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Shire of Kalamunda

# General Services Committee

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Minutes for 3 April 2006



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 SHIRE OF KALAMUNDA
 

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 3 April 2006

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Minutes of General Services Committee  
held in the Council Chamber,  
2 Railway Road, Kalamunda  
Monday, 3 April 2006

1.0 OFFICIAL OPENING

1.1 The Chairman opened the Meeting at 7pm and welcomed Councillors staff and members of the public gallery.

2.0 APOLOGIES AND LEAVE OF ABSENCE

2.1 PRESENT

**Councillors**

E Taylor	(SHIRE PRESIDENT) NORTH WARD
D McKechnie	NORTH WARD
N Sadler	(CHAIRPERSON) SOUTH WEST WARD
A Morton	SOUTH WEST WARD
P Tonkin	SOUTH WARD
J Giardina	SOUTH WARD
S Bilich	SOUTH WARD
M Casey	NORTH WEST WARD
M Cresswell	NORTH WEST WARD
J Winterhalder	EAST WARD

**Officials**

D Vaughan	CHIEF EXECUTIVE OFFICER
G Parslow	EXECUTIVE MANAGER CORPORATE SERVICES
K O'Connor	EXECUTIVE MANAGER RESIDENTS' SERVICES
S Burrows	EXECUTIVE MANAGER PLANNING AND DEVELOPMENT SERVICES
M Singh	EXECUTIVE MANAGER ENGINEERING SERVICES
B Millan	EXECUTIVE ASSISTANT
R Briede	MANAGER LIBRARY SERVICE
J Smith	MANAGER HEALTH SERVICE
F Lund	MINUTE SECRETARY

**Apologies**

S Blair (Leave of Absence)	NORTH WARD
D Sadler (Leave of Absence)	SOUTH WEST WARD

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**Observers** Nil

**Newspapers** Echo

### 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 this Committee. For the purposes of Minuting, these questions and answers are summarised.

3.1 Nil

### 4.0 PETITIONS

#### 4.1 **Residents of Francis Road and Patricia Road, Kalamunda**

Request for street lighting to be installed at both ends of the laneway, which runs along the back of the properties owned by the petition signatories.

### 5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 That the Minutes of the General Services Committee Meeting held on 7 March 2006 is confirmed as a true and correct record of the proceedings.

Moved: (Cr Taylor)

Seconded: (Cr McKechnie)

#### **CARRIED UNANIMOUSLY**

### 6.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

6.1 Nil

### 7.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

7.1 Nil

### 8.0 DISCLOSURE OF INTERESTS

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).

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 has given or will give advice.

**Councillor Casey – Item 37 Community Safety and Crime Prevention Plan Advisory Group**

Disclosure of Interest Affecting Impartiality – Councillor Casey is the Treasurer of Investing in Communities Forrestfield Local Committee.

**Councillor Casey – Item 37 Community Safety and Crime Prevention Advisory Group**

Disclosure of Interest Affecting Impartiality – Cr Casey is on the Steering Committee of the Eastern Districts Local Chamber of Commerce

9.0 REPORT TO COUNCIL

**Please Note:**

Strategic and Policy related items are bolded and will be dealt with as the first items of business.

**Declaration of financial/conflict of interests to be recorded prior to dealing with each item**

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<b>42.</b> Proposed Street Names for Subdivision of Lots 57, 59 and 60 St John Road, Wattle Grove .....	38
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## REPORTS

Declaration of financial/conflict of interests to be recorded prior to dealing with each item

### 28. Creditors Accounts Paid - March 2006 (FI-CRS-002) (Corporate Services)

#### **Purpose of Report**

1. To receive creditors' accounts paid for the month of March 2006.

#### **Background**

2. It is a requirement of the Local Government (Financial Management) Regulations 1996 (Regulation 12) that a list of Creditors' Accounts Paid be compiled each month.
3. This list is required to show the payee's name, amount of payment, provide sufficient information to identify the transaction and the date of the meeting of Council to which it is to be presented.

#### **Comments**

4. Accordingly, the list of Creditors' Paid from 9 March 2006 to 28 March 2006 is attached ([Attachment 1](#)).
5. **The Chairperson informed the meeting that cheque number 52421, where the description for the cheque payment was for *Rate Payment Adjustment* should read *Investment*.**

COMMITTEE RECOMMENDATION TO COUNCIL

GS

28/2006

1. The list of Creditors' paid from 9 March 2006 to 28 March 2006 as per ([Attachment 1](#)) be received by Council in accordance with the requirements of Regulation 12 of the Local Government (Financial Management) Regulations 1996.

