
Shire of Kalamunda

Ordinary Council Meeting Agenda

Monday 16 April 2012

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Agenda for Ordinary Council Meeting 16 April 2012

Separate Document

Minutes of Ordinary Council Meeting 19 March 2012

Minutes of Special Council Meeting 26 March 2012

Report of Audit Committee 2 April 2012

Report of Development and Infrastructure Services
Committee Meeting 2 April 2012

Report of Corporate and Community Services
Committee Meeting 10 April 2012

NOTICE OF MEETING ORDINARY COUNCIL MEETING

Councillors

Notice is hereby given that the next meeting of the Ordinary Council Meeting will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on:

16 April 2012 commencing at 6.30pm

For the benefit of members of the public, attention is drawn to the following requirements as adopted by Council.

Open Council Meetings – Procedures

1. All Council Meetings are open to the public, except for matters raised by Council under Item No. 15.0 of the Agenda.
2. Members of the public may ask a question at an Ordinary Council Meeting under Item 3.0 of the Agenda.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceedings, just raise your hand when the Shire President opens *'question time'* under Item 3.0 of the Agenda.
4. All other arrangements are in accordance with Council's Standing Orders, Policies and decision of the Shire or Council.

James Trail
Chief Executive Officer
12 April 2012

** Dinner will be served at 5.30pm **

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AGENDA

1.0 OFFICIAL OPENING

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Apology – Cr Margaret Thomas – North Ward

2.2 Leave of Absence – Cr Noreen Townsend – South West Ward

3.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of Council. For the purposes of Minuting, these questions and answers are summarised.

4.0 PETITIONS/DEPUTATIONS

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 That the Minutes of the Ordinary Council Meeting held on 19 March 2012 are confirmed as a true and accurate record of the proceedings.

Moved:

Seconded:

Vote:

Statement by Presiding Member

"On the basis of the above Motion, I now sign the Minutes as a true and accurate record of the meeting of 19 March 2012".

6.2 That the Minutes of the Special Council Meeting held on 26 March 2012 are confirmed as a true and accurate record of the proceedings.

Moved:

Seconded:

Vote:

Statement by Presiding Member

"On the basis of the above Motion, I now sign the Minutes as a true and accurate record of the meeting of 26 March 2012".

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

8.1 C&C 31/2012 Land Asset Assessment – Acquisition of Reserve 31117 Headingly Road Kalamunda

If discussion is required to be dealt with at 15.0 on this Agenda.

Reason for confidentiality

Local Government Act 1995: Section 5.23(2) (ii), "information that has a commercial value to a person".

8.2 C&C 32/2012 Lots 49 and 15401 Elmore Way, High Wycombe – Legal Agreement

If discussion is required to be dealt with at 15.0 on this Agenda.

Reason for Confidentiality

Local Government Act 1995; Section 5.23(2)(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".

8.3 Chief Executive Officer Performance Review

CONFIDENTIAL ITEM - Provided under separate cover.

Reason for Confidentiality - *Local Government Act 1995* s.5.23 (2) (a) – a matter affecting an employee or employees.

9.0 DISCLOSURE OF INTERESTS

9.1 Disclosure of Financial and Proximity Interests

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.60B and 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the *Local Government Act 1995*.)

9.2 Disclosure of Interest Affecting Impartiality

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

10.0 REPORT TO COUNCIL

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

10.1 Development and Infrastructure Services Committee Report

10.1.1 Adoption of Development and Infrastructure Services Committee Report

That the recommendations contained in the Development and Infrastructure Services Committee of 2 April 2012, except withdrawn items D&I 26, D&I 28 and D&I 33 be adopted.

Moved:

Seconded:

Vote:

10.1.2 D&I 21 Lot 13 (562) Kalamunda Road, Kalamunda - Application to Keep More Than Two Dogs

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 21/2012)

That Council:

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant the exemption to the applicant of 562 Kalamunda Road, High Wycombe to keep three dogs on this property.

10.1.3. D&I 22 Lot 754 (14) Pavetta Crescent Forrestfield - Application to Keep More Than Two Dogs

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 22/2012)

That Council:

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, approve the exemption to the applicant of 14 Pavetta Crescent, Forrestfield to keep four dogs on this property.

