviewed and updated annually to ensure relevance and currency in supporting the continued implementation of the Customer First Strategy.

Each activity links to a strategic goal providing a clear line of sight to how it supports the overarching strategy.

## THE FOUR PRINCIPLES AND SUPPORTING STRATEGIES

Each principle below is accompanied by a range of supporting strategies. These strategies help to define HOW we will deliver on these intentions.

### EASE - We make it easier and simpler to deal with the City

#### Strategies

- Design processes and procedures with the customer in mind.
- Drive continuous improvement and creative solutions for an improved customer experience.
- Remove barriers to service.
- Reduce effort for our customer to connect and interact with us.
- Make it easier to do business or to start a new business.
- Put the customer at the heart of everything we do.
- Enabling the customer to personalise their service experience.

### RELIABILITY - We deliver a reliable, consistent and high quality customer experience

#### Strategies

- Develop measures to track performance and consistency of the customer experience.
- Follow-through on commitments.
- Promote customer experience as a whole-of-City responsibility.
- Operate transparently and communicate openly.
- Secure our customer's personal data.

### ACCESSIBILITY - We ensure information and our services are accessible to all

#### Strategies

- Improve physical and digital access to information and services, including the formatting of documents.
- Provide service in the customer's channel of choice via their device of choice.
- Optimise technology to enhance accessibility and the customer experience.
- Ensure open and frequent communication and keep customers informed.
- Ensure Service Centres are located to provide ease of access to our diverse customer base.
- Seek feedback on how we can improve service and accessibility.

### RESPONSIVENESS - We respond in a timely manner and use feedback to improve

#### Strategies

- Advocate in the customer's best interest.
- Create opportunities for feedback & suggestions on how we can improve.
- Communicate our customer commitment and be clear about what we can and cannot deliver.
- Track our performance against customer expectations.
- Actively participate in, and support, a Voice of the Customer (VoC) program.
- Seek feedback on Customer Experience (Ease) and Customer Satisfaction (Resolution).



## ALIGNMENT WITH OTHER CITY OF WANNEROO STRATEGIES

The 2021 Customer First Strategy is aligned with the City's strategic Vision – *a welcoming community, connected through local opportunities* and City's purpose statement – *to create a strong community with local opportunities to participate, be active, feel secure, contribute and belong*.

This 2021 Customer First Strategy additionally aligns to the following City of Wanneroo Plans, Strategies and documents.

- Strategic Community Plan 2021-2031
- Strategy Community Plan Goal 7 - *a well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services*
- Corporate Business Plan 2021/22 – 2024/25
- City of Wanneroo Customer Service Commitment
- Social Plan 2019
- City of Wanneroo Corporate Values
- City of Wanneroo Code of Conduct
- People Plan
- Place Framework 2018
- Communications Strategy 2019-23
- Brand Strategy 2019-23
- Data Governance Framework
- Smart Cities Strategy
- Compliments, Feedback and Complaints Policy and Management Procedure
- Personal Information Privacy Policy

## MEASURING OUR PROGRESS

We will monitor how the City of Wanneroo delivers on this 2021 Customer First Strategy and regularly assess how well we are delivering on our customer commitment in the following ways.

### Internal Action Plan

The Customer First Action Plan is subordinate to this strategy and is a critical tool in monitoring our progress. The Plan is reviewed annually to ensure it aligns with customer expectations and the City's strategic priorities. Activities link to strategic priorities ensuring a clear line of sight to this strategy.

Our performance is further measured through the City's Performance Development Review Conversation and Service Planning process.

### Customer Satisfaction

Customer Satisfaction is to be measured across all our Service Centres and facilities, tracking service quality and the customer experience. We measure customer satisfaction as a reflection of what we are doing well and what we are not doing so well. This in turn identifies improvement opportunities.

### Customer Feedback

The City of Wanneroo encourages customer feedback across critical touch points to identify opportunities to improve our current processes and/or the quality of our service delivery. We seek feedback via our community committees, reference groups and advisory groups, surveys and regular community and business perception forums. We value feedback received via social media channels and complaints. Complaints relating to service delivery are reviewed in accordance with the City's Compliments, Feedback and Complaints Management Policy and Procedure.

### **Customer Service**

The Customer Relations Centre captures data on abandoned telephone calls, internal transfers, and average call, wait and hold times as well as Average Speed of Answer (ASA) or Grade of Service (GOS). We identify trends and gaps in performance in delivering on our Service Commitment including speed of resolution as a key driver of customer satisfaction, and ease of doing business with us as a key driver of customer experience.

Leaders assess team members and business units on how well they are performing against agreed customer service standards and provide coaching and development where required.

### **Contacts**

We measure our success via analysis of Customer Request Management (CRM) data around customer contacts including number of requests, resolution rates and customer satisfaction. We track contact volumes by channel and enquiry type. By analysing customer contacts and our response timeframes, we can identify gaps in performance, processes and ultimately identify priorities for improvements.



Our Customer Service Commitment

~~delivering service excellence~~ *delivering a positive and consistent customer experience.*

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Our Customer Service Commitment

At the City of Wanneroo we strive to ~~deliver~~provide excellence in service delivery and see customer service as a commitment where our team aim to deliver service excellenc~~and aim to provide the~~a high-quality experience throughout every connection our customers have with us. ~~best possible customer experience consistently throughout every interaction we have with our customers.~~

~~We understand that our customers may have several contacts with more than one person from our organisation as well as other touchpoints that may not be with a person, for example through our digital channel offerings and services.~~

Our Customer Service Commitment aligns to our 'Customer First' approach in putting our customers at the heart of everything we do and outlines our commitment to you on the standards of service you can expect to receive from us, each and every time you connect with the City.

Our Customer First Principles

The following key principles ~~support~~s our intention ~~into provide~~ing the best possible customer experience consistently ~~across~~ every connection we have with our customers:

Our 'Customer First' approach outlines four overarching objectives that underpin the delivery of our customer service to you:

**SIMPLICITY EASE** – ~~we will deliver an uncomplicated, personalised customer experience.~~We make it easier and simpler to deal with the City.

**ACCESSIBILITY** – ~~we will provide options so that information and help is accessible to all.~~ensure information and our services are accessible to all.

**QUALITY RELIABILITY** – ~~we will deliver an accurate, effective and impressive service.~~Deliver a reliable, consistent and high quality customer experience.

**PERFORMANCE RESPONSIVENESS** – ~~we will engage with our customers and continually assess our performance against their expectations and look to implement initiatives that drive continuous improvement.~~we respond in a timely manner and use feedback to improve.

We will ~~periodically review our 'Customer First' approach and Our Customer Service Commitment, in order to ensure they meet our customer expectations.~~monitor how the City delivers on its Customer Service commitment regularly.

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Our customers have a range of options when connecting with the City. These currently include:

- In person - by attending the City of Wanneroo Civic Centre and/or Clarkson Library Customer Service desk or other service locations such as our Libraries and Community Centres.
- On-site visits – where our staff will meet with you in person at your place of residence, in the community or at a location convenient to you.
- Via the telephone - through our dedicated Customer Relations Centre or directly with our staff.
- Online form submissions via our website.
- Via digital channels and services - by accessing the City's Website, Social Media channels, apps and eRates.
- In writing - which also includes email.

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When you visit us in person ~~or contact us by phone, email, or in writing~~, we will:

- ~~Be professional, welcoming and attend to your enquiry promptly.~~
- ~~Identify ourselves by name and area of business.~~ ~~Be professional, welcoming and attend to your enquiry promptly.~~
- Provide ease of access and be professional in our appearance.
- Be friendly, welcoming and attend to your enquiry promptly.
- Take the time to have a conversation with you.
  - Provide a personalised exand understand the importance of your enquiry.
- Inform you of any delays.

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When you connect with us by phone, we will:

- Answer your call promptly.
- Identify ourselves by name and area of business.
- ~~Be professional~~friendly and actively listen to understand your enquiry.
- ~~Take ownership of your enquiry and strive for first contact resolution.~~
- Seek permission from you before transferring or putting your call on hold.

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Commented [DK2]: Suggest changing the word professional to 'friendly' to align with the City's Brand Tone of Voice.

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Commented [MD3]: suggest adding accesible to this list

When you connect with us through our website, ~~or social media~~ or other digital channels, we will:

- Ensure information is accurate, simple and easily understood. ~~Maintain our website with correct and accurate information that is both easy to locate and easy to understand.~~
- Respond to enquiries, applications and posts on our social media pages in a timely and professional manner.
- Provide a personalised experience and tailor our response to your needs.
- Promote community events and services.
- Continue to provide additional online and digital channels ~~services~~ that are user friendly and accessible during non-business hours.

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**When you contact us in writing or via email, we will:**

- Acknowledge any written correspondence, including emails, your enquiry within 7 business days, and
- inform you of when you can expect to receive a response.
- Use simple, clear language that is easy to understand.

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**Throughout all of our interactions with you, we will:**

- ~~Take ownership of your enquiry and strive for first contact resolution.~~
- Ensure ease of access to our services.
- Do what we say we will.
- Offer help and assistance to suit your personal and individual needs.
- Be aware of the needs of our customers with disabilities, language barriers and cultural differences and endeavour to identify a variety of service options to assist you.
- Inform of you of any delays and keep you informed of the progress of your enquiry.
- Provide accurate, clear and consistent information.
- Protect and respect your personal information and will not disclose it unless the information is to be used for the purpose for which it was collected or is a directly related purpose. Be considerate of your private information and treat it as confidential.
- Acknowledge any written correspondence, including emails, within 7 business days and inform you of when you can expect to receive a response.
- Keep you informed of the progress of your enquiry.
- Be aware of the needs of our customers with disabilities, language barriers and cultural differences and endeavour to identify a variety of service options to assist you.
- Respond to your enquiry using clear, concise language and wording that is easily understood.
- Be courteous and, respectfurespectful, and attentive to understand your enquiry.

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**Commented [MD5R4]:** This is great!

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**Commented [DK6]:** Updated to align with the City's Personal Information Privacy Policy

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How you can help us deliver on our commitment:

We recognise and understand that customer service involves two way communication. You can help us by: and appreciate your assistance by:

- Being polite and respectful towards our staff. Treating our staff with courtesy and respect.
- Quoting the reference number provided when contacting us about an open/existing enquiry.
- Providing us with timely and accurate information necessary for us to assist you.
- promptly.
- Letting us know if your contact details have changed.
- Participating in community consultation engagement opportunities projects so that we can understand your views.
- Quoting the reference number provided when contacting us about an open/existing enquiry.
- Providing us with honest feedback on what we do well and where you feel we can improve. so we can assess our performance and standards of service we provide.

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### Customer Feedback and Complaints

#### If we have exceeded your expectations

The City of Wanneroo encourages customer feedback across our touchpoints and connections. We value your feedback and appreciate you letting us know what works well so that we can celebrate our customer service achievements and identify opportunities for improvement.

As we strive to deliver high-quality customer service, we also encourage you to provide feedback on where you feel like think we could improve.

#### If we don't meet your expectations

If the service you receive does not meet your expectations we welcome your feedback. The City defines a complaint as:

*'Dissatisfaction with the services or products of the City and its contractors or with the actions of employees or Council in the provision of those services or products.'*

Customer Feedback or complaints can be provided via any of our connections:- online, or by connecting with us by phone, email or in person.

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#### When we receive a complaint from you, we will:

- Listen objectively to your concerns.
- Aim to respond within 7 business days. however if your complaints requires in depth investigation, we will contact you to provide a timeframe of when you can expect to receive a response.
- Impartially investigate your complaint.
- Investigate anonymous complaints to the best of our ability, however acknowledge we will be unable to provide you with a response.

- Keep you updated with the progress of your complaint and ultimately provide an outcome and inform you of any actions we have taken.
- Use the information you provide to improve our services.

~~The City of Wanneroo is committed to ensuring that all complaints received are handled efficiently, fairly and treated with confidence.~~

~~The City will aim to respond to your feedback or complaint within 7 business days however if your complaint requires in depth investigation, the City's Customer Liaison Officer will contact you to provide a timeframe on when you can expect to receive a response (where possible), or will keep you informed about the progress of your complaint.~~

~~Please note, the City will investigate anonymous complaints to the best of its ability however if a complaint is lodged anonymously, the City will not be able to provide you with a response.~~

~~If you would like to lodge a compliment, feedback or complaint you can do this by visiting the 'contact us' page on the City's website at wanneroo.wa.gov.au or alternatively contact us by phone, email or visit us in person.~~

Our customer commitments will help us keep improving.

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**Commented [DK7]:** Suggest to remove this position, as any officer across the City can respond to a Level 1 complaint.

**Information & Contacts:****City of Wanneroo Civic Centre**

23 Dundobar Road  
Wanneroo, WA 6065

Locked Bag 1, Wanneroo, WA 6946

Phone **9405 5000**

~~Monday to Friday 8.30am – 5.00pm~~

After hours **1300 138 393**

~~Media enquiries 9405 5000~~

**Clarkson Library**

27 Ocean Keys Boulevard  
Clarkson, WA 6030

Phone **9407 1600**

~~Business hours for City services~~

~~Monday to Friday 9am – 12pm and 12.45pm – 5pm~~

For ~~all other~~ City of Wanneroo opening hours please visit the City's contact us page at [wanneroo.wa.gov.au](http://wanneroo.wa.gov.au)

WA Police Emergency      000

WA Police General      131 444 (Police assistance)  
1800 333 000 (Crime stoppers)

Traffic Signs      131 138  
Website [mainroads.wa.gov.au](http://mainroads.wa.gov.au)

Faulty Street Lights      1800 622 008  
Website [westernpower.com.au](http://westernpower.com.au)

**The National Relay Service**

The National Relay Service is a phone solution for people who are deaf or have a hearing or speech impairment. If you require assistance, please contact us through the National Relay Service website and ask them to contact the City of Wanneroo on 9405 5000.

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**The Translating and Interpreting Service (TIS)**

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The Translating and Interpreting Service (TIS) is an interpreting service, provided by the Department of Immigration and Citizenship, for people who do not speak English and for the English speakers who need to communicate with them.

If you need to contact us in your own language, you can contact us through the Translating and Interpreting Services (TIS) on 13 14 50 and ask them to contact the City of Wanneroo on 9405 5000.

This flyer is available in alternative formats upon request.

**Our Customer Service Commitment**

*delivering a positive and consistent customer experience.*

## **Our Customer Service Commitment**

At the City of Wanneroo we strive to provide excellence in service delivery and see customer service as a commitment where our team aim to deliver a high-quality experience throughout every connection our customers have with us. We understand that our customers may have several contacts with more than one person from our organisation as well as other touchpoints that may not be with a person, for example through our digital channel offerings and services. Our Customer Service Commitment aligns to our 'Customer First' approach in putting our customers at the heart of everything we do and outlines our commitment to you on the standards of service you can expect to receive from us, each and every time you connect with the City.

## **Our Customer First Principles**

The following key principles support our intention to provide the best possible customer experience consistently across every connection we have with our customers:

**EASE** – we make it easier and simpler to deal with the City.

**ACCESSIBILITY** – we ensure information and our services are accessible to all.

**RELIABILITY** – we deliver a reliable, consistent and high quality customer experience.

**RESPONSIVENESS** – we respond in a timely manner and use feedback to improve.

We will monitor how the City delivers on its Customer Service commitment regularly.

Our customers have a range of options when connecting with the City. These currently include:

- In person - by attending the City of Wanneroo Civic Centre and/or Clarkson Library Customer Service desk or other service locations such as our Libraries and Community Centres.
- On-site visits – where our staff will meet with you in person at your place of residence, in the community or at a location convenient to you.
- Via the telephone - through our dedicated Customer Relations Centre or directly with our staff.
- Online form submissions via our website.
- Via digital channels and services - by accessing the City's Website, Social Media channels, apps and eRates;
- In writing - which also includes email.

### **When you visit us in person, we will:**

- Provide ease of access and be professional in our appearance.
- Be friendly, welcoming and attend to your enquiry promptly.
- Take the time to have a conversation with you.

### **When you connect with us by phone, we will:**

- Answer your call promptly.
- Identify ourselves by name and area of business.
- Be friendly and actively listen to understand your enquiry.

- Take ownership of your enquiry and strive for first contact resolution.
- Seek permission from you before transferring or putting your call on hold.

**When you connect with us through our website, social media or other digital channels, we will:**

- Ensure information is accurate, simple and easily understood.
- Respond to enquiries, applications and posts in a timely and professional manner.
- Provide a personalised experience and tailor our response to your needs.
- Promote community events and services.
- Continue to provide additional online and digital channels that are user friendly and accessible during non-business hours.

**When you contact us in writing or via email, we will:**

- Acknowledge your enquiry within 7 business days.
- Inform you of when you can expect to receive a response.
- Use simple, clear language that is easy to understand.

**Throughout all of our interactions with you, we will:**

- Ensure ease of access to our services.
- Do what we say we will.
- Offer help and assistance to suit your personal and individual needs.
- Be aware of the needs of our customers with disabilities, language barriers and cultural differences and endeavour to identify a variety of service options to assist you.
- Inform you of any delays and keep you informed of the progress of your enquiry.
- Provide accurate, clear and consistent information.
- Protect and respect your personal information and will not disclose it unless the information is to be used for the purpose for which it was collected or is a directly related purpose.
- Be courteous and respectful.

**How you can help us deliver on our commitment:**

**We recognise and understand that customer service involves two way communication. You can help us by:**

- Being polite and respectful towards our staff.
- Quoting the reference number provided when contacting us about an open/existing enquiry.
- Providing us with timely and accurate information necessary for us to assist you.
- Letting us know if your contact details have changed.
- Participating in community engagement opportunities so that we can understand your views.
- Providing us with honest feedback on what we do well and where you feel we can improve.

## Customer Feedback and Complaints

The City of Wanneroo encourages customer feedback across our touchpoints and connections. We value you letting us know what works well so that we can celebrate our customer service achievements.

As we strive to deliver high-quality customer service, we also encourage you to provide feedback on where you think we could improve.

The City defines a complaint as:

*'Dissatisfaction with the services or products of the City and its contractors or with the actions of employees or Council in the provision of those services or products.'*

Customer Feedback or complaints can be provided via any of our connections:- online, or by connecting with us by phone, email or in person.

### When we receive a complaint from you, we will:

- Listen objectively to your concerns.
- Aim to respond within 7 business days, however if your complaint requires in depth investigation we will contact you to provide a timeframe of when you can expect to receive a response.
- Impartially investigate your complaint.
- Investigate anonymous complaints to the best of our ability, however acknowledge we will be unable to provide you with a response.
- Keep you updated with the progress of your complaint and ultimately provide an outcome and inform you of any actions we have taken.
- Use the information you provide to improve our services.

Our customer commitments will help us keep improving.

### Information & Contacts:

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WA Police Emergency	000
WA Police General	131 444 (Police assistance) 1800 333 000 (Crime stoppers)
Traffic Signs	131 138 Website <a href="http://mainroads.wa.gov.au">mainroads.wa.gov.au</a>
Faulty Street Lights	1800 622 008 Website <a href="http://westernpower.com.au">westernpower.com.au</a>

### **The National Relay Service**

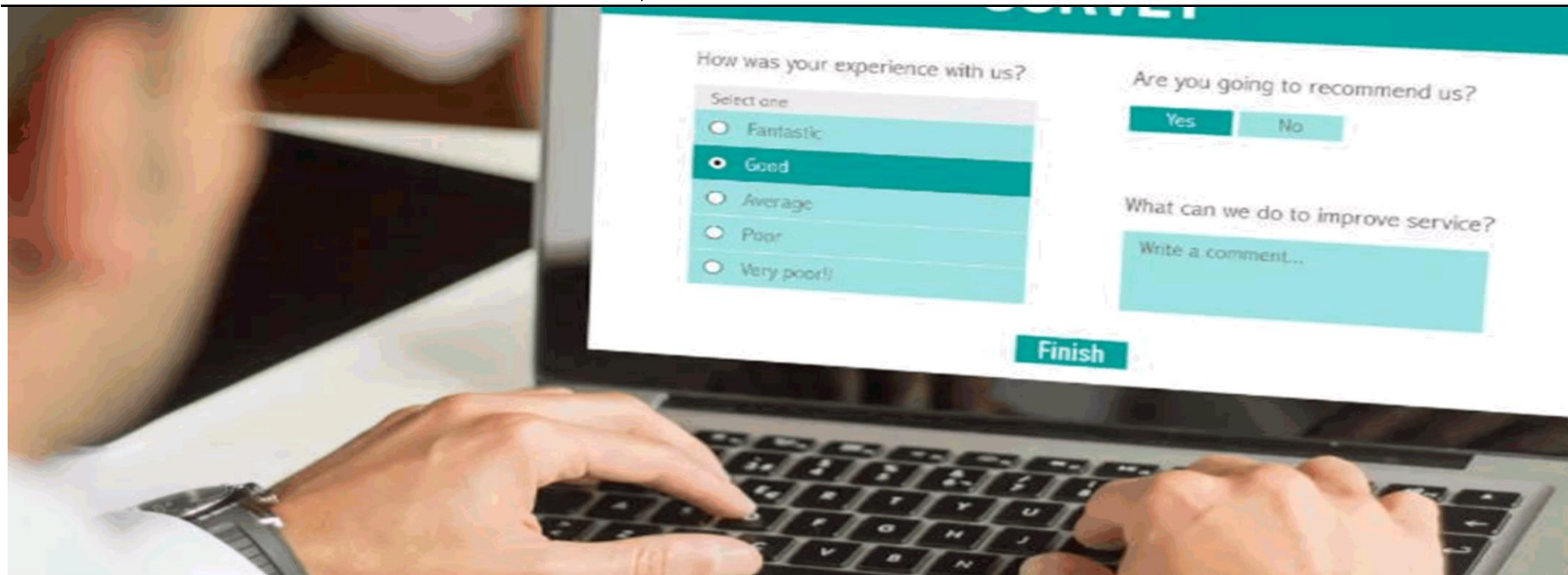
The National Relay Service is a phone solution for people who are deaf or have a hearing or speech impairment. If you require assistance, please contact us through the National Relay Service website and ask them to contact the City of Wanneroo on 9405 5000.

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# Customer First Strategy & Customer Commitment Review

## *External Focus Group Results (Survey)*



## Overview

Following the Customer Experience Survey being conducted between March – April 2021 further information was sought from the community to further assist us in improving the customer journey when connecting with the City.

**Two (2) external focus group sessions were scheduled for Thursday 10 June and Friday 11 June 2021** in order to understand from our customers:-

- What channels they are currently using;
- What channels they enjoy
- What their frustrations are;
- What devices they use
- When they utilise certain devices; and
- What excellence looks like to you.

Unfortunately due to limited numbers we had to cancel the external focus groups. The External Focus Group session were then modified and a new survey created – where those who were interested were able to complete within the comfort of their own home.

**The additional Customer Experience survey was sent to:**

- 50 external customers who registered their interest to attend a Community Focus Group who completed the Customer Experience Survey in March – April 2021.
  - 10 responses were received - <https://www.surveymonkey.com/stories/SM-JDT5J7VJ/>
  - HPE 21/266416
- The City's Disability Access & Inclusion (DAIP) Group & Disability Interagency Network Opportunity (DINO) Group
  - 4 survey responses were received - <https://www.surveymonkey.com/stories/SM-TQPB279J/>
  - HPE 21/266409

The survey was created via Survey Monkey, however the design of the survey was inaccessible to screen reading software. Learnings from this will be considered for future survey engagement across the City.

## Icebreaker

What are your thoughts and feelings around the City's current brand / association with the City?

External Customers	DAIP / DINO Group
<ul style="list-style-type: none"> <li>Balanced</li> <li>Not enough 'communication</li> <li>Multicultural</li> <li>Community</li> <li>Positive</li> <li>Confident</li> <li>Under communicated</li> <li>To hard to find 'resources'</li> <li>Enough</li> <li>Friendly</li> <li>Responsive</li> <li>Helpful</li> <li>Good subjects</li> <li>Satisfied</li> <li>Be brief but inclusive</li> <li>Confusing</li> <li>Adequate</li> <li>Not sure</li> </ul>	<ul style="list-style-type: none"> <li>Frustrating</li> <li>Positive</li> <li>Dated</li> <li>Elitist</li> <li>Hard</li> <li>Connected</li> <li>Ratepayer</li> <li>Ablest</li> <li>Timely</li> <li>Inaccessible</li> <li>Consumer</li> </ul>



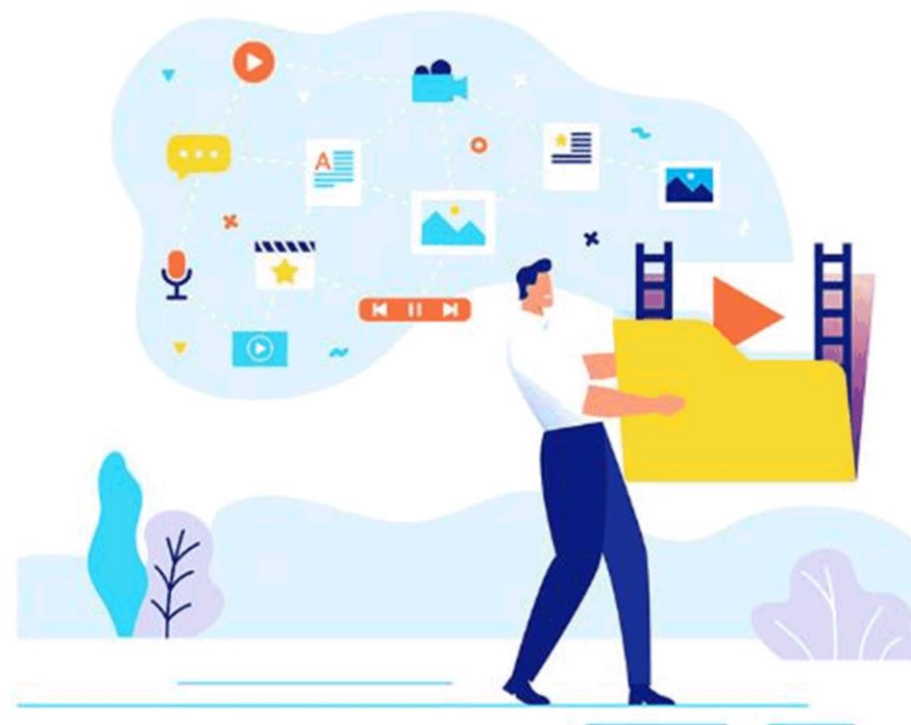
- People were asked to describe their thoughts and feelings around the City's current brand – utilising 3 words. The table above indicates that language was mostly positive (53%); with 37% negative connotations and 10% neutral.

## Icebreaker

**What communication channels have you seen the City advertise on?**





External Customers	DAIP / DINO Group
<ul style="list-style-type: none"> <li>• Newsletter</li> <li>• Web</li> <li>• Local newspaper</li> <li>• Facebook</li> <li>• Press</li> <li>• What's Happening</li> <li>• Street banners</li> <li>• Local signs</li> <li>• Email</li> <li>• TV</li> <li>• Pamphlet</li> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Email</li> <li>• Internet</li> <li>• Web</li> <li>• Facebook</li> <li>• Newspaper</li> <li>• TV</li> <li>• Face-to-face</li> <li>• Nil</li> </ul>

- The responses received were mostly digital, with the exception of the What's Happening, local newspapers, pamphlets and the visual communication channels.









## How well do you feel the City is committed to achieving our Customer First Objectives?

Objective:	Rating from External Customers:	Rating from DAIP / DINO:	Analysis:
<b>SIMPLICITY</b> - We will deliver an uncomplicated, personalised customer experience	<p>3.50★ average rating</p>  <p>In comparison with the internal focus groups, this was an improvement (compared to a rating of 2.8 / 3.1).</p>	<p>1.75★ average rating</p>  <p>In comparison with the internal focus groups, this was a significant less rating.</p>	This could suggest that our employees believe that our processes are far more complex to process internally – which was validated through the conversation in the internal focus Groups. Customers however customer have a view that our the customer experience is simple however that not all processes are not accessible.
<b>ACCESSIBILITY</b> - We will provide options so that information and help is accessible to all	<p>3.70★ average rating</p>  <p>In comparison with the internal focus groups, this was an improvement (compared to a rating of 3 / 3.5).</p>	<p>1.50★ average rating</p>  <p>In comparison with the internal focus groups, this was an improvement (compared to a rating of 3 / 3.5).</p>	This could suggest that internally employees believe that there is room for improvement to be more accessible to our diverse customer base which could be further heightened due to a strong focus on improvement through our value system. The responses received from the City's DAIP Group, validates this.

## How well do you feel the City is committed to achieving our Customer First Objectives?

Objective:	Rating from External Customers:	Rating from DAIP / DINO:	Analysis:
<b>QUALITY</b> - We will deliver an accurate, effective, efficient and impressive quality of service	<p>3.20★ average rating</p>  <p>In comparison with the internal focus groups, this was a reduced rating (compared to a rating of 3.5/3.8).</p>	<p>2.00★ average rating</p>  <p>In comparison with the internal focus groups, this was a significant reduced rating (compared to a rating of 3.5/3.8).</p>	This could suggest that our employees believe that internally we have a strong focus of quality services and this was validated through the conversations in the internal focus groups where the general feel was that the City is committed to quality / performance. The results however could suggest that there is a lack of alignment of what quality means.
<b>PERFORMANCE</b> - We will engage our customers and continually assess our performance against their expectations	<p>3.30★ average rating</p>  <p>In comparison with the internal focus groups, this was better rating (compared to a rating of 3 / 3.1).</p>	<p>2.00★ average rating</p>  <p>In comparison with the internal focus groups, this was a reduced rating (compared to a rating of 3 / 3.1).</p>	This results suggest that our employees believe that internally we have a strong focus of performance and this was validated through the conversations in the internal focus groups where the general feel was that the City is committed to quality / performance. These are validated by our external customers however, consideration needs to be given that those who completed the surveys are engaged with the City already.

## Activity 1 – Understanding channel of choice

- Customers were asked to answer a series of questions on their preferred channel of choice for each type of transaction.

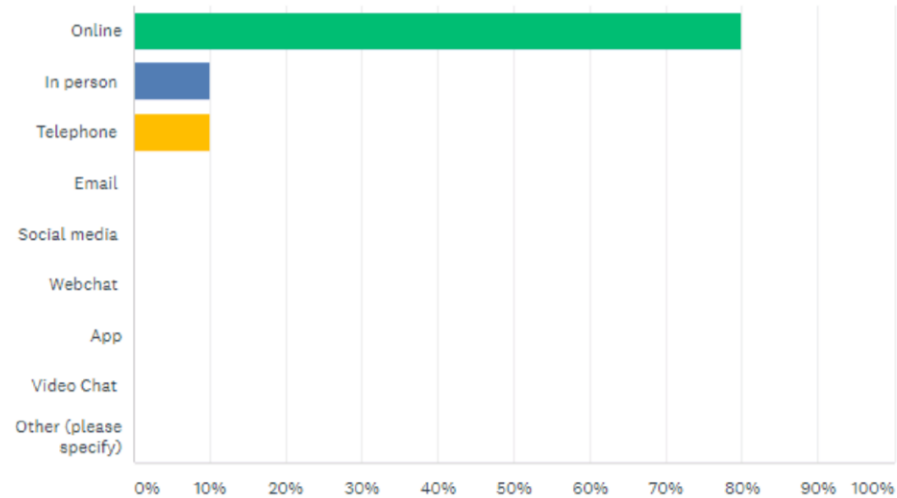


## Channel of Choice – *when making a payment*

### Response from External Customers:

When making a payment, your channel of choice is: \*\*\*

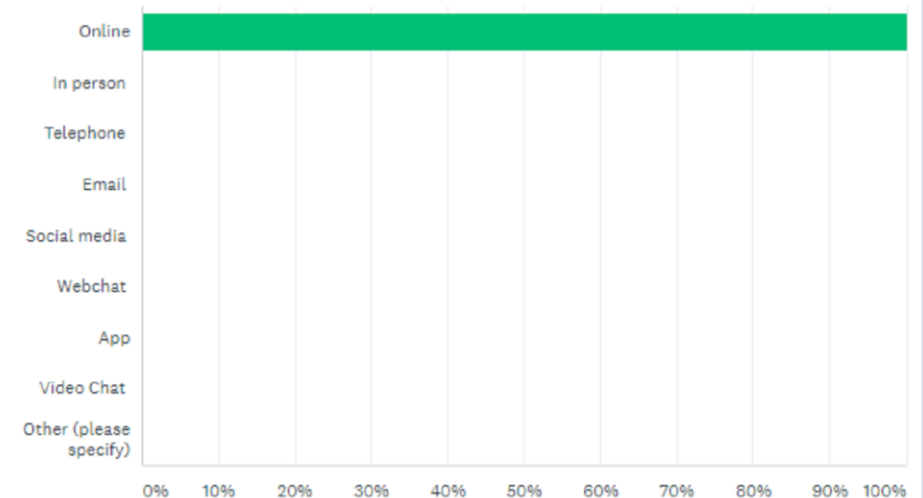
Answered: 10 Skipped: 0



### Response from DAIP / DINO:

When making a payment, your channel of choice is: \*\*\*

Answered: 4 Skipped: 0



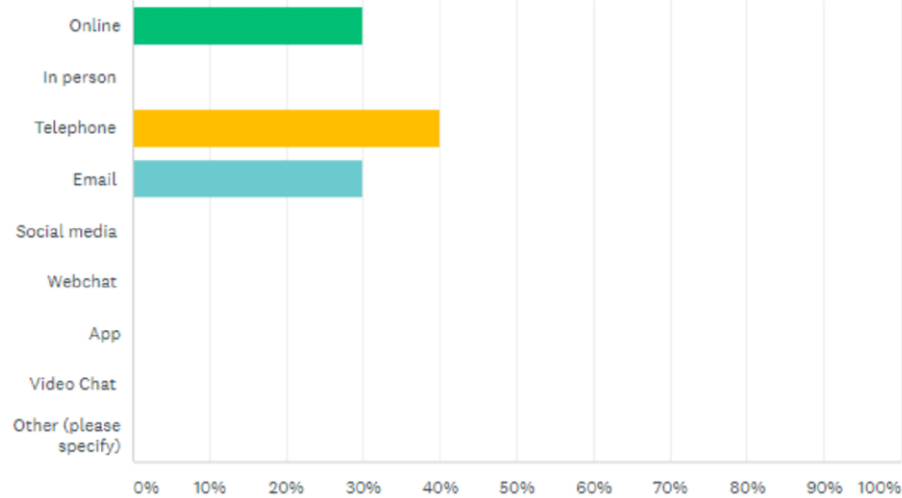
The results were similar to the internal customer focus groups, with a heavy focus of making payments online.