Moved: (Cr Taylor)

Seconded: (Cr Winterhalder)

**CARRIED UNANIMOUSLY**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

29. Financial Statements for the Month Ending 28 February 2006  
(FI-SRR-006) (Corporate Services)

**Purpose of Report**

1. To receive financial statements and operating statements

**Background**

2. Attached ([Attachment 1](#)) is the summary of the financial statements for the period ending 28 February 2006. In accordance with Section 34 (1) (e) of the Local Government (Financial Management) Regulations 1996 a statement showing net assets is included.
3. Additionally, in accordance with the Local Government (Financial Management) Regulations 1996, an operating statement ([Attachment 2](#)) is included for the same period.

**Comments**

4. Nil

COMMITTEE RECOMMENDATION TO COUNCIL                      GS              29/2006

1. That financial statements and the accompanying operating statement for the period ending 28 February 2006 be received.

Moved: (Cr Casey)

Seconded: (Cr Morton)

**CARRIED UNANIMOUSLY**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

30. Audit Committee - Meeting 13 March 2006  
(FI-AUD-003) (Corporate Services)

**Purpose of Report**

1. To report to Council on the outcomes of the meeting of the audit committee held on 13 March 2006.

**Background**

2. The Terms of Reference state that the Audit Committee will report through an open Committee, General Services Committee, to Council.

**Comments**

3. In accordance with this requirement the minutes of the 13 March 2006 meeting of the Audit committee are attached ([Attachment 1](#)).
4. The following item of business was dealt with:  
  
Local Government Compliance Audit Return – 2005.

COMMITTEE RECOMMENDATION TO COUNCIL                      GS              30/2006

1. That Council receives the minutes of the 13 March 2006 meeting of the Audit Committee.  
  
Moved: (Cr Taylor)    Seconded: (Cr Winterhalder)

**CARRIED UNANIMOUSLY**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

### 31. Review of Code of Conduct (OR-CMA-022) (Corporate Services)

#### Purpose of Report

1. To comply with legislative requirements to review Council's code of conduct.

#### Background

2. The local Government Act 1995 Section 5.103 (2) requires a local government to review its code of conduct within 12 months after each ordinary Election day and make such changes to the code as it considers appropriate.
3. The last ordinary election was May 2005, the code of conduct is to be reviewed by 1<sup>st</sup> May 2006.
4. Regulations prescribe the content of codes of conduct – refer to Local Government (Administration) Regulations 1996 Section 34B and 34C.

#### Comments

5. Council's current code of conduct is embodied in Policy CS 1.15 – This current policy generally complies with legislative requirements.
6. In the review of existing Council policies distributed to members in September 2005 (document titled First Draft – 21 September 2005) the proposed code of conduct is embodied in Policy AA – 150 – 1. (Pages 1 to 6 of the distributed document.)
7. The proposed reviewed policy differs marginally from existing policy.

The areas of difference are;

Code of Conduct		
Existing Policy	Proposed Policy	Comment
CS 1.15	AA – 150 – 1	
<u>Section 2.4(d)</u> -Members and employees may accept a token gift or act of hospitality with a value between \$100 and \$200.	<u>Section 7(d)</u> -Members and employees may accept a token gift or act of hospitality with a value up to \$200.	Allows gifts valued up to \$200 to be recorded in the Token Gift Register. Previously only gifts valued between \$100 and \$200 to be recorded.

<p><u>Section 2.4(e)</u></p> <p>-Gifts valued less than \$100 to be considered exempt.</p>	<p>Deleted – no corresponding Section.</p>	<p>No exempt gifts provided for.</p>
<p><u>Section 4.3(a)</u></p> <p>-Employees will ensure that members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as members.</p>	<p>Deleted no corresponding Section.</p>	<p>The Local Government Act 1995 – Section 5.92 makes provision for a member to have access to any information held that is relevant to the performance of functions under the Act. There is no need for a policy on this matter.</p>
<p><u>Section 4.3(b)</u></p> <p>Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.</p>	<p><u>Section 19.</u></p> <p>Members should ensure that any information provided is used properly to assist in the process of making reasonable and informed decisions on matters before the Council.</p>	<p>Reworded to better reflect policy requirement.</p>

8. Additionally there are some areas of update and minor correction to be carried out to the proposed reviewed policy.

These include:

Amend references to the Department of Local Government to reflect new title.