10.1.4. D&I 23 Lot 21 (160) Carmel Road, Carmel - Application to Keep More Than Two Dogs

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 23/2012)

That Council:

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant the exemption to the applicant of 160 Carmel Road, Carmel to keep three dogs on this property.

10.1.5 D&I 24 Lot 79 (136) Midland Road, Maida Vale -Application to Keep More Than Two Dogs

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 24/2012)

That Council:

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant the exemption to the applicant of 136 Midland Road, Maida Vale to keep three dogs on this property.

10.1.6 D&I 25 Lot 114 (27) Regency Ramble, Wattle Grove - Application to Keep More Than Two Dogs

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 25/2012)

That Council:

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant the exemption to the applicant of 27 Regency Ramble, Wattle Grove to keep three dogs on this property.

10.1.7 D&I 27 The Parking of One Commercial Vehicle – Lot 30 (86) Lesmurdie Road, Lesmurdie

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 27/2012)

That Council:

1. Approves the proposal for Alexander De Jager to continue to park one commercial vehicle, an International Prime Mover (registration number 1DTG 184) at Lot 30 (86) Lesmurdie Road, Lesmurdie, subject to the following conditions:
 - a. The vehicle must, at all times, be parked in the location shown on the approved site plan (Attachment 2).
 - b. The commercial vehicle is only to be operated between the hours of 7.00am and 7.00pm Monday to Saturday and 9.00am to 5.00pm Sundays and public holidays.
 - c. Approval of the parking activity does not include approval for the loading of the commercial vehicle, or the storage of goods and materials in transit.

- d. Only maintenance of a minor nature, such as servicing or wheel changing, is to be carried out on the subject property. No panel beating, spray painting or the removal of major body or engine parts is permitted.
- e. The idling time for the start-up and cool down of the vehicle being a maximum of five minutes.
- f. Washing of the commercial vehicle on the subject lot is to be limited to the use of water and mild detergent, but not involve the use of any solvents, degreasing substances, steam cleaning and any other processes which may cause pollution or degradation of the environment.
- g. The approval is personal to the landowner and shall not be transferred or assigned to any other person, property or commercial vehicle.

10.1.8 D&I 29 Draft Structure Plan – Forrestfield District Centre

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 29/2012)

That Council:

1. Adopts the Draft Structure Plan (Attachment 2) for Forrestfield District Centre subject to the following modification:
 - a. The inclusion of an Action investigating the opportunity for the development of a roundabout at the intersection of Hale Road and Woolworths Drive.
2. Subject to the inclusion of the modification identified in Point 1 a copy of the adopted Structure Plan for the Forrestfield District Centre be forwarded to the Western Australian Planning Commission for their information.

10.1.9 D&I 30 Local Planning Scheme No. 3 Amendment - Rezone from Public Purpose to Mixed Use R60 and Residential R60 - Lot 106 (88) Hale Road, Forrestfield

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 30/2012)

That Council:

1. Initiates the amendment to Local Planning Scheme No. 3, in accordance with the following:

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING
SCHEME
SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
AMENDMENT NO.

Resolved that the Council in pursuance of Part 5 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

1. Rezoning portion of Lot 106 (88) Hale Road, Forrestfield, from Public Purpose to Mixed Use R60 and Residential R60.

The amendment documents being adopted by Council and the Amendment being formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967*, without reference to the Western Australian Planning Commission.

10.1.10 D&I 31 Local Planning Scheme No. 3 Amendment No. 42 – Lot 4371 (1) Cygnet Court and Lot 102 (21) Edney Road, High Wycombe – Increasing the Residential Density from R20 to R40

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 31/2012)

That Council:

1. Notes the submissions received in respect to Amendment No. 42 to Local Planning Scheme No. 3.
2. Adopts the amendment to Local Planning Scheme No. 3 without modification, in accordance with the following:

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING
SCHEME
SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
AMENDMENT NO. 42

Resolved that the Council in pursuance of Part 5 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

1. Increasing the residential density of Lot 4371 (1) Cygnet Court and Lot 102 (21) Edney Road, High Wycombe, from R20 to R40.