## Channel of Choice – *when chasing up something that is missing or hasn't arrived when expected*

### Response from External Customers:

When chasing up something that is missing or hasn't arrived when ex... \*\*\*

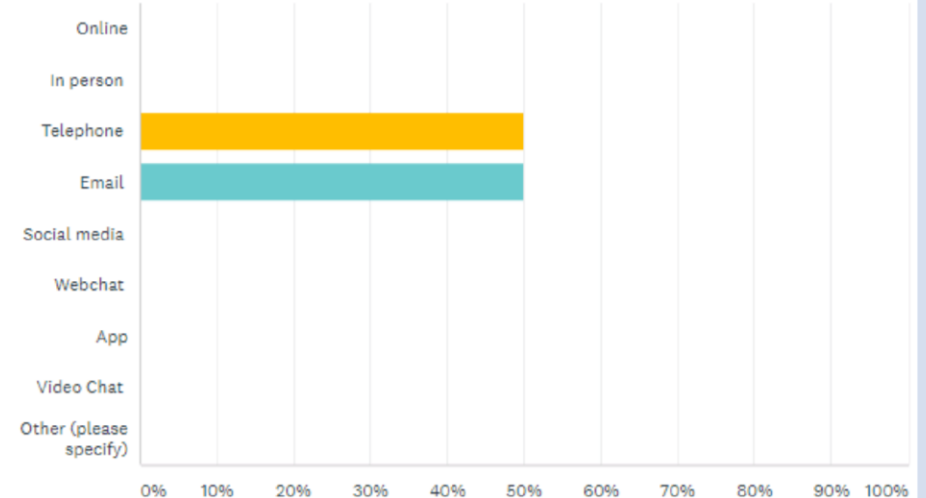
Answered: 10 Skipped: 0



### Response from DAIP / DINO:

When chasing up something that is missing or hasn't arrived when ex... \*\*\*

Answered: 4 Skipped: 0



The results were similar & validated the internal customer focus groups, where there was a heaving focus of a preference to call or email.

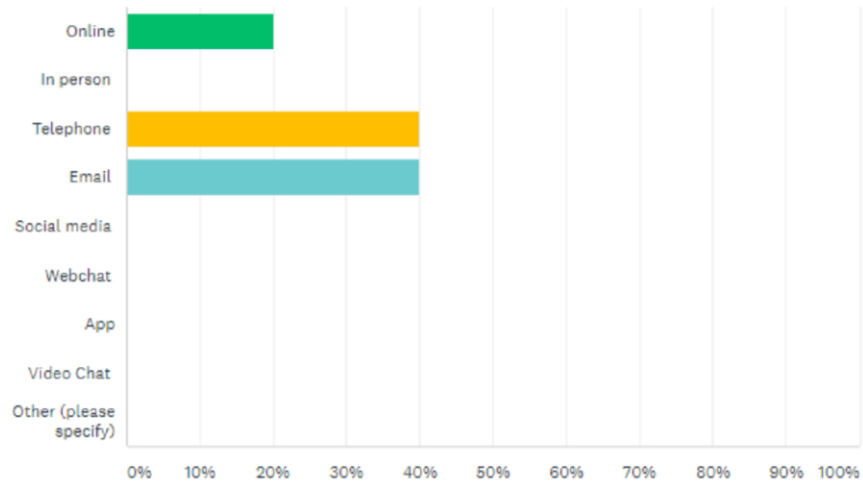


## Channel of Choice – *when reporting a fault or problem with the service / product*

### Response from External Customers:

When reporting a fault or problem with a service/product, your chann... \*\*\*

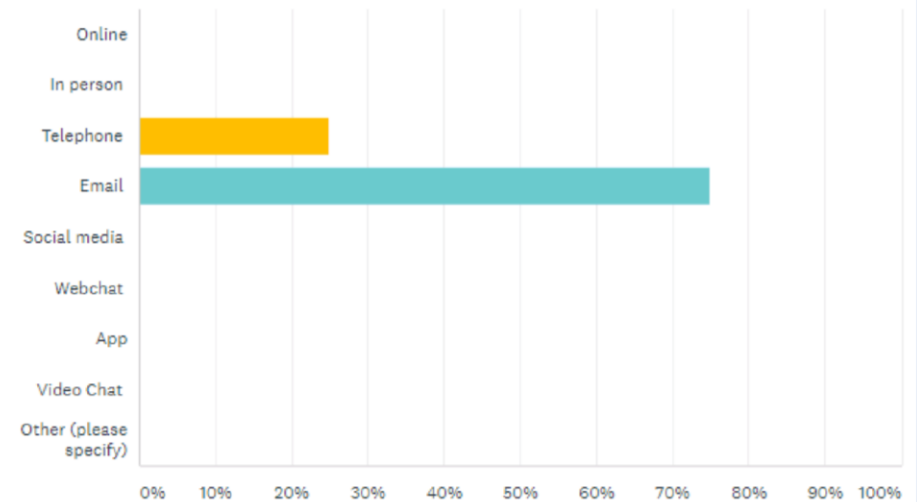
Answered: 10 Skipped: 0



### Response from DAIP / DINO:

When reporting a fault or problem with a service/product, your chann... \*\*\*

Answered: 4 Skipped: 0



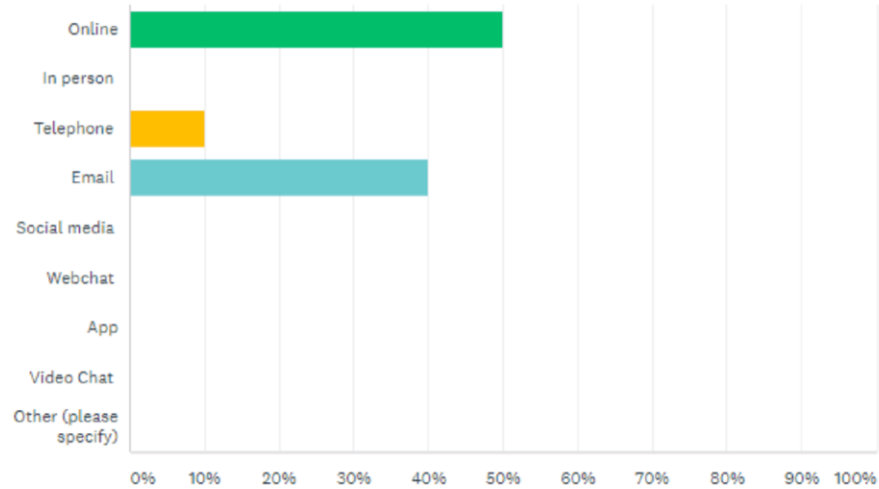
The results were similar & validated the internal customer focus groups where there was a strong focus of emailing or calling to report a fault / problem.

## Channel of Choice – *when providing initial documentation or making an application*

### Response from External Customers:

When providing initial documentation or making an application, your ... \*\*\*

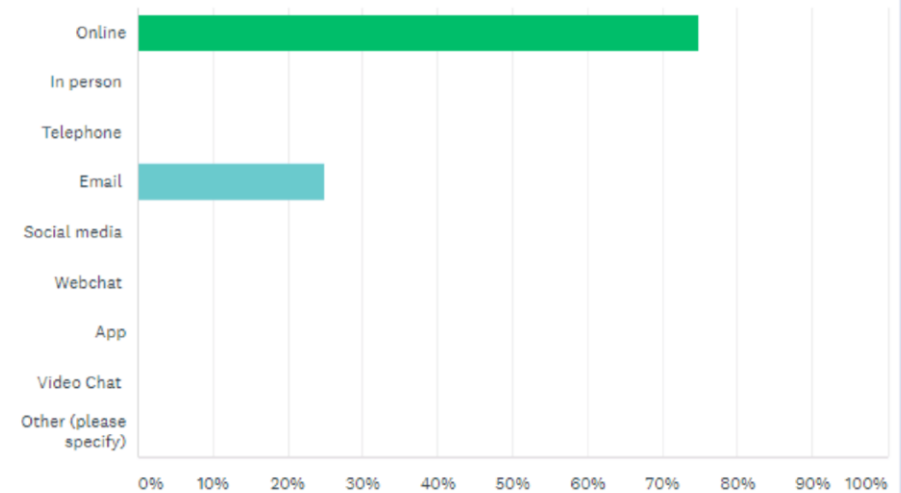
Answered: 10 Skipped: 0



### Response from DAIP / DINO:

When providing initial documentation or making an application, your ... \*\*\*

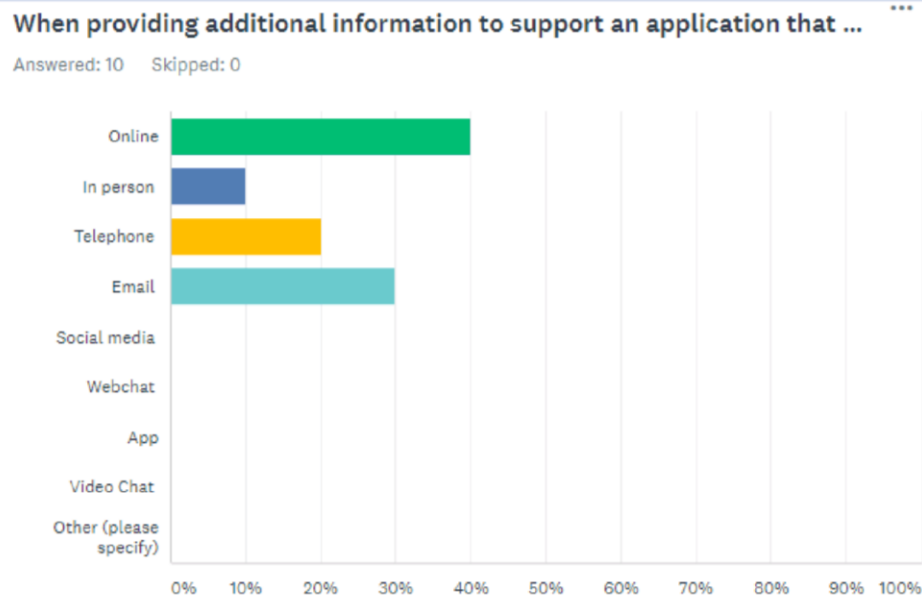
Answered: 4 Skipped: 0



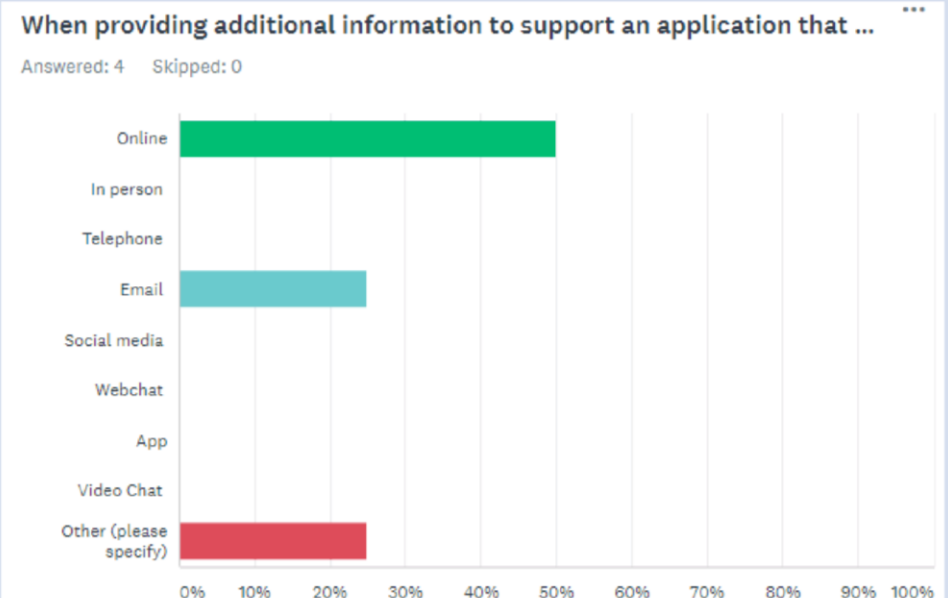
The results were similar & validated the internal customer focus groups, with a strong focus of online or email to provide documentation or make an application.

## Channel of Choice — *when providing additional information to support an application that is already lodged*

### Response from External Customers:



### Response from DAIP / DINO:

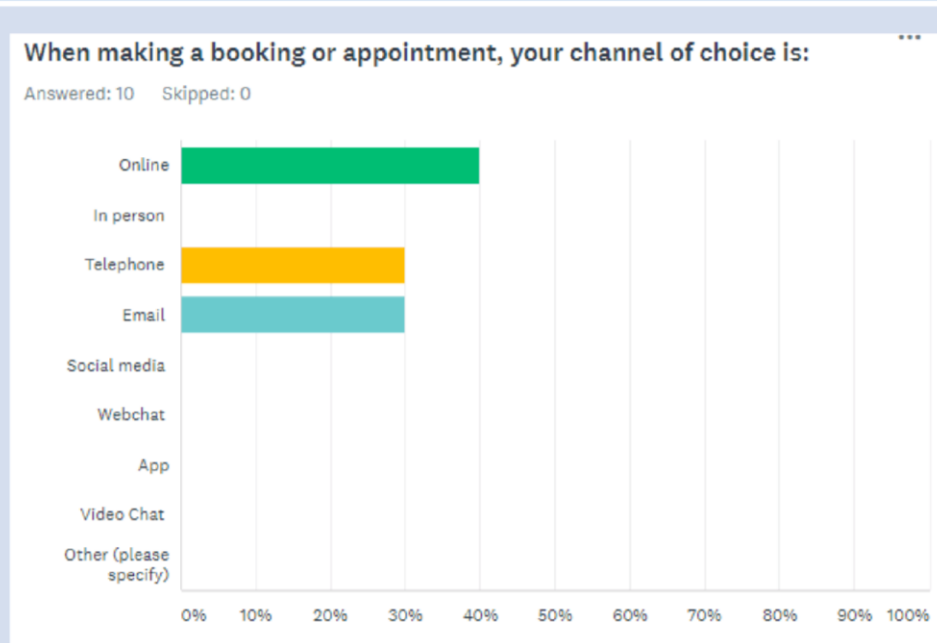


The results were similar & validated the internal customer focus groups with a preference to provide additional information via online.

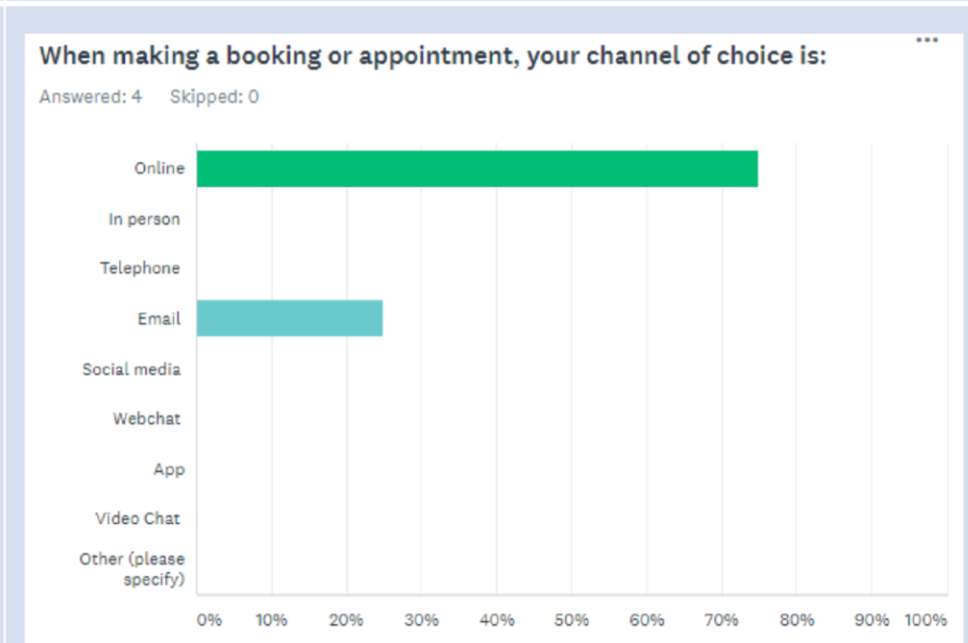
The 'other' response provided was a comment regarding *"would love to do it online, but the portal is broken"*

## Channel of Choice — *when making a booking / appointment*

### Response from External Customers:



### Response from DAIP / DINO:



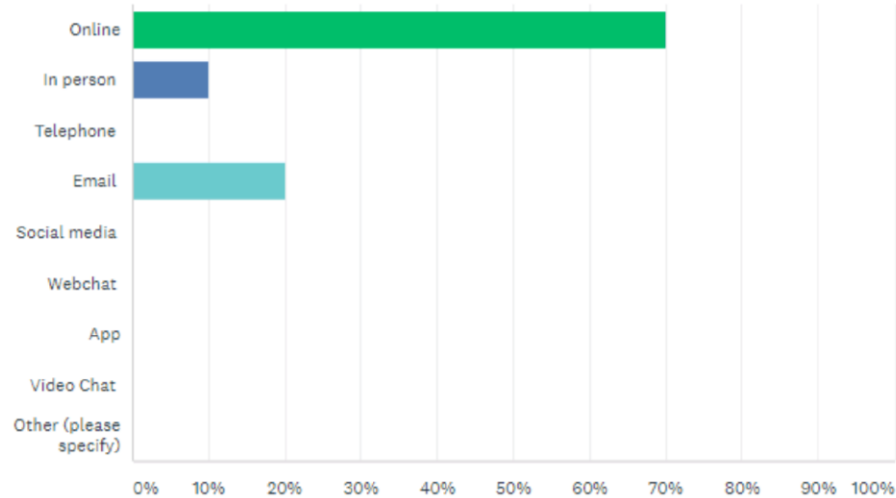
The results were similar & validated the internal customer focus groups with preferences to make appointments via online, telephone or via email.

## Channel of Choice — *when checking a balance / account information*

### Response from External Customers:

When checking a balance or account information, your channel of cho... \*\*\*

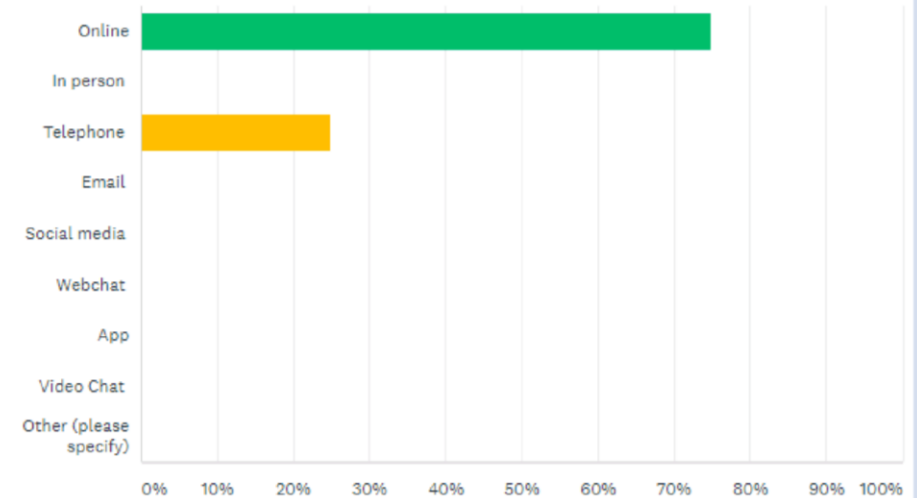
Answered: 10 Skipped: 0



### Response from DAIP / DINO:

When checking a balance or account information, your channel of cho... \*\*\*

Answered: 4 Skipped: 0

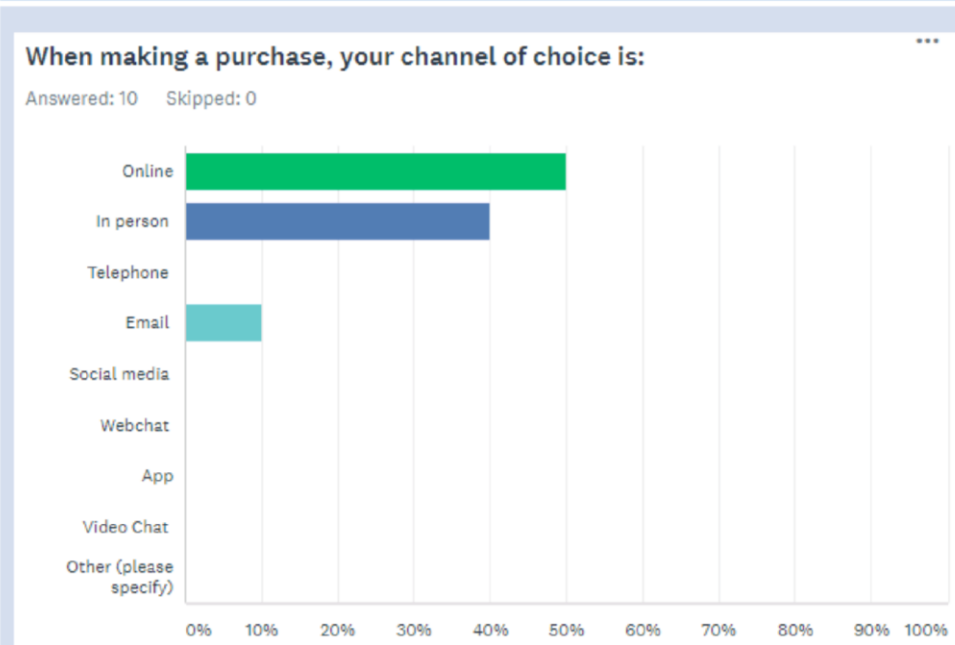


The results were similar & validated the internal customer focus groups, however there was more emphasis internally of having an App – which externally this wasn't a preference by customers.

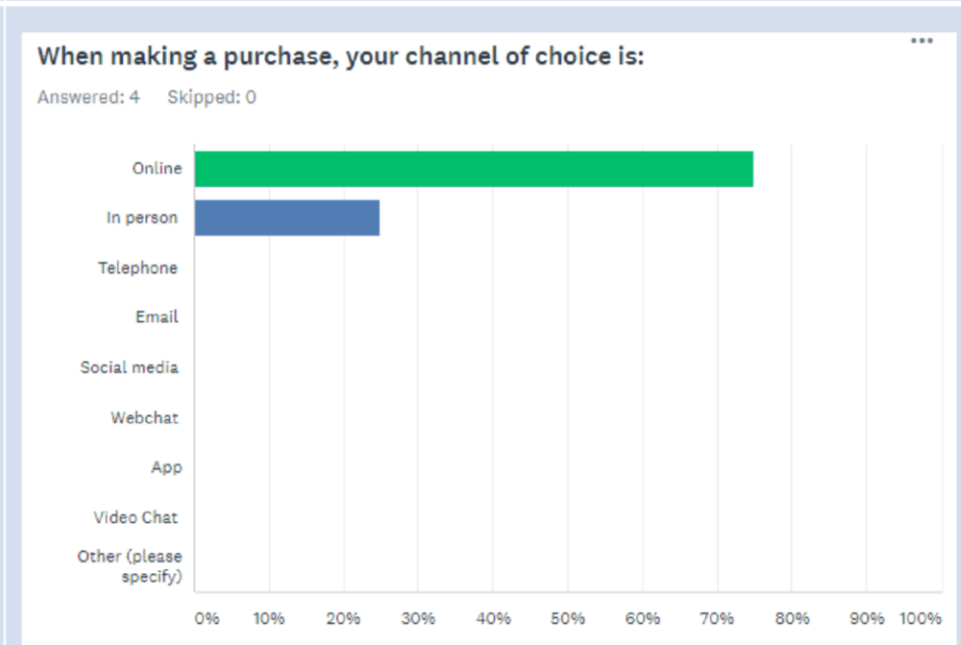


## Channel of Choice — *when making a purchase*

### Response from External Customers:



### Response from DAIP / DINO:



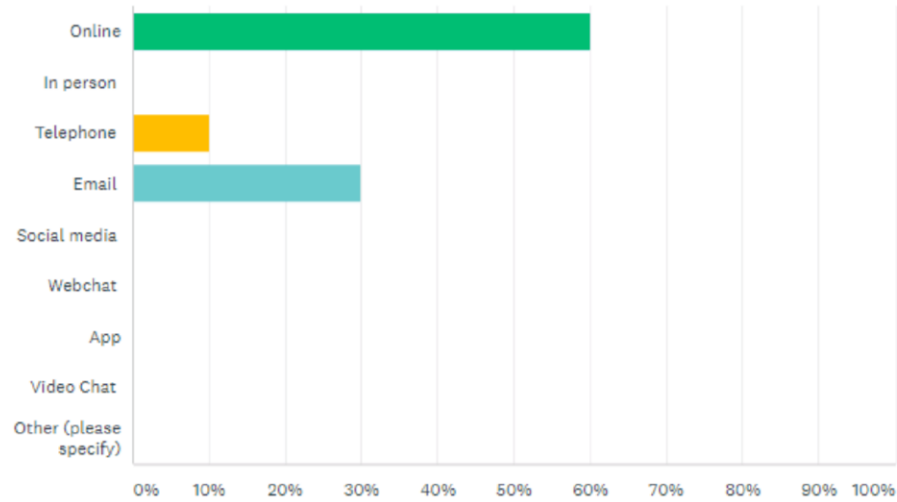
The results were similar & validated the internal customer focus groups, however there was more emphasis internally of having an App – which externally this wasn't a preference by customers.

## Channel of Choice — *When changing personal details*

### Response from External Customers:

When changing personal details, your channel of choice is: \*\*\*

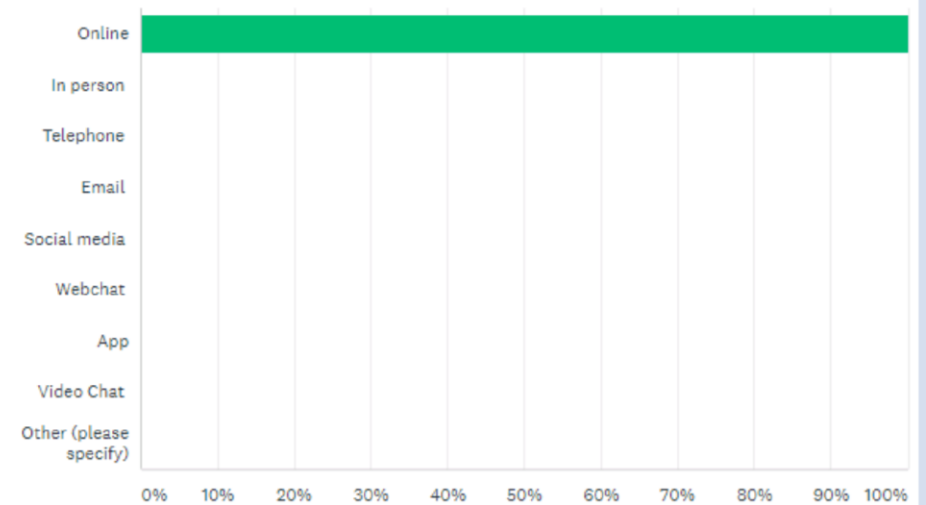
Answered: 10 Skipped: 0



### Response from DAIP / DINO:

When changing personal details, your channel of choice is: \*\*\*

Answered: 4 Skipped: 0



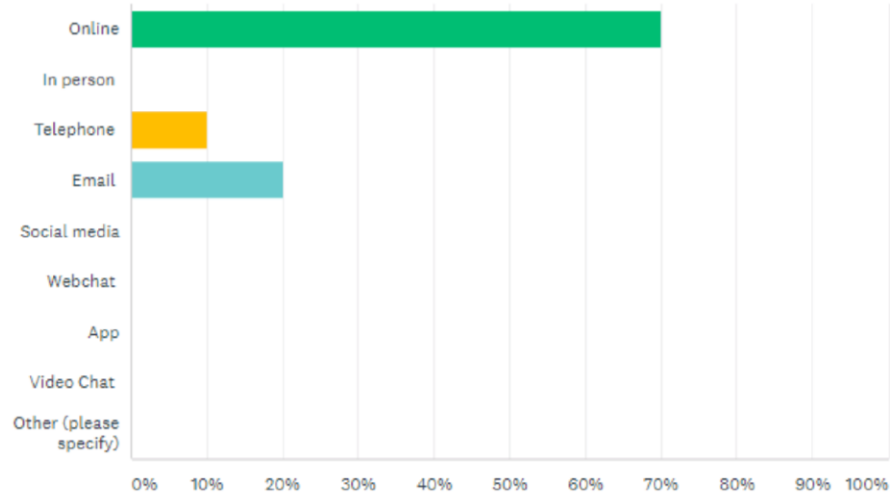
The results were similar & validated the internal customer focus groups, with heaving focus of online.

## Channel of Choice — *When checking details of events the company is organising*

### Response from External Customers:

When checking details of events the company is organising, your chan... \*\*\*

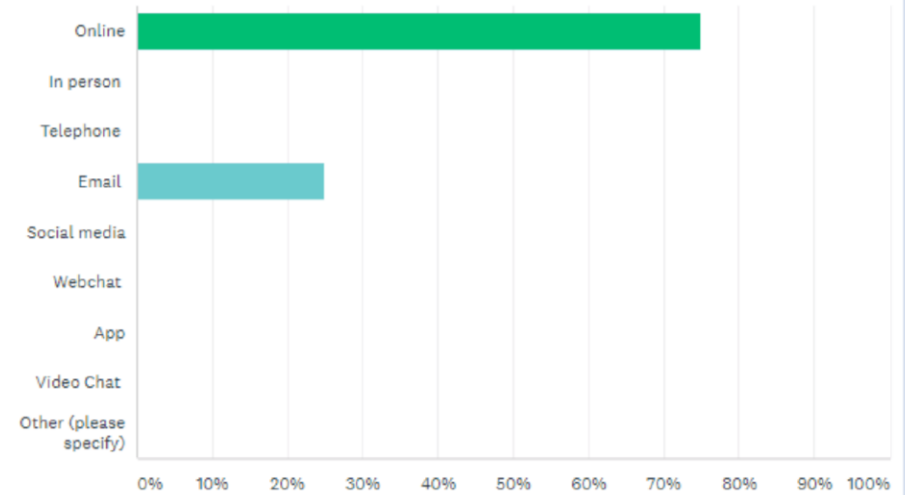
Answered: 10 Skipped: 0



### Response from DAIP / DINO:

When checking details of events the company is organising, your chan... \*\*\*

Answered: 4 Skipped: 0



The results were similar & validated the internal customer focus groups with respect to a focus of online. Internally, employees preferred Social media, however customers did not validate this.

## Activity 2 – Understanding channel expectations

- Customers were asked to answer a series of questions regarding the use of different contact channels in order to understand:-
  - Time preferences for accessing particular channels;
  - What are the frustrations associated with that particular channel;
  - Define what service excellence looks like in regards to that particular channel; and
  - Advise how they locate that particular channel.

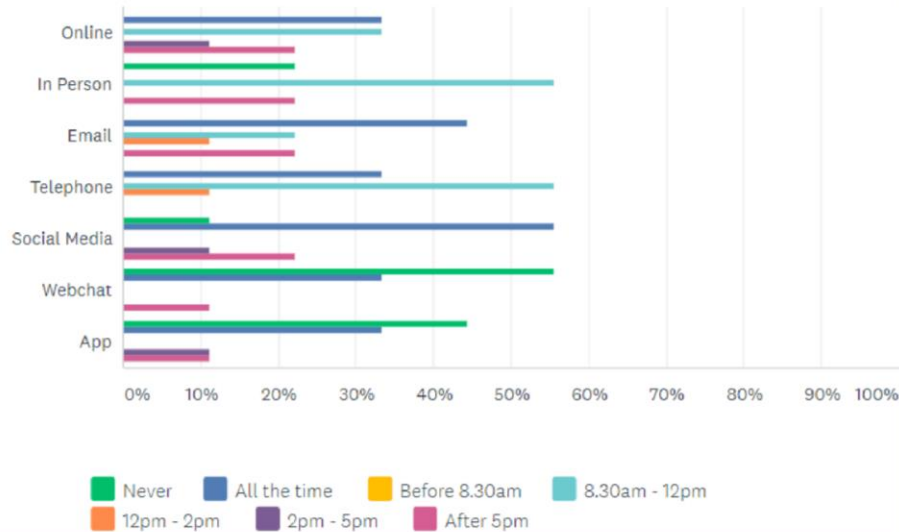


## Time Preferences when accessing contact channels:

### Response from External Customers:

What is your time preference when accessing these contact channels? \*\*\*

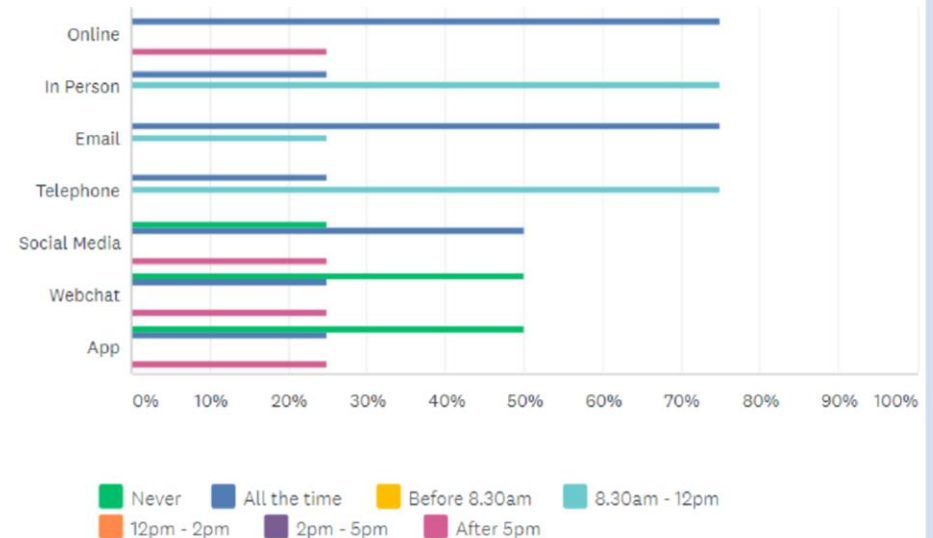
Answered: 9 Skipped: 1



### Response from DAIP / DINO:

What is your time preference when accessing these contact channels? \*\*\*

Answered: 4 Skipped: 0



The results were not too dissimilar & validated the internal customer focus groups. Some anomalies however were that customers have suggested telephone services be available all the time and that Social Media & webchat are never the preferred choice from a customers point of view. These results could suggest that the results are due to the City not offering these contact channels well or they are not available.