Expand the wording of Sections 3.a and 7.a to more closely reflect legislation requirements.

Correct reference in Section 14.c to proposed reviewed policy ((i.e. 3.6(b) becomes 13.b)

9. A copy of the updated proposed policy AA-150-1 – Code of Conduct is appended ([Attachment 1](#)).

## COMMITTEE RECOMMENDATION TO COUNCIL GS 31/2006

1. That in accordance with the requirements of Section 5.103 of the Local Government Act 1995 Council adopts the code of conduct (Policy AA – 150 – 1) as detailed in [\(Attachment 1\)](#).
2. That the Committee Recommendation to Council be accepted with the following amendments to [\(Attachment 1\)](#)

**Point 1 – Original:**

- a. Elected members, committee members and Council employees will ensure that there is no conflict of interest (actual or perceived) between their personal interests, including those of their immediate family members, business partners or close associates, and the impartial fulfilment of their professional duties.

**Point 1 – Amended to:**

- a. **Elected members, committee members and Council employees will ensure that there is no conflict of interest between their personal interests, including those of their immediate family members, business partners or close associates, and the impartial fulfilment of their professional duties.**

**Point 7 – Original:**

- d. Members and employees may accept a token gift or act of hospitality with a value of up to \$200.

**Point 7 – Amended to:**

- d. **Members and employees may accept a token gift or act of hospitality with a value between \$100 and \$200.**

Moved: (Cr Winterhalder)

Seconded: (Cr Tonkin)

**Point 19– Added:**

**Employees will ensure that members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as members.**

Moved: (Cr McKechnie)

Seconded: (Cr Giardina)

**For**

Cr Bilich  
 Cr Giardina  
 Cr Tonkin  
 Cr Casey  
 Cr Cresswell  
 Cr McKechnie

**Against**

Cr Taylor  
 Cr Winterhalder  
 Cr Morton  
 Cr N Sadler

**CARRIED**

**Point 15 – Original:**

The Chief Executive Officers and other members of staff will work as part of the Council team. That teamwork will only occur if Members and employees have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position Members need to:

- accept that their role is one of policy and strategic direction;
- acknowledge that the day to day management and administration of local government is the responsibility of the Chief Executive Officer;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility;
- the Chief Executive Officer will direct and deploy resources in support of the Council's strategies, policies and decisions.

**Point 15 – Amended to:**

**The Chief Executive Officers and other members of staff will work as part of the Council team. That teamwork will only occur if Members and employees have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position Members need to:**

- **accept that their role is one of policy and strategic direction;**
- **acknowledge that the day to day management and administration of local government is the responsibility of the Chief Executive Officer;**
- **acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;**
- **the Chief Executive Officer will direct and deploy resources in support of the Council's strategies, policies and decisions.**

Moved: (Cr Bilich)

Seconded: (Cr McKechnie)

**For**

Cr Bilich  
Cr Giardina  
Cr McKechnie

**Against**

Cr Tonkin  
Cr Morton  
Cr Casey  
Cr Cresswell  
Cr Winterhalder  
Cr Taylor  
Cr N Sadler

**MOTION WAS LOST**

**Point 15 – Original:**

The Chief Executive Officers and other members of staff will work as part of the Council team. That teamwork will only occur if Members and employees have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position Members need to:

- accept that their role is one of policy and strategic direction;
- acknowledge that the day to day management and administration of local government is the responsibility of the Chief Executive Officer;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility;
- the Chief Executive Officer will direct and deploy resources in support of the Council's strategies, policies and decisions.

**Point 15 – Amended to:**

**The Chief Executive Officers and other members of staff will work as part of the Council team. That teamwork will only occur if Members and employees have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve this:**

- **Members accept that their role is one of policy and strategic direction;**
- **Members acknowledge that the day to day management and administration of local government is the responsibility of the Chief Executive Officer;**
- **Members acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;**
- **Members and staff refrain from publicly criticising each other in a way that casts aspersions on their professional competence and credibility;**
- **The Chief Executive Officer will direct and deploy resources in support of the Council's strategies, policies and decisions.**

Moved: (Cr Winterhalder)

Seconded: (Cr Tonkin)

**CARRIED UNANIMOUSLY**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

## 32. Rates Report 2005/2006 (OR-MTG-009) (Corporate Services)

### **Purpose of Report**

1. To serve as an introduction for discussion on matters relating to rating, and associated administrative procedures, for the 2005/2006 rating year.