3. Amends the Scheme Zoning Map accordingly.
4. Duly executes the Amendment documents and forwards them and submissions received to the Minister for Planning requesting final approval be granted.

10.1.11 D&I 32 Recommendations from the Community Sustainability Advisory Committee (CSAC) Meetings

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 32/2012)

That Council:

1. Receives the unconfirmed minutes of the Community Sustainability Advisory Committee (“CSAC”) meeting held on 16 February 2012 (Attachment 1).
2. Recognises that “CSAC’s” success is dependent on defining achievable sustainable and environmental objectives in line with the Terms of Reference and that a program of objectives will be brought back to Council for endorsement.

10.1.12 D&I 34 Proposed closure of Right of Way (ROW) adjacent to Lot 19 (32) and Lot 71 (34) Winsor Road, Kalamunda

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 34/2012)

That Council:

1. Proceed to advertise the proposed closure of the Right of Way located between Lots 19 (32) and 71 (34) Winsor Road, Kalamunda in accordance with Section 58 of *The Land Administration Act 1997*.

10.1.13 D&I 35 Boonooloo and Cotherstone Roads - Anti-Hoon Speed Hump Program

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 35/2012)

That Council:

1. Supports the withdrawal of the projects to install speed cushions on Boonooloo Road and Cotherstone Roads, Kalamunda, from the 2011/12 Budget.

10.1.14 D&I 36 Councillor Nominations – Eastern Subgroup of Metropolitan Regional Road Group

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 36/2012)

That Council:

1. Nominates Cr John Giardina to the Subgroup to represent Shire of Kalamunda.

10.1.15 D&I 37 Update on Electrical Audits

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 37/2012)

That Council:

1. Notes the update on Electrical Audit of Shire facilities and associated remedial work.

For Separate Consideration

10.1.16 D&I 26 Shire of Kalamunda Keeping and Control of Animals and Nuisance Amendment Local Law 2012

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 26/2012)

That Council:

1. That Council resolves to make the Shire of Kalamunda Keeping and Control of Animals and Nuisance Amendment Local Law 2012 as shown in (Attachment 2).

Moved:

Seconded:

Vote: **ABSOLUTE MAJORITY REQUIRED**

**10.1.17 D&I 28 The Parking of One Commercial Vehicle – Lot 100 (17)
Emanuel Court, Wattle Grove**

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 28/2012)

That Council:

Defer a decision to the Ordinary Council Meeting 16 April 2012

This matter was considered at the Development and Infrastructure Committee Meeting on 2 April 2012, and subsequently deferred as further clarification was sought in respect to the use of a driveway on adjoining 18 Emanuel Court.

Following further investigation, the applicant was contacted by planning staff and advised that there was no legal entitlement to use the driveway serving 18 Emanuel Court. The applicant stated that he believed there was a legal agreement allowing access and would provide this documentation in due course.

The applicant has been advised that to progress the application he will need to provide legal documentation showing that he is entitled to use the driveway, or revise the proposal in such a way that access to his site will not be via the driveway.

Until such information is provided, it is recommended that the application be deferred.

OFFICER RECOMMENDATION (D&I 28/2012)

That Council:

1. Defer a decision pending the applicant providing legal documentation showing that his is entitled to share the driveway on adjoining 18 Emanuel Court, Wattle Grove.

Moved:

Seconded:

Vote:

10.1.18 D&I 33 Delegation and Authorisations – *Building Act 2011*

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 33/2012)

That Council:

1. Effective from the proclamation of the *Building Act 2011*, revokes the following delegations:
 - a. LMPA1– Building Approvals (Attachment 1)
 - b. LMPA2 – Buildings (Attachment 2)

2. Effective from the proclamation of the *Building Act 2011*, adopts the following delegation's and authorisations:
 - a. BLD1: Building Matters – Permits, Certificates, and Orders (Attachment 3)
 - b. BLD2: Building Matters – Building Authorisations (Attachment 4)
 - c. BLD 3: Building Matters – Fines, Penalties and Enforcement (Attachment 5)

Moved:

Seconded:

Vote: **ABSOLUTE MAJORITY REQUIRED**

10.2 Corporate and Community Services Committee Report

10.2.1 Adoption of Corporate and Community Services Committee Report

That the recommendations contained in the Corporate and Community Services Committee of 10 April 2012, except withdrawn item C&C 28, be adopted.