## Online

Response from:	Where to find the location of the web address?	Frustrations include:	Service Excellence looks like:
Response from External Customers	<ul style="list-style-type: none"> <li>• Google</li> <li>• Internet search</li> <li>• Not sure</li> </ul>	<ul style="list-style-type: none"> <li>• Poor online structures</li> <li>• Confusing language</li> <li>• Wait times</li> <li>• Non-intuitive navigation</li> <li>• Cannot access after 5pm</li> <li>• When it takes forever to find what you are looking for</li> <li>• Jumping through hoops to do something simple</li> <li>• Changes for change sake</li> </ul>	<ul style="list-style-type: none"> <li>• A smile</li> <li>• Consistent language</li> <li>• Quick answers</li> <li>• All information readily available and you always get in touch with someone</li> <li>• Reasonable delivery time since requesting service</li> <li>• Finding info with one stop</li> <li>• Quick easy access to information</li> <li>• Streamline access</li> </ul>
Response from DAIP / DINO:	<ul style="list-style-type: none"> <li>• Documents</li> <li>• Google</li> <li>• Internet search</li> </ul>	<ul style="list-style-type: none"> <li>• Forms are difficult to fill out because of their format</li> <li>• Documentation is not appropriate</li> <li>• Timing out of services when completing application</li> <li>• Inability to save an incomplete application</li> <li>• Not having enough information to make the best choice of who to email</li> <li>• Being passed from person to person with no resolution of the issues</li> <li>• Too much red tape</li> </ul>	<ul style="list-style-type: none"> <li>• Fully accessible documents no matter the device</li> <li>• The ability to save an application and come back</li> <li>• An accessible and visible timer for how much time remaining</li> <li>• One stop shop for services</li> </ul>

The results were similar & validated the internal customer focus groups.

## In person

Response from:	Where to find the location of the in person services?	Frustrations include:	Service Excellence looks like:
Response from External Customers	<ul style="list-style-type: none"> <li>Website</li> <li>Telephone</li> <li>Internet</li> <li>Google</li> </ul>	<ul style="list-style-type: none"> <li>Lack of access to the required person</li> <li>Wait times – inadequate staffing</li> <li>Parking not being available</li> <li>Unnecessary visit when it could be much easier to solve the problem or submit documents remotely</li> <li>Service was outstanding</li> <li>Getting there</li> </ul>	<ul style="list-style-type: none"> <li>Easy access</li> <li>Professional service</li> <li>Being listened to and having your query clarified to avoid any confusion</li> <li>Resolving the problem on the first visit</li> <li>Getting clarification on the spot</li> <li>Assessing needs quickly and completing</li> <li>No waiting</li> </ul>
Response from DAIP / DINO:	<ul style="list-style-type: none"> <li>Documents</li> <li>Phone</li> <li>Website</li> </ul>	<ul style="list-style-type: none"> <li>Sometimes no one is available</li> <li>No capacity to answer me</li> <li>Don't have the information</li> <li>Staff giving conflicting advice</li> <li>Difficulties finding parking</li> <li>Getting passed from one person to another</li> </ul>	<ul style="list-style-type: none"> <li>Friendly</li> <li>Accessible staff with the knowledge to answer my questions</li> <li>Responsive</li> <li>Understanding of everyone using the service</li> <li>Adaptable</li> <li>The person you talk to, fixes the issue</li> </ul>

The results were similar & validated the internal customer focus groups.

## Email

Response from:	Where to find the location of the email address?	Frustrations include:	Service Excellence looks like:
Response from External Customers	<ul style="list-style-type: none"> <li>Website</li> <li>Internet</li> <li>Google</li> <li>Not sure</li> </ul>	<ul style="list-style-type: none"> <li>Not getting timely responses</li> <li>I get too many unsolicited emails</li> <li>Response taking days</li> <li>Dealing with a different person every time</li> </ul>	<ul style="list-style-type: none"> <li>Efficient, timely useful response</li> <li>No scam emails</li> <li>Quick replies</li> <li>Dedicated officer to deal with your enquiry</li> <li>Touching the points made</li> </ul>
Response from DAIP / DINO:	<ul style="list-style-type: none"> <li>Google</li> <li>Website</li> </ul>	<ul style="list-style-type: none"> <li>Not receiving an acknowledgement</li> <li>Staff giving conflicting advice</li> <li>Email bouncing</li> <li>Time in getting replies</li> </ul>	<ul style="list-style-type: none"> <li>All emails are at least acknowledged within a 48 hour period, even if they can't be actioned</li> <li>Immediate response to acknowledge email receipt</li> <li>Follow-ups</li> <li>One stop reply</li> </ul>

The results were similar & validated the internal customer focus groups.

## Telephone

Response from:	Where to find the location of the phone number?	Frustrations include:	Service Excellence looks like:
Response from External Customers	<ul style="list-style-type: none"> <li>Website</li> <li>Email</li> <li>Internet</li> <li>Online white pages</li> <li>Google</li> <li>Not sure</li> </ul>	<ul style="list-style-type: none"> <li>Long wait times</li> <li>Having to go through keying in a series of numbers</li> <li>Having someone phone in with no caller ID</li> <li>Having someone call and leave a verbal message which Telstra can't convert to text correctly</li> <li>Having people not leave their full name and reason for the call</li> <li>Every growing menu selections</li> <li>Having automated menus which takes ages to speak to a human</li> <li>Going through several departments before speaking to the right person</li> <li>Being put on hold</li> </ul>	<ul style="list-style-type: none"> <li>Prompt response, suitable response, no run-around</li> <li>Speaking a human</li> <li>Being asked questions to ensure clarity</li> <li>My name being used occasionally</li> <li>Quick resolution</li> <li>Direct line</li> <li>Getting the response on the spot for the matter raised</li> <li>Direct access</li> </ul>
Response from DAIP / DINO:	<ul style="list-style-type: none"> <li>Google</li> <li>Website</li> </ul>	<ul style="list-style-type: none"> <li>Sometime the person doesn't have the capacity to answer my question</li> <li>Staff not having the knowledge</li> <li>Receiving conflicting information</li> <li>Repeated on hold music</li> <li>You don't get to talk to the person who can actually assist in the first instance</li> </ul>	<ul style="list-style-type: none"> <li>The contact person is able to handle my enquiry and has the correct information at hand</li> <li>The ability to request a call back and not have to stay on hold</li> <li>The person you speak to can fix the issues</li> </ul>

The results were similar & validated the internal customer focus groups.

## Webchat

Response from:	Where to find the location of webchat?	Frustrations include:	Service Excellence looks like:
Response from External Customers	<ul style="list-style-type: none"> <li>Website</li> <li>Not sure</li> <li>Don't use it</li> </ul>	<ul style="list-style-type: none"> <li>People not qualified to answer my questions</li> <li>Delay between questions and answers</li> <li>Sometimes getting ahead of questions before answers</li> <li>Long wait times</li> <li>When they are not instant</li> <li>Not individualised</li> </ul>	<ul style="list-style-type: none"> <li>Efficient, effective and prompt</li> <li>Answering questions well</li> <li>Referring to further help such as providing web links</li> <li>Reduced wait times</li> <li>Chatting</li> <li>Having a real person with knowledge</li> </ul>
Response from DAIP / DINO:	<ul style="list-style-type: none"> <li>Website</li> </ul>	<ul style="list-style-type: none"> <li>Don't use</li> <li>Inaccessible experience</li> <li>Intrusive pop-up webchat bots</li> <li>Lack of transparency when a bot is actually being used</li> </ul>	<ul style="list-style-type: none"> <li>Non-intrusive experience</li> <li>Having the option to opt to use the webchat</li> </ul>

The results were similar & validated the internal customer focus groups. Customer responses were heavily focused the need for having knowledgeable officers.



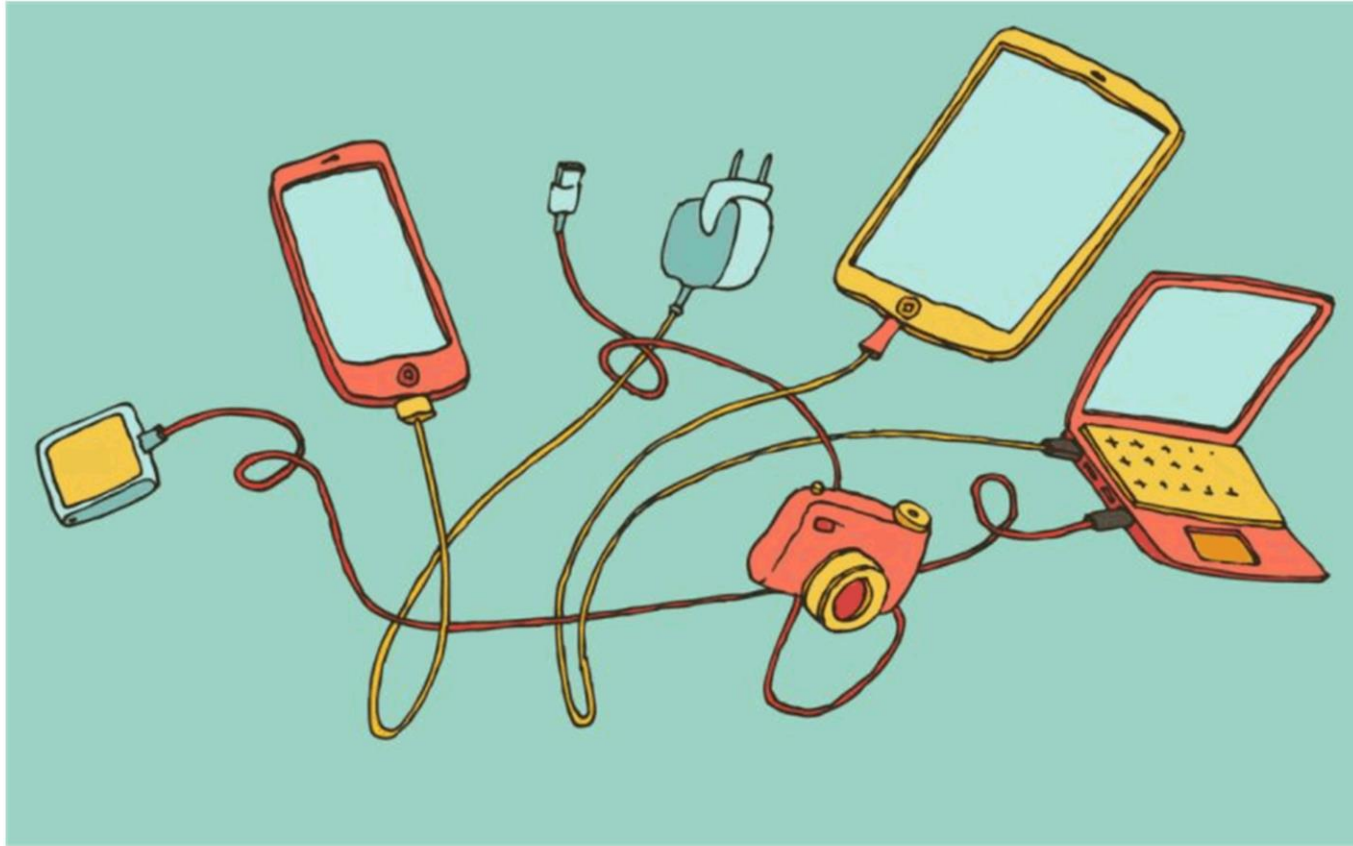
# App

Response from:	Where to find the App?	Frustrations include:	Service Excellence looks like:
Response from External Customers	<ul style="list-style-type: none"> <li>• App store / Google</li> <li>• Friends</li> <li>• Website</li> <li>• Google</li> <li>• Don't use it</li> </ul>	<ul style="list-style-type: none"> <li>• Sometimes not easy to see oldest relevant message</li> <li>• Can't get it to perform</li> <li>• App is normally a cut version of a website, at some point you have to refer to the website</li> <li>• Some apps are completing useless with little information and crashing a lot</li> <li>• Not working</li> </ul>	<ul style="list-style-type: none"> <li>• Efficient, effective and prompt</li> <li>• Usually work really well and are taken to the site immediately</li> <li>• To be as informative as the web</li> <li>• Working</li> <li>• Simple</li> </ul>
Response from DAIP / DINO:	<ul style="list-style-type: none"> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Inaccessible</li> <li>• Lack of cross platform compatibility, ie. Only built for iOS</li> </ul>	<ul style="list-style-type: none"> <li>• Cross platform</li> <li>• Accessible to screen magnification</li> <li>• Accessible to screen reading options</li> <li>• Promoting the service</li> </ul>

The results were similar & validated the internal customer focus groups. However customer responses were heavily focused on the performance of the App; whereas internally the focus groups were more about the design.

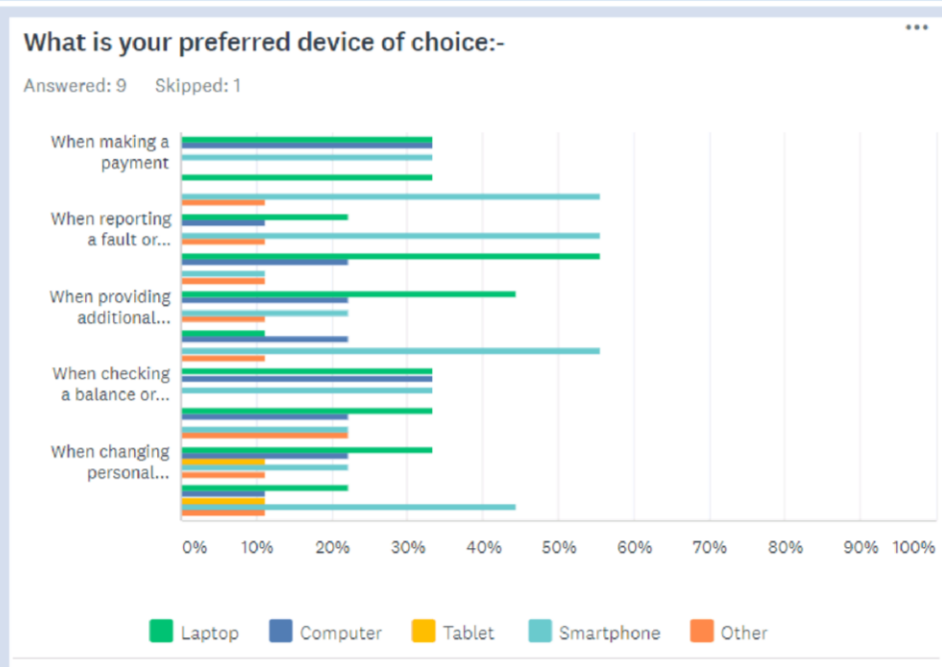
## Activity 3 – Understanding device of choice

- Customers were asked to answer a series of questions on their preferred device of choice for each type of transaction.

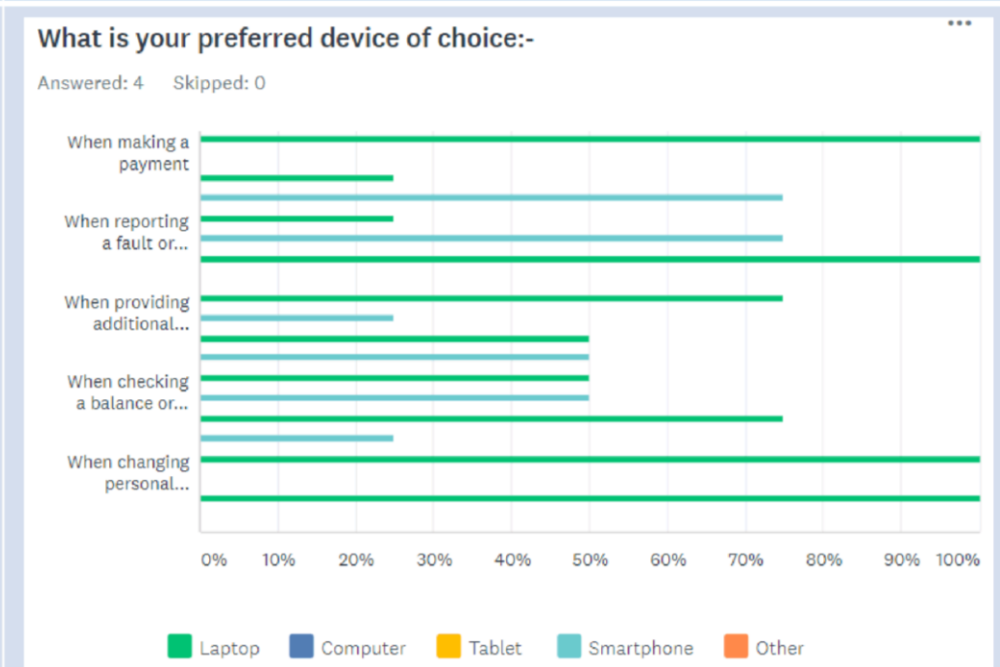


## Preferred device of choice:

### Response from External Customers:



### Response from DAIP / DINO:



The results were not too dissimilar & validated the internal customer focus groups – where most device used were smartphones, laptops and computers.

## Property Services

### **CS04-11/21      Update on Negotiations for Proposed Lease to Olympic Kingsway Sports Club (Inc.) over a portion of Lot 555, Kingsway, Madeley**

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File Ref:	4381V06 – 21/419261
Responsible Officer:	Director, Corporate Strategy & Performance
Disclosure of Interest:	Nil
Attachments:	2
Previous Items:	CP06-06/17 - Olympic Kingsway Sports Club - Changerooms and Spectator Seating Concept Design - Ordinary Council - 27 Jun 2017 6.00pm CP01-03/18 - Olympic Kingsway Sports Club (Inc) - Grandstand Funding Support Request - Ordinary Council - 06 Mar 2018 7.00pm CS09-05/18 - Proposed Lease to Olympic Kingsway Sports Club (Inc.) over a portion of Lot 555, Kingsley, Madeley - Ordinary Council - 29 May 2018 7.00pm

## Issue

To provide an update on negotiations with Olympic Kingsway Sports Club (Inc.) for a lease over a portion of Reserve 28058, Kingsway, Madeley, and to confirm updated lease terms.

## Background

### Land

Olympic Kingsway Sports Club (Inc.) (**OKSC**) currently leases a portion of Reserve 28058, Lot 555 (100) Kingsway, Madeley (**Lot 555**) being the whole of the land comprised in Certificate of Title Volume LR3158 Folio 501.

Lot 555 is a category 'C' reserve vested in the City for 'Recreation' under a management order with power to lease for any term not exceeding 21 years, subject to the consent of the Minister for Lands.

Lot 555 is currently zoned as 'Parks & Recreation' under the MRS and 'Regional Parks & Recreation' in the City's DPS2.

### OKSC

OKSC is an amateur soccer club, formed in 1953. It currently has 800 (approximate) members and has operated on Lot 555 out of its existing clubhouse (**Original Premises**) since 1973.

OKSC's primary purpose is to provide sporting activities and social functions to its members out of the Original Premises including soccer (male and mixed junior teams, male senior teams), darts, bingo, zumba, Irish dancing and occasionally boxing tournaments. In addition, OKSC hires out the Original Premises for functions to local schools, charities and private members.

OKSC has had a long and successful history in soccer in Western Australia, and has the goal of securing promotion to the National Premier League (WA), being the senior State-based competition.

### Expired Lease

The City's ten year peppercorn lease with OKSC expired in July 2004. Since that date, OKSC has continued to occupy the Original Premises as a monthly tenant on the same terms and conditions of the expired lease, notwithstanding that the expired lease did not provide a formal holding over clause.

Under the terms of the expired lease, OKSC is responsible for cleaning, maintenance and repair (including internal and external painting, mechanical, hydraulic and electrical installations). The City is responsible to maintain the structure of the roofs and walls of the clubroom premises.

OKSC's annual rent is \$1 per annum (peppercorn), payable on demand.

The maintenance and rental arrangements under the expired lease are consistent with the City's former tenancy policy, which has been superseded by the current Leasing Policy.

### Expanded facilities and new lease proposal

In reports to Ordinary Council Meetings in June 2017, March 2018 and May 2018 (items CP06-06/17, CP01-03/18 and CS09-05/18), Council considered proposed upgrades to the facilities used by OKSC, with related implications for a long term lease of portions of the site (with the balance of the facilities used by OKSC to be hired or licensed).

Following consideration of a proposed long term lease at the Ordinary Council Meeting on 29 May 2018 (item CS09-05/18), Council resolved as follows:

*'That Council:-*

- 1. APPROVES the lease (inclusive of the repayment of capital investment of \$235,650 plus interest) of a portion of Crown Reserve 28058, Lot 555 (100) Kingsway, Madeley (Attachment 2 refers) to Olympic Kingsway Sporting Club (Inc.) for a term of fifteen (15) years, commencing on the execution of the lease and subject to the Minister for Lands approval;*
- 2. AUTHORISES the affixing of the Common Seal of the City of Wanneroo to a lease between the City and Olympic Kingsway Sporting Club (Inc.) in accordance with the City's Execution of Documents Policy;*
- 3. NOTES that the lease is conditional upon the City receiving written confirmation from the Department of infrastructure, Regional Development and Cities agreeing to the City's proposed revised terms and conditions to the Commonwealth Funding Agreement (\$200,000 grant) for the proposed new change rooms and grandstand.'*

### Completion of Works

The City's works to construct the new change rooms and grandstand (**Works**) adjacent to the Original Premises were completed between November 2018 to September 2019. OKSC maintained operations within the original premises during the Works. The Works achieved practical completion on 27 September 2019. The addition of seating (Sebel) was later installed to the grandstand after practical completion and completed 8 August 2020.

On 25 May 2019 the Original Premises were significantly damaged as a result of a 'ram raid' burglary at the site and subsequent removal of ATM Machine from the bar area. Additional works were required to the Original Premises, which were completed within a six month period



thereafter. Subsequently OKSC resumed full occupation of the original premises and full operations from the site.

In the course of finalising the works, Administration noted that the cost for the works had increased, in part due to the inclusion of items requested by or agreed with OKSC. This meant that the principal amount increased from \$235,650 to \$248,713 (from the amount described in item CS09-05/18), and, accordingly, the anticipated monthly repayments increased from \$2,087.90 to \$2,203.64.

### Original Draft Lease

Proposed indicative essential lease terms were initially presented to OKSC on 7 May 2018 and had been supported by OKSC in advance of the report to Council for item CS09-05/18.

In parallel with the City's works, Administration prepared a draft lease for consideration by OKSC. The lease was first submitted to OKSC on 3 May 2019.

The lease was based on the essential terms approved by Council in item CS09-05/18, and in accordance with the City's standard lease template. The lease template was prepared by the City's internal Legal Services section and accepted by multiple lessees (including comparable sporting clubs and community organisations) in transactions in recent years.

The lease incorporated the following key provisions:

- Responsibility for the following maintenance items being borne by the City, as provided for by the City's Leasing Policy:
  - Fire equipment compliance servicing inclusive of testing and tagging;
  - HVAC maintenance servicing;
  - Integrity of roof and clearing of roof, gutters and downpipes;
  - Controlled waste;
  - Testing of RCDs and emergency and exit lighting;
  - Roof safety access system compliance;
  - Maintain integrity of the City's Master Key System;
  - Backflow plumbing testing, reporting to Water Corporation and renewal of inline water filters;
  - Termite inspections;
  - External vandalism, external graffiti removal and glazing; and
  - Height safety inspections.
- OKSC paying a maintenance fee to the City, with the initial maintenance fee being calculated as \$5,695 (plus GST) per annum (subject to review on an annual basis)
- Other than the payment of the maintenance fee, OKSC would not be required to pay rent, but there would be a requirement to pay utility and service costs (on a usage basis);
- OKSC being responsible for maintenance for items which were not under the scope of City maintenance covered by the maintenance fee; and
- OKSC making monthly repayments of \$2,203.64 in respect of the capital investment amount, calculated as a total investment amount of \$248,713 plus interest calculated at 6.77%.

### Status of Negotiations

Despite attempts by Administration to progress to secure OKSC's agreement to a final lease document (and signing thereafter), OKSC has not yet approved the draft lease. In the period of more than 2 years since the draft lease was first provided to OKSC, factors which have contributed to the delay have included:

- OKSC expressing concerns regarding the operation of the maintenance fee, including:

- OKSC objecting to retaining responsibility for the items of maintenance which were not allocated to the City under the lease;
- The potential for the maintenance fee to be reviewed and increased by the City if maintenance items were more expensive than estimated at the commencement of the lease; and
- The allocation of responsibility for structural and capital works to the premises.
- Administration attempting to satisfy OKSC's maintenance concerns by significantly amending the lease, so that OKSC would retain all maintenance responsibilities, but with that maintenance occurring within a scope approved by the City.
- OKSC proposing to be released from its obligations to repay the capital investment, as an in-kind contribution to further facility upgrades requested from the City.
- The representatives of OKSC's committee engaged in the negotiations being unable to approve final terms without referring to the committee and members.
- OKSC not providing a Business Plan in accordance with the requirements of the Leasing Policy despite repeated written requests by the City.

## Detail

### Alternative Draft Lease

The City's Leasing Policy provides that lessees of Crown land sites will pay an annual maintenance fee in exchange for the City undertaking maintenance of the leased premises. However, OKSC has advised the City that it would prefer to arrange to undertake its own maintenance works in accordance with standard City service schedules and using licensed contractors, providing supporting evidence to the City as opposed to paying an annual maintenance fee.

Administration then prepared an alternative version of the new lease, on the basis that OKSC continues to be responsible for maintenance (which is no change from the existing, expired lease), but with a further requirement that OKSC is required to use contractors nominated or approved by the City to undertake all maintenance. In this respect, the Lessee's obligations are more relatively onerous than in the prior (expired) lease, including:

- A requirement that maintenance works are undertaken using the City's pre-approved contractors or contractors approved by the City;
- Routine maintenance is to occur using a schedule prescribed by the City;
- The City must be notified of maintenance works including repairs, electrical works, painting, ceiling repairs (non-structural), HVAC, fire services, utility and other servicing requirements, plumbing and grease trap cleaning; and
- OKSC must keep a register of its maintenance works (including evidence of the scope of works and the insurance for the works).

However, given that the purpose for the maintenance regime introduced under the current Leasing Policy was to provide the City with greater control over maintenance and the quality of works, Administration considers that the above position is a reasonable compromise. The compromise position proposed to OKSC is intended to manage the potential risk of OKSC continuing to conduct maintenance, so that OKSC will have clearer expectations for its maintenance obligations and the City will have improved oversight on the performance of these obligations.

### Proposed Lease Terms

Administration considers that the current lease document, which incorporates the essential terms below, should now be in a form acceptable to OKSC. The draft document:

- Is based on a precedent prepared and reviewed by the City's Legal Services section, with the document previously accepted by many similar lessees; and
- Has been amended and redrafted to address OKSC concerns raised in the past 2 years, and so is considered to be more favourable to OKSC than the underlying precedent.

On this basis, Administration is seeking Council's approval of those essential lease terms and an authorisation for the Chief Executive Officer to finalise negotiations.

Items which are italicised or subject to further clarification below are changes from the essential lease terms previously approved by Council (item CS09-05/18).

<b>Premises:</b>	<p><b>1,272*m<sup>2</sup></b> (approximate) portion of Reserve 28058, Lot 555 (100) Kingsway, Madeley (<b>Attachment 1</b> refers).</p> <p>The Premises incorporates the area hatched and marked 'Lease Area' in Attachment 1, plus a storeroom in the adjacent grandstand building.</p>
<b>Term:</b>	<p><i>A total term of seventeen (17) years is recommended (as an initial term of twelve (12) years with an option for a further term of five (5) years), increased from the fifteen (15) year term originally approved by Council, to reflect the financial impact of Covid-19 on OKSC's operations.</i></p> <p><i>This term is subject to a recommendation that the Chief Executive Officer is authorised to approve a total term (including options) of up to twenty (20) years.</i></p>
<b>Commencement Date:</b>	Upon execution by all parties
<b>Rent:</b>	\$1.00 (peppercorn) per annum
<b>Permitted Purpose:</b>	Clubroom and uses reasonably ancillary thereto
<b>Option A (Maintenance fee – in accordance with Leasing Policy)</b>	
<b>Annual Maintenance Fee:</b>	<b>\$6,045</b> (plus GST) per annum (subject to review on an annual basis) payable by Lessee
<b>Lessor Maintenance Works:</b>	<p>Lessor responsibility up to the value of the Annual Maintenance Fee:</p> <ul style="list-style-type: none"> <li>• Fire equipment compliance servicing;</li> <li>• HVAC;</li> <li>• Roof and gutters;</li> <li>• Controlled waste;</li> <li>• Electrical;</li> <li>• Compliance;</li> <li>• Security and Keys;</li> <li>• Plumbing;</li> <li>• Pest Control;</li> <li>• Height Safety Inspections; and</li> <li>• External vandalism, external graffiti removal and glazing.</li> </ul>

<b>Other Maintenance:</b>	Lessee responsibility (all items other than Lessor Maintenance Works)
<b>Option B</b> <b>(Lessee maintenance responsibility – departure from Leasing Policy)</b>	
<b>Annual Maintenance Fee:</b>	Not applicable
<b>Lessor Maintenance Works:</b>	Structural maintenance only
<b>Lessee Maintenance:</b>	Attachment 3 refers
<b>Further lease provisions (unchanged for Option A and Option B)</b>	
<b>Cleaning:</b>	Lessee responsibility
<b>Rates &amp; Taxes:</b>	Lessee responsible for all rates (including Council rates and water rates), taxes, assessments and impositions
<b>Outgoings:</b>	Lessee responsible for all outgoings (not limited to) electricity, gas, water and telephone/broadband used in relation to the Premises whether billed directly or otherwise
<b>Lessee Services:</b>	Lessee responsible for the provision of special requirements such as the connection of telephone, broadband services and the like
<b>Building Insurance:</b>	<ul style="list-style-type: none"> <li>• Lessor responsibility to insure the building to the correct replacement value; and</li> <li>• Lessee responsibility to pay the premium as on-charged by the Lessor</li> </ul>
<b>Public Liability Insurance:</b>	Lessee responsibility – Minimum \$20 million
<b>Other Insurance:</b>	Lessee responsibility
<b>Consumables:</b>	Lessee responsibility
<b>Structural Maintenance:</b>	Lessor responsibility
<b>Quiet Enjoyment:</b>	<p>Lessee acknowledges that its quiet enjoyment of the Premises may be affected from time to time by works or trading in public places that the Lessor or its agents may reasonably undertake or facilitate in the vicinity of the Lease Premises that may include but are not limited to:</p> <ul style="list-style-type: none"> <li>• disruption to utilities;</li> <li>• disruption or closure of roads, or reserves;</li> <li>• pedestrian movement and access;</li> <li>• vehicle movement, access and parking;</li> <li>• vibration and noise; and</li> <li>• dust and dirt,</li> </ul> <p>and the Lessee will not be entitled to any compensation.</p>

<b>Licence:</b>	Hired facilities adjacent to the Premises (including the grandstand) and pitches will be administered under the City's facility hire agreement.												
<b>Repayment of Capital Investment:</b>	<p>Lessee to repay principal plus interest as outlined below:</p> <table border="1"> <thead> <tr> <th colspan="2"><b>Olympic Kingsway Sports Club Prefunded Capital Investment</b></th></tr> </thead> <tbody> <tr> <td>Principal \$</td><td>248,713.00*</td></tr> <tr> <td>Interest Rate % Per Year</td><td>6.77%*</td></tr> <tr> <td>Repayment Period Years</td><td>15</td></tr> <tr> <td>Repayment Period Months</td><td>180</td></tr> <tr> <td>Required Monthly Repayment</td><td>-\$2,203.64*</td></tr> </tbody> </table> <p>* The commencing interest rate will be 6.77%, in accordance with the previous approval of Council (item CS09-05/18).</p> <p>The lease will include a provisions:</p> <ul style="list-style-type: none"> <li>• permitting OKSC to repay early; and</li> <li>• confirming the interest rate from 1 January 2027 will reduce to the lesser of 6.77% and the Western Australia Treasury Corp (WATC) "Social Project" Interest Rate from time to time. The current WATC Social Project Interest Rate is 2.15%.</li> </ul>	<b>Olympic Kingsway Sports Club Prefunded Capital Investment</b>		Principal \$	248,713.00*	Interest Rate % Per Year	6.77%*	Repayment Period Years	15	Repayment Period Months	180	Required Monthly Repayment	-\$2,203.64*
<b>Olympic Kingsway Sports Club Prefunded Capital Investment</b>													
Principal \$	248,713.00*												
Interest Rate % Per Year	6.77%*												
Repayment Period Years	15												
Repayment Period Months	180												
Required Monthly Repayment	-\$2,203.64*												

The lease proposal in the current report remains subject to Ministerial approval under section 18 of the *Land Administration Act 1997* (WA) (LAA).

## Consultation

- Extensive engagement with OKSC has occurred in the course of negotiating the lease terms, including to attempt to address concerns identified by OKSC, with a view to securing OKSC's long term, sustainable tenure on the site.
- The essential terms of the proposed lease together with a copy of the draft lease have been presented to OKSC. OKSC has advised that, subject to agreement being finalised on the following items, the lease is otherwise approved, subject to its final internal approval processes:
  - OKSC securing a longer lease term than the fifteen years previously supported by Council. In this regard, OKSC has requested a term of twenty (20) years.

*(Administration recommends that seventeen (17) years is adequate, as noted in the summary of the essential lease terms);*

- Final property inspections on the leased and hired facilities to identify any outstanding corrective maintenance or defect repairs.

*(Administration notes that):*

- Subsequent to occupancy of the grandstand, the Sebel seating has suffered from a number of defects. Repairs to the seating are being undertaken by the supplier,



*which are anticipated 15 November 2021. No other works associated with new change rooms and grandstand are outstanding; and*

- *Inspections (to the extent not already covered by inspections completed during 2020 and 2021) will be engaged by the City (in consultation with OKSC) to identify whether any further maintenance or repairs are required, with the allocation of tasks to reflect the historical responsibility for the building. The parties will share any third party inspection costs);*
- Agreement on the interest rate, which OKSC has requested is a lower rate prior to December 2026.

*(Administration recommends the rate is subject to adjustment following 31 December 2026, as outlined in the essential lease terms above, but is not varied before that date); and*

- OKSC securing an acknowledgement of its continued access to the hired facilities.

*(Administration notes the hired access would be on the basis that OKSC is the priority user of its home ground, pitch one, two and three and the grandstand during the soccer season. Priority use does not mean exclusive use, but rather that the City will consider the bookings and requirements of the OKSC prior to considering requests from any other user group for the site. A request from another group will only be considered if a) it does not conflict with an existing OKSC booking, b) it will not have a detrimental impact, in the City's opinion, on the condition of the venue, and c) it complies with the City's terms and conditions of hire.)*

- Relevant service units, including Community Facilities, Building Maintenance, Infrastructure Capital Works and Finance, have been consulted in the course of preparation of the lease terms. Administration is supportive of the proposed long term lease, subject to the proposed terms being accepted by OKSC.
- In the event that the proposed lease terms are approved by Council, DPLH will be requested to provide its consent to the terms of the draft lease as per section 18 of the LAA.

## **Comment**

Administration notes that the ongoing negotiations and delays by OKSC in approving the draft lease potentially overlook the benefit to OKSC in securing a long term tenure in facilities which are to a higher standard than those enjoyed by the majority of sporting clubs and community groups within the City. The OKSC facilities provide a significant benefit to OKSC and its members, including in relation to providing a potential to raise revenue to support OKSC's future growth.