### **Background**

2. Rating outcomes for the current financial year are presented to assist in decision-making for the forthcoming Budget.
3. The following Rates Report for the 2005/2006 financial year covers the period 1 July 2005 to 1 March 2006.

### **Comments**

#### 4. **Rate Collection**

The amount of rates levied on 20 July 2005 was \$13,617,599. Excluding deferred rates and Emergency Services Levy, the balance outstanding at 28 February 2006 was \$2,581,601. This is a collection rate of 81.0%. This compares to 80.2% at the same time last year.

Legal action has been taken for the recovery of unpaid rates. Where a ratepayer does not elect to pay by the four instalment option, does not make alternative arrangements with rates staff, and does not pay by the due date, a series of notices are issued. A Final Notice is issued initially. Where there is no response to this, the Shire's debt collection agency (currently Dun & Bradstreet) issue a notice of intention to take legal action. Where there is still no payment, or alternative arrangement made in writing, a Court Claim (previously called a Summons) is issued through the Magistrates Court.

A total of 117 Court Claims have been issued this rating year. Further legal action will be taken after the due date of the final rate instalment.

#### 5. **Interim Rates**

Since the initial levy of rates in July, an additional \$233,439 has been raised in interim rates (Budget \$157,000). These interim rates are the result of subdivisions or strata, leading to the creation of new properties, or of additions or alterations to existing properties. More interim rates will be raised before the end of the current financial year, as there are a number of new subdivisions for which valuations have not yet been received from the Valuer General's Office.

There have been 187 new lots created from subdivisions approved in the period 1 July to 1 March, of which 99 have been rated.

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**6. Instalments**

Under the *Local Government Act 1995*, Council is required to offer a four-instalment payment option, with instalments due not less than two months apart.

There is provision in the Act for Council to impose an administration charge where payment is made by instalments. This charge is intended to offset the loss of investment income, and to cover the additional costs related to instalment payments (such as printing and postage of notices). Council, to date, has resolved to not impose such a charge.

**7. Special Payment Arrangements**

People who are unable to pay in full, or by the four-instalment option, are able to make a written arrangement with rates staff to pay off their outstanding rates. Arrangements are only accepted in writing, to ensure that the payment terms are clear, and there is no misunderstanding between staff and ratepayer.

Direct debit arrangements have been encouraged, as the default rate is far lower than for arrangements where the ratepayer makes the payments themselves.

Currently, no instalment charges are levied on special payment arrangements. A return fee of \$2.50 is charged to the Shire for direct debit payments that are unable to be processed due to lack of funds, and this is passed on to the ratepayer. No other penalties apply.

**8. Interest on Overdue Rates and Charges**

Council is authorised under the Local Government Act to charge penalty interest on overdue rates and service charges. While the majority of Councils charge 10-11% per annum, the Shire of Kalamunda in previous years has resolved to not charge interest.

The Emergency Services Levy which is collected by the Shire on behalf of the Fire and Emergency Services Authority (FESA) is liable for an interest charge, if not paid by the due date. This is currently set at 11% per annum. Interest that is collected on this charge is remitted to FESA. A total of \$4,548 in Emergency Services Levy interest has been charged in the period from 1 July 2005 to 1 March 2006.

**9. Pensioners and Seniors**

Pensioners and Seniors are entitled to receive a rebate on their rates, provided that their portion of the rates is paid in full by the end of the financial year. The rebate is paid to the Shire by the Department of Treasury and Finance. Pensioners, as well as Seniors who also hold a Commonwealth Seniors Health Card, can receive a rebate of up to 50% of their rates. Seniors can receive up to 25% of their rates, to a maximum of \$209.25.

Pensioners, as well as Seniors who also hold a Commonwealth Seniors Health Card, are entitled to defer their rates (some exceptions apply). Where rates are deferred, they do not need to be paid until the property is sold, or is no longer occupied by the eligible person. Deferred rates currently total \$264,262. Interest on deferred rates is paid to Council annually by the Department of Treasury & Finance to compensate for loss of investment income.

There are currently 4,457 properties registered for a pensioner or senior rate rebate.

## 10. Rubbish Collection Charges

The annual charge for rubbish collection in 2005/2006 was set at \$202.00.

In previous years, Council has resolved to allow a 50% discount on pensioners' bin service charges. This is not recoverable from Treasury. As at 1 March 2006, there were 3,111 bin services charged at the pensioner rate of \$101.00, representing a total discount of \$314,211. This is effectively subsidised by the 16,039 ordinary services that are charged (equates to \$19.59 per ordinary service).