Moved:

Seconded:

Vote:

10.2.2 C&C 24 Creditors' Accounts Paid During the Period 27 February to 28 March 2012

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 24/2012)

That Council:

1. Receives the list of creditors paid during the period 27 February to 28 March 2012 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

10.2.3 C&C 25 Monthly Financial Statements for the Eight Months to 29 February 2012

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 25/2012)

That Council:

1. Receives the monthly financial statement which comprises the Statement of Financial Position, Equity Statement, Statement of Comprehensive Income by Nature and Type, Statement of Comprehensive Income by Program, Rate Setting Statement and Reserve Balances Statement for the period ending 29 February 2012.

10.2.4 C&C 26 Debtors and Creditors Reports for the Period Ended 29 February 2012

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 26/2012)

That Council:

1. Receives the outstanding debtors (Attachment 1) and creditors (Attachment 2) reports for the period ended 29 February 2012.

10.2.5 C&C 27 Rates Debtors Report for the Period Ending 29 February 2012

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 27/2012)

That Council:

1. Receives the rates debtors report for the period ended 29 February 2012 (Attachment 1).

10.2.6. C&C 29 Land Asset Assessment – Public Consultation for Portion Reserve 32494 Lincoln Road Forrestfield

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 29/2012)

That Council:

1. Notes the Officer's proposal and preliminary concept.
2. Authorises the commencement of the Community Consultation process as is required by the Western Australia State Government as part of the 20A Reserve acquisition process.
3. Requests that the outcome of the community consultation process is reported to Council before lodging the application with the Department for Regional Development and Land.

10.2.7 C&C 30 Ray Owen Reserve – Kalamunda & Districts Football Club Players Shelters

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 30/2012)

That Council:

1. Approves a contribution of \$4701.05 being 50% of the cost of installation of the players' shelters at Ray Owen Reserve.

10.2.8 C&C 31 CONFIDENTIAL REPORT – Land Asset Assessment – Acquisition of Reserve 31117 Headingly Road Kalamunda
Reason for Confidentiality - Local Government Act 1995: Section 5.23(2) (e)(ii), "information that has a commercial value to a person".

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 31/2012)

That Council:

1. Authorise the Chief Executive Officer to commence negotiations for a Freehold Title Exchange with the State Government of Western Australia with respect to the properties at:
 8 Lindsay Street Kalamunda and Reserve 31117 Headingly Road Kalamunda.
2. Seek the Minister for Lands' approval to the land exchange of Crown Reserve 31117 Headingly Road, Kalamunda with Council freehold property – Lot 42 (8) Lindsay Street, Kalamunda, and Certificate of title Volume 1699 Folio 878.

3. On completion of the freehold title exchange, the Chief Executive Officer be authorised to dispose of the newly created freehold lot.
4. That a report be presented to Council outlining proposals for the future use of 8 Lindsay Street as a community purpose site.

10.2.9 C&C 32 CONFIDENTIAL REPORT - Lots 49 and 15401 Elmore Way, High Wycombe – Legal Agreement

Reason for Confidentiality - Local Government Act 1995: Section 5.23(2) (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".

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 32/2012)

That Council:

1. Advise the applicant that it will accept a revision to the Concept Development Plan in which five (5) parking bays are indicated and that these bays be provided at the applicants cost prior to the release of the cash in lieu funds.
2. Approve the Shire Staff undertaking the construction of the car parking bays upon receipt of the funds from the land owner.
3. Advise the applicant that subsequent to the receipt of the funds for the parking bays noted in 1. above, the Director Development and Infrastructure be authorised to sign off that the provisions of the legal agreement have been generally met in respect to the Public Open Space works.
4. Advise the Western Australian Planning Commission that it reiterates its previous request to the Minister for Planning for the expenditure of cash in lieu funds of \$278,988 under subdivision approval 134818 for Lot 49 (Reserve 47766) Elmore Way, High Wycombe. Further, that it considers that the expenditure can include the water feature on the Public Open Space as it has no restriction to public access.