The long term tenure will also support the implementation of further facility improvements, including scheduled lighting upgrades, which will often require funding assistance from external agencies. The City, as land manager, is more likely to support funding from these external agencies when there is more long term certainty about the ongoing use of that space.

The proposed new lease will clarify both the City's and OKSC's responsibilities to maintain the Premises to the required standard. It will also ensure that the City and the local community continue to receive the valuable sporting service currently provided by OKSC at Kingsway Regional Sporting Complex.

The signing of the lease will also trigger OKSC's repayments of the capital investment. Given that the repayments have not commenced, OKSC has benefitted from use of the site in the

interim and further upgrades are scheduled, Administration recommends that the lease is finalised as a matter of urgency.

Finally, due to the expired nature of the prior lease (and the lack of a holding over provision or extended tenure), there is a risk to the City and OKSC in allowing this position to continue any further.

In this context, Administration considers that the new lease is in OKSC's best interests and provides an appropriate risk allocation for the City.

### Statutory Compliance

Under regulation 30 of the *Local Government (Functions and General) Regulations 1996* (WA), the proposed lease to OKSC is an exempt disposition of property to which section 3.58 of the Act does not apply.

Given that Lot 555 is Crown land, the lease will require the consent of the Minister for Lands under section 18 of the Land Administration Act.

### Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*1 ~ An inclusive and accessible City with places and spaces that embrace all*

*1.3 - Facilities and activities for all*

### Risk Management Considerations

Risk Title	Risk Rating
Relationship Management	Moderate
Accountability	Action Planning Option
Executive Management Team	Manage

The above risk relating to the issues contained within this report has 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 proposed new lease has been negotiated in accordance with the City's Leasing Policy (**Policy**) with the exception of the maintenance fee which is not being applied in the proposed new lease for the reasons outlined in the Detail section of this report.

Given there is potential that no maintenance fee will be applicable for the lease (as outlined at Option B of the essential lease terms in the Detail section of this report), and this position would be outside the framework of the Policy, Council approval is required to the proposed lease.

### Financial Implications

OKSC will be responsible for all costs of utility outgoings, relevant insurances, rates and taxes, repairs and maintenance (subject to either Option A or Option B of the essential lease terms), operational compliance matters and all other costs associated with the entire leased premises.

Lessee to repay principal plus interest for the capital investment as outlined in the essential lease terms in the Detail section of the current report.

## Voting Requirements

Simple Majority

## Recommendation

That Council:-

1. **SUPPORTS IN PRINCIPLE** the lease of a portion of Reserve 28058, Lot 555 (100) Kingsway, Madeley (Attachment 1 refers) to Olympic Kingsway Sporting Club (Inc.) in accordance with the lease terms described in the Administration report, commencing on the execution of the lease and subject to the approval of the Minister for Lands; and
2. **AUTHORISES:**
  - a) The Chief Executive Officer (or a nominee of the Chief Executive Officer) to negotiate terms, execute all documentation and comply with all applicable legislation as is required to effect Item 1. above; and
  - b) The affixing of the Common Seal of the City of Wanneroo to a lease between the City and Olympic Kingsway Sporting Club (Inc.) in accordance with the City's Execution of Documents Policy.

Attachments:

- |                          |  |           |         |
|--------------------------|--|-----------|---------|
| <a href="#"><u>1</u></a> | Attachment 1 - OKSC Lease Plan                 | 21/420067 | Minuted |
| <a href="#"><u>2</u></a> | Attachment 2 - OKSC - Lessee Maintenance Works | 21/420288 |         |







LEASE AREA

OLYMPIC KINGSWAY SPORTS CLUB Inc

PORTION LOT 555 (R28058) KINGSWAY, MADELEY

SCALE: 1:500 @ A4

DATE: May 2021

REF: 2021-05 oksc - lease plan

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).

## LESSEE MAINTENANCE WORKS

MAINTENANCE DESCRIPTION										
LESSEE MAINTENANCE WORKS DETAILS	Fire Equipment Compliance Servicing	Heating, Ventilation and Air Conditioning (HVAC)	Roof and Gutters	Controlled Waste	Electrical Compliance	Security and Keys	Plumbing	Pest Control	Old Turnstile	Height Safety Inspections
Type of works	<ul style="list-style-type: none"> <li>Inspection and testing of Fire Indicator Panels and Emergency Warning and Intercommunication Systems</li> <li>Inspection, testing and tagging of extinguishers, fire blankets, hose reels and hydrants</li> </ul>	Maintenance service	Clearing of debris from roof area and gutters and flushing of downpipes	Cleaning of grease traps per Water Corporation (FOGMAN) program	Testing of: <ul style="list-style-type: none"> <li>residual current devices (RCD's);</li> <li>emergency and exit signage lighting.</li> </ul>	Lubrication of cylinders and tightening of handles / hardware	<ul style="list-style-type: none"> <li>Backflow device testing and reporting to Water Corporation;</li> <li>renewal of inline water filters;</li> <li>Hot water system maintenance; and</li> <li>Gas heater maintenance</li> </ul>	Inspection for termite activity and any other pest control	Carpenter and/or painter to attend and carry out maintenance activities	Inspection of all roof safety system components
Description of items to be maintained and frequency of maintenance	<ul style="list-style-type: none"> <li>Powder extinguishers:               <ul style="list-style-type: none"> <li>➢ 1 x renewal</li> <li>➢ 4 x tested each year</li> </ul> </li> <li>2 x fire blankets - both tested each year and renewed every 5 years</li> <li>Up to 25 smoke and/or thermal detectors tested every 6-months (report to COW)</li> </ul>	<ul style="list-style-type: none"> <li>13x split cassette</li> <li>1x wall split</li> </ul>	3 times per annum.	<ul style="list-style-type: none"> <li>Bi-annual inspection of grease arrestor</li> <li>Annual Asbestos inspection</li> </ul>	<ul style="list-style-type: none"> <li>Inspection every 6 months of:               <ul style="list-style-type: none"> <li>➢ Residual current device- 3 boards</li> <li>➢ Emergency lighting and exit</li> </ul> </li> </ul>	As required. No charge for this item was included in the maintenance fee	<ul style="list-style-type: none"> <li>Renewal of water filters - annual water filter x2</li> <li>Annually</li> </ul>	Annually	Estimated: 2hrs per quarter for carpenter and/or painter to attend and carry out activities.	Every 6 months & reporting to Lessor



## Contracts & Procurement

### **CS05-11/21     WALGA Energy Sustainability and Renewables Project**

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File Ref:	3131V03 – 21/487436
Responsible Officer:	Director, Corporate Strategy & Performance
Disclosure of Interest:	Nil
Attachments:	2

#### **Issue**

To consider proceeding with a contract for supply of electricity to the City's contestable sites under a WALGA led procurement arrangement and to determine the level of renewable energy the City should commit to during the term of such contract.

#### **Background**

Current to September 2021, forty-seven Local Governments including the City of Wanneroo, have made declarations acknowledging that climate change is occurring, and that climate change will continue to have significant effects on the WA environment, society, economy, and Local Government sector.

A number of Local Governments previously requested WALGA for aggregation assistance for energy and sustainability related supply charges towards an evolving Power Purchase Agreement (**PPA**) to support renewable energy targets.

WALGA intends to implement a State-wide energy structure aimed at reducing the cost of renewable electricity, standard electricity, gas and carbon offsets for the sector. The initial phase of this project aims to facilitate a market process for the procurement of contestable electricity supply with renewable energy options.

WALGA has therefore facilitated a procurement process to establish a fixed term (3 year) agreement for the purchase of electricity on behalf of 51 metropolitan and regional LGAs including the City of Wanneroo. This procurement process aims to leverage on the collective buying power to drive savings in both brown (electricity generated by conventional fossil fuels) and /or green (renewable energy) costs. The success of this agreement may also evolve to a longer term whole of sector PPA.

The City of Wanneroo was invited to participate in this procurement exercise and was represented on the Project Steering Group and on the WALGA Evaluation Panel for the procurement process in question.

Each participating LGA entered into a Memorandum of Understanding (**MoU**) committing to participation in the procurement process. The MoU is not legally binding and there is no commitment for any LGA to enter into an eventual supply agreement at the conclusion of the procurement process.

#### **Detail**

Following the WALGA led procurement process, Synergy has been awarded the supply of energy, renewables and integrated projects to phase one of the WALGA Energy Sustainability and Renewables Project, subject to finalisation of minor contractual variations and ensuring minimum thresholds of LGA participation.

The Synergy offer has a strict validity period for acceptance of 18 November for LGAs' to confirm their acceptance and is contingent on a collective minimum scaled volume of

60Gigawatt hours across the three-year term contract commencing 1 April 2022. WALGA expects this volume to be achieved given the LGA take-up to-date.

Following acceptance of the offer, final negotiations will ensue with Synergy and WALGA to facilitate the eventual contract on behalf of the City and to ensure the contractual commitment to supply renewable energy to the sector is met. Council approval is therefore sought to meet this deadline.

The successful Synergy proposal includes an offer for the supply of both 'brown' and renewable ('green') energy. The renewable energy component is also contingent on a minimum volume being achieved on each contract year (across all participating LGAs). A stepped approach to the adoption of renewable energy is also provided. Further information relating to the WALGA Energy Framework Offer Document is provided at **Attachment 1**.

At present, the City contracts with Perth Energy for its contestable electricity requirements with the current contract expiring 31 March 2022, thus enabling a seamless transition to any new contract arrangement commencing with Synergy from 1 April 2022 through the WALGA agreement.

Under legislation, where a site uses less than 50,000 kWh of electricity per year, Synergy is the only supplier able to provide electricity through the South West Interconnected System and be eligible for the L1/R1 tariff rate. To be eligible for the L3/R3 tariff, a site must use 50,000 kWh or more electricity per year. This also makes that site 'contestable' meaning a choice of different retailers for electricity supply (including Synergy).

The combined costs of the City's current 32 contestable sites is approximately \$1.6 million per annum with a total annual consumption across those sites of approximately 6.875 Gigawatt hours (and accounting for 34% of the City's total energy consumption).

The City's total electricity budget for 2021/22 including contestable sites, non-contestable sites and street lighting costs is \$8.75m; (Street Lighting comprises \$6.27m of this total).

Analysis confirmed by WALGA, indicates the Synergy proposal has delivered marginal savings to the City if adopting only 'brown' energy supply across all contestable sites; i.e. savings of \$19,413 are forecast over the full 3 year term as reflected against the current pricing provided through Perth Energy.

There is a premium (additional charge) for the take up of renewable 'green' energy supply reflected in the analysis as an additional cost to current spend for the City and subject to the percentage adoption of renewables as determined by the City. The option to adopt a stepped approach to renewables is also provided through the contract term; i.e. increments of 25% take-up year by year if required.

**Attachment 2** provides for scenario analysis to both the financial and environmental impacts to the City to adopt 'green' energy supply take-up for its contestable sites.

## **Consultation**

The City of Wanneroo was invited to participate in this procurement exercise and is currently represented on the Project Steering Group by the Manager Contracts and Procurement. The City continues to liaise with other Member Councils and the WALGA Project Manager.

A presentation by WALGA representatives to this project and resulting contract with Synergy also occurred at Council Forum meeting of 2 November 2021.

## Comment

WALGA through their Energy Framework Offer Document (**Attachment 1**) recommends adopting a stepped approach to renewables (where LGA budget restrictions apply), by adopting the renewable energy option for contestable sites in the final contract year. This approach will enable positioning for a stepped approach and secure dedicated renewables to the City to protect against rising market pricing pressures on renewable energy supply.

The City supports this approach and given current budget constraints, recommends adopting 100% take up of renewable energy supply option for contestable sites in Year 3 only; (i.e. from 1 April 2024 to 31 March 2025).

The City is committed to reducing emissions through its Climate Change Adaptation and Mitigation Strategy and through the WALGA Climate Change Declaration. These commitments will also need to be reviewed in the near future as to align with the State Climate Change Policy which has committed to achieve net zero greenhouse gas emissions by 2050. The up take of 100% renewable energy supply for contestable sites in Year 3 only of the contract term will result in reducing the City's emissions by 4,813 t of CO<sub>2</sub>-e.

Following a determination by Council as to the acceptance or otherwise of this recommendation, the City will seek to finalise the contract terms with Synergy (and in conjunction with WALGA). WALGA will administer the overarching contract with Synergy through the Preferred Supplier Arrangement (**PSA**).

## Statutory Compliance

Nil

## Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*4 ~ A sustainable City that balances the relationship between urban growth and the environment*

*4.1 - Plan for climate change*

## Risk Management Considerations

<b>Risk Title</b>	<b>Risk Rating</b>
CO-022 Environmental Management	High
<b>Accountability</b>	<b>Action Planning Option</b>
Director Planning & Sustainability	Manage
<b>Risk Title</b>	<b>Risk Rating</b>
ST-S06 Climate Change	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Planning and Sustainability	Manage

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

## Policy Implications

The proposal aligns to the City's Environmental Policy which in turn supports the following objectives of the Strategic Community Plan:

### **Priority 4.1 - Plan for climate change**

*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.*

### **Priority 4.3 - Manage natural assets and resources**

*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 the 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.*

The City's Purchasing Policy (s4.5 Sustainable Procurement) also supports the procurement of goods and services that have less environmental and social impacts than competing products and services.

The proposal also aligns to the City's Climate Change Adaptation and Mitigation Strategy (**CCCAMS**) (s3.1 Energy Use Emissions) which provides for a reduction in energy use emissions by 10% (from the 2019/20 baseline) by 2024/25 (*noting that this target is for those emissions resulting from electricity and gas used at Council owned buildings and parks excluding Western Power street lighting*).

The CCAMS seeks to reduce emissions from 23.0 (tCO<sub>2</sub>-e) per asset, to 20.0 per asset by 2024/25 and further to 17.0 (tCO<sub>2</sub>-e) per asset by 2029/30. The City is currently not on target with 2020/21 energy consumption increasing to 23.9 (tCO<sub>2</sub>-e). The City therefore needs to take positive action to reduce emissions as additional assets come online.

The City is committed to reducing emissions through its CCAMS and through the WALGA Climate Change Declaration. These commitments will need to be revised in the near future however as to align with the State Climate Change Policy which has committed to achieving net zero greenhouse gas emissions by 2050. Expectations from the community are also increasing and other councils across Australia are in turn setting ambitious targets providing the City with further incentive to deliver on such initiatives

## Financial Implications

Supply costs for electricity supply to contestable sites are met from various service unit operational budgets.

The overall financial impact of moving to 100% supply of renewable energy for Year 3 only of the proposed contract is an additional cost of \$148,882 over the cost of obtaining 'brown' energy only for that particular Year.

A fixed rebate of 1% of the value of each purchase is provided for under the WALGA Waste & Energy preferred supplier panel. The rebate is paid direct by the vendor to WALGA.

The City will also consider the cost of purchasing renewable electricity and seek to incorporate into its long-term financial planning.

## Voting Requirements

Simple Majority

## Recommendation

That Council:-

1. **Accepts the offer proposed by WALGA and authorises the CEO to enter into negotiations to finalise the terms of the eventual contract between the City and Synergy; and**
2. **Approves the City committing to the take-up of 100% renewables for contestable sites from Year 3 (2024/25) only of the Contract.**

Attachments:

1 

WALGA Energy Framework Offer Document

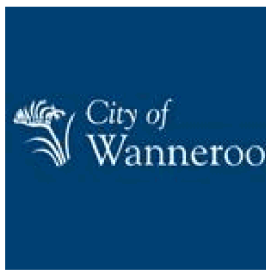
21/465188

2 

WALGA Energy Sustainability and Renewables Project - Financial and Environmental Analysis

21/470106





# Energy Framework Offer Document

RFQ 06/21

Contestable Electricity Supply for Western Australian  
Member Local Governments

**Prepared by:** Toby Costanzo  
WALGA Contract Manager, Commercial  
Management (Project Manager)

(P) (08) 9213 2024 (M) 0428 971 018 (E) [tcostanzo@walga.asn.au](mailto:tcostanzo@walga.asn.au)



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## 1. Glossary

<b>Contestable Energy</b>	Means, in the context of this Project, any supply point with its own unique National Meter Identifier that is able to be under a contract or sits outside the Synergy gazetted tariff
<b>ESA</b>	Electricity Supply Agreement
<b>Evaluation Panel</b>	The group comprising individual members who will conduct the evaluation of each Response
<b>LGA</b>	Local Government Authority
<b>LGC</b>	Large-Scale Generation Certificate
<b>Members</b>	Members of WALGA
<b>MOU</b>	Memorandum of Understanding
<b>NMI</b>	National Meter Identifier
<b>PPA</b>	Power Purchase Agreement
<b>Project</b>	Contestable Electricity Supply for Member Local Governments falling within the greater Energy Sustainability and Renewables Project being undertaken by WALGA.
<b>REC</b>	Renewable Energy Certificate
<b>Respondent or Supplier</b>	Suppliers of energy who may respond to the RFQ
<b>RFQ or Request</b>	Request for Quote
<b>Quote, Submission or Response</b>	The offer provided by a Respondent in response to the RFQ
<b>STC</b>	Small Scale Technology Certification
<b>Steering Group</b>	A volunteer group of representatives of the Local Government's participating in the Project



WALGA

| WA Local Government Association

## 2. Executive Summary

### 2.1. Background

Synergy have been awarded the supply of energy, renewables and integrated projects enclosed in phase one of the Energy Sustainability and Renewables Project subject to contracting, satisfaction of minor variations and the minimum thresholds of Local Government participation reached. WALGA estimates the product will deliver a collective saving of 5 million dollars a year and deliver the single largest reduction in carbon footprint for the Local Government Sector if, fully adopted.

Forty-seven (47) Local Governments have made declarations acknowledging that climate change is occurring, and that climate change will continue to have significant effects on the WA environment, society, economy, and Local Government sector. Many of these Local Governments have adopted environmental policies with carbon neutral targets included. WALGA was requested by its Members to explore alternative options for a whole of Sector Power Purchase Agreement (PPA). In the course of the investigation, while engaging with Members, it emerged that a PPA would deliver some benefits, however other aspects of energy procurement such as contract misalignment, transitioning networks and Local Government infrastructure agreements, put the sectors needs beyond that of a conventional PPA. It was identified that there are varying levels of commitment to renewable energy across the sector. Many of the Local Governments participating in this market process identified a strong desire to procure renewable energy, however they are limited by the current options being offered individually in the market.

WALGA concluded that an alternate solution was necessary in order to align contracts and develop integrated systems to allow for proper aggregation. A Steering Group comprising of WA Local Governments was assembled with the task of conceiving an optimal solution to rising energy costs and inflated renewables prices.

The founding members of the Steering Group include: Stirling, Mandurah, Perth, Fremantle, Cockburn, Bayswater, Canning, Joondalup, Wanneroo, Gosnells and Armadale. On the 28<sup>th</sup> of November 2021, The Finance and Services Committee, a delegated authority of State Council endorsed the recommendation from the Energy Sustainability and Renewables Local Government Steering Group to award the supply to Synergy.

On the 26<sup>th</sup> of August 2021, the Australian Competition & Consumer Commission (ACCC) decided to grant authorisation to the Western Australian Local Government Association to enable local governments who are current and future members of a proposed joint renewable energy purchasing group to pool their demand and collectively tender for and negotiate an electricity supply arrangement. The ACCC has decided to grant authorisation for 15 years, until 30 September 2036. The ACCC determined the period intended to cover an initial 3-year agreement, which will provide price transparency to the Proposed Energy Group and align Local Government contract terms for the development of a longer-term 10-year agreement when the initial 3-year agreement expires.

The group is seeking a cost-effective and long-term solution to enable Local Government in Western Australia to achieve their renewable energy and carbon emissions targets. The Sector sits in the level of government closest to the community which mandates a solution that is able to clearly report and articulate sustainability accomplishments.



## 2.2. Scope

As part of the greater Energy Sustainability and Renewables Project, the scope of the exercise and of Phase 1 is the aggregation of contestable energy supply. In general terms the phasing is as follows:

Phase 1 – Contestable energy supply and Renewable Energy options

Phase 2 – Load shifting, minimising cost (i.e. energy management systems, contestability assessments, understanding emissions, non-contestable supply investigation, preparation for carbon offset integration and preparation for a PPA

Phase 3 – Carbon management, offsets, integrated technologies

Phase 5 – Long Term PPA

Phase 6 – Sustainable Fleet Transition and Sustainable Infrastructure Technologies

Phase 7 – Large-scale Local Government Sustainability projects

Using a staged approach, WALGA is looking to develop a long-term partner, or consortium of partners, to provide energy and sustainability solutions for the sector.

### Three key objectives for the greater project include:

- Enhance access to and development of renewable energy for Western Australian Local Government thereby driving positive climate change outcomes
- Diversify supply options and application of new technology
- Leverage the best price outcomes for Local Government supply.



### 3. Offer in Brief

You may select from **Option 1** or **Option 2** for your electricity supply:

#### Option 1. Western Australia Uniform Supply

Unbundled		Supply Period (3 Years)			
1/04/2022 - 31/03/2023 (Yr. 1)		1/04/2023 - 31/03/2024 (Yr. 2)		1/04/2024 - 31/03/2025 (Yr. 3)	
Peak (c/kWh)	Off-Peak (c/kWh)	Peak (c/kWh)	Off-Peak (c/kWh)	Peak (c/kWh)	Off-Peak (c/kWh)
5.691	5.174	5.940	5.400	5.862	5.329
Daily Supply Charge (Per NMI)		N/A (\$0)			
CPI		There will be no CPI adjustments to any of the products enclosed in the offer, for the duration of the term.			

Benchmarking range for non-Commodity Cost (Applied flat)	Low-Point Rate (c/ kWh)	High-Point Rate (c/ kWh)
	13.692	18.322
Local Government's managing their energy profiles and consumption may expect lower non-commodity costs. Factors such as remote locality and intermittent supply result in a higher rate.		
Weighted Average Price (Calculated using the total WA portfolio. Each Local Government will have minor variations due to unique energy profiles)	Flat (c/ kWh)	
	5.57	

#### Option 2. Specific to City of Wanneroo

Bundled		Supply Period (End of Existing Agreement – 31/3/2025)	
Peak (c/kWh)		Off-Peak (c/kWh)	
26.48		14.50	
Daily Supply Charge (Per NMI)		\$2.53	
CPI		There will be no CPI adjustments to any of the products enclosed in the offer, for the duration of the term.	





### Renewable Energy.

Natural Power (Renewable Energy)		Option available per Supply Period	
1/04/2022 - 31/03/2023 (Yr. 1)	1/04/2023 - 31/03/2024 (Yr. 2)	1/04/2024 - 31/03/2025 (Yr. 3)	
Rate (c/ kWh)	Rate (c/ kWh)	Rate (c/ kWh)	
3.00	2.60	2.23	
CPI	There will be no CPI adjustments to any of the products enclosed in the offer, for the duration of the term.		

In order to realise the full potential of this product and to align energy structures to any future PPA, the Project Team highly recommends electing for the unbundled offer. Unbundled energy allows Local Governments to immediately realise a reduction in non-commodity charges that make up your energy bill. When Local Governments are quoted a bundled price, the retailer will fix your non commodity costs for the life of your contract. These charges typically represent 60-70 percent of your invoice charges. By unbundling your supply and taking an active role in energy management with Synergy, the Project Team and WALGA, Members will be granted the ability to reduce an additional component of their energy bill and realise the cost saving immediately.

WALGA recognises the complexity and additional account management required for an unbundled structure. In conjunction with Synergy, WALGA will produce any relevant models, ledgers and management systems in partnership with Local Governments. For more information, please reach out to Toby Costanzo on how Local Governments can manage their energy supply. The project team can direct you to Local Governments who have been managing their supply through unbundled structures as an active reference to their experience and cost saving.

The renewable energy market is experiencing a steady increase in competition, placing upwards pricing pressure on supply. For this reason, the project Team recommends taking a renewable adoption of the final year in order to enable a stepped approach for renewable supply and to secure a trip of dedicated renewables to your Local Government to protect against the rising market. Please contact the Project Manager for more information.

## 4. Summary Offer



Electricity Generation and Retail Corporation trading as Synergy

### Summary Sheet

Dated: **30 September 2021**

If there is any inconsistency between the Agreement and the Amendments, the terms of the Amendments will prevail to the extent of the inconsistency

<b>Term:</b>	<p>3 Years</p> <p>Contract Year 1: 1 April 2022 - 31 March 2023</p> <p>Contract Year 2: 1 April 2023 - 31 March 2024</p> <p>Contract Year 3: 1 April 2024 - 31 March 2025</p> <p>Where an LGA has a contract date that starts prior 01/04/2022, Synergy has provided a preliminary Bridging Offer.</p> <p>Where an LGA has a contract start date starts after 01/04/2022. They will be able to take up this offer on the expiry of their current contract.</p>
<b>Agreements:</b>	<p><b>Option 1:</b></p> <p>Unbundled Electricity Sale General Conditions April 2021.</p> <p><b>Option 2:</b></p> <p>Bundled Terms and Conditions April 2017.</p> <p><b>Bridging Offer (Where Applicable):</b></p> <p>Bundled Terms and Conditions April 2017.</p> <p>Please note the following relates to Synergy's unbundled offer:</p> <p>Metering charges may apply for sites to move to Comms, these charges will be passed through. Synergy's proposal and the details described herein (including pricing) are not legally binding on Synergy or the LGAs (the Customer). A binding contract will not be formed between Synergy and the Customer until a contract has been executed by Synergy and the Customer in writing.</p> <p>Any contract resulting from Synergy's proposal will be subject to:</p> <p>(1) Synergy management approval prior to contract execution; and</p> <p>(2) Synergy's terms and conditions referenced in the contract.</p>



<b>Offer Validity:</b>	LGAs must sign and accept the offer and pricing by 30 November 2021 with a minimum of 60 GWh committed to access sector wide pricing																		
<b>Payment Terms:</b>	30-day payment terms																		
<b>CPI</b>	There will be no CPI adjustments to any of the products enclosed in the offer, for the duration of the term																		
<b>Roll In/ Roll Out Allowance</b>	-/+20% roll in/out allowance on the total annual usage across all contestable sites for each LGA																		
<b>Minimum or Maximum Take Provisions:</b>	No minimum or maximum take provisions																		
<b>Renewables Offering:</b>	<p>Synergy offers the LGAs Natural Power under its standard terms and conditions at the rates set out below. These rates are only offered on the basis that the LGA's, in aggregate, can commit to specified volumes in the total offer:</p> <table><tr><th>Start date</th><th>End date</th><th>Rate (c/ kWh)</th><th>Volumes (Certificate/MWh)</th></tr><tr><td>01/04/2022</td><td>31/03/2023</td><td>3.00</td><td>12,200</td></tr><tr><td>01/04/2023</td><td>31/03/2024</td><td>2.60</td><td>24,400</td></tr><tr><td>01/04/2024</td><td>31/03/2025</td><td>2.23</td><td>48,800</td></tr></table> <p>Local Governments who wish to elect for Natural Power from the outset then this can be provided at the rates above but must be confirmed prior to validity date expiration. Synergy will sell your Local Government a portion of Natural Power, based on your chosen Natural Power contribution (e.g. 25%, 50%, 75% etc).</p>			Start date	End date	Rate (c/ kWh)	Volumes (Certificate/MWh)	01/04/2022	31/03/2023	3.00	12,200	01/04/2023	31/03/2024	2.60	24,400	01/04/2024	31/03/2025	2.23	48,800
Start date	End date	Rate (c/ kWh)	Volumes (Certificate/MWh)																
01/04/2022	31/03/2023	3.00	12,200																
01/04/2023	31/03/2024	2.60	24,400																
01/04/2024	31/03/2025	2.23	48,800																
<b>Natural Power - WA Projects</b>	<p>Synergy utilises a total of 3 accredited sites to source LGCs for Natural Power</p> <p><b>Albany Wind Farm:</b> Synergy's Albany wind farm, a joint venture with Bright Energy Investments, is an accredited energy supplier for the GreenPower program, with 18 wind turbines, with a maximum generating capacity of 35.4 MW of electricity. This wind farm sits 80m above the Southern Ocean. It's in such a prime location that there are only approximately 7 days a year where the wind is not strong enough to turn the turbines.</p> <p><b>Collgar Wind Farm:</b> A renewable power project located in the central wheatbelt area of Western Australia. The wind farm situated 25km southeast of Merredin is built over a land envelope of 18,000 hectares. With 111 turbines, the wind farm has a total power production capacity of 222 megawatts (MW) and generates between 630-750 gigawatt hours (GWh) each year.</p> <p><b>Emu Downs Wind Farm:</b> Located 30 kilometres east of Cervantes and approximately 200 kilometres north of Perth, EDWF generates electricity from wind powered turbine technology. The wind farm has 48 turbines with a capacity to produce 80 megawatts of electricity at peak.</p>																		



<b>Alternative Natural Power Offer:</b>	<b>Standard Natural Power</b>  If the LGA's do not want to commit to volumes upfront, then Synergy recommend their standard Natural Power offer. Synergy offers the standard Natural Power product whereby each LGA has the option to purchase Natural Power as it decides each year. The prices applied will be set each year by Synergy as per our standard terms and conditions. This includes Natural Power for bridging agreements.  The current standard Natural Power product is 3.537c/kWh.  Please refer to the attached:  <i>Unbundled: DRAFT Form of Agreement – Unbundled – Special Conditions - Clause 7.5</i>  <i>Unbundled: DRAFT Form of Agreement – Bundled – Special Conditions - Clause 3</i>
<b>Natural Power for Streetlights and Non-Contestable Sites:</b>	Synergy can offer Natural Power on your Non-Contestable Sites and Streetlight electricity deemed consumption.  Natural Power can be added to any existing Synergy streetlights agreement. For Streetlights, choose how much of your streetlight deemed consumption you want to offset with LGCs from renewable electricity by selecting set increments of 25% up to 100% across all streetlights you own. Synergy will sell Local Governments a portion of Natural Power, based on your chosen Natural Power contribution (e.g. 25%, 50%, 75% etc).  The Natural Power charge will be calculated on a percentage of the deemed streetlight electricity consumption. This deemed consumption is based on lamp wattage and turn off time. The Natural Power charge is in addition to your retail tariff and other charges you pay. Synergy purchases LGCs on your behalf to match the amount of your Local Government's chosen Natural Power contribution – that is, the chosen percentage of your deemed electricity consumption.
<b>Transition to PPA:</b>	Synergy has renewable supply from an existing portfolio of contracted renewable generation assets in Western Australia. These assets have been developed by Synergy or a 3rd party. This portfolio includes the recently developed 180MW Warradarge wind Farm and Greenough River Solar Farm (both located North of Perth and developed by Synergy).  Synergy has access to all generation and renewable certificates produced from the sites. Synergy, through Synergy Red (a wholly owned subsidiary of Synergy), is actively developing a pipeline of new wind farm locations in the South-West Interconnected System (SWIS) to continue the transition of the market to renewables, including the potential development of a large-scale battery at Kwinana.



<b>Transition to PPA:</b>	<p>Synergy is currently developing a long-term Renewable Energy Supply Agreement (RESA) for customers wanting to commit to longer term renewable purchases, often referred to as a PPA in the market. Synergy is happy to discuss options on how it can work with the Local Governments to ensure a smooth transfer from the existing customer agreement to a future PPA or alternative contract structure. This may include clauses for the existing agreement to roll off earlier/extend until the new agreement and relevant supply are operational (if linked to a new asset).</p> <p>Synergy is well positioned to provide this type of product given its existing fleet of generation assets, ability to firm renewable generation and proven ability to develop new assets.</p>
<b>Synergy Project Capability:</b>	<p>In addition to supporting Western Australian renewable energy projects and working towards a PPA agreement to secure long-term renewable energy for the sector, Synergy seek to expand this commitment above and beyond to innovate and engage the community through industry leading DER projects.</p> <p>With Synergy as the Local Government energy partner, LGAs and their members have the opportunity to be involved and benefit from a number of green and community focused initiatives.</p> <p>These include, but aren't limited to:</p> <ul style="list-style-type: none"> <li>• Project Symphony</li> <li>• Virtual Power Plants for Schools</li> <li>• The EV Highway</li> <li>• Solar Energy for Social Housing.</li> </ul> <p>With the high impact and visibility of these pilots within in the community, Synergy values a strong relationship with the Local Governments that help makes these possible through the Sector's support. Through Retailer and Local Government co-operation, the Sector can amplify these messages and create momentum to help change the lives of all West Australians.</p>
<b>Service Level arrangements and capabilities:</b>	<p>Participating Local Governments will be provided with a dedicated Account Manager who is supported by a Contract Management, Billing, Local Government Energy Steering Group, WALGA and Synergy Support team.</p> <p>The Contract Management Team proactively manages and administers Synergy's sales contracts. The members of the Contract Management team have extensive account management experience and sound knowledge of the supply system.</p> <p>The Billing and Support teams have highly experienced support Members who are equipped to assist the account managers with varying tasks to deliver to our customer requests.</p> <p>In addition, Synergy has a dedicated Supply Services Manager with extensive knowledge of the transmission and distribution networks system. The Supply Services Manager will complement the Account Manager in providing service and attend to supply issues related to the networks system by liaising directly with Western Power</p>





<b>Peak Demand Notification:</b>	<p>Synergy offers a Peak Demand Notification subscription service intended to provide information that can inform energy consumption decisions during predicted periods of high system demand for electricity sites.</p> <p>Please refer to <i>Appendix 1 - Peak Demand Notification</i></p>
<b>Group CSV billing file:</b>	<p>Grouped Electronic billing is available to the LGAs.</p> <p>Please refer to <i>Appendix 2 - Sample CSV file.csv</i> for the format in which the file will be provided.</p> <p>WALGA will assist in modelling to translate to any existing Local Government Ledgers.</p>
<b>Consumption and Expenditure reports:</b>	<p>Consumption and Expenditure reporting is available to all Synergy Customers.</p> <p>Please refer to the <i>Appendix 3 - Consumption and Expenditure Report</i>.</p>
<b>LGA Customer Details Report:</b>	<p>Synergy offers to provide each LGA Customer Details Reporting. This report can be run on postcode or suburb level for each LGA providing high level data for residential and business customers within the LGA jurisdiction area. This report can also be amended to include/exclude data. Granularity is subject to what is available in Synergy's data system.</p> <p>Please refer to the <i>Appendix 4 - LGA Customer Details Report</i></p>
<b>Network Tariff Analysis:</b>	<p>Synergy can complete a network tariff analysis for sites within each Local Governments energy portfolio. Synergy can provide one complete analysis per contract year.</p> <p>Synergy has a successful and well-established relationship with the Network Provider. This strong relationship ensures the customer's requirements for network provisions are met. Synergy has an extensive understanding of the Technical Rules and are able to assist the customer in network related issues.</p> <p>Synergy can provide contestability requests to the Network Provider for Local Governments upon request given the request is compliant to the Access Agreement and Network Regulations.</p>



## 5. Offer Acceptance

WALGA and the Local Government Steering Group encourage confirmation in writing to [tcostanzo@walga.asn.au](mailto:tcostanzo@walga.asn.au) as soon as practicable in order to set a transition plan for each Member's energy supply.