The issue of absorption of the rubbish rate into the general rate has been considered by Council in previous years. It was again considered during deliberations on the 2005/2006 Budget.

At that time the following recommendation was put forward.

*"1. That due to the following reasons the absorption of the costs of the waste management operations into the general rate not be supported:*

- *It would cause significantly inequitable distribution of costs between properties.*
- *Properties that do not receive a rubbish service (vacant land, some industrial/commercial properties, and remote properties outside the collection district) would be required to contribute to the cost of the service.*
- *There is a risk of losing track of escalating costs of waste management services.*
- *There is a risk that the State Government may consider this as an exercise in cost shifting from local government and may disallow the practice."*

This was supported by the majority of councillors.

## 11. Rate Payment Methods

The payment methods that were available in 2005/06 were:

- In Person – at the Administration Centre,  
at any branch of the Commonwealth Bank in Australia,  
at any Australia Post office or agency,  
at newsagencies with Bill EXPRESS facilities.
- By Phone - via BPay through the ratepayer's financial institution,  
by credit card by calling the Bill EXPRESS facility.
- By Mail - to the Locked Bag facility (collected and processed by the  
Commonwealth Bank),  
to the Administration Centre.
- By Direct Debit - by written arrangement with rates staff.
- By Internet - part of the Bill EXPRESS system, via the Shire's website.

Bill EXPRESS was introduced as a replacement to the Telstra Billpay system used in previous years. This was due to the Western Australian Local Government Association changing their preferred supplier of bill payment services.

The four most popular payment methods continue to be Australia Post, Administration Centre (by post or in-person), BPay, and credit card payments over the phone ([Attachment 1](#)).

Few people paid at newsagencies; however this may increase as the number of agencies offering the service grows. This facility is included as part of the Bill EXPRESS package.

Direct debit is available for weekly or monthly special arrangement payments only. It is not listed as a payment method on the rate notice at this stage. It is a low-cost payment option, and is very effective for special payment arrangements.

The number of transactions made during the 35-day rate payment period through the Commonwealth Bank, via the Locked Bag or at bank branches, was comparatively low (550 in total). While these payment methods are not the most expensive ([Attachment 2](#)), their low usage could justify their discontinuance.

Reducing the number of payment methods would make the processing of payments and the tracing of dishonoured payments easier, and would allow more space on the Rate Notice. Currently, the "Payment Methods" section on the Rate Notice is quite small, which can make it difficult for some ratepayers to read.

The Bill EXPRESS option has the highest cost, because all payments are made by credit card, and are therefore all subject to a merchant service fee. The merchant service fee for Bill EXPRESS payments is set at 0.654%, compared to 0.880% for credit card payments made through Australia Post. The transaction fees for Bill EXPRESS are also lower - 19 cents per phone transaction, 17 cents per internet payment, and \$1.25 per over-the-counter newsagency payment. Australia Post payment fees are set at \$1.80 per transaction.

## 12. **Revaluation**

New valuations are received each year for all properties rated on an Unimproved Value (UV). A revaluation of all properties rated on a Gross Rental Value (GRV) is carried out every three years. The GRV revaluation occurred this year, with the new valuations coming into effect from 1 July 2005.

As a result of the GRV revaluation, there was an overall increase in the value of GRV properties of 14.7%. Consequently, the GRV rate in the dollar was reduced from 7.57 cents in 2004/2005 to 6.84 cents in 2005/2006.

## 13. **Minimum Rate**

The minimum rate was set at \$450, increased from \$435 last year.

## 14. **Rates Incentive Prizes**

In order to encourage ratepayers to pay their rates in full by the due date, prizes have been offered each year. A prize draw has been held, with winners drawn at random.

In previous years, local businesses have been contacted, and advertisements have been placed in local newspapers, encouraging local businesses to donate incentive prizes.

The 34 prizes that were offered in 2005/2006 were:

(1) – (25)	\$1,000 cash	Donated by the Shire of Kalamunda
(26)	\$500 cash	Donated by Forrestfield Community Bank Branch (Bendigo Bank)

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(27)	\$250 cash	Donated by Rev-It Finance Pty Ltd
(28)	Herbalife Gift Voucher	Donated by Julie Johnson
(29)	Five Hours' Bobcat or Mini-Excavator Hire	Donated by Dino's Diggers Pty Ltd
(30)	Naturopathic Services	Donated by Andrea Gabriel Natural Health & Therapy Centre
(31) – (32)	2 Concert Tickets	Donated by the West Australian Symphony Orchestra
(33)	Bowen Therapy Treatment	Donated by Hills Bowen Therapy Centre
(34)	One Night's Accommodation	Donated by Aspen Parks

Aside from an offer of tickets from the WA Symphony Orchestra, no prize donations have yet been received for 2006/2007. If Council decides to offer rate prizes in the coming year, previous donors will be contacted to find if they are interested in donating a prize again. "Expression of interest" advertisements will also be placed in local newspapers.