For Separate Consideration

10.2.10 C&C 28 Building Act 2011 and Implications to the Shire

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 28/2012)

That Council:

1. Agrees to the Shire offering a Certification Service to the public at commercially competitive rates (Attachment 1).
2. That the proposed scale of fees and charges for undertaking a certification service for Certified Building Applications be approved for advertising (Attachment 2).

Moved:

Seconded:

Vote: **ABSOLUTE MAJORITY REQUIRED**

10.3 Audit Committee Report

10.3.1 AC 4 Report on the Kalamunda Water Park and Shire Purchasing Policy

That Council:

1. Receives the report on the Kalamunda Water Park and Shire Purchasing Policy prepared by Deloitte.
2. The Chief Executive Officer implements the recommendations in the report.

Moved:

Seconded:

Vote:

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.1 Motion – Cr Frank Lindsey**

That Council:

1. Advise the Premier of the State of Western Australia, the Minister for Local Government, the Leader of the Opposition, the Shadow Minister for Local Government, our local members of the Legislative Assembly and Legislative Council, the Metropolitan Local Government Review Panel and the President of the Western Australian Local Government Association, that this Council calls upon the Parliament of Western Australia to forever uphold and not dilute our constituents' right to self-determination as embodied in clauses 8, 9 and 10(2) of Schedule 2.1 of the *Local Government Act 1995 (WA)*.
2. Request the recipient of each such letter to notify our Council by written reply as to whether they do support and will continue to support the preservation without dilution of our constituents' right to self-determination as embodied in clauses 8, 9 and 10(2) of Schedule 2.1 of the *Local Government Act 1995 (WA)*.
3. Provide to the Secretariat of the Councils for Democracy a copy of each of our above letters and any responses that our Council receives, for use in demonstrating collective support for our constituents' right to self-determination in clauses 8, 9 and 10(2) of Schedule 2.1 of the *Local Government Act 1995*.

Moved:

Seconded:

Vote:

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE**12.1 Cr Noreen Townsend – Skatepark**

- Q. Is there any progress on the Skatepark Petition and the Resolution of Council – has this progressed at all?
- A. Shire Officers were intending to progress the audit and had prepared a budget listing for the 2012/2013 budget process. It has recently come to light, however, that the Shire should act sooner rather than later given the opportunity to secure funding through the forthcoming election process. A report will be developed as soon as possible utilising costings and design associated with the development of the Fleming Reserve Skate Park as well as some possible locations in Forrestfield in order that a submission can be lodged with the State Government early in the new financial year. Discussions will be held with the youth from Forrestfield who signed the petition in order to see if the design being proposed will meet their needs or if they have alternative ideas to provide.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Chief Executive Officer Performance Review

CONFIDENTIAL ITEM - Provided under separate cover.

Reason for Confidentiality - *Local Government Act 1995* s.5.23 (2) (a) – a matter affecting an employee or employees.

This item will be dealt with at 15.0.

15.0 MEETING CLOSED TO THE PUBLIC

15.1 C&C 31/2012 Land Asset Assessment – Acquisition of Reserve 31117 Headingly Road Kalamunda

If discussion is required to be dealt with at 15.0 on this Agenda.

Reason for Confidentiality - *Local Government Act 1995*: Section 5.23(2) (e)(ii), *"information that has a commercial value to a person"*.

15.2 C&C 32/2012 Lots 49 and 15401 Elmore Way, High Wycombe, Legal Agreement

If discussion is required to be dealt with at 15.0 on this Agenda.

Reason for Confidentiality - *Local Government Act 1995*: Section 5.23(2) (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"*.

15.3 Chief Executive Officer Performance Review

CONFIDENTIAL ITEM - Provided under separate cover.

Reason for Confidentiality - *Local Government Act 1995* s.5.23 (2) (a) – a matter affecting an employee or employees.

16.0 CLOSURE