When writing in your acceptance to WALGA, we request that each Member indicate their preferred option for energy and the renewable adoption structure desired, if applicable.

Once acceptance has been received, WALGA will deem that as confirmation to enter into agreement with Synergy under the agreed terms. Your volumes will be attributed to a Sector portfolio in order to calculate committed volumes. Once the minimum volumes of Electricity Supply and Renewable Adoption have been met, Synergy will distribute contracts for execution.

## Timeline

The following table provides a timeline for the current and next steps of the project.

Stage	Timeframe
Finance and Services Committee Endorsement	28 <sup>th</sup> September 2021
Award of Tender to Synergy	30 <sup>th</sup> September 2021
WALGA Award of Contract	20 <sup>th</sup> September 2021
Local Government Internal approvals and Written Acceptance.	20 <sup>th</sup> September 2021 – 18 <sup>th</sup> November 2021
Offer Notification Deadline	18 <sup>th</sup> November 2021
Offer Contracting Deadline	30 <sup>th</sup> November 2021
Contract transition	December 2021 – April 2022
Contract Live Date for Portfolio Pricing	1 <sup>st</sup> April 2022

## WALGA Energy Sustainability and Renewables Project

Figure 1 (below) shows the additional costs the City will incur for purchasing 100% renewable (green) energy for its Contestable Sites; (i.e. those sites with annual consumption over 50 MWh), non-contestable sites and street lighting (not metered, therefore non-contestable) per year. The three-year Synergy contract offer provides for a price decrease in each year for each renewable energy option with the yellow line representing the total additional cost for all renewable energy per year.

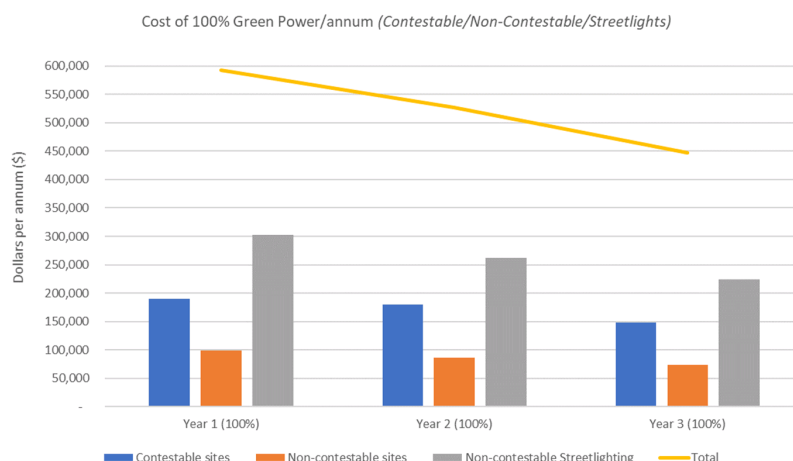


Figure 1. Comparison of annual purchase of 100% renewable power for different energy classes/assets

Considering the high cost of going green for all energy over the full three years of the Contract, and in line with other councils of similar size, supply of renewable energy to only Contestable Sites was analysed further.

Assuming take up of renewable energy in 25% increments over the term of the proposed contract, Figures 2 & 3 illustrate the cumulative cost and potential carbon reduction achieved respectively. To commit to 100% renewable energy for each of the three years would mean additional cost of \$519,000 averaging at \$173,000 per year and result in a reduction 14,439 t of carbon. This is equivalent to planting 920 ha of tree plantations.

A stepped approach of say adopting 25%, 50% and 100% renewables over the three years would mean an additional cost of \$275,000, averaging at \$92,000 per year and will offset 8,423 t of carbon, or 536 ha of tree plantations.

The least costly option is to adopt 25% renewables in the third year only at an additional cost of \$37,220. This option however will result in the least carbon emissions reduction as per Figure 3.

Considering both the City's commitment to reducing carbon emissions as well as the current budgetary constraints, the option of adopting 100% renewables in the third year of the contract only will incur an additional cost of \$148,882 and resulting in carbon reduction of 4,813 t. This option is therefore presented as the preferred consideration.

To place the opportunities in perspective, Figure 4 shows the proportion of additional funds required to achieve 100% green power for contestable sites against the total electricity budget for next three years. For the City to commit to 100% green energy for contestable sites only, it would represent additional 2.1% for 2022/23, 1.9% for 2023/24 and only 1.5% of the budget for year 2024/25.

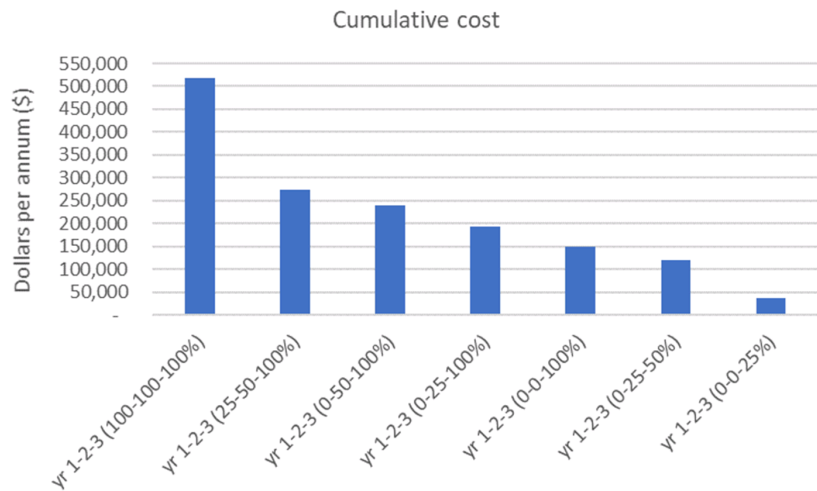


Figure 2. Cumulative cost (over 3 yrs.) of different options/commitments towards renewable energy

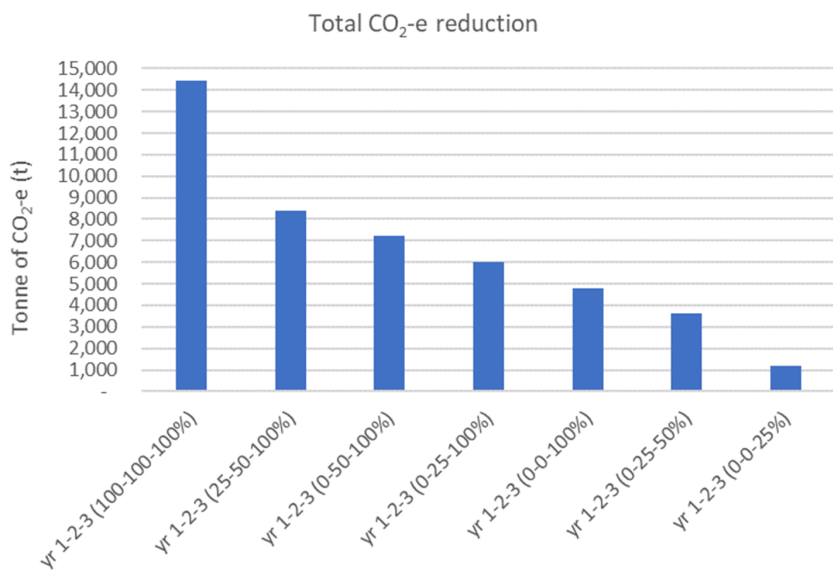


Figure 3. Potential reduction of CO2 based on different options/commitments towards renewable energy

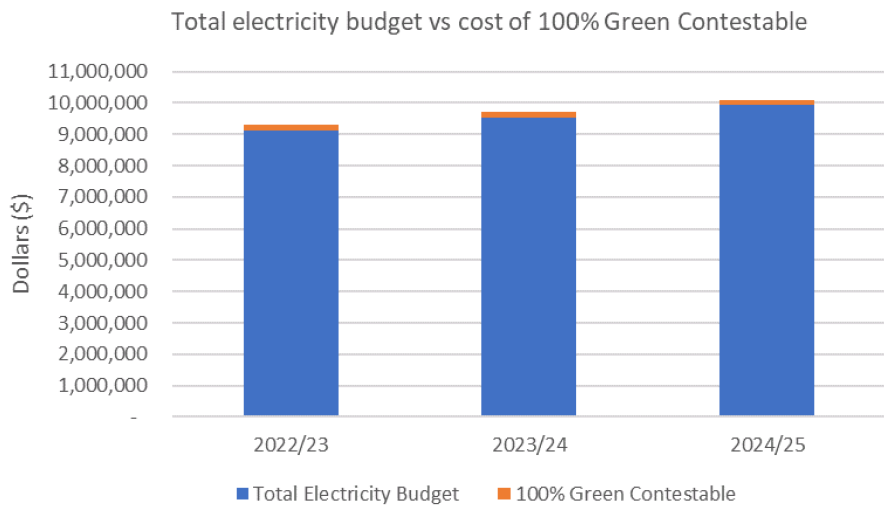


Figure 4. Additional funds required to go 100% Green for Contestable sites compared to total electricity budget

## Council & Corporate Support

### CS06-11/21      Review of Recording and Access to Recordings of Council Meetings Policy

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File Ref:	2409V03 – 21/494240
Responsible Officer:	Director, Corporate Strategy & Performance
Disclosure of Interest:	Nil
Attachments:	3

#### Issue

To consider the review of the Recording and Access to Recordings of Council Meetings Policy.

#### Background

Council Policies are aimed at ensuring the City meets its strategic objectives. Incorporated into all Council Policies is a scheduled review date that takes into account the ongoing effectiveness of the Policy and alignment with current organisational and community priorities.

#### Detail

The current Recording and Access to Recordings of Council Meetings Policy (**Policy**), (**Attachment 1**) was adopted by Council at its Ordinary meeting of 4 June 2019 and is due for review in 2021. A draft revised Policy has been prepared taking into account the City's move toward audio livestreaming (refer to tracked changes version at **Attachment 2** and clean version included at **Attachment 3**).

A summary of key changes proposed to the Policy is:

- Changing "Elected" Members to "Council" Members throughout;
- Removal of the "Implications" heading and contents;
- Removal of the option for transcripts of meetings; and
- Inclusion of audio recordings made available to the public and Council Members of meetings; and
- Including the recording of Briefing Sessions.

#### Consultation

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

#### Comment

It should be noted that the removal of the option for a typed transcript of meetings, or part thereof, is due to the availability of the audio recording as an alternative to a typed transcript, the impact such requests have on resources, and the imminent live streaming of meetings due to commence in February 2022. The intent of the Policy has not changed and all other amendments are considered to be administrative in nature.

#### Statutory Compliance

Nil.



## Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*7 ~ A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services*

*7.1 - Clear direction and decision making*

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

## Financial Implications

Nil.

## Voting Requirements

Simple Majority

## Recommendation

**That Council adopt the revised Recording and Access to Recordings of Council Meetings Policy as detailed in Attachment 3.**

### Attachments:

<a href="#"><u>1</u></a>	Attachment 1 - Recording and Access to Recordings of Council Meetings Policy - Review September 2011	11/104796[v3]
<a href="#"><u>2</u></a>	Attachment 2 - Recording and Access to Recordings of Council Meetings Policy - Review September 2021 - Marked Up Version	21/400977
<a href="#"><u>3</u></a>	Attachment 3 - Recording and Access to Recordings of Council Meetings Policy - Clean Version	21/469021



## Policy Manual

### Recording and Access to Recordings of Council Meetings Policy

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<b>Policy Owner:</b>	Council and Corporate Support
<b>Contact Person:</b>	Manager Council and Corporate Support
<b>Date of Approval:</b>	CS07-05/20 - 5 May 2020

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#### POLICY STATEMENT

The purpose of this Policy is to be open and transparent with regard to Council Meeting recordings and access to these recordings for members of the public and Elected Members, as required.

#### POLICY OBJECTIVE

- To ensure there is a process in place to outline the access to recorded Council Meetings.
- To emphasise that the reason for recording of Council Meetings is to ensure the accuracy of Council Meeting Minutes and that any reproduction of these Minutes are for the sole purpose of Council business.

#### SCOPE

This Policy applies to all employees of the City, as well as the Elected Members of the City of Wanneroo Council.

#### IMPLICATIONS

City of Wanneroo Strategic Community Plan 2017/2018 to 2026/2027:

“4      *Civic Leadership*

4.2      *Good Governance*

4.2.1   *Provide transparent and accountable governance and leadership”*

Recordings pertaining to the proceedings of Council Meetings shall be retained in accordance with the *State Records Act 2000*.

#### IMPLEMENTATION

This Policy shall be printed within the Agenda of all Council Meetings which include:

- Ordinary Council Meeting;
- Special Council Meeting;
- Annual General Meeting of Electors; and

HPE: 11/104796[v3]



## Policy Manual

- Special Electors Meeting.

to advise the public that the proceedings of the meeting are recorded.

### ROLES AND RESPONSIBILITIES

The Policy is the responsibility of the Manager Council and Corporate Support.

### DISPUTE RESOLUTION

All disputes in regard to this policy will be referred to the Director Corporate Strategy and Performance in the first instance. In the event that an agreement cannot be reached, the matter will be submitted to the Chief Executive Officer for a ruling.

### EVALUATION AND REVIEW PROVISIONS

#### *Recording of Proceedings*

1. Proceedings for Council Meetings; as well as Deputations and Public Question Time during these meetings shall be recorded by the City on sound recording equipment, except in the case of a meeting where Council closes the meeting to the public.
2. Notwithstanding subclause 1, proceedings of a Council Meeting, which is closed to the public, shall be recorded where the Council resolves to do so.
3. No member of the public is to use any audio visual technology or devices to record the proceedings of a Council or Committee Meeting, without the written permission of the Mayor or the Mayors Delegate.

#### *Access to Recordings*

4. Members of the public may purchase a copy of the recorded proceedings or alternatively, listen to the recorded proceedings at the Civic Centre. Costs of providing a copy of the recorded proceedings to members of the public will include staff time to make the copy of the proceedings; as well as the cost of the digital copy for the recording to be placed on. The cost of staff time will be set in the City's Schedule of Fees and Charges each financial year.
5. Elected Members may request a copy of the recording of the Council proceedings at no charge.
6. All Elected Members are to be notified when recordings are requested by members of the public, and of Council.
7. Transcripts can be produced on the request of the Chief Executive Officer and will include staff time set by the City's Schedule of Fees and Charges.

HPE: 11/104796[v3]



## Policy Manual

### 8. COVID-19 Pandemic Situation

*During the COVID-19 pandemic situation, Briefing Sessions and Council Meetings that are conducted electronically, will be recorded. The CEO is authorised to make a broadcast of the audio recording of such meetings accessible to the public, as soon as practicable after the meeting.*

#### DEFINITIONS

Nil

#### RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

Nil

#### REFERENCES

Nil

#### RESPONSIBILITY FOR IMPLEMENTATION

Version	Next Review	Record No:
Version 1 – 4 June 2019	2021	11/104796[v3]
Review due to COVID-19 5 May 2020	2021	11/104796[v3]

HPE: 11/104796[v3]



## Policy Manual

### Recording and Access to Recordings of Council Meetings Policy

**Policy Owner:** Council and Corporate Support  
**Contact Person:** Manager Council and Corporate Support  
**Date of Approval:** CS07-05/20 - 5 May 2020

#### POLICY STATEMENT

The purpose of this Policy is to be open and transparent with regard to Council Meeting recordings and access to these recordings for members of the public and ~~Elected Council~~ Members, as required.

#### POLICY OBJECTIVE

- To ensure there is a process in place to outline the access to recorded Council Meetings.
- To emphasise that the reason for recording of Council Meetings is to ensure the accuracy of Council Meeting Minutes and that any reproduction of these Minutes are for the sole purpose of Council business.

#### SCOPE

This Policy applies to all employees of the City, as well as the ~~Elected Council~~ Members of the City of Wanneroo Council.

#### IMPLICATIONS

~~City of Wanneroo Strategic Community Plan 2017/2018 to 2026/2027:~~

~~"4 — Civic Leadership~~

~~4.2 — Good Governance~~

~~4.2.1 — Provide transparent and accountable governance and leadership"~~

~~Recordings pertaining to the proceedings of Council Meetings shall be retained in accordance with the State Records Act 2000.~~

#### IMPLEMENTATION

This Policy shall be printed within the Agenda of all Council Meetings which include:

- Ordinary Council Meeting;
- Special Council Meeting;
- Annual General Meeting of Electors; ~~and~~

HPE: ~~11/404796[v3]~~21/400977





## Policy Manual

- ~~Special Electors Meeting; and~~
- ~~Briefing Sessions-~~

to advise the public that the proceedings of the meeting are recorded.

### ROLES AND RESPONSIBILITIES

The Policy is the responsibility of the Manager Council and Corporate Support.

### DISPUTE RESOLUTION

All disputes in regard to this policy will be referred to the Director Corporate Strategy and Performance in the first instance. In the event that an agreement cannot be reached, the matter will be submitted to the Chief Executive Officer for a ruling.

### EVALUATION AND REVIEW PROVISIONS

#### *Recording of Proceedings*

1. Proceedings for ~~Council~~ Meetings detailed in this policy; as well as Deputations and Public Question Time during these meetings shall be recorded by the City on sound recording equipment, except in the case of a meeting where Council closes the meeting to the public.
2. Notwithstanding subclause 1, proceedings of a ~~Council~~ Meeting, which is closed to the public, shall be recorded where the Council resolves to do so.
3. No member of the public is to use any audio visual technology or devices to record the proceedings of a ~~Council or Committee~~ Meeting, without the written permission of the Mayor or the Mayors Delegate.

#### *Access to Recordings*

4. Members of the public may purchase a copy of the audio recorded proceedings or alternatively, listen to the recorded proceedings at the Civic Centre online if the recording is published on the City of Wanneroo website. Costs ~~of for~~ providing a copy of the recorded proceedings to members of the public will include staff time to make the copy of the proceedings; as well as the cost of the digital copy for the recording to be placed on. The cost of staff time will be set in the City's Schedule of Fees and Charges each financial year.
5. ~~Elected Council~~ Members may request a copy of the audio recording of the Council proceedings at no charge.
6. All ~~Elected Council~~ Members are to be notified when audio recordings are requested by members of the public, ~~and of or by~~ Council Members.

~~Transcripts can be produced on the request of the Chief Executive Officer and will~~

HPE: ~~11/404796~~v321/400977



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~~include staff time set by the City's Schedule of Fees and Charges.~~

HPE: ~~11/404796[v3]~~21/400977



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### **8.7. COVID-19 Pandemic Situation**

*During the COVID-19 pandemic situation, Briefing Sessions and Council Meetings that are conducted electronically, will be recorded. The CEO is authorised to make a broadcast of the audio recording of such meetings accessible to the public, as soon as practicable after the meeting.*

#### **DEFINITIONS**

Nil

#### **RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS**

Nil

#### **REFERENCES**

Nil

#### **RESPONSIBILITY FOR IMPLEMENTATION**

Version	Next Review	Record No:
Version 1 – 4 June 2019	2021	11/104796[v3]
Review due to COVID-19 5 May 2020	2021	11/104796[v3]
<u>Version 2 – 13 September 2021</u>		

HPE: 11/104796[v3]21/400977



## Policy Manual

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### Recording and Access to Recordings of Council Meetings Policy

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**Policy Owner:** Council and Corporate Support  
**Contact Person:** Manager Council and Corporate Support  
**Date of Approval:** CS07-05/20 - 5 May 2020

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#### POLICY STATEMENT

The purpose of this Policy is to be open and transparent with regard to Council Meeting recordings and access to these recordings for members of the public and Council Members, as required.

#### POLICY OBJECTIVE

- To ensure there is a process in place to outline the access to recorded Council Meetings.
- To emphasise that the reason for recording of Council Meetings is to ensure the accuracy of Council Meeting Minutes and that any reproduction of these Minutes are for the sole purpose of Council business.

#### SCOPE

This Policy applies to all employees of the City, as well as the Council Members of the City of Wanneroo Council.

#### IMPLEMENTATION

This Policy shall be printed within the Agenda of all Council Meetings which include:

- Ordinary Council Meeting;
- Special Council Meeting;
- Annual General Meeting of Electors;



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- Special Electors Meeting; and
- Briefing Sessions

to advise the public that the proceedings of the meeting are recorded.

### **ROLES AND RESPONSIBILITIES**

The Policy is the responsibility of the Manager Council and Corporate Support.

### **DISPUTE RESOLUTION**

All disputes in regard to this policy will be referred to the Director Corporate Strategy and Performance in the first instance. In the event that an agreement cannot be reached, the matter will be submitted to the Chief Executive Officer for a ruling.

### **EVALUATION AND REVIEW PROVISIONS**

#### ***Recording of Proceedings***

1. Proceedings for Meetings detailed in this policy; as well as Deputations and Public Question Time during these meetings shall be recorded by the City on sound recording equipment, except in the case of a meeting where Council closes the meeting to the public.
2. Notwithstanding subclause 1, proceedings of a Meeting, which is closed to the public, shall be recorded where the Council resolves to do so.
3. No member of the public is to use any audio visual technology or devices to record the proceedings of a Meeting, without the written permission of the Mayor or the Mayors Delegate.

#### ***Access to Recordings***

4. Members of the public may purchase a copy of the audio recorded proceedings or alternatively, listen to the recorded proceedings at the Civic Centre online if the recording is published on the City of Wanneroo website. Costs for providing a copy of the recorded proceedings to members of the public will include staff time to make the copy of the proceedings; as well as the cost of the digital copy for the recording to be placed on. The cost of staff time will be set in the City's Schedule of Fees and Charges each financial year.
5. Council Members may request a copy of the audio recording of the Council proceedings at no charge.
6. All Council Members are to be notified when audio recordings are requested by members of the public or by Council Members.





## Policy Manual

### 7. COVID-19 Pandemic Situation

*During the COVID-19 pandemic situation, Briefing Sessions and Council Meetings that are conducted electronically, will be recorded. The CEO is authorised to make a broadcast of the audio recording of such meetings accessible to the public, as soon as practicable after the meeting.*

#### DEFINITIONS

Nil

#### RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

Nil

#### REFERENCES

Nil

#### RESPONSIBILITY FOR IMPLEMENTATION

Version	Next Review	Record No:
Version 1 – 4 June 2019	2021	11/104796[v3]
Review due to COVID-19 5 May 2020	2021	11/104796[v3]
Version 2 – 13 September 2021		21/469021

## **Chief Executive Office**

### **Office of the CEO Reports**

#### **CE01-11/21      Advocacy Campaign**

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File Ref:	41026 – 21/408383
Responsible Officer:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	Nil

### **Issue**

For Council to consider a proposed advocacy campaign designed to gain community support in seeking additional funding to deliver the required facilities and car parking for the Alkimos Aquatic and Recreation Centre.

### **Background**

At its meeting on 11 May 2021 (CE01-05/21), Council resolved the following in relation to the City's Advocacy Plan:

*That Council:-*

1. *ADOPTS the Advocacy Plan 2021 - 2025 as detailed in Attachment 1; and*
2. *NOTES that individual project factsheets for each of the top 9 priority projects will be developed using the detail in the endorsed Advocacy Plan 2021 – 2025.*

The Alkimos Aquatic and Recreation Centre (AARC) is a key project identified within the City's Advocacy Plan under the "Liveability" theme. The Advocacy Plan states the requirement for the AARC as *additional funding of \$30m is required by 2023/24 in order to deliver all major components of the Alkimos Aquatic and Recreation Centre.*

To date the City has received external funding for the facility from:

- |    |                         |       |
|----|-------------------------|-------|
| 1. | State Government 2021   | \$10m |
| 2. | Federal Government 2020 | \$5m  |

At its meeting on 28 July 2020 (CP01-07/20), Council considered the North Coast Aquatic and Recreation Centre Business Case and resolved the following:

*That Council:-*

1. *ENDORSES the North Coast Aquatic and Recreation Centre Business Case, as detailed in Attachment 2;*
2. *AUTHORISES Administration to commence planning works towards the provision of the North Coast Aquatic and Recreation Centre at Alkimos Central as per the recommendations of the Business Case;*
3. *REQUESTS Administration to undertake further analysis of Options 1 and 2 of the Summary Business Case (Attachment 2) to enable consideration of indoor and outdoor options for the aquatic components; and*

4. *NOTES that community consultation regarding the location and conceptual design elements of the facility will occur following Council consideration of the work as per recommendation 3 above.*

The City is committed to build the AARC to a minimum standard at a cost of approximately \$42m using existing external funding commitments of \$15m, with the remaining \$27m from developer contributions and municipal funds. However, the City would prefer to leverage this investment to construct the AARC to a higher specification that better meets the current and future needs that the community expect.

The total budget for the AARC is expected to be in the order of \$62m, which will cover all of the elements identified in the initial North Coast Aquatic and Recreation Centre Business Case to meet community needs. The final concept design will be confirmed through a community consultation process that is proposed to commence following consideration by Council in November 2021.

This report outlines the overarching strategy proposed to secure additional funding of up to \$30m through a coordinated advocacy campaign leading up to the next federal election.

## **Detail**

The City has been active in the advocacy campaign space since the 2016 federal election with the Fund our Future campaign co-ordinated nationally by the National Growth Areas Alliance (NGAA). This was the first move by the City towards large scale campaigning and provided a strong opportunity for the City to achieve advocacy outcomes.

The 2021/22 advocacy campaign for the AARC is proposed to include three main strategies as outlined below.

### **1. Targeted Community Driven Campaign**

It is expected that the community will be open to continue participating in an advocacy campaign for the AARC given that participation to date has enabled the City to secure \$15m in funding. This targeted community driven campaign will be focussed on working with key community groups and stakeholders that have a vested interest in the AARC being delivered for their members or community. Established key stakeholder networks including schools, playgroups, community groups, and sporting groups both local and regional, will be strongly encouraged to support the campaign. A co-designed campaign response will be developed providing options for community group responses via a campaign toolkit, which could include but not be limited to:

- a) Pro-forma petitions;
- b) Pro-forma letters or emails;
- c) Suggested ways to secure meetings with candidates; and
- d) Promoting the campaign through newsletters and other channels.

The community will undertake activities to support the campaign with access to support from the City of Wanneroo. Key local groups including property developers, local social media groups and others will also be approached to join in this direct action.

A key element of the campaign will be the engagement of a key public figure/sports personality to assist with promoting the campaign. Key local groups would be able to gain additional support and promotion of their needs through the sports personality.

This part of the campaign will highlight the issues of delivering a reduced specification of facility in terms of not meeting the recommended scope identified by the demand modelling from the

approved business case. The recommendations included the delivery of a flexible mix of facilities to be provided at the Alkimos Central location by 2028, comprising:

- 1,900sqm of programmable water space (leisure/children's pool, learn to swim pool, lap pool, hot water pool);
- Indoor Sports Courts (four courts).
- Health & Fitness Suite;
- Crèche; and
- Café & Community Spaces.

The targeted community driven campaign is intended to occur in alignment with the community consultation proposed for the AARC.

## 2. Wider Community Engagement Campaign

In addition to the above, there will be a general community campaign urging people to opt-in and lodge their interest in supporting advocacy for the AARC. This will enable the development of a database of interested community members to be kept updated on how the project and advocacy efforts are tracking over time.

Community members on the database will be invited to participate in related campaign events and activities as they arise for both the election advocacy campaign and the facility as it develops. Regular information on the project and actions community members can take to support the campaign will be communicated periodically.

The wider community campaign will also utilise the well-known public figure/sports personality to be the face of the campaign to help promote the AARC as a key facility for enhancing community health and wellbeing. Again, this campaign will be aligned to the community consultation process proposed for the AARC.

## 3. Decision Maker Re-Engagement

Following the collection and interpretation of all support data through the above campaigns, the main decision makers will be provided with further compelling evidence that supports a decision to fund the AARC to address the community's needs, up to an additional \$30m.

This will include comparison with funding received or promised for other similar facilities that are unlikely to have the expected demand of the AARC given the population growth in the northern coastal corridor. For example, in April 2019 the Federal Government committed \$20 million for an aquatic facility in South Perth and \$25 million to deliver the Ellenbrook Pool.

This element of the campaign will involve direct communication with decision makers acknowledging the forthcoming federal election and highlighting the need for bi-partisan support for the delivery of the AARC to meet community expectations.

## Consultation

The community has been consulted on the project to date with opportunities to comment including the "Have your Say" survey earlier in 2021. It is expected that community consultation will continue following Council's consideration of a report in November 2021. The advocacy campaign will align with previous and future community consultation initiatives.

## Comment

The landscape has changed since the last Connect Wanneroo advocacy campaign in 2017 with a more targeted and community driven approach offers an opportunity to gain ongoing

support for the project, together with a higher probability of achieving the significant funding goal.

The AARC already has a well-established support base resulting from previous work done including:

1. The 2021 "Have your Say" survey on the AARC delivered by the City generated over 1,100 responses, including 86% from the Northern Coastal Growth Corridor area;
2. Connect Wannon posted the press release of the Council decision in October 2020 regarding the AARC location, which reached over 1,000 people;
3. Other agencies and stakeholders have submitted petitions in support of the facility including a schools petition in 2018 with more than 1,000 signatures. Another petition received in 2019 had over 4,200 signatures; and
4. Ongoing advocacy recognition and success since Council's adoption as a priority project in early 2018, including the securing of \$15m funding from both Federal and State Governments.

Using a community driven advocacy campaign approach will enable the City to capitalise on the community support already in place.

The campaign will be deliberately designed to build community social capital for the project and engage in a way that provides an ongoing database to engage the community on a long-term basis. This requires a clear opt-in approach to being involved to comply with privacy and anti-spamming legislation.

Given the project is under development, with Council set to consider a concept design and project specific community consultation at its November 2021 meeting, it is important that key stakeholders and decision makers and supporters are engaged in a way that builds goodwill for the project.

## Statutory Compliance

NA

## Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*6 ~ A future focused City that advocates, engages and partners to progress the priorities of the community*

*6.1 - Advocate in line with community priorities*

## Risk Management Considerations

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

Risk Title	Risk Rating
ST-S23 Stakeholder Relationships	Low
Accountability	Action Planning Option
Chief Executive Officer	Manage



<b>Risk Title</b>	<b>Risk Rating</b>
ST-S26 Resilient and Productive Communities	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Community and 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 have been developed to manage these risks to support existing management systems.

### **Policy Implications**

The AARC project is included in the City's endorsed Advocacy Plan 2021 – 2025.

### **Financial Implications**

Expected expenditure for the advocacy campaign is covered in the current budget with \$45,000 (+GST) available. The planned expenditure includes the following:

Appearance fee for sportsperson acting as public project supporter	\$15,000-\$20,000
Marketing materials for strategy one and two <ul style="list-style-type: none"> <li>• Design</li> <li>• Printing</li> </ul>	\$10,000
General online marketing campaign (strategy two) <ul style="list-style-type: none"> <li>• Website banners</li> <li>• Billboards</li> <li>• Business cards</li> </ul>	\$15,000

In addition to this, other services required for the advocacy campaign will be sourced from in-house expertise.

The City's advocacy campaign will align with a national advocacy campaign planned by the National Growth Areas Alliance (NGAA). This campaign includes the AARC and the requirement for up to \$30m in funding ensuring that key Ministers and partner agencies are aware of the project and the funding requested.

### **Voting Requirements**

Simple Majority

### **Recommendation**

**That Council:-**

- 1. APPROVES the overarching strategy for the proposed advocacy campaign for the Alkimos Aquatic and Recreation Centre as outlined in this report; and**
- 2. AUTHORISES the Chief Executive Officer to implement the campaign in alignment with the proposed strategy.**

*Attachments: Nil*

## Governance & Legal

### **CE02-11/21      Legal Representation & Costs Indemnification Policy Review**

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File Ref:	11575 – 21/473400
Responsible Officer:	Executive Manager Governance and Legal
Disclosure of Interest:	Nil
Attachments:	3

#### **Issue**

To consider the review of the Legal Representation and Costs Indemnification Policy.

#### **Background**

The Legal Representation and Costs Indemnification Policy (**Policy**) was adopted by Council on 27 May 2014 and is set out in **Attachment 1**. The Policy was based on the Department of Local Government, Sport and Cultural Industries (**Department**) model policy available at that time.

The Policy has been reviewed and redrafted to:

1. Align with the current Local Government Operational Guideline – Legal Representation for Council Members and Employees set out in **Attachment 2**;
2. Include minor administrative changes;
3. Align with the City's current prescribed policy template; and
4. Include additional provisions in mark-up.

The reviewed Policy (**Reviewed Policy**) is set out in **Attachment 3**.

#### **Detail**

The purpose and objective of the Policy is to provide financial assistance to meet the cost of obtaining legal advice and/or representation for Council Members and City employees (**Employees**) in circumstances where legal action has been commenced or threatened against them individually in undertaking the duties of their respective roles.

It is acknowledged that there is an increased risk of legal action being taken or threatened against individual Council Members and Employees, especially in circumstances where aggrieved parties' believe that individual Council Members or Employees will not, or have not, carried out their legislative functions or responsibilities in the correct and appropriate manner. Further, legal action may also be threatened where it is anticipated that such action will influence a Council vote or an Administration recommendation.

Council Members and Employees must be free from any undue influence and undertake their roles in an ethical, frank and impartial manner. To do so, they must have an assurance that they are protected from threats and will be given proper legal representation if any legal action is taken against them. Further, the City has a legislative duty of care to Employees and Council Members to provide a safe working environment.

In consideration of the above, the City adopted the Policy in May 2014 with the Reviewed Policy presented to Council Members for discussion especially in respect of the matters set out in the Comment section of this report.

## Consultation

The Department's Local Government Operational Guideline – Legal Representation for Council Members and Employees dated 26 August 2021 was considered in reviewing the Policy.

## Comment

It is critically important for Council Members to note the following as set out in the Local Government Operational Guideline – Legal Representation for Council Members and Employees:

*“Under legislation, any expenditure of a local government's funds must be justified on the basis that the expenditure will 'provide for the good government of persons in its district'. Therefore, in formulating a policy on legal representation the council must take into account the need to satisfy itself that the expenditure can be justified as providing for that good government.*

*Local government council members and employees will at times be subject to personal public criticism they consider to be unfair. Depending on the circumstances and the veracity of the criticism, council members or employees may seek to redress the situation by taking legal action. Legal advice received by the Department suggests that only in exceptional circumstances would a local government be able to justify, under the 'good government' provisions, funding the initiation of legal action by a council member or employee.*

*It is important to note that where public criticism is made about the local government, i.e. the City, Town, or Shire, funding could not be justified. Legal precedent dictates that it is fundamental to public scrutiny that governments be open to criticism by members of the community. The threat of civil action against any person who publicly criticises a local government will have an inhibiting effect on freedom of speech and inevitably lessen a local government's accountability to its community.”*

The Reviewed Policy aligns with Operational Guidelines and sets out clear set of principles and criteria upon which indemnification or funding of Legal Representation Costs (as defined in the Reviewed Policy) may be provided to current and former Council Members or Employees.