15. **For Consideration in 2006/2007**

- Penalty interest to not be imposed on outstanding rates.
- Administration fee to not be imposed on payments made by the four-instalment option.
- Special arrangements (direct debit wherever possible) continue to be offered to ratepayers who are unable to pay in full or by the four-instalment option, at no additional cost to the ratepayer.
- That the annual charge for rubbish collection remain separate from the general rate.
- Incentive prizes again be offered to encourage the payment of rates in full by the due date.
- Council again offers a total of \$25,000 in rate incentive prizes, in lieu of a discount for early payment of rates.
- Commonwealth Bank branch and Locked Bag payments to be discontinued. Other current payment methods to be maintained, that is: Australia Post, Bill EXPRESS, Shire Administration Centre in-person and mail payments, BPay and Direct Debit.

## RECOMMENDATION

1. That Council notes the points raised in Point 15 above as forming the basis of 2006/2007 rating considerations.

## RECOMMENDATION

1. **That Council notes the points raised in Point 15 above as forming the basis of 2006/07 rating considerations with the following amendments;**
  - **Council give consideration to imposing a penalty interest on outstanding rates.**
  - **Council give consideration to imposing an administration fee on payments made by the four instalment option.**

Moved: (Cr Winterhalder)

Seconded: (Cr Tonkin)

**For**

Cr Bilich  
Cr Tonkin  
Cr Winterhalder

**Against**

Cr Giardina  
Cr Morton  
Cr Casey  
Cr Cresswell  
Cr Taylor  
Cr McKechnie  
Cr N Sadler

**MOTION WAS LOST**

COMMITTEE RECOMMENDATION TO COUNCIL GS 0/2006

1. **That Council notes the points raised in Point 15 above as forming the basis of 2006/2007 rating considerations.**

Moved: (Cr Taylor)

Seconded: (Cr Casey)

**For**

Cr N Sadler  
Cr Giardina  
Cr Morton  
Cr Casey  
Cr Cresswell  
Cr Taylor  
Cr McKechnie

**Against**

Cr Bilich  
Cr Tonkin  
Cr Winterhalder

**CARRIED**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

33. Village Development High Wycombe  
(EG-CMP-016) (Engineering Services)

Refer Item: N/A

Applicant: N/A

Owner: N/A

### Purpose of Report

1. To consider options for the High Wycombe Village Improvements.

### Background

2. The 2005/06 Works Budget provides \$459,000 for traffic improvements and street scaping in Forrestfield and High Wycombe, under the Village Development Programme, including \$209,000 carried over from 2004/05.
3. Five options have been examined as possible projects under the programme which include the upgrade of three sections of Kalamunda Road, the upgrade of Newburn Road and development of several entry statements to High Wycombe. A brief description and concept design for each of the proposals is presented in the report appearing at ([Attachment 1.](#))
4. Projects under the Village Development Programme are in addition to the planned public art feature in High Wycombe, which is being progressed as a separate project being funded from the Strategic Marketing Programme allocation.

### Comments

5. The proposals for the three sections of Kalamunda Road ie. Abernethy Road to Wittenoom Road, Wittenoom Road to Newburn Road and Newburn Road to Hawkevale Road, have been developed in accordance with the layout adopted for the recent Metropolitan Regional Scheme Amendment (MRS). The upgrade includes the widening of Kalamunda Road requiring the resumption of land from adjoining properties. In some cases this land could become available free of cost when these properties are developed. In addition, these projects may attract external funding either from the State Government or from the developers of the adjoining properties. Accordingly, it is proposed that these projects are considered at a more opportune time in the future.
6. Upgrade of the full length of Newburn Road, with associated landscape works, is the preferred project. The concept design for the project appears at Appendix 4 of the report ([Attachment 1.](#)). The estimated cost of the project is approximately \$600,000 to \$700,000 subject to the development of a detailed design. It is possible to stage the project for progressive completion, within budget allocations.
7. The fifth project, to construct a number of entry statements at various entry points to High Wycombe, is an option which should only be considered in conjunction with design and development of entry statements for the whole of the Shire, in order that a uniformed theme is maintained.