The Reviewed Policy includes the following additional provisions in mark-up for Council consider in adopting the Reviewed Policy:

1. Applications for funding or indemnifying Legal Representation Costs will not be supported in circumstances where Council Members seek to initiate or are defending legal action or complaints from other Council Members.
2. All applications are to be confidential and where considered by Council will be determined behind closed doors in accordance with section 5.25(2) of the Local Government Act 1995.

## Statutory Compliance

Section 3.1 of the Local Government Act 1995 (the **Act**) provides that the general function of a local government is to provide for the good government of persons in its district.

Section 6.7(2) of the Act provides that money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local

government by the Act or any other written law. Under these provisions, Council can expend funds to provide legal representation for Council Members and Employees, as long as it believes that the expenditure falls within the scope of the local government's function.

Section 9.56 of the Act provides protection from actions of tort for anything a Council Member or Employee has, in good faith, done in the performance or purported performance of a function under the Act or under any other written law. However, the legislation does not preclude people taking action against individual Council Members or Employees if they believe that the Council Member or Employee has not acted in good faith.

## Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*7 ~ A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services*

*7.1 - Clear direction and decision making*

## 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 funding or indemnifying Legal Representation Costs in accordance with the Policy will be funded through an operational budget.

## Voting Requirements

Simple Majority

## Recommendation

That Council:-

1. **REPEALS the Legal Representation and Costs Indemnification Policy set out in Attachment 1; and**
2. **ACCPETS the mark-up set out within and ADOPTS the Legal Representation and Costs Indemnification Policy set out in Attachment 3.**

Attachments:

- |   |             |
|---|-------------|
| 1. <a href="#">Attachment 1 - Legal Representation and Costs Indemnification Policy (Current)</a>                                 | 10/1285[v2] |
| 2. <a href="#">Attachment 2 - Local Government Operational Guideline - Legal Representation for Council Members and Employees</a> | 21/324088   |
| 3. <a href="#">Attachment 3 - Legal Representation and Costs Indemnification Policy (Draft Review)</a>                            | 10/1285[v3] |

## Legal Representation and Costs Indemnification Policy

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<i>Policy Owner:</i>	Governance and Executive Services
<i>Contact Person:</i>	Coordinator Governance
<i>Approval Date:</i>	4 May 2010 – CS05-05/10

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### Key Terms

- approved lawyer is to be –
  - (a) a ‘certified practitioner’ under the Legal Practice Act 2003;
  - (b) from a law firm on the *City of Wanneroo* panel of legal service providers, if relevant, unless the council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
  - (c) approved in writing by the council or the CEO under delegated authority.
- council member or employee means a current or former commissioner, council member, non-elected member of a council committee or employee of the City of Wanneroo.
- legal proceedings may be civil, criminal or investigative.
- legal representation is the provision of legal services, to or on behalf of a council member or employee, by an approved lawyer that are in respect of –
  - (a) a matter or matters arising from the performance of the functions of the council member or employee; and
  - (b) legal proceedings involving the council member or employee that have been, or may be, commenced.
- legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation.
- legal services includes advice, representation or documentation that is provided by an approved lawyer.
- payment by the City of Wanneroo of legal representation costs may be either by –
  - (a) a direct payment to the approved lawyer (or the relevant firm); or
  - (b) a reimbursement to the council member or employee.

### 1. Payment Criteria

There are four major criteria for determining whether the City of Wanneroo will pay the legal representation costs of a council member or employee. These are:-

- (a) the legal representation costs must relate to a matter that arises from the performance, by the council member or employee, of his or her functions;
- (b) the legal representation cost must be in respect of legal proceedings that have been, or may be commenced;
- (c) in performing his or her functions, to which the legal representation relates, the council member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- (d) the legal representation costs do not relate to a matter that is of a personal or private nature.



## 2. Examples of legal representation costs that may be approved

- 2.1 If the criteria in clause 1 of this policy are satisfied, the City of Wanneroo may approve the payment of legal representation costs –
- (a) where proceedings are brought against a council member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the council member or employee; or
  - (b) to enable proceedings to be commenced and/or maintained by a council member or employee to permit him or her to carry out his or her functions - for example where a council member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the council member or employee; or
  - (c) where exceptional circumstances are involved – for example, where a person or organization is lessening the confidence of the community in the local government by publicly making adverse personal comments about council members or employees.
- 2.2 The City of Wanneroo will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a council member or employee.

## 3. Application for payment

- 3.1 A council member or employee who seeks assistance under this policy is to make an application(s), in writing, to the council or the CEO.
- 3.2 The written application for payment of legal representation costs is to give details of:
- (i) the matter for which legal representation is sought;
  - (ii) how that matter relates to the functions of the council member or employee making the application;
  - (iii) the lawyer (or law firm) who is to be asked to provide the legal representation;
  - (iv) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc);
  - (v) an estimated cost of the legal representation; and
  - (vi) why it is in the interests of the City of Wanneroo.
- for payment to be made.
- 3.3 The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 3.4 As far as possible the application is to be made before commencement of the legal representation to which the application relates.
- 3.5 The application is to be accompanied by a signed written statement by the applicant that he/she:-
- (a) has read, and understands, the terms of this Policy;
  - (b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and

- (c) undertakes to repay to the City of Wanneroo any legal representation costs in accordance with the provisions of clause 7.
- 3.6 In relation to clause 3.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of that money to the local government as may be required by the local government and the terms of the Policy.
- 3.7 An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant by an appropriate employee.
- 4. Legal representation costs – Limit**
- 4.1 The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.
- 4.2 A council member or employee may make a further application to the council in respect of the same matter.
- 5. Council's powers**
- 5.1 The council may –
  - (a) refuse;
  - (b) grant; or
  - (c) grant subject to conditions,
 an application for payment of legal representation costs.
- 5.2 Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.
- 5.3 In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the City of Wanneroo's council members or employees insurance policy or its equivalent.
- 5.4 The council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- 5.5 The council may, subject to clause 5.6, determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
  - (a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
  - (b) given false or misleading information in respect of the application.
- 5.6 A determination under clause 5.5 may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 5.7 Where the council makes a determination under clause 5.5, the legal representation costs paid by the City of Wanneroo are to be repaid by the council member or employee in accordance with clause 7.



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### 6. Delegation to Chief Executive Officer

- 6.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the council, any of the powers of the council under clause 5.1 and 5.2, to a maximum of \$10,000 in respect of each application.
- 6.2 An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the council. Council may exercise any of its powers under this Policy, including its powers under clause 5.4.

### 7. Repayment of legal representation costs

- 7.1 A council member or employee whose legal representation costs have been paid by the City of Wanneroo is to repay the City of Wanneroo:-
- (a) all or part of those costs in accordance with a determination by the Council under clause 5.7;
  - (b) as much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the City of Wanneroo paid the legal representation costs.
- 7.2 The City of Wanneroo may take action in a court of competent jurisdiction to recover any monies due to it under this Policy.

#### Responsibility for Implementation

Versions	Next Review	Record No:
May 2008 (GS06-05/08)	May 2010	892507
May 2010 – CS05-05/10	March 2012	TRIM: 10/1285

Extracted from <https://www.dlgsc.wa.gov.au/department/publications/publication/legal-representation-for-council-members-and-employees>

## **Local Government Operational Guideline - Legal Representation for Council Members and Employees**

Last updated 15 April 2020

In today's society there is an increased risk of legal action being taken or threatened against individual council members and employees. Council members and employees may require legal advice and representation and expect their local government to provide financial assistance to meet the cost of the advice or representation.

For example, council members or employees may be threatened with legal action when an aggrieved party believes that they will not, or have not, carried out their legislative functions or responsibilities in the correct and appropriate manner. Legal action may also be threatened where it is anticipated that such action will influence a vote or a recommendation.

Council members and employees may feel inhibited in undertaking their roles in a full, frank and impartial manner if they do not have an assurance that they are protected from threats and will be given proper legal representation if any legal action is taken against them. Local governments have a legislative duty of care to their employees to provide a safe working environment and morally have the same duty to council members. Accordingly, it is appropriate and prudent for local governments to assist council members and employees by adopting a policy to fund or partly fund the cost of providing legal representation in appropriate circumstances.

The Inquiry into the City of Joondalup criticised some council members for making uninformed and ill-advised decisions to pay personal legal expenses of the Chief Executive Officer (CEO). It is therefore important that council adopts a policy on the provision of financial assistance so that its position is known to the council members, employees and the community in advance of applications for funding being made. Non-elected council committee members may also require assistance and should be considered in any policy adopted by council.

This guideline, and the incorporated model policy, are provided to assist councils when making decisions or developing a policy. It is important that a council devotes time to understanding the issues outlined in this guideline.

If a policy is adopted and legal representation costs are granted under the policy, it is critical that council has presented to it full and detailed accounts from the lawyer approved to provide the legal representation to ensure that the representation provided complies with the approval given.

Repayment of any costs associated with matters not approved should be enforced.

This guideline does not address the situation where council members and employees are interviewed during, or are required to give evidence to, an inquiry into their local government. Determining whether financial assistance is given in these situations is a complex matter and one that will relate to the circumstances and reasons for the inquiry.

## **Legislation**

Section 9.56 of the Local Government Act 1995 (the Act) provides protection from actions of tort for anything a council member or employee has, in good faith, done in the performance or purported performance of a function under the Act or under any other written law. However, the legislation does not preclude people taking action against individual council members or employees if they believe that the council member or employee has not acted in good faith.

Section 3.1 of the Act provides that the general function of a local government is to provide for the good government of persons in its district. Section 6.7(2) provides that money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by the Act or any other written law. Under these provisions, a council can expend funds to provide legal representation for council members and employees, as long as it believes that the expenditure falls within the scope of the local government's function.



### **Determining a suitable policy**

The policy should have a clear set of principles or directives to help the council deal with a situation where a council member or employee is defending or will need to defend a legal action or requires advice or representation and is requesting financial assistance. The policy should set out the circumstances under which funding will be provided, the level of funding that will be provided and the processes to be followed by the applicant when making a request.

The degree of complexity of an appropriate policy may vary but generally could include the following matters –

- under what circumstances would financial assistance be provided. For example, where legal action is taken against a council member or employee in connection with the performance of their duties and they have not acted illegally, dishonestly or in bad faith;
- who would make the decision that financial support would be provided (eg council or the CEO);
- who would provide the legal services (eg the local government's lawyers, other lawyers);
- what limits, if any, would be placed on financial assistance;
- how applications would be made for assistance;
- what obligations a council member or employee receiving assistance should have (eg an obligation to disclose anything that might affect representation or to act reasonably);
- whether contingent authorisation in urgent cases would be provided for and who would exercise that authority;
- under what circumstances could financial assistance be withdrawn (eg person having acted illegally, dishonestly or otherwise in bad faith);
- provision for the recoup of money already provided under the policy where approval is withdrawn; and
- a clear statement that legal representation will not be provided for matters that relate to the personal affairs of a council member or employee (eg under investigation for a matter not related to a legislative function or an employee seeking legal advice on a contract of employment).

**Other circumstances where funding requests may be made**

Under legislation, any expenditure of a local government's funds must be justified on the basis that the expenditure will 'provide for the good government of persons in its district'. Therefore, in formulating a policy on legal representation the council must take into account the need to satisfy itself that the expenditure can be justified as providing for that good government.

Local government council members and employees will at times be subject to personal public criticism they consider to be unfair. Depending on the circumstances and the veracity of the criticism, council members or employees may seek to redress the situation by taking legal action. Legal advice received by the Department suggests that only in exceptional circumstances would a local government be able to justify, under the 'good government' provisions, funding the initiation of legal action by a council member or employee.

It is important to note that where public criticism is made about the local government, i.e. the City, Town, or Shire, funding could not be justified. Legal precedent dictates that it is fundamental to public scrutiny that governments be open to criticism by members of the community. The threat of civil action against any person who publicly criticises a local government will have an inhibiting effect on freedom of speech and inevitably lessen a local government's accountability to its community.

Council members, if asked to vote on such a request, should ask themselves 'would a reasonable person, given all the facts, conclude that the expenditure provides for the good government of the persons in the district'. If a majority of council members are satisfied, council could, under its general function power, resolve that the local government fund the obtaining of advice or initiation of legal action by the council member or employee.

Council members should ensure that they receive appropriate documentation that presents reasons for and against the recommendation when considering an application for such funding as they may be asked to justify the decision at a future date. Documentation provides a proper decision-making trail that can be used to support the decision.

As a condition of approval, the council may require the council member or employee to undertake to refund the costs of legal representation paid by the local government should their action be successful.

### **Support for former council members and employees**

The council, when considering the scope of its policy, will need to determine if the policy extends to the funding of legal representation for former council members, commissioners and employees and under what circumstances funding would be provided.

### **Delegation**

A number of councils have, in adopting a policy on this issue, delegated to their CEO the power to deal with requests for the payment of legal representation costs. Because of the sensitive nature of providing funding, some CEOs have asked council not to delegate the power. A council should discuss the matter with the CEO before making any decision to delegate any aspect of its legal representation policy.

It may be appropriate for council to seek agreement from the CEO for a delegation limited to circumstances where a delay in approving a request will be detrimental to the legal rights of the council member or employee.

### **Adopting a Policy**

In considering the policy all relevant people are encouraged to study and thoroughly understand the implications and likely consequences of adopting the policy.

A model policy has been provided on the following pages as an example for local governments undertaking their own policy-making on legal representation of adopting the policy. The Department welcomes any comments that individuals or local governments believe will assist in the improvement of the model policy.

## **Model policy**

### **Legal representation for council members and employees**

#### **Explanation of key terms**

- approved lawyer is to be:
  1. a 'certified practitioner' under the Professions Act 2008;
  2. from a law firm on the City/Town/ Shire's panel of legal service providers, if relevant, unless the council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
  3. approved in writing by the council or the CEO under delegated authority.
- council member or employee means a current or former commissioner, council member, non-elected member of a council committee or employee of the City/Town/Shire.
- legal proceedings may be civil, criminal or investigative.
- legal representation is the provision of legal services, to or on behalf of a council member or employee, by an approved lawyer that are in respect of:
  1. a matter or matters arising from the performance of the functions of the council member or employee; and
  2. legal proceedings involving the council member or employee that have been, or may be, commenced.
- legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation.
- legal services includes advice, representation or documentation that is provided by an approved lawyer.
- payment by the city/town/shire of legal representation costs may be either by:
  1. a direct payment to the approved lawyer (or the relevant firm); or
  2. a reimbursement to the council member or employee.

#### **1. Payment criteria**

There are four major criteria for determining whether the city/town/shire will pay the legal representation costs of a council member or employee.

These are:

1. the legal representation costs must relate to a matter that arises from the performance, by the council member or employee, of his or her functions;
  1. the legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
  2. in performing his or her functions, to which the legal representation relates, the council member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
  3. the legal representation costs do not relate to a matter that is of a personal or private nature.

## **2. Examples of legal representation costs that may be approved**

1. If the criteria in clause 1 of this policy are satisfied, the city/town/shire may approve the payment of legal representation costs:
  1. where proceedings are brought against a council member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the council member or employee; or
  2. to enable proceedings to be commenced and/or maintained by a council member or employee to permit him or her to carry out his or her functions – for example, where a council member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the council member or employee; or
  3. where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about council members or employees.
2. The City/Town/Shire will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a council member or employee.



### 3. Application for payment

1. A council member or employee who seeks assistance under this policy is to make an application(s), in writing, to the council or the CEO.
2. The written application for payment of legal representation costs is to give details of:
  1. the matter for which legal representation is sought;
  2. how that matter relates to the functions of the council member or employee making the application;
  3. the lawyer (or law firm) who is to be asked to provide the legal representation;
  4. the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc);
  5. an estimated cost of the legal representation; and
  6. why it is in the interests of the City/ Town/Shire for payment to be made.
3. The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
4. As far as possible, the application is to be made before commencement of the legal representation to which the application relates.
5. The application is to be accompanied by a signed written statement by the applicant that he or she:
  1. has read, and understands, the terms of this policy;
  2. acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
  3. undertakes to repay to the City/Town/ Shire any legal representation costs in accordance with the provisions of clause 7.
6. In relation to clause 3.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of those monies to the local government as may be required by the local government and the terms of the policy.
7. An application is also to be accompanied by a report prepared by the CEO or, where the CEO is the applicant, by an appropriate employee.

#### **4. Legal representation costs – limit**

1. The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.
2. A council member or employee may make a further application to the council in respect of the same matter.

#### **5. Council's powers**

1. The council may:
  1. refuse;
  2. grant; or
  3. grant subject to conditions,
    - an application for payment of legal representation costs.
2. Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.
3. In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the City's/Town's/Shire's council members 'or employees' insurance policy or its equivalent.
4. The council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
5. The council may, subject to clause 5.6, determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
  1. not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
  2. given false or misleading information in respect of the application.
6. A determination under clause 5.5 may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

7. Where the council makes a determination under clause 5.5, the legal representation costs paid by the City/ Town/Shire are to be repaid by the council member or employee in accordance with clause 7.

#### **6. Delegation to Chief Executive Officer**

1. In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the council, any of the powers of the council under clause 5.1 and 5.2, to a maximum of \$10,000 in respect of each application.
2. An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the council. Council may exercise any of its powers under this policy, including its powers under clause 5.4.

#### **7. Repayment of legal representation costs**

1. A council member or employee whose legal representation costs have been paid by the City/Town/Shire is to repay the city/town/shire :
  1. all or part of those costs – in accordance with a determination by the council under clause 5.7;
  2. as much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the city/town/shire paid the legal representation costs.
2. The city/town/shire may take action in a court of competent jurisdiction to recover any monies due to it under this policy.

Originally published 29 April 2019



## Policy Manual

### Legal Representation and Costs Indemnification Policy

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<b>Policy Owner:</b>	Governance and Legal
<b>Contact Person:</b>	Executive Manager Governance and Legal
<b>Date of Approval:</b>	[insert approval date and Council resolution]

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#### POLICY STATEMENT

The purpose of this Policy is to provide guidance in determining when it is appropriate for the City to pay the cost of legal representation for Council Members and Employees.

#### POLICY OBJECTIVE

The City is committed to protecting the interests of current and former Council Members and Employees in seeking legal advice or where they are involved in Legal Proceedings as a result of or in the course of undertaking their official duties.

#### SCOPE

This Policy applies in respect of current and former Council Members and Employees that meet the following criteria:

1. The Legal Representation Costs must relate to a matter that arises solely from the performance by the Council Member or Employee in undertaking their official duties or functions of their role.
2. The Legal Representation Costs must be in respect of legal proceedings that have been, or may be, commenced either on behalf of or against the Council Member or Employee.
3. In performing the functions of their role or undertaking their official duties, the Council Member or Employee must have acted in good faith, and must not have acted unlawfully or in any way that constitutes improper conduct, misconduct or corrupt conduct.
4. The Legal Representation Costs do not relate in any way to a matter that is of a personal or private nature.

#### IMPLICATIONS (Strategic, Financial, Human Resources)

This Policy 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”*



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### IMPLEMENTATION

#### 1. Legal Representation Costs That May Be Approved

1.1 If the criteria set out in the Scope section of this Policy is satisfied, Council may approve the payment of Legal Representation Costs:

- (a) where Legal Proceedings are brought against a Council Member or Employee in connection with the functions of their role or in undertaking their official duties (for example, an action for defamation or negligence arising out of a decision made or action taken by the Council Member or Employee); or
- (b) to enable Legal Proceedings to be commenced and/or maintained by a Council Member or Employee to permit them to carry out the functions of their role or to undertake their official duties (for example, where a Council Member or Employee seeks to take action to obtain a restraining order against a person using threatening behaviour directed at the Council Member or Employee); or
- (c) under exceptional circumstances (for example, where a person or organisation is negatively impacting the confidence of the community in the City by publicly making adverse personal comments about the Council Member or Employee).

1.2 The City will not approve the payment of or indemnify Legal Representation Costs;

- (a) unless under exceptional circumstances, the payment of Legal Representation Costs for a defamation action, or a negligence action, instituted by a Council Member or Employee;
- (b) in circumstances where a Council Member is seeking to initiate legal action against another Council Member; or
- (c) In circumstances where a Council Member is defending legal action initiated by another Council Member.

#### 2. Application for Financial Assistance

2.1 A Council Member or Employee who seeks assistance under this Policy is to make an application, in writing, to the Council or the CEO.

2.2 The written application for payment of Legal Representation Costs must include details of:

- (a) the matter for which Legal Representation is sought;
- (b) how that matter relates to the functions of the role or undertaking the official duties of the Council Member or Employee making the application;
- (c) the lawyer (or law firm) who is to be asked to provide the Legal Representation;





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- (d) the nature of Legal Representation to be sought, such as advice, representation in a court or tribunal, or preparation of a document;
  - (e) an estimate of the Legal Representation Costs; and
  - (f) the reasons why it is in the interests of the City for the payment to be made.
- 2.3 The application is to contain a statutory declaration sworn by the applicant that they have:
  - (a) acted in good faith in undertaking the functions of their role or their official duties; and
  - (b) not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 2.4 As far as possible, the application is to be made before commencement of the Legal Representation to which the application relates.
- 2.5 The application is to be accompanied by a signed written statement by the applicant that they:
  - (a) have read, and understand, the terms of this Policy;
  - (b) acknowledge that any approval of Legal Representation Costs is conditional on the repayment provisions of clause 6 below and any other conditions to which the approval is subject; and
  - (c) undertake to repay to the City any Legal Representation Costs in accordance with the provisions of clause 6.
- 2.6 In relation to clause 2.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of those monies to the City as may be required by the City and the terms of this Policy.

2.7 An application is also to be accompanied by a report prepared by the Executive Manager Governance and Legal or, where the Executive Manager Governance and Legal is the applicant, by the CEO.

2.72.8 All applications (and/or related reports) are confidential and all parties involved must maintain confidentiality. Any application or related report are to be considered by Council and determined at a Council Meeting behind closed doors in accordance with the provisions of section 5.23(2) of the Local Government Act 1995.

### 3. Legal Representation Costs – Limit

- 3.1 Council shall set a limit on the Legal Representation Costs to be paid based on the estimated costs in the application when approving an application in accordance with this Policy.
- 3.2 A Council Member or Employee may make a further application to Council in respect of the same matter.



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### 4. Council's Powers

#### 4.1 Council may:

- (a) refuse;
- (b) approve; or
- (c) approve subject to conditions,

an application for payment of Legal Representation Costs.

#### 4.2 Conditions under clause 4.1(c) may include, but are not limited to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of Legal Representation Costs.

#### 4.3 In assessing an application, Council may have regard to any insurance benefits that may be available to the applicant under the City's Council Members or Employees management liability, professional indemnity insurance policy or its equivalent.

#### 4.4 Council may at any time revoke or vary an approval, or any conditions of approval, for the payment or repayment of Legal Representation Costs.

#### 4.5 Subject to clause 4.6, Council may determine that the Council Member or Employee whose application for Legal Representation Costs has been approved has, in respect of the matter for which Legal Representation Costs were approved:

- (a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct, misconduct or corrupt conduct; or
- (b) given false or misleading information in respect of the application.

#### 4.6 Council's determination under clause 4.5 may only be made on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

#### 4.7 Where Council makes a determination under clause 4.5, the Legal Representation Costs paid by the City are to be repaid by the Council Member or Employee in accordance with clause 6.

### 5. Delegation to Chief Executive Officer

#### 5.1 In circumstances where a delay in the approval of an application for Legal Representation Costs will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of Council, any of the powers of the Council under clause 4.1 and 4.2, to a maximum of \$10,000 in respect of an application.

#### 5.2 An application approved by the CEO under clause 5.1, is to be submitted to the next Ordinary Council meeting and Council may exercise any of its powers under this Policy, including its powers under clause 4.4 in respect of that application.

### 6. Repayment of Legal Representation Costs

#### 6.1 A Council Member or Employee whose Legal Representation Costs have been paid by the City is to repay the City:



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- (a) all or part of the Legal Representation Costs in accordance with a determination by Council under clause 4.7; or
- (b) as much of the Legal Representation Costs as are available to be paid by way of set-off, where the Council Member or Employee receives monies paid for legal costs, damages, or settlement, in respect of the matter for which the City paid the Legal Representation Costs.

6.2 The City may take action in a court of competent jurisdiction to recover any monies due to it under this Policy.

### ROLES AND RESPONSIBILITIES

The Executive Manager Governance and Legal is responsible for publication, implementation, enforcement and compliance with this Policy and will provide an interpretation in the event of the need for clarification.

### DISPUTE RESOLUTION

All disputes in respect of this Policy are to be referred to the Executive Manager Governance and Legal in the first instance. In the event that an agreement cannot be reached, the dispute will be referred to the CEO for determination.

### EVALUATION AND REVIEW PROVISIONS

This Policy will be reviewed at least every three years or earlier if there are changes to the Local Government Operational Guideline – Legal Representation for Council Members and Employees that require this Policy to be reviewed.

### DEFINITIONS

Any definitions listed in the following table apply to this Policy only

Term	Definition
<b>Approved Lawyer</b>	means an 'Australian legal practitioner' (as that term is defined in the <i>Legal Profession Act 2008</i> ): <ul style="list-style-type: none"> <li>(a) from the law firms or lawyers on the City's panel of legal service providers, unless Council or the CEO considers that this is not appropriate (for example where there is or may be a conflict of interest or insufficient expertise); and</li> <li>(b) approved in writing by Council or the CEO under delegated authority.</li> </ul>
<b>City</b>	means the City of Wanneroo
<b>Council</b>	means the City of Wanneroo Council body constituting of all Council Members sitting formally as a Council under the <i>Local Government Act 1995</i>



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Term	Definition
<b>Council Member</b>	means a person elected to and serving as a member of Council, including the Mayor and Councillors
<b>Employee</b>	means a person employed by the City
<b>Legal Proceedings</b>	means proceedings of a legal nature that may be civil, criminal or investigative
<b>Legal Representation</b>	means the provision of Legal Services, to or on behalf of a Council Member or Employee, by an Approved Lawyer that is in accordance with this Policy
<b>Legal Representation Costs</b>	means the costs, including fees and disbursements, properly incurred in providing Legal Representation
<b>Legal Services</b>	means advice, representation or documentation preparation that is provided by an Approved Lawyer

### RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

Council Resolution CE04-03/19, which approved the law firms or lawyers on the City's panel of legal services providers.

### REFERENCES

Local Government Operational Guideline – Legal Representation for Council Members and Employees, issued by the Department of Local Government, Sport and Cultural Industries, last updated on 15 April 2020.

### RESPONSIBILITY FOR IMPLEMENTATION

Executive Manager Governance and Legal

Version	Next Review	Record No:
May 2008 – GS06-05/08	May 2010	892507
May 2010 – CS05-05/10	May 2012	10/1285v2
May 2014 – CS 05-05/14	May 2016	10/1285v2
		10/1285v3

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**CE03-11/21      Review of the Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy**

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File Ref:	2388V02 – 21/486895
Responsible Officer:	Executive Manager Governance and Legal
Disclosure of Interest:	Nil
Attachments:	4
Previous Items:	3.8 - Review of the Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy - Forum - 02 Nov 2021 5:00pm

**Issue**

To consider the review and amendments to the Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy (the **Complaint Handling Policy**).

**Background**

On 10 August 2021 (CE01-08/21) Council adopted the Complaint Handling Policy (set out at **Attachment 1**) to establish a process by which to deal with Complaints under the Council Member, Committee Member and Candidate Code of Conduct (the **Code**).

Further to the adoption of the Complaint Handling Policy and the receipt and determination of two Complaints under the Code, Council Members raised several queries in relation to the Complaint administration process.

**Detail**

It is acknowledged that Division 3 of the Code sets out requirements relating to the low-level behaviour grievance issues in respect of Council Members, Committee Members and Candidates.

Whilst it is clear that the local government sector continues to find it problematic to deal with Code complaints and there is no consistency in approach across the sector, the intent of the Regulations is for local governments to determine these complaints especially as these are low-level behaviour grievance and conduct issues. For more serious conduct issues and misconduct, the external oversight agencies are the Local Government Standards Panel and Corruption and Crime Commission respectively.

Council Members have acknowledged that Division 3 complaints under the Code relate to low-level behaviour and conduct, akin to grievances and should be addressed and considered as such.

Given this and the extremely limited investigative powers of local governments along with the fact that local government has no power to compel Council Members or Committee Members to engage in an investigation process it is prudent that the review of the Policy considers an alternative approach to dealing with Complaints.

**Process Improvement – Mandatory Mediation**

Council Members have indicated support for a mandatory requirement for the Complainant and Respondent to participate in mediation. The Complaint Administrator would facilitate the mediation and only where the mediated outcome is unsatisfactory to the parties will the Complaints Administrator present a report to Council to note the extent and outcome of the mediation process. If the Complainant refuses to participate in mediation, the Complaint



Administrator will recommend to the Complaints Officer to dismiss the Complaint in accordance with section 5.6 of the Policy and under delegated authority.

Further amendments which are highlighted in yellow have been made in mark-up to provide:

- a) a best endeavours requirement for the parties to schedule the mediation within 30 days of the Complaint Administrator being appointed to administer the Complaint; and
- b) absolute clarity that the Complaint Administrator (as mediator) notifies the Complaints Officer of the outcome of the mediation and the Complaints Officer prepares the report to Council.

The Complaint Handling Policy has been reviewed with the amendments shown in mark-up and is set out at **Attachment 2**.

#### Complaint Administrator

The main function of the Complaint Administrator is to undertake the facilitated mediation. The criteria for the appointment of a Complaint Administrator is that the Complaint Administrator must:-

- a) demonstrate understanding of local government sector with experience with local government council members as preferable;
- b) be qualified and accredited as a mediator; and
- c) have knowledge and experience of public administration and public sector ethics.

#### Code Complaint Form

As a result of the proposed amendments to the Complaint Handling Policy, the Division 3 Code of Conduct Complaint Form adopted by Council on 11 May 2021 (CE02-05/21) is amended and is shown in mark-up as set out at **Attachment 3**.

#### Delegation to provide authority to dismiss a Complaint

Section 13 of the *Local Government (Model Code of Conduct) Regulations 2021* provides that a local government may dismiss a complaint. A delegation instrument is set out in **Attachment 4** that provides for a delegation to the Complaints Officer to make decisions relating to the dismissal of a complaint based on a recommendation from the Complaint Administrator in accordance with section 5.6 of the Complaint Handling Policy.

#### Report to Council

In circumstances where the Complaint and Respondent do not achieve a satisfactory outcome through the mediation process, the Complaint Administrator will prepare and present a report to Council on the outcome of the mediation process.

The City's new Standing Orders Local Law (also proposed to be adopted during the November 2021 Council Meeting) includes provisions for Council to receive and note the Complaint Administrator's Council Report.

#### **Consultation**

Council Members have been consulted in the proposed changes to the Complaint administration process and the development of the amended Complaint Handling Policy.

Further, Administration engaged with the Department of Local Government, Sport and Cultural Industries (**Department**) in respect of the Regulations, options for complaint determination, the escalation in the number of the complaints at the City and identified problematic issues of the clearly imperfect legislative regime. The Department indicated strong support for mandatory mediation as part of the Complaint administration process.

## **Comment**

The introduction of mandatory mediation in the complaint administration process provides a cooperative problem-solving process designed to help the parties find constructive solutions to the Complaint as facilitated by a qualified and accredited mediator.

Mediation is a flexible process, the purpose of which is to resolve a dispute by agreement between the parties, or to narrow the issues in dispute.

The mediator helps to identify the cause of the dispute, the significant issues, the positions of the parties and options to resolve the dispute.

Mandatory mediation may also discourage Complainants who seek to abuse the process or are not motivated to achieve a resolution to the Complaint.

## **Statutory Compliance**

*Local Government (Model Code of Conduct) Regulations 2021*  
*Council Member, Committee Member and Candidate Code of Conduct*

## **Strategic Implications**

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*7 ~ A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services*

*7.2 - Responsibly and ethically managed*

## **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**

Amendments to the City's adopted Code may be required if Council determines a different complaint determination model.

## **Financial Implications**

The costs associated with dealing with Complaints are funded through an operational budget.

## **Voting Requirements**





Absolute Majority

## Recommendation

### That Council:-

1. **ACCEPTS** the marked-up amendments and **ADOPTS** the amended Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy set out in Attachment 2 to **REPLACE** the current Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy;
2. **ACCEPTS** the marked-up amendments and **ADOPTS** the amended Council Member, Committee Member and Candidate Code of Conduct Complaint Form as set out in Attachment 3 to **REPLACE** the current Council Member, Committee Member and Candidate Code of Conduct Complaint Form; and
3. **ADOPTS BY ABSOLUTE MAJORITY** the delegation of authority as set out in Attachment 4.

#### Attachments:

- |  |  |               |
|--|--|---------------|
| 1.  | Attachment 1: Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy (current)         | 21/250805     |
| 2.  | Attachment 2: Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy - DRAFT           | 21/250805[v2] |
| 3.  | Attachment 3: Complaint of Breach Form Code of Conduct for Council members, Committee members and Candidates             | 21/63869[v2]  |
| 4.  | Attachment 4: Council Member, Committee Member and Candidate Code of Conduct Complaint Delegation to dismiss a Complaint | 21/487314     |



## Policy Manual

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### Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy

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<b>Policy Owner:</b>	Governance and Legal
<b>Contact Person:</b>	Executive Manager Governance and Legal
<b>Date of Approval:</b>	10 August 2021 (CE01-08/21)

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#### 1 POLICY STATEMENT

The City of Wanneroo is committed to addressing complaints under Division 3 of the Council Member, Committee Member and Candidate Code of Conduct (the **Code**) in an effective, transparent and fair manner that supports high standards of behaviour by Council Members, Committee Members and Candidates.

#### 2 POLICY OBJECTIVE

This Policy establishes the process by which the City of Wanneroo Council deals with Complaints.

#### 3 SCOPE

##### 3.1 This Policy applies to:-

- a) Complaints made in accordance with section 11 of the Code;
- b) Council Members, Committee Members, Candidates; and
- c) any person who submits a Complaint.

##### 3.2 This Policy does not apply to complaints:-

- a) relating to Rules of Conduct under Division 4 of the Code;
- b) about services delivered by the City;
- c) against employees of the City;
- d) involving allegations of serious misconduct, corruption, fraud; or
- e) about other criminal or corrupt conduct.



## Policy Manual

### 4 IMPLICATIONS

The City will incur costs to engage the Complaint Administrator and appropriately provide resource capacity to assist the Complaints Officer and the Complaint Administrator to receive and deal with complaints.

### 5 IMPLEMENTATION

#### 5.1 Making a Complaint

- a) Any person may make a Complaint within one (1) month after the alleged breach of the Code occurred.
- b) A Complaint must be made by completing the [Behaviour Complaint Form](http://www.wanneroo.wa.gov.au/council/Good%20Governance%20and%20Conduct/Codes%20of%20Conduct) in full and providing the completed forms to the Complaints Officer. ([www.wanneroo.wa.gov.au/council/Good Governance and Conduct/Codes of Conduct](http://www.wanneroo.wa.gov.au/council/Good Governance and Conduct/Codes of Conduct)).
- c) A Complaint will not be accepted if the Complainant has made a complaint under the Rules of Conduct Division 4 of the Code where the Complaint relates to the same or similar circumstances of the Complaint.

#### 5.2 Complaints Officer

- a) The Director Corporate Strategy and Performance (and in their absence or where a conflict of interest exists, the Executive Manager Governance and Legal) is authorised as the Complaints Officer.
- b) The Complaints Officer is authorised to receive Complaints and is the City's liaison with the Complaint Administrator.

#### 5.3 Complaint Administrator

- a) The City will appoint a suitably qualified and experienced Complaint Administrator in accordance with the City's Purchasing Policy that meets the following criteria.
  - i) Licensed to undertake investigations.
  - ii) Evidence of completion of a Certificate IV in Government Investigations.
  - iii) Experienced in undertaking investigations in the local government sector, with experience with local government council members as preferable; and
  - iv) Demonstrated ability to provide quality services at a competitive price.
- b) The Complaint Administrator is appointed to review and consider a Complaint and to report on the outcome (their findings) to the City's Complaints Officer for consideration by Council.

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## Policy Manual

- c) The Complaint Administrator is an impartial person external to the City who will undertake the functions specified in this Policy.

### 5.4 Function and Responsibility of Complaint Administrator

- a) The Complaint Administrator assesses and makes a finding on a Complaint, and makes a recommendation to Council.
- b) The Complaint Administrator is not to assess a Complaint if they have an actual or perceived conflict of interest in relation to a Complaint.
- c) The Complaint Administrator undertakes the following:
  - i) determine whether the Complaint is within jurisdiction;
  - ii) determine whether the Complaint is to be dismissed;
  - iii) offer the parties mediation;
  - iv) liaise with the Respondent and facilitate the Response;
  - v) make a finding on the balance of probabilities; and
  - vi) prepare a report and recommendation to Council.
- d) The Complaint Administrator may seek legal advice from the Executive Manager Governance and Legal to interpret the provisions of Division 3 of the Code.

### 5.5 Dismissal of a Complaint

- a) The Complaint Administrator may dismiss a Complaint due to the behaviour to which the Complaint relates having occurred at a Council Meeting (*section 13 of the Local Government (Model Code of Conduct) Regulations 2021*) and either:
  - i) the behaviour was dealt with by the Mayor; or
  - ii) the person responsible for the behaviour has taken remedial action in accordance with Standing Orders Local Law.
- b) The Complaint Administrator may recommend that Council dismisses a Complaint due to their assessment that it is “unreasonable” in circumstances where the Complaint is made:
  - i) with the intent of addressing personal grievances or disagreements;
  - ii) to express dissatisfaction with a council member’s lawfully-made decisions or performance of their role;
  - iii) as an attempt to limit freedom of political expression; or
  - iv) is an abuse of process.

### 5.6 Procedural Fairness

- a) The principles of procedural fairness and due process will apply when dealing with a Complaint to the extent set out in this Policy.



## Policy Manual

- b) Procedural fairness is provided to the Complainant and the Respondent as follows:
  - i) the Complainant will be afforded:
    - a. for their Complaint to be considered in accordance with this Policy;
    - b. an opportunity to mediate with the Respondent;
    - c. reasonable opportunity to consider the findings of the Complaint Administrator; and
    - d. for their Complaint to be determined by Council.
  - ii) the Respondent will be afforded:
    - a. an opportunity to mediate with the Complainant;
    - b. reasonable opportunity to respond to the Complaint;
    - c. reasonable opportunity to consider the findings of the Complaint Administrator; and
    - d. a reasonable opportunity to address Council if an Action Plan is recommended.
  - iii) Council must be objective and impartial, and determine the Complaint without any bias or perceived bias.
  - iv) Council Members must declare an impartiality interest at the Council Meeting at which the Complaint is to be determined.

### 5.7 Council Determination

- a) A confidential report is to be prepared for Council that must include the following:
  - i) the substance of the Complaint;
  - ii) the nature and extent of the assessment into the Complaint;
  - iii) the substance of the Response;
  - iv) the Complaint Administrator's finding;
  - v) the Complaint Administrator's recommendation; and
  - vi) any recommended Action Plan to address the behaviour of the Respondent.
- b) Council's determination of a Complaint must:
  - i) only consider each of the items in section 5.7a) of this Policy;
  - ii) be based on proper and genuine consideration of the finding of the Complaint Administrator, their report and recommendation; and
  - iii) not consider or take into account any irrelevant factors.
- c) In determining a Complaint, Council may resolve that a breach of the Code has:
  - i) occurred and to take no action;
  - ii) occurred and to implement an Action Plan; or
  - iii) not occurred and dismiss the Complaint.



## Policy Manual

### 5.8 Action Plan

- a) If Council resolves to implement an Action Plan, the Council may consider:
  - i) the Respondent's submission in relation to the Action Plan;
  - ii) whether the Respondent has remedied or rectified their conduct;
  - iii) the relative costs and benefits of taking formal enforcement action as opposed to taking no action or taking informal action;
  - iv) whether the Respondent has breached the Code knowingly or carelessly.
  - v) whether the Respondent has breached the Code on previous occasions.
  - vi) the harm or potential harm to the reputation of the City arising from the conduct.
  - vii) the public interest.
- b) Council can resolve an Action Plan that requires the following:
  - i) the Respondent to engage in mediation with the Complainant;
  - ii) the Respondent to undertake counselling at their cost;
  - iii) the Respondent to undertake training at their cost;
  - iv) provide an apology to the Complainant; and/or
  - v) remove the Respondent's entitlement to attend the Council Members' lounge and dining room for a period of time.

### 5.9 Reporting

- a) The City will maintain a register of Complaints lodged under the Code to deal with Complaints.
- b) A summary of statistics and costs associated with Complaints received in the relevant period will be reported to the Audit and Risk Committee on an annual basis and included in the City's Annual Report.

### 5.10 Confidentiality

- a) Subject to disclosure required to process and determine the Complaint, and to the extent disclosure is required by law, the Complainant, the Respondent and the Complaint Administrator are required to maintain confidentiality in respect of the Complaint and the processes undertaken to determine the Complaint.
- b) The relevant parties will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the determination of their Complaint.

### 5.11 Appeal

- a) Subject to 5.11b) below, there is no mechanism to appeal a determination of Council in respect of a Complaint.



## Policy Manual

- b) The City of Wanneroo Standing Orders Local Law applies in respect of Council determining Complaints.

### 6 DISPUTE RESOLUTION

All disputes concerning this policy will be referred to the Executive Manager Governance and Legal or the Director Corporate Strategy and Performance as the Complaints Officers in the first instance, and if unresolved, to the CEO for determination.

### 7 EVALUATION AND REVIEW PROVISIONS

This Policy is to be reviewed every two years to ensure that it meets its objective and provides clear accountability requirements unless legislative amendments or Council require an immediate review.

### 8 DEFINITIONS

<i>DEFINITIONS: Any definitions listed in the following table apply to this document only.</i>	
<b>Act</b>	means the <i>Local Government Act 1995</i> .
<b>Action Plan</b>	means a Plan that may be prepared and implemented under clause 12(4)(b) of the Code, to address the behaviour of the person to whom the Complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.
<b>Candidate</b>	means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act, but does not include a Council Member who has nominated for re-election. A person is a candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with section 4.77 of the Act.
<b>Code</b>	means the City of Wanneroo Council Member, Committee Member and Candidate Code of Conduct.
<b>Committee Member</b>	A person appointed to a committee by resolution of Council.
<b>Complaint</b>	means a complaint submitted under section 11 of the Code.
<b>Complainant</b>	means a person who has submitted a Complaint.
<b>Complaint Administrator</b>	means the independent and suitably qualified person appointed by the Complaints Officer in accordance with clause 5.3 of this Policy.
<b>Complaint Form</b>	means the form approved under section 11(2)(a) of the Code
<b>Complaints Officer</b>	means a person authorised in writing by Council resolution (CE03-03/21) under section 11(3) of the Code of Conduct to receive Complaints and withdrawals of Complaints. The role of the Complaints Officer is addressed in clause 5.2 of this Policy.

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<b>Council</b>	means the Council of the City of Wanneroo.
<b>Council Meeting</b>	means a formal meeting of the Council that is called and convened in accordance with the Act. It does not include informal meetings, such as workshops or briefings.
<b>Council Member</b>	means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.
<b>Respondent</b>	means a person who is the subject of a Complaint submitted under section 11 of the Code.

### 9 RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

- Council Member, Committee Member and Candidate Code of Conduct
- Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Protocols

### 10 REFERENCES

*Local Government Act 1995*

*Local Government (Model Code of Conduct) Regulations 2021*

*Department of Local Government, Sport and Cultural Industries: The Minor Breach System: A guide for council members, complaints officers and members of the community.*

### 11 RESPONSIBILITY FOR IMPLEMENTATION

Executive Manager Governance and Legal

Version	Next Review	Record No:
1	July 2024	21/250805





## Policy Manual

### Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy

<b>Policy Owner:</b>	Governance and Legal
<b>Contact Person:</b>	Executive Manager Governance and Legal
<b>Date of Approval:</b>	<del>10 August 2021 (CE01-08/21)</del>

#### 1 POLICY STATEMENT

The City of Wanneroo is committed to addressing complaints under Division 3 of the Council Member, Committee Member and Candidate Code of Conduct (the **Code**) in an effective, transparent and fair manner that supports high standards of behaviour by Council Members, Committee Members and Candidates.

#### 2 POLICY OBJECTIVE

This Policy establishes the process by which the City of Wanneroo Council deals with Complaints.

#### 3 SCOPE

##### 3.1 This Policy applies to:-

- a) Complaints made in accordance with section 11 of the Code;
- b) Council Members, Committee Members, Candidates; and
- c) any person who submits a Complaint.

##### 3.2 This Policy does not apply to complaints:-

- a) relating to Rules of Conduct under Division 4 of the Code;
- b) about services delivered by the City;
- c) against employees of the City;
- d) involving allegations of serious misconduct, corruption, fraud; or
- e) about other criminal or corrupt conduct.



## Policy Manual

### 4 IMPLICATIONS

The City will incur costs to engage the Complaint Administrator and appropriately provide resource capacity to assist the Complaints Officer and the Complaint Administrator to receive and deal with [eComplaints](#).

### 5 IMPLEMENTATION

#### 5.1 Making a Complaint

- a) Any person may make a Complaint within one (1) month after the alleged breach of the Code occurred.
- b) A Complaint must be made by completing the [Behaviour Complaint Form](#) in full and providing the completed forms to the Complaints Officer. ([www.wanneroo.wa.gov.au/council/Good Governance and Conduct/Codes of Conduct](http://www.wanneroo.wa.gov.au/council/Good%20Governance%20and%20Conduct/Codes%20of%20Conduct)).
- c) A Complaint will not be accepted if the Complainant has made a [eComplaint](#) under the Rules of Conduct Division 4 of the Code where the Complaint relates to the same or similar circumstances of the Complaint.

#### 5.2 Complaints Officer

- a) The Director Corporate Strategy and Performance (and in their absence or where a conflict of interest exists, the Executive Manager Governance and Legal) is authorised as the Complaints Officer.
- [b\)](#) The Complaints Officer is authorised to receive Complaints and is the City's liaison with the Complaint Administrator.
- [b\)c\)](#) [The Complaints Officer is delegated the authority to dismiss a Complaint in accordance with section 5.6.](#)

#### 5.3 Complaint Administrator

- [a\)](#) The City will appoint a suitably qualified and experienced Complaint Administrator in accordance with the City's Purchasing Policy [to facilitate mediation of the Complaint between the Complainant and Respondent.](#)
- [b\)](#) [The criteria for the appointment of a Complaint Administrator is that the Complaint Administrator must:-](#)
  - [i\)](#) [demonstrate understanding of local government sector with experience with local government council members as preferable;](#)
  - [ii\)](#) [be qualified and accredited as a mediator; and](#)
  - [i\)](#) [have knowledge and experience of public administration and public sector ethics.](#)



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iii)

### 5.4 Mediation

- a) The administration of the Complaint is focused on providing the Complainant and the Respondent the most appropriate process to resolve the Complaint, through facilitated mediation.
- b) The parties are required to participate in the facilitated mediation in good faith in seeking to resolve the Complaint and must exercise best endeavours to schedule the mediation within 30 days of the Complaint Administrator being appointed.
- c) The facilitated mediation process is to consider all the disputed issues, develop options to resolve each of the issues and for the parties to decide agree on an outcome with the assistance of a trained mediator.
- d) Failure to participate in the mediation process will result in the dismissal of the Complaint.

that meets the following criteria.

~~Licensed to undertake investigations.~~

~~Evidence of completion of a Certificate IV in Government Investigations.~~

- ~~a) Experienced in undertaking investigations in the local government sector, with experience with local government council members as preferable; and~~
- ~~b) Demonstrated ability to provide quality services at a competitive price. The Complaint Administrator is appointed to review and consider a Complaint and to report on the outcome (their findings) to the City's Complaints Officer for consideration by Council.~~
- e) The Complaint Administrator is an impartial person external to the City who will undertake the functions specified in this Policy.

#### 5.4.5.5 Function and Responsibility of Complaint Administrator as the Mediator:

- a) The Complaint Administrator is to facilitate a mediation process between the Complainant and the Respondent. assesses and makes a finding on a Complaint, and makes a recommendation to Council.
- b) The Complaint Administrator is not to facilitate a mediation process assess a Complaint if they have an actual or perceived conflict of interest in relation to a Complaint.
- b) The role of the Complaint Administrator as the mediator is not to make a decision or take a side but to assist participants the Complainant and the Respondent to identify issues of the Complaint, realise each party's respective positions and points of view and identify the possible solutions to resolve the Complaint.



## Policy Manual

e) —

If the matter does not settle at mediation the Complaint Administrator provide a confidential report to — to note that the was unsuccessful, undertakes the following:

determine whether the Complaint is within jurisdiction;  
determine whether the Complaint is to be dismissed;  
offer the parties mediation;  
liaise with the Respondent and facilitate the Response;  
make a finding on the balance of probabilities; and  
prepare a report and recommendation to Council.

d)c) —

e) — The Complaint Administrator may seek legal advice from the Executive Manager Governance and Legal to interpret the provisions of Division 3 of the Code.

### 5.55.6 Dismissal of a Complaint

a) The Complaint Administrator ~~may dismiss a Complaint~~ may recommend that the Complaints Officer ~~may~~ dismiss a Complaint due to the behaviour to which the Complaint relates having occurred at a Council Meeting (*section 13 of the Local Government (Model Code of Conduct) Regulations 2021*) and either:

- i) the behaviour was dealt with by the Mayor; or
- ii) the person responsible for the behaviour has taken remedial action in accordance with Standing Orders Local Law.

~~The Complaint Administrator may recommend that Council dismisses a Complaint due to their assessment that it is “unreasonable” in circumstances where the Complaint is made:~~

~~with the intent of addressing personal grievances or disagreements;  
to express dissatisfaction with a council member’s lawfully-made decisions or performance of their role;  
as an attempt to limit freedom of political expression; or  
is an abuse of process~~

b) The Complaint Administrator will recommend that the Complaints Officer dismiss a Complaint should the Complainant decline to participate in the mediation process.

### 5.65.7 Outcome of Mediation

a) If ~~T~~the Complainant and the Respondent agree to resolve the Complaint matter is settled if the dispute is resolved through mediation the:

- i) Complaint Administrator will inform the Complaints Officer; and
- ii) Complainant must formally withdraw the Complaint by advising the Complaints Officer in writing.



## Policy Manual

- b) If the Complaint is not resolved at mediation, the Complaint Administrator will notify the Complaints Officer who will prepare a confidential report for Council to note that the mediation process was unsuccessful.  
~~The Complaint Administrator may recommend that Council dismisses a Complaint due to their assessment that it is "unreasonable" in circumstances where the Complaint is made:~~

~~with the intent of addressing personal grievances or disagreements;  
 to express dissatisfaction with a council member's lawfully-made decisions or performance of their role;  
 as an attempt to limit freedom of political expression; or  
 is an abuse of process~~  
 Procedural Fairness

~~The principles of procedural fairness and due process will apply when dealing with a Complaint to the extent set out in this Policy.~~

~~Procedural fairness is provided to the Complainant and the Respondent as follows:~~

~~the Complainant will be afforded:  
 for their Complaint to be considered in accordance with this Policy;  
 an opportunity to mediate with the Respondent;  
 reasonable opportunity to consider the findings of the Complaint Administrator;  
 and  
 for their Complaint to be determined by Council.~~

~~the Respondent will be afforded:  
 an opportunity to mediate with the Complainant  
 reasonable opportunity to respond to the Complaint;  
 reasonable opportunity to consider the findings of the Complaint Administrator;  
 and  
 a reasonable opportunity to address Council if an Action Plan is recommended.~~

~~Council must be objective and impartial, and determine the Complaint without any bias or perceived bias.~~

~~Council Members must declare an impartiality interest at the Council Meeting at which the Complaint is to be determined.~~

### 5.75.8 Council Determination Report

~~A confidential report is to be prepared for Council~~

- a) The Complaint Officer's Council Report is to detail the Complaint, extent of the mediation process, matters that are in dispute and reasons that the Complainant and the Respondent did not agree to resolve the Complaint.





## Policy Manual

- a) ~~Council is to note the Complaint Officer's Council Report. the outcome of the unsuccessful mediation that must include the following:~~
- b) ~~—~~
- c) ~~the substance of the Complaint;~~
- d) ~~the nature and extent of the assessment into the Complaint;~~
- e) ~~the substance of the Response;~~
- f) ~~the Complaint Administrator's finding;~~
- g) ~~the Complaint Administrator's recommendation; and~~
- b) ~~any recommended Action Plan to address the behaviour of the Respondent.;~~
- h)c) The City of Wanneroo Standing Orders Local Law applies to the process detailed in this Policy.
- i) ~~Council's determination of a Complaint must:~~
  - i) ~~only consider each of the items in section 5.7a) of this Policy;~~
  - ii) ~~be based on proper and genuine consideration of the finding of the Complaint Administrator, their report and recommendation; and~~
  - iii) ~~not consider or take into account any irrelevant factors.~~
- j) ~~In determining a Complaint, Council may resolve that a breach of the Code has:~~
  - i) ~~occurred and to take no action;~~
  - ii) ~~occurred and to implement an Action Plan; or~~
  - iii) ~~not occurred and dismiss the Complaint.~~

### 5.8 ~~Action Plan~~

- a) ~~If Council resolves to implement an Action Plan, the Council may consider:~~
  - i) ~~the Respondent's submission in relation to the Action Plan;~~
  - ii) ~~whether the Respondent has remedied or rectified their conduct;~~
  - iii) ~~the relative costs and benefits of taking formal enforcement action as opposed to taking no action or taking informal action;~~
  - iv) ~~whether the Respondent has breached the Code knowingly or carelessly.~~
  - v) ~~whether the Respondent has breached the Code on previous occasions.~~
  - vi) ~~the harm or potential harm to the reputation of the City arising from the conduct.~~
  - vii) ~~the public interest.~~
- b) ~~Council can resolve an Action Plan that requires the following:~~
  - i) ~~the Respondent to engage in mediation with the Complainant;~~
  - ii) ~~the Respondent to undertake counselling at their cost;~~
  - iii) ~~the Respondent to undertake training at their cost;~~
  - iv) ~~provide an apology to the Complainant; and/or~~
  - v) ~~remove the Respondent's entitlement to attend the Council Members' lounge and dining room for a period of time.~~



## Policy Manual

### 5.9 Reporting

- a) The City will maintain a register of Complaints lodged under the Code to deal with Complaints and the outcomes.
- b) A summary of statistics and costs associated with Complaints received in the relevant period will be reported to the Audit and Risk Committee on an annual basis and included in the City's Annual Report.

### 5.10 Confidentiality

- a) Subject to disclosure required to receive and process and determine the Complaint, and to the extent disclosure is required by law, all parties involved in the administration of the Complaint (including the Complainant, the Respondent and the Complaint Administrator) are required to maintain confidentiality in respect of the Complaint. and the processes undertaken to determine the Complaint.
- b) The relevant parties will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the determination administration of their Complaint.

### 5.11 Appeal

- a) Subject to 5.11b) below, there is no mechanism to appeal a determination of Council in respect of a Complaint.
- b) The City of Wanneroo Standing Orders Local Law applies in respect of Council determining Complaints.

## 6 DISPUTE RESOLUTION

All disputes concerning this policy will be referred to the Executive Manager Governance and Legal or the Director Corporate Strategy and Performance as the Complaints Officers in the first instance, and if unresolved, to the CEO for determination.

## 7 EVALUATION AND REVIEW PROVISIONS

This Policy is to be reviewed every two years to ensure that it meets its objective and provides clear accountability requirements unless legislative amendments or Council require an immediate review.

## 8 DEFINITIONS

*DEFINITIONS: Any definitions listed in the following table apply to this document only.*

<b>Act</b>	means the <i>Local Government Act 1995</i> .
<b>Action Plan</b>	<u>means a Plan that may be prepared and implemented under clause 12(4)(b) of the Code, to address the behaviour of the</u>



## Policy Manual

	<del>person to whom the Complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.</del>
<b>Candidate</b>	means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act, but does not include a Council Member who has nominated for re-election. A person is a candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with section 4.77 of the Act.
<b>Code</b>	means the City of Wanneroo Council Member, Committee Member and Candidate Code of Conduct.
<b>Committee Member</b>	A person appointed to a committee by resolution of Council.
<b>Complaint</b>	means a complaint submitted under section 11 of the Code.
<b>Complainant</b>	means a person who has submitted a Complaint.
<b>Complaint Administrator</b>	means the independent and suitably qualified person appointed by the Complaints Officer in accordance with clause 5.3 of this Policy.
<b>Complaint Form</b>	means the form approved under section 11(2)(a) of the Code
<b>Complaints Officer</b>	means a person authorised in writing by Council resolution (CE03-03/21) under section 11(3) of the Code of Conduct to receive Complaints and withdrawals of Complaints. The role of the Complaints Officer is addressed in clause 5.2 of this Policy.
<b>Council</b>	means the Council of the City of Wanneroo.
<b>Council Meeting</b>	means a formal meeting of the Council that is called and convened in accordance with the Act. It does not include informal meetings, such as workshops or briefings.
<b>Council Member</b>	means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.
<b>Respondent</b>	means a person who is the subject of a Complaint submitted under section 11 of the Code.

### 9 RELEVANT POLICIES/MANAGEMENT PROCEDURES/DOCUMENTS OR DELEGATIONS

- Council Member, Committee Member and Candidate Code of Conduct
- Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Protocols

### 10 REFERENCES

Local Government Act 1995

Local Government (Model Code of Conduct) Regulations 2021

*Department of Local Government, Sport and Cultural Industries: The Minor Breach System:  
A guide for council members, complaints officers and members of the community.*

**11 RESPONSIBILITY FOR IMPLEMENTATION**

Executive Manager Governance and Legal

Version	Next Review	Record No:
1	July 2024	21/250805



**Complaint About Alleged Behaviour Breach Form**  
**Code of conduct for Council Members, Committee Members and Candidates**

Schedule 1, Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*

*Please read the notes at the end of the complaint form for details of the City of Wanneroo's process for receiving and determining a Behavior Complaint and the associated confidentiality requirements.*

To make a valid **Behaviour Complaint**:

- ☐ The allegation must relate to a breach of the behaviour standards in Division 3 of City of Wanneroo's Code of Conduct for Council Members, Committee Members and Candidates.
- ☐ Complete all sections of the Behaviour Complaint Form including any additional information that will support an assessment of the complaint. *The Behaviour Complaint will be assessed based on the information provided only.*
- ☐ The completed Behaviour Complaint Form MUST be lodged with the the City of Wanneroo **Behaviour** Complaints Officer within one (1) month of the alleged behaviour breach.

<b>Name of person making the complaint:</b>		
<b>Given Name:</b>		<b>Family Name:</b>
<b>Contact details of person making the complaint:</b>		
<b>Residential Address:</b>		
<b>Contact number:</b>		<b>Mobile:</b>
<b>Email:</b>		
<b>Name of the local government concerned:</b>	City of Wanneroo	
<b>Name of council member, committee member, candidate alleged to have committed the breach:</b>		
<b>Select the position that the person was fulfilling at the time the person committed the alleged behaviour breach:</b>	Council Member of the City of Wanneroo	<input type="checkbox"/>
	Member of a Committee of the City of Wanneroo	<input type="checkbox"/>
	Candidate for election at the City of Wanneroo	<input type="checkbox"/>
<b>Date that the alleged behaviour breach occurred:</b>		
<b>Location where the alleged behaviour breach occurred:</b>		

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<b>Which of the behaviours prescribed in Division 3 of the City of Wanneroo Code of Conduct do you allege this person has breached?</b>	
<b>Clause 8. Personal integrity</b>	
(1) A council member, committee member or candidate —	
(a) must ensure that their use of social media and other forms of communication complies with this code; and	<input type="checkbox"/>
(b) must only publish material that is factually correct	<input type="checkbox"/>
(2) A council member or committee member —	
(a) must not be impaired by alcohol or drugs in the performance of their official duties; and	<input type="checkbox"/>
(b) must comply with all policies, procedures and resolutions of the local government.	<input type="checkbox"/>
<b>Clause 9. Relationship with others</b>	
A council member, committee member or candidate —	
(a) must not bully or harass another person in any way; and	<input type="checkbox"/>
(b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and	<input type="checkbox"/>
(c) must not use offensive or derogatory language when referring to another person; and	<input type="checkbox"/>
(d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and	<input type="checkbox"/>
(e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.	<input type="checkbox"/>
<b>Clause 10. Council or committee meetings</b>	
When attending a council or committee meeting, a council member, committee member or candidate —	
(a) must not act in an abusive or threatening manner towards another person; and	<input type="checkbox"/>
(b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and	<input type="checkbox"/>
(c) must not repeatedly disrupt the meeting; and	<input type="checkbox"/>
(d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and	<input type="checkbox"/>
(e) must comply with any direction given by the person presiding at the meeting; and	<input type="checkbox"/>
(f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.	<input type="checkbox"/>
<b>Clause 10A – Land Dealings</b>	
A council member or committee member —	
Must declare to the CEO in writing of an intention to undertake a land dealing within the City of Wanneroo district or which may otherwise be in conflict with the City's functions (other than the purchase of the council member's principal place of residence.	<input type="checkbox"/>
<b>Clause 10C – Communications and public relations</b>	
A council member or committee member must acknowledge:	
(1) As a council member there is respect for the decision making processes of council which are based on a decision of the majority of council; and	<input type="checkbox"/>

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<b>Have you made any efforts to resolve the complaint with the Respondent?</b> <i>Please note, you MUST complete this section</i>		
YES	<input type="checkbox"/>	If yes, please describe the efforts that you have made.
NO	<input type="checkbox"/>	If no, please include a brief statement explaining why you have not made any efforts to resolve the issue with the person complained about.
<div>The Complainant and the Respondent will be <del>offered the opportunity</del><u>required</u> to participate in an Alternative Dispute Resolution process, <del>that if agreed to by BOTH parties, will be undertaken before the complaint is dealt with.</del> The objective is to support both parties to reach a mutually satisfactory outcome that resolves the issues and restores the relationship between them. <del>An outcome may be that as the Complainant, you will have absolute discretion to withdraw or continue with this Complaint.</del> Please contact the <u>Behaviour</u> Complaints Officer if you would like more information.</div>		
<b>Would you agree to participate in an Alternative Dispute Resolution process?</b>		YES <input type="checkbox"/>
		NO <input type="checkbox"/>
<b>Comments:</b>		
<div>Desired outcome of the Complaint Please explain what you would like to happen as a result of lodging this complaint, <del>including the opportunity to participate in Alternative Dispute Resolution.</del></div>		
<div>COMPLAINANT please sign and date</div>		

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Date:        /        /	Complainant's Signature
Received by Authorised Officer: Signature:	Noelene Jennings, Director Corporate Strategy and Performance
Date received:	
Forward to:-	<a href="mailto:Complaints@wanneroo.wa.gov.au">Complaints@wanneroo.wa.gov.au</a> ; or City of Wanneroo Locked bag 1 Wanneroo WA 6969 ATT: Director Corporate Strategy and Performance

**NOTE:****Behavioural Breach Complaint - Division 3:**

- A complaint about an alleged breach must be made:-
  - in writing in the form approved by the local government;
  - to the City's Complaints Officer; and
  - within one month after the occurrence of the alleged breach.
- This form should be completed, dated and signed by the person making a complaint of an alleged breach of the Code of Conduct.
- The complaint is to be specific about the alleged breach and include the relevant section/subsection of the alleged breach.
- Complaints will be dealt with and considered in the order in which they are received by the Complaints Officer.
- The Council Member or Committee Member to whom the complaint relates will be notified of the receipt of complaint ~~and will be provided with an opportunity to respond to the allegations in the Complaint in writing within 14 days of the notification of the Complaint.~~
- ~~Mandatory M~~mediation is a requirement of the Complaint process ~~will be offered to both parties~~ and in the event that the matter is resolved to the satisfaction of both parties, the Complainant must lodge a withdrawal of Complaint ~~to the Complaints Officer.~~

**Rules of Conduct Complaint – Division 4.**

This type of complaint is determined by the Local Government Standards Panel. Please refer to the City's website for information on how to lodge a Rule of Conduct Complaint using the prescribed form.

**Need Advice?**

If you require advice in making a Behaviour Complaint or a Rule of Conduct Complaint, please contact the City's Complaints Officer (08) 9405 5000 or by email to [enquiries@wanneroo.wa.gov.au](mailto:enquiries@wanneroo.wa.gov.au). Att: Noelene Jennings, Director Corporate Strategy and Performance.

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## COUNCIL MEMBER, COMMITTEE MEMBER AND CANDIDATE CODE OF CONDUCT COMPLAINT DISMISSAL

<b>Function Delegated:</b> <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 dismiss a Council Member, Committee Member and Candidate Code of Conduct Division 3 Complaint due to:-</p> <ul style="list-style-type: none"> <li>a) the behaviour to which the Complaint relates having occurred at a Council Meeting (<i>section 13 of the Local Government (Model Code of Conduct) Regulations 2021</i>) and either: <ul style="list-style-type: none"> <li>i) the behaviour was dealt with by the Mayor; or</li> <li>ii) the person responsible for the behaviour has taken remedial action in accordance with Standing Orders Local Law;</li> </ul> </li> <li>or</li> <li>b) the parties to a complaint declining to mediate as required by the Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy.</li> </ul>
<b>Statutory Power being Delegated:</b>	<i>Local Government (Model Code of Conduct) Regulations 2021</i> r13 Dismissal of complaint
<b>Power is originally assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<i>Local Government Act 1995</i> s.5.42 <i>Delegation of some powers or duties to the CEO</i> s.5.43 <i>Limitations on delegations to the CEO</i>
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council's Conditions on Delegation:</b>	The decision to dismiss is based on a recommendation from the Complaint Administrator engaged by the Complaint Officer to assess and mediate the Complaint as set out in the Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy.
<b>Statutory Power to Sub-Delegate:</b>	<i>Local Government Act 1995</i> Section 5.44 CEO may delegate powers or duties to other employees
<b>CEO's Sub-Delegation:</b> <i>The exercise of the delegated power does not include the power of delegation</i>	Director Corporate Strategy and Performance Executive Manager Governance and Legal
<b>CEO's Conditions on Sub-delegation:</b>	Nil
<b>Record Keeping Statement (LGA 1995)</b> 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.
<b>Compliance</b>	<i>Financial Interest Return Required – Yes</i>



**CE04-11/21      Review of the City of Wanneroo Standing Orders Local Law 2008**

File Ref:	25251 – 21/416546
Responsible Officer:	Executive Manager Governance and Legal
Disclosure of Interest:	Nil
Attachments:	3
Previous Items:	CE01-08/21 - Complaint Handling Policy and Amendments to the Standing Orders Local Law - Ordinary Council - 10 Aug 2021 6:00pm

**Issue**

To consider a new Standing Orders Local Law 2021 (**New Local Law**) and the repeal of the City's Standing Orders Local Law 2008 (**Existing Local Law**) to reflect current practice, adhere to legislative requirements and to improve decision making.

**Background**

As a result of consultation with Council Members in relation to the Existing Local Law, the following matters were considered and resolved.

- Deputations to be heard prior to Briefing Sessions.
- Removal of 'Public Statement Time'.
- Petitions at Council meetings.
- Preventing a disturbance due to the use of mobile phones in meetings.
- The giving of documents to Council Members prior to a meeting.
- Penalties for breaches of the local law.
- A mechanism to deal with complaints at council meetings in relation to breaches of Division 3 of the Council Member, Committee Member and Candidate Code of Conduct through procedural motions.

The drafting of an amendment local law is a complex process, especially where numerous and significant amendments are proposed as in the case of the Existing Local Law.

Accordingly, Administration considered it appropriate to recommend that Council repeal the Existing Local Law and adopt a New Local Law. The New Local Law retains the format of the Existing Local Law and includes all proposals for amendment put forward through the Council Forum meetings.

Council considered the proposed New Local Law at its 10 August 2021 Council meeting and approved it for public advertising. The submission period closes on Monday 4 October 2021.

**Detail**

The following provides an overview of the proposed amendments.

**1.      *Deputations***

Deputations have been removed as these are heard prior to the Briefing Session.

**2.      *Public Statement Time***

Public Statement Time has been removed as the current process provides members of the public with the opportunity to provide a preamble before stating their question during Public Question Time.

### **3. *Petitions***

Continue to receive and deal with petitions through a Council meeting.

### **4. *Prevention of Disturbance which relates to the use of mobile phones during Council Meetings (Clause 4.16)***

This matter has been the subject of several discussions to limit the use of mobile phones and other electronic devices that may detract from the meeting process as a general good practice measure.

Frequent use of mobile devices during meetings may give the impression that the Council Members are not fully focused on the matters at hand. In particular, the use of social media, texting or tweeting may demonstrate pre-determination, bias or give the impression of such.

Should a Council Member need to take or make an urgent phone call, text or email during a meeting, it is more appropriate to excuse themselves from the Council Chambers quietly and return at an appropriate juncture of the meeting keeping in mind that any phone call made or text or email sent must not show any indication of bias or pre-determination in respect of any matter under consideration during the meeting. This is particularly important relating to planning and regulatory matters.

An appropriate use of media devices during meetings may be to access meeting papers and relevant background material associated with the meeting.

### **5. *Giving a document to a Council Member prior to meetings (Clause 9.5)***

Council Members expressed a view that the local law should include a provision for the acceptance of documents prior to a Council meeting. It is proposed that a minimum time frame be set that would allow Council Members sufficient time to read and consider the information.

A section has been included in the proposed New Local Law to require that a person other than a Council Member or employee must not give any Council Member correspondence or other document relating to a matter to be considered at a Council meeting within 30 minutes prior to or during the commencement of that Council meeting.

### **6. *Penalties for breaches of the Standing Orders Local Law (Part 10)***

A penalty for the breach of the New Local Law has been included.

### **7. *Inclusion of procedural motions to facilitate the Council's determination complaints under Division 3 of Council Member, Committee Member and Candidate Code of Conduct Complaint (Clause 7.12)***

With the adoption of the revised Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy for complaints under Division 3 and the introduction to mandatory mediation to resolve complaints, the inclusion of clause 7.12 provides for Council to receive a report on the outcome of the mediation where the complaint has not been resolved or withdrawn. With receiving the report, there is no debate on these motions as allowing debate would provide the opportunity for new evidence to be presented which has not previously been considered as part of the mediation process.

## Consultation

The New Local Law was advertised for public comment for the duration of the statutory advertising period (not less than six weeks after the notice was given) and submissions closed on 4 October 2021.

The local law making process requires that after the last day of submissions the local government is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from that proposed. Should the proposed changes be considered significant, then the local law making process is to begin again and will require a second consultation process.

Thirteen submissions were received by the close of the submission period. Given that the Department of Local Government, Sport and Cultural Industries (the **Department**) usually provide comment on draft local laws, the City queried this directly. The Department provided their comments on 5 October 2021, and whilst this was received after the close of submissions, the City believes that the comments are relevant and that the draft local law should be amended accordingly.

As further detailed under the Comments section of this report, the Department's recommended amendments do not significantly change the local law and it is not intended to begin the local law making process again.

The thirteen submissions received all relate to the same matter and are summarised below along with comment from Administration. It is recommended that further amendments to the local law are not required as adequate provision has been made for public participation at meetings.

No.	Clause	Submission	Administration Comment
<b>Department of Local Government, Sport and Cultural Industries</b>			
1.	Various	Minor edits proposed, mostly formatting and number references.	All minor edits applied.
	4.16	Removal of Members from the meeting: This clause provides that if a person uses a mobile phone in breach of the clause the person can be removed from the meeting room. This is likely to raise issues since it will potentially obstruct a member from carrying out their statutory duty to attend meetings and vote on matters under discussion.	Clause 4.16 (d) which provides that a Member may be asked to leave the meeting room if they do not comply, has been deleted.
	10.1	Suggested that the penalty for a breach of the local law is reduced to \$1000. Offences under Standing Orders are relatively minor when compared to local laws that involve matters of public safety or local government property. The Delegated Legislation Committee has previously requested undertakings when local governments try to impose the maximum penalty permitted under the <i>Local Government Act 1995</i> . Penalties of \$1000 has previously gone through the Committee without objection.	The penalty in the local law has been amended to \$1000.
<b>Submissions from the Public</b>			

No.	Clause	Submission	Administration Comment
2.	1.3, 3.4, 3.5, 3.6 and 3.12	<b>13 submitters all made the exact same submission set out below</b>	
		<p>The current Local Law has a Purpose and Intent. No longer is the intent to include:</p> <p>(c) greater community participation and understanding of the business of the Council; and</p> <p>(d) more open and accountable local government.</p> <p>These intentions are critical to accountability and transparency. Removing them gives the clear signal that Council intends to keep matters secret. It is essential these terms remain.</p> <p>Official council activities, including voting on behalf of the community, are recorded in the official minutes of the meeting. To remove ratepayer Public Statements and Public Deputations to the briefing session which are not minuted, removes from the record issues of concern raised to Council so that it would appear the ratepayers have no issues of concern. This is a backward and unacceptable reduction in transparency and accountability. It reduces participation and understanding of the business of council. It is essential these activities remain at the minuted and recorded Council meeting.</p> <p>It is also my submission that the City make provision for electronic petitions. This is essential given the geographic spread of the City and the ability of ratepayers to utilise technology. A petition format could be established on the Councils website where residents and ratepayers could create and electronically sign petitions. The current requirement for paper petitions is a barrier to community participation and democratic governance.</p>	<p>The Purpose and Intent of the proposed local law has been amended to align with a more contemporary description as provided for by the Western Australian Local Government Model Local Law.</p> <p>The proposed change highlights that the local law is intended to result in better decision making at Council meetings and is to provide for procedural matters that must be followed.</p> <p>The Local Government Act 1995 promotes participation of the community in council meetings through public question time and observation of the decision-making process which is conducted in an open and transparent way.</p> <p>Public question time plays an important part in achieving these objectives by providing an opportunity for the public to seek Council's response on issues that are of interest to them.</p> <p>The Presiding Person currently provides opportunity where possible, for any member of the community to make a preamble/statement prior to posing a question. Public Question Time is managed by the Presiding Person who ensures that the time is used efficiently and for the intended purpose.</p> <p>The City's Customer Request System also provides a process for the community to submit questions or statements on a number of matters.</p> <p>In the past, deputations were presented at an informal meeting prior to the opening of a Council Meeting and therefore were not minuted.</p> <p>Deputations are now presented during Briefing Sessions as this provides Council Members with an opportunity to adequately consider the matters raised before the report is formally presented at a Council meeting for decision. This is considered to provide greater transparency and diligence to the decision making process.</p>

No.	Clause	Submission	Administration Comment
			Petitions must be received in a final format but may be forwarded electronically (through email) or in hard copy. Council is not in a position to accept on-line 'live' petitions. The purpose for this is to ensure that an accurate record of the submission and signatories to that petition, is maintained. This accuracy cannot be guaranteed if the submission is an online 'live' petition as there is potential that the information continues to change (such as adding signatures and/or changes to the petition wording).

### Comment

Broad consultation has been undertaken with both City employees and Council Members in drafting the New Local Law and it is considered an effective document to provide for the orderly conduct of Council Meetings.

Administration would however propose an additional minor change to the New Local Law.

Clause 4.2 of the New Local Law refers to the seating arrangements in the Council Chamber. The amendment proposes the removal of Clause 4.2 (1) relating to the seating of the Deputy Mayor and the removal of the words "until the council decides to reallocate positions" in clause 4.2 (3), as this matter is covered in the following clause of the New Local Law.

Any significant changes to the New Local Law at this stage of the process, whether through the receipt of submissions or for any other reason, then the local law making process is to begin again and will require a second consultation process.

The Joint Standing Committee on Delegated Legislation follow the general rule that a change is more likely to be significant if it changes the rights, obligations or privileges which the law would otherwise have imposed. The amendment proposed by Administration to the seating in chambers is not considered significant and does not impact on the intent of the local law.

The Existing Local Law is shown at **Attachment 1**.

A marked-up version showing Administrations proposal to amend the seating clause and the Department's recommended amendments is shown at **Attachment 2**.

The final version of the New Local Law (as approved by Council for public advertising) is shown at **Attachment 3** (as amended).

Administration recommend that Council adopt the New Local Law for gazettal and implementation.

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 1996* or other written law.

**Statutory Compliance**

*Local Government Act 1995: Section 3.12*

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

**Strategic Implications**

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*7 ~ A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services*

*7.1 - Clear direction and decision making*

**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**

There are costs associated with making the local law, including advertising and eventual Gazettal.

**Voting Requirements**

Absolute Majority

**Recommendation**

**That Council:-**

- 1. ADOPTS BY ABSOLUTE MAJORITY in accordance with sections 3.12(4) of the *Local Government Act 1995*, the Standing Orders Local Law 2021 as shown at Attachment 3;**
- 2. NOTES the purpose and effect of the local law as 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 1996 or other written law.

3. **REQUESTS** Administration in accordance with s3.12(5) of the *Local Government Act 1995* publish the Standing Orders Local Law 2021 in the Government Gazette and sends a copy to the Minister for Local Government, Sport and Cultural Industries;
4. **NOTES** that after Gazettal, in accordance with s3.12(6) of the *Local Government Act 1995*, local public notice will be given —
  - a) stating the title of the local law;
  - b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
  - c) advising that copies of the local law may be inspected or obtained from the City office; and
5. **NOTES** that following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Mayor and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

Attachments:

- |                          |  |           |
|--------------------------|--|-----------|
| <a href="#"><u>1</u></a> | Attachment 1 - City of Wanneroo Standing Orders Local law 2008 | 16/252686 |
| <a href="#"><u>2</u></a> | Attachment 2 - Standing Orders Local Law 2021 Showing Mark-up  | 21/417774 |
| <a href="#"><u>3</u></a> | Attachment 3 - Standing Orders Local Law 2021 (Final)          | 17/229251 |



# City of Wanneroo

*(21.11.08 Gazette 196, 29.9.09 Gazette 173)*

## **LOCAL GOVERNMENT ACT 1995**

### **CITY OF WANNEROO**

## **STANDING ORDERS LOCAL LAW 2008**

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*Powerdocs 746458v3*

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**LOCAL GOVERNMENT ACT 1995**

## CITY OF WANNEROO

**STANDING ORDERS LOCAL LAW 2008**

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 23 September 2008 to make the following local law.

**PART 1 – PRELIMINARY****1.1 Title**

This local law is the City of Wanneroo Standing Orders Local Law 2008.

**1.2 Commencement**

This local law comes into operation 14 days after its publication in the *Government Gazette*.

**1.3 Purpose and intent**

(1) The purpose of this local law is to provide a set of procedures to assist in the good conduct of meetings of the Council and of the electors.

(2) This local law is intended to result in -

- (a) better decision making by the Council;
- (b) orderly and efficient conduct of meetings dealing with business of the Council;
- (c) greater community participation and understanding of the business of the Council;  
and
- (d) more open and accountable local government.

**1.4 Repeal**

The City of Wanneroo Standing Orders Local Law 2000 is repealed.

**1.5 Definitions**

In this local law, unless the contrary intention appears -

“**Act**” means the *Local Government Act 1995*;

“**Administration Regulations**” means the *Local Government (Administration) Regulations 1996*.

“**CEO**” means the chief executive officer of the City;

“**City**” means the City of Wanneroo;

“**Council**” means the council of the City;

“**meeting**” means a meeting of the Council;

“**member**” means the mayor or a councillor;

“**presiding person**” means any person presiding at a meeting;

“**Rules of Conduct Regulations**” means the *Local Government (Rules of Conduct) Regulations 2007*.

## **PART 2 - MEETINGS OF COUNCIL**

### **2.1 Calling of meetings**

The calling of meetings is dealt with in the Act.

### **2.2 Notice of meeting and notice of adjournment**

(1) The giving of notice of meetings of the Council is dealt with in the Act and the giving of public notice of meetings is dealt with in the Administration Regulations.

(2) How documents can be given to a person is dealt with in the Act and the *Interpretation Act 1984*.

(3) 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.

### **2.3 Public access to agendas and supporting information**

Public access to agendas and supporting documentation is dealt with in the Administration Regulations.

### **2.4 Public access to unconfirmed minutes of meetings**

Public access to unconfirmed minutes of meetings is dealt with in the Administration Regulations.

### **2.5 Quorum for meetings**

The requirements for a quorum for a meeting are dealt with in the Act.

## **2.6 Procedure if quorum not present**

The procedure where a quorum for a meeting is not present is dealt with in the Administration Regulations.

## **2.7 Lapse of quorum**

(1) If at any time during any meeting a quorum is not present, the presiding person upon becoming aware of the fact, is to suspend the proceedings of the meeting for a period of 15 minutes.

(2) If a quorum is not present at the expiration of the 15 minutes suspension period the presiding person is to adjourn the meeting to a future time and date.

(3) A record is to be taken of all those who have spoken on the subject under consideration at the time of the adjournment and be recorded in the minutes of the meeting.

(4) Where the debate on any motion is interrupted at a meeting, which is adjourned due to lack of a quorum, that debate is to be resumed at the resumption of the meeting at the point where it was interrupted.

(5) The members who have spoken on the motion at the adjourned meeting, must not speak again on resumption of that meeting, except the mover who retains the right of reply.

(6) At any meeting where a quorum is not present or there is an adjournment due to the lack of a quorum the names of the members then present are to be recorded in the minute book.

## **2.8 Voting**

(1) Voting at meetings is dealt with in the Act and the Administration Regulations.

(2) In taking the vote on any motion or amendment, the presiding person must put the question first in the affirmative and then in the negative and may do so as often as is necessary, to form and declare an opinion as to whether the affirmative or the negative has the majority.

# **PART 3 - BUSINESS AT MEETINGS**

## **3.1 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) Apologies/leave of absence
- (b) Public question time and public statement time
- (c) Confirmation of minutes
- (d) Announcements by the presiding person without discussion
- (e) Questions from members
- (f) Petitions

- (g) Reports by officers
- (h) Motions of which previous notice has been given
- (i) Urgent business
- (j) Date and location of the next meeting; and
- (k) Closure

(2) The order of business at any special meeting of the Council is to be in the order in which it appears in the agenda.

(3) Unless otherwise decided by the Council, the items of business for a meeting of the Council are to be considered in the sequence that they are listed in the agenda.

(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.

### **3.2 Public question time**

(1) Public question time at meetings is dealt with in the Act and Administration Regulations.

(2) A member of the public wanting to ask a question during public question time must first state their name and address.

(3) Questions asked by the public are to relate to the business of the Council and are not to be in the form of a statement or a personal opinion.

### **3.3 Public statement time**

The procedure for the making of statements by members of the public is to be determined -

- (a) by the presiding person; or
- (b) in the case where the majority of the members of the council present at the meeting disagree with the presiding person, by the majority of those members.

### **3.4 Application for leave of absence from meeting**

(1) The requirement for members to obtain leave of absence from meetings of the Council is dealt with in the Act.

(2) A member who requests that leave of absence be granted for a member need not put the request in writing but must state the period of leave and the reasons for the request.

### **3.5 Confirmation of minutes**

(1) The requirements for keeping minutes of meetings and the content of minutes are dealt with in the Act and the Administration Regulations.

(2) When considering the minutes of a previous meeting, the only discussion permitted is that relating to the accuracy of the minutes.

### **3.6 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.

### **3.7 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 a 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.

### **3.8 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.

### **3.9 Disclosure of interest affecting impartiality**

The disclosure of interests affecting impartiality is dealt with by the Rules of Conduct Regulations.



### **3.10 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.

### **3.11 Deputations to meetings**

- (1) Any person or persons wishing to be received as a deputation by the Council, must in the first instance, give a request in writing to the CEO setting out in concise terms the matter to be raised by the deputation.
- (2) A request under subclause (1) must be given to the CEO not later than 12 noon on a business day which is not less than 3 clear days prior to the date of the meeting.
- (3) When the CEO receives a request for a deputation to the Council, the request is to be brought to the attention of the presiding person. The presiding person is to decide if a deputation is to be received and, if so, when it is to be received.
- (4) A deputation is not to exceed 3 persons in number and only those persons may address the meeting.
- (5) Members of a deputation are collectively to have a maximum of 10 minutes to address the meeting, unless an extension of time is granted by the Council.

### **3.12 Identification of matters for which the meeting may sit behind closed doors**

For the convenience of members of the public, the Council may by resolution identify those matters on the agenda that are to be discussed behind closed doors and defer those matters to be considered as the last reports at the meeting.

### **3.13 Reports**

- (1) The functions of the CEO including to advise the Council and implement decisions are dealt with in 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.

### 3.14 Motions of which previous notice has been given

(1) 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 subclause (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) 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.

(4) 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.

(5) Where a notice of motion is given and lapses in circumstances referred to under subclause (4), 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.

(6) A motion of which previous notice has been given is to relate to the good government of persons in the district.

(7) A notice of motion of which the subject matter is 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 -

- (i) after consultation with the mayor, may reject the motion; or
- (ii) 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) 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 6.1; and

- (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.

### **3.15 Urgent business**

The presiding person may dispense with the requirement to give notice under clause 3.14 where the presiding person is satisfied that -

- (a) the motion is a matter of urgency and the motion 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.

### **3.16 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 CEO is to sit immediately to the right of the mayor.

### **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 Order of speakers**

When 2 or more members indicate their desire to speak at the same time the presiding person is to decide who is entitled to priority.

#### **4.6 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; or
- (b) cause any interruption or speak out of turn during a meeting, other than to raise a point of order, make a personal explanation or move a procedural motion.

#### **4.7 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.

#### **4.8 Presiding person may participate in discussion**

- (1) The voting entitlement of a presiding person at a meeting is dealt with in the Act.
- (2) 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.

#### **4.9 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.

#### **4.10 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 new matter or by replying to other members.

#### **4.11 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.

#### **4.12 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.

#### **4.13 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.

#### **4.14 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.

#### **4.15 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) 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 motion are to include the reasons for the motion.

(2) The requirements for recording in the minutes of a meeting, written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of or an employee are dealt with in the Administration Regulations.

(3) A recommendation made by or contained in a report may, but need not be, moved.

(4) A motion may be moved that a recommendation made by or contained in a report be referred back for further consideration.

#### **5.2 Adoption of recommendations en bloc**

A member may move a motion to adopt by one resolution, all the recommendations or a group of recommendations or several reports, without amendment or qualification after having first identified those recommendations, if any -

- (a) which require adoption by absolute or special majority vote,
- (b) in respect of which there is a disclosure of interest;

- (c) which any member has indicated the member wishes to debate; and
- (d) in respect of which any member has indicated the wish to ask a question or to raise a point of clarification,

and, each of those recommendations referred to in paragraphs (a), (b), (c) and (d) are to be considered separately.

### **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) Subject to subclause (3) 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) Every amendment is to be relevant and not negate the motion in respect of which it is moved.
- (3) 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.

- (4) (a) 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.
- (b) Where an amendment is carried, one further successful amendment to the primary motion, as amended, and no more, may be carried.
- (5) Where an amendment is carried, the primary motion as amended is, for all purposes of subsequent debate and subject only to subclause (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 Administration Regulations.
- (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 clause 3.14 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 clause 3.14 do not apply where the motion is a revocation motion.

(9) For the avoidance of doubt subclauses (6), (7), (8) and (9) of clause 3.14 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.

## **PART 7 – PROCEDURAL MOTIONS**

### **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.
- (2) Notwithstanding clause 7.1, a member may move at anytime during a meeting, that the meeting sit behind closed doors.
- (3) If a motion “that the Council sit behind closed doors”, is carried then the presiding person is to direct all persons, other than members, employees and other persons, as specified in the motion, to leave the meeting room and every person must immediately comply with that direction.
- (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.

## 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 or public statement 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.



**9.3 Meetings of electors**

The requirements for meetings of the electors are dealt with the Act and the Administration Regulations.

**9.4 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.

**9.5 Enforcement**

The right to prosecute for any offence committed under this local law is dealt with in the Act.

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**SCHEDULE****PETITION OF ELECTORS OF THE CITY OF WANNEROO**

To the Mayor and Councillors of the City of Wanneroo

We, the undersigned, all being electors of the City of Wanneroo do respectfully request that the Council -

(Here set out a concise statement of facts and the action sought)

Correspondence in respect of this petition should be addressed to -

The names and addresses of your petitioners are as follows -

DATE	FULL NAME	ADDRESS	SIGNATURE
AGREE/DISAGREE/NO OPINION			

Note: Petitioners may contact CEO of the City of Wanneroo if they wish to withdraw from this petition or change their comment.

\_\_\_\_\_



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**LOCAL GOVERNMENT ACT 1995**  
**CITY OF WANNEROO**  
**STANDING ORDERS LOCAL LAW 2021**

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 2021*.

**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;**schedule** means the Schedule to this local law;**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.

- |   |
|---|
| <p>(1) A council is to hold ordinary meetings and may hold special meetings.</p> <p>(2) Ordinary meetings are to be held not more than 3 months apart.</p> <p>(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.

- |  |
|--|
| <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</p> <p style="padding-left: 40px;">(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> |
|--|

[Section 5.4 of the Act]

### **2.3 Convening Council Meetings**

The convening of a Council meeting is dealt with in the Act.

- |  |
|--|
| <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

## 5

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,
 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 –

- (a) at which there is not a quorum present to begin the meeting; or
- (b) 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 5.2.
- (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.

- |      |  |
|------|--|
| (1)  | A council may, by resolution, grant leave of absence, to a member.   |
| (2)  | 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. |
| (3A) | Leave is not to be granted in respect of —   |
|      | (a) a meeting that has concluded; or   |
|      | (b) the part of a meeting before the granting of leave.  |
| (3)  | 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.  |
| (4)  | 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.
(5A)	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.
(5)	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 –
	(a) if no meeting of the council at which a quorum is present is actually held on that day; or
	(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.

- |     |  |
|-----|--|
|     | 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.

- |     |   |
|-----|---|
| (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 –<br><br><div style="margin-left: 20px;">           (a) by the person presiding at the meeting; or<br/>           (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,<br/>           having regard to the requirements of subregulations (2) and (3).         </div> |
| (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 –<br><div style="margin-left: 20px;">           (a) a council to answer a question that does not relate to a matter affecting the local government;<br/>           (b) a council at a special meeting to answer a question that does not relate to the purpose of the meeting; or<br/>           (c) a committee to answer a question that does not relate to a function of the committee.         </div>   |
| (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 –<br><div style="margin-left: 20px;">           (a) declare that he or she has an interest in the matter; and<br/>           (b) allow another person to respond to the question.         </div>  |

[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.

- |     |  |
|-----|--|
| 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.   |
| (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".

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- (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 ~~to~~
  - (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.

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- (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 6.1 and
  - (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)~~(1)
- ~~(3)~~ The deputy mayor is to be allocated a seat in the council chamber next to the fellow ward representative of the deputy mayor.
- ~~(4)~~(2) Each member must occupy his or her allocated position when present at a meeting of the council. ~~until the council decides to reallocate positions.~~
- ~~(5)~~(3) The Council may, at any time, reallocate a seat in the Council Chamber to each member.
- ~~(6)~~(4) The CEO is to sit immediately to the right of the mayor.



~~(7)~~(5) 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 ~~is~~

- (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; and
- ~~(c) must not, during a confidential session, use hand held mobile devices other than to refer to Council meeting papers. ; and~~
- ~~(d)~~
- ~~(e)(c) 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~~subclauses (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 ~~is~~
  - (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 ~~is~~
  - (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 –



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- (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.

<b>10.</b>	<b><i>Revoking or changing decisions made at council or committee meetings - s. 5.25(1)(e)</i></b>
(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 <math>\frac{1}{3}</math> 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 <math>\frac{1}{3}</math> 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 ~~the~~:
- (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 ~~the~~:
- (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 clause 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 clause 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.

(1)	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.
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(2)	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.
(3)	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.
(4)	If a member of a council or a committee specifically requests that there be recorded — (a) his or her vote; or (b) the vote of all members present, 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.
(5)	A person who fails to comply with subsection (2) or (3) commits an offence.

[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.

[Regulation 9 of the Regulations]


### 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) ~~the~~

- (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 ~~the~~
  - (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 ~~the~~
  - (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)	<i>the personal affairs of any person;</i>
(c)	<i>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;</i>
(d)	<i>legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;</i>
(e)	<i>a matter that if disclosed, would reveal –</i>
(i)	<i>a trade secret;</i>
(ii)	<i>information that has a commercial value to a person; or</i>
(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 Division 3 of the Code of Conduct

- (1) A motion concerning the outcome of mediation in relation to a complaint about a breach of Division 3 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-clausesubclause (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-clausesubclause (1).
- (4) A motion moved and seconded under sub-clausesubclause (1) cannot be amended.
- (5) If a motion under sub-clausesubclause (1) is moved and seconded then lost, the complaint is taken to have been dismissed.
- (6) If the motion moved and seconded under sub-clausesubclause (1) is carried, Council is taken to have determined that the complaint has been addressed with no finding and takes no further action in accordance with section 12 of the Code of Conduct.~~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-clausesubclause (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-clausesubclause (6) is seconded, subject to sub-clausesubclause (10), there is to be no debate on the motion.~~
- ~~(9) A motion moved and seconded under sub-clausesubclause (6) cannot be amended other than to address comments made under sub-clausesubclause (10).~~
- ~~(10) If a motion moved under sub-clausesubclause (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 ~~is~~
  - (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.*

*Section 5.93 of the Act*

## 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) *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

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.

## 9.6 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: \$15,000**

### 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

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:

	<b>Full Name</b>	<b>Address</b>	<b>Signature</b>	<b>Date</b>
1.				
2.				
3.				
4.				
5.				
6.				



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**LOCAL GOVERNMENT ACT 1995**  
**CITY OF WANNEROO**  
**STANDING ORDERS LOCAL LAW 2021**

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 2021*.

**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;**schedule** means the Schedule to this local law;**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.

- |  |
|--|
| <ul style="list-style-type: none"> <li>(1) A council is to hold ordinary meetings and may hold special meetings.</li> <li>(2) Ordinary meetings are to be held not more than 3 months apart.</li> <li>(3) If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.</li> </ul> |
|--|

[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.

- |   |
|---|
| <p>An ordinary or a special meeting of a Council is to be held –</p> <ul style="list-style-type: none"> <li>(a) if called for by either – <ul style="list-style-type: none"> <li>(i) the mayor; or</li> <li>(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</li> </ul> </li> <li>(b) if so decided by the Council.</li> </ul> |
|---|

[Section 5.4 of the Act]

### **2.3 Convening Council Meetings**

The convening of a Council meeting is dealt with in the Act.

- |   |
|---|
| <ul style="list-style-type: none"> <li>(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.</li> <li>(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.</li> </ul> |
|---|

[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

## 5

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,
 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 –

- (a) at which there is not a quorum present to begin the meeting; or
- (b) 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 5.2.
- (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.

- |      |  |
|------|--|
| (1)  | A council may, by resolution, grant leave of absence, to a member.   |
| (2)  | 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. |
| (3A) | Leave is not to be granted in respect of —   |
|      | (a) a meeting that has concluded; or   |
|      | (b) the part of a meeting before the granting of leave.  |
| (3)  | 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.  |
| (4)  | 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.
(5A)	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.
(5)	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 –
	(a) if no meeting of the council at which a quorum is present is actually held on that day; or
	(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.

- |  |   |
|--|---|
| 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.

- |     |   |
|-----|---|
| (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 –<br><br><div style="margin-left: 20px;">           (a) by the person presiding at the meeting; or<br/>           (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,<br/>           having regard to the requirements of subregulations (2) and (3).         </div> |
| (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 –<br><div style="margin-left: 20px;">           (a) a council to answer a question that does not relate to a matter affecting the local government;<br/>           (b) a council at a special meeting to answer a question that does not relate to the purpose of the meeting; or<br/>           (c) a committee to answer a question that does not relate to a function of the committee.         </div>   |
| (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 –<br><div style="margin-left: 20px;">           (a) declare that he or she has an interest in the matter; and<br/>           (b) allow another person to respond to the question.         </div>  |

[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.

- |     |  |
|-----|--|
| 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.   |
| (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".

## 12

- (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 defence 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 6.1 and
  - (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) Each member must occupy his or her allocated position when present at a meeting of the council.
- (3) The Council may, at any time, reallocate a seat in the Council Chamber to each member.
- (4) The CEO is to sit immediately to the right of the mayor.
- (5) 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.

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- (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; and
- (c) must not, during a confidential session, use hand held mobile devices other than to refer to Council meeting papers.

**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 subclauses (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**



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- (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.

<b>10.</b>	<b><i>Revoking or changing decisions made at council or committee meetings - s. 5.25(1)(e)</i></b>
(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 <math>\frac{1}{3}</math> 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 <math>\frac{1}{3}</math> 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.

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- (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 clause 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 clause 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.

- |     |  |
|-----|--|
| (1) | 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.  |
| (2) | 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. |
| (3) | 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.  |
| (4) | If a member of a council or a committee specifically requests that there be recorded —   |
| (a) | his or her vote; or  |
| (b) | the vote of all members present,   |
|     | 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.                                    |
| (5) | A person who fails to comply with subsection (2) or (3) commits an offence.  |

[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.

[Regulation 9 of the Regulations]

**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.

<b>5.23. Meetings generally open to the public</b>
(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 Division 3 of the Code of Conduct

- (1) A motion concerning the outcome of mediation in relation to a complaint about a breach of Division 3 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 subclause (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 subclause (1).
- (4) A motion moved and seconded under subclause (1) cannot be amended.
- (5) If a motion under subclause (1) is moved and seconded then lost, the complaint is taken to have been dismissed.
- (6) If the motion moved and seconded under subclause (1) is carried, Council is taken to have determined that the complaint has been addressed with no finding and takes no further action in accordance with section 12 of the Code of Conduct.

## 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.*

*Section 5.93 of the Act*

### **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**

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.

## **9.6 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: \$1,000**

#### **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

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:

	<b>Full Name</b>	<b>Address</b>	<b>Signature</b>	<b>Date</b>
1.				
2.				
3.				
4.				
5.				
6.				

## Item 9 Motions on Notice

### MN01-11/21 Councillor Chris Baker – Lukin Drive Extension to Wanneroo Road

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File Ref:	35872 – 21/416785
Author:	Councillor Chris Baker
Action Officer:	Director Assets
Disclosure of Interest:	Nil
Attachments:	Nil

#### Issue

To seek the extension of Lukin Drive from the proposed southbound Interchange under construction as part of the Mitchell Freeway extension to connect with Wanneroo Road.

#### Background

Currently Lukin Drive connects Marmion Avenue to the west to the local suburban streets in Butler to the east. It will also connect to the proposed Mitchell Freeway Extension Interchange and will terminate at the Mitchell Freeway South bound on/off ramp (**Refer Attachment 1**).

#### Detail

Mitchell Freeway is currently being extended from Hester Avenue to Romeo Road with interchanges at Lukin Drive, Butler Boulevard and Romeo Road. It is a State Government Project and managed by Main Roads WA. The project is anticipated to be completed around mid-2023.

Lukin Drive unlike Hester Avenue and Neerabup Road to the south and the proposed Romeo Road to the north, will not have a connection to Wanneroo Road as part of recent or the under construction Freeway Extension.

The section of Lukin Drive between Mitchell Freeway South bound on/off ramp and Wanneroo Road is approximately 1km. Though the cost estimate is not known for this section, it is likely to be at a relatively low in comparison to the overall project cost if included in the current Mitchell Freeway Extension project.

#### Consultation

Consultation has been held with the Market Garden operators who are in support to advocate for this extension.

No other formal community consultation has been undertaken on this matter to date. Subject to council's decision on this motion, stakeholder engagement will be necessary at an appropriate stage.

#### Comment

Lukin Drive connection to Wanneroo Road will enhance the east / west transport linkage for vehicles, cyclists and pedestrians. It will be an additional service road to the eastern developments to the east of the intersecting length of Wanneroo Road.

It is important that the City's road network is accessible by all members of the community.

It is considered that a review of the existing road network by Main Roads WA at this location will assist in identifying the improvements that may be identified with the extension of Lukin Drive to Wanneroo Road.

It is proposed that Council requests the State Government to include Lukin Drive section from the Freeway Southbound ramp to Wanneroo Road in the current Freeway Extension project.

### Statutory Compliance

Nil

### Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

*1 ~ An inclusive and accessible City with places and spaces that embrace all*

*1.2 - Valued public places and spaces*

### Risk Management Considerations

Populate the risk considerations section with details from the risk register. List the title of the risk in bold and the current risk rating.

<b>Risk Title</b>	<b>Risk Rating</b>
ST-S04 Integrated Infrastructure & Utility Planning	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Planning & Sustainability & Director Assets	Manage

The above risk/s relating to the issue contained within this report has been/have been identified and considered within the City's Strategic/Corporate risk register. Action plans are in place/have been developed to manage/mitigate this risk.

### Policy Implications

Nil

### Financial Implications

The proposal is to request the State Government to include the extension of Lukin Drive from Freeway Southbound ramp to Wanneroo Road in the under construction Freeway Extension project, there are no financial implications for the City.

### Voting Requirements

Simple Majority

### Recommendation

That Council REQUESTS the State Government to:

- 1. Advise the City of the estimated cost to extend Lukin Drive from Freeway Southbound ramp to Wanneroo Road; and**
- 2. Include the extension of Lukin Drive from Freeway Southbound ramp to Wanneroo Road in the under construction Mitchell Freeway Extension project.**

## Administration Comment

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Following information in relation to the matters contained within the report on this Motion is provided:

- Administration has previously contacted Main Roads WA on the extension of Lukin Drive to Wanneroo Road in September 2019 and the following response was received:  
*“We are planning for the future extension of Mitchell Freeway - creating a high standard north-south transport link in Perth's north western suburbs. A reservation for the freeway extension has been included in the Metropolitan Region Scheme (MRS) for a number of years which provides for the construction of a new interchange at Lukin Drive with a connection into the Alkimos region to the West only. As far as Main Roads is aware an eastern extension of Lukin Drive east of the Mitchell Freeway have never been investigated. If it were to be considered, there would be environmental impacts on the Neerabup Nature Reserve. Further the area to the east of the National Park and Wanneroo Road is all rural land and the east-west traffic demands for this area will be able to be managed via east-west roads such as Hester Avenue and Romeo Road. It is notable that there are existing interchanges that only provide connection from one side of the freeway for example Dunreath Drive interchange on Tonkin Highway.”*
- MRWA also advised the community in September 2019 of the above mentioned issues during the project feedback period;
- Administration has not been able to sight any record identifying the extension of Lukin Drive to Wanneroo Road covered in the MRS;
- There are no Structure Plans showing the connection of Lukin Drive to Wanneroo Road;
- Lukin Drive extension to Wanneroo Road would require clearing of over 5Ha of vegetation within Neerabup National Park;
- MRWA is the agency responsible to undertake a traffic analysis and determine the traffic network benefits from a proposed extension of Lukin Drive to Wanneroo Road;
- In Administration's view the current and future populations and employment in the adjoining areas are considered to be low; and there are other east-west linkages which are sufficient to service the area at this stage; and
- City's Advocacy Plan endorsed by Council in May 2021 (Item CE01-05/21 refers) includes nine priority projects and does not include extension of Lukin Drive from Freeway to Wanneroo Road.

Attachments: Nil



**Item 10 Urgent Business****Item 11 Confidential****CR01-11/21 Chief Executive Officer Key Performance Indicator - Amendment**

File Ref: 5642V03 – 21/492748

Responsible Officer: Chief Executive Officer

*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:*

- (a) *a matter affecting an employee or employees*
- (b) *the personal affairs of any person*

**Item 12 Date of Next Meeting**

The next Council Members' Briefing Session has been scheduled for 6:00pm on Tuesday 30 November 2021, to be held at Council Chambers, Civic Centre, 23 Dundobar Road, Wanneroo.

**Item 13 Closure**



## COUNCIL CHAMBER SEATING DIAGRAM