COMMITTEE RECOMMENDATION TO COUNCIL                      GS      33/2006

1. That projects, as outlined in the report appearing at ([\*Attachment 1.\*](#)), be endorsed for future programming and external funding applications.
2. That Project 4, being 'road improvements and landscaping work' in Newburn Road, High Wycombe, be adopted under the 2005/06 Village Development Programme.
3. That the first stage of the project be carried out within the current financial year's allocation.

Moved: (Cr Casey)

Seconded: (Cr Cresswell)

**CARRIED UNANIMOUSLY**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

34. Award of Tender - Maintenance of Pumping Installations  
T0506

(AD-TEN-009) (Engineering Services)

Refer Item: N/A

Applicant: N/A

Owner: N/A

### Purpose of Report

1. To recommend to Council the acceptance of the Tender for the Maintenance of Pumping Installations T0506.

### Background

2. Tenders for the Maintenance of Pumping Installations (T0506) closed on Wednesday 21 December 2005.
3. Submissions were received from JLR Pumps, Statewide Pumps and KS Black Pty Ltd. A summary table of the submitted prices is shown at ([Attachment 1.](#))
4. Tenderers were required to respond to selection criteria, including relevant experience, skills and experience of key personnel and project operation. A summary of those responses is included at ([Attachment 2.](#))

### Comments

5. The cost of maintaining reticulation installations, as applied to tendered work, is carried by each reticulated reserve in the Parks Maintenance Budget. Generally between one third to a half of the expenditure is for labour, with the remaining costs being for parts and new pumps.
6. The Tender makes provision for the Shire to obtain quotes on the open market, to obtain best value for money, where it is more advantageous to purchase a new pump rather than repair the existing one, in the event of a major failure.
7. It is difficult to obtain in advance an accurate comparison rate for the cost of parts, over the three year life of the Tender, as the trade price which repairers obtain, may vary depending on their most recent turnover and/or whether the parts are custom made or 'off the shelf'.
8. JLR Pumps rates are the lowest for five of the tendered items, with Statewide Pumping Services having the lowest rates for 3 items and KS Black Pty Ltd with 1 lower rate. JLR Pumps meets the selection criteria specified in the Tender document and accordingly are recommended for the awarding of the Tender.

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COMMITTEE RECOMMENDATION TO COUNCIL                      GS            34/2006

1. That T0506 Maintenance of Pumping Installations is awarded to JLR Pumps, based on the following rates;

MEG – OHMS Test on a pump motor	\$40	Per test
Pump tests on bores and well volume/pressure/draw down	\$70	Per test
Pump tests at dams and tanks volume/pressure/draw down	\$70	Per test
Withdrawal and replacement of a pump from a bore	\$90	Per hour
Workshop labour for pump and motor repairs	\$40	Per hour
Mark up on purchase cost of spare parts	Less 5 RRP	
Bore development	\$80	Per hour
Static water level measurement	\$40	Per bore
Trouble shooting	\$40	Per hour

Moved: (Cr Cresswell)

Seconded: (Cr McKechnie)

**CARRIED UNANIMOUSLY**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

35. Seniors Week Working Party 2006  
(CO-CEVO-011) (Community Services)

Refer Item: N/A

Applicant: N/A

Owner: N/A

### Purpose of Report

1. To appoint members to the Seniors Week Working Party 2006.

### Background

2. The annual Seniors Week programme is currently developed by a Working Party, which comprises: one representative from the Jack Healey Centre Management Committee, one representative from the Woodlupine Seniors Committee, four Council Members, six independent seniors' representatives.
3. The Seniors Week Working Party is supported by Council's Events Coordinator and Community Services Officer (Seniors). These officers act principally in the capacity of secretary and coordinator. Other Council staff are also heavily involved in various coordination and implementation roles.
4. Due to time constraints during the planning phase of the 2005 event, much of the programme development was carried out by staff before the first meeting of the Working Party in May. This approach will not be necessary in 2006.
5. Due to the past efforts and work of the committee and Council staff, the Seniors Week programme has grown to be a very successful and a well patronised series of events, with the Seniors Expo being the showcase event of the week.
6. The Seniors Week Working Party 2006 may consist of up to twelve members comprising representatives from seniors' centres, four Council members and independent seniors' representatives. Nominations for 6 persons have been received as follows:

Name	Representing
Ann Pierce	Forrestfield Seniors
Lewis Pierce	Woodlupine Bowls/Leisure Seniors
Dave Buttress	Independent seniors representative
Sheila Watkin	Independent seniors representative
John Watkin	Independent seniors representative
Catherine Caitlin	Independent seniors representative

## Comments

7. Anne Pierce - represented Woodlupine Seniors Committee in 2003, 2004, 2005
8. Lewis Pierce – represented Woodlupine Bowls/Leisure Seniors in 2005.
9. Dave Buttress - represented Kalamunda and Districts National Seniors in 2004 & 2005.
10. Sheila Watkin is a new nominee.
11. John Watkin is a new nominee.
12. Catherine Caitlin represented Kalamunda Community Care in 2005. She is no longer involved in this Organisation, however she would like to offer her expertise.

COMMITTEE RECOMMENDATION TO COUNCIL                      GS            35/2006

1. That Council appoint the following persons as members on the Seniors Week Working Party 2006 as listed below:

Name	Representing
Ann Pierce	Forrestfield Seniors
Lewis Pierce	Woodlupine Bowls/Leisure Seniors
Dave Buttress	Kalamunda & Districts National Seniors
Sheila Watkin	Independent seniors representative
John Watkin	Independent seniors representative
Catherine Caitlin	Independent seniors representative

2. That the following Councillor members be appointed to the Seniors Week Working Party:

Name	Representing
Cr Tonkin	Shire of Kalamunda
Cr Taylor	Shire of Kalamunda
Cr Casey	Shire of Kalamunda
Cr N Sadler	Shire of Kalamunda
Cr Bilich	Shire of Kalamunda

Moved: (Cr Cresswell)

Seconded: (Cr Casey)

**CARRIED UNANIMOUSLY**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

36. Modification to Licence Agreement - Walliston Riding and Pony Club (Inc)

(BR-16/010) (Community Services)

Refer Item: N/A

Applicant: Walliston Riding and Pony Club

Owner: Shire of Kalamunda

### **Purpose of Report**

1. To consider a request to modify the Walliston Riding and Pony Club (Inc) grounds maintenance obligations in their licence agreement.

### **Background**

2. The Walliston Riding and Pony Club (Inc) was founded in 1958 and has remained at its current site on Boronia Road Walliston (Reserve Number 17086) during this time.
3. The club entered in to a Licence Agreement with the Shire of Kalamunda in 1988 with an initial term of three years with six, three year options. Five options have been taken and the sixth option is due to be taken on March 31 2006.
4. The club has received financial support from Council in the time they have occupied the reserve. Assistance was provided for the establishment of the original clubhouse in 1975 and approximately \$1,000 plus the insurance payout of \$22,000.00 was provided when the clubhouse burnt down in 1988.
5. Some grading of the reserve and harrowing of the arena was conducted by Council each year in the 1980's and some works to repair rainfall damage was completed in 1992. A Shire grant of \$500.00 was given in 2004 for the fencing of a small arena at the site.
6. The club has carried out major works and improvements on the site since its establishment in 1958.
7. The arena is open to all members of the public seven days a week and is actively used by both members and non members outside of club activities.
8. The club caters for riders aged five to twenty five and the facility is also used by two adult riding clubs. Membership numbers are currently 150 and have been growing steadily.

### **Comments**

9. The current Licence Agreement makes the club responsible for all grounds maintenance on the reserve. The Walliston Riding and Pony Club (Inc) have requested that their obligations be reduced with the inclusion of some arena maintenance to be carried out by Council.
10. The club spends approximately \$2,500 each year on basic maintenance to the buildings and accumulates funds each year to reconstruct the main arena once every two to three years. The cost of this was \$9,000.00 in 2005 and \$2,000.00 in 2004 and involves spreading new sand and levelling the site.

- 
11. The club also accumulated funds for major projects such as new stables and improved facilities for members. This requires a large amount of the clubs surplus funds.
  12. The club has a strong commitment to safety of members and abides by the Pony Club Association of Western Australia's Risk Management Policies and guidelines. Changes to regulations in the last five years has resulted in increased costs to the club. Many items essential to the running of the club have had to be replaced to meet the more stringent regulations including new fencing for the dressage arena which cost \$2,100.00 in 2005. Further improvements will be required in the near future to ensure the club remains compliant.
  13. Clause 6a of the clubs Licence Agreement states "that the licensee shall make the area available for use by members of the public and other groups and clubs for equestrian events."
  14. Clause 6b of the Licence agreement states "that the licensee shall allow pedestrian access through those bushland areas within the area not used for equestrian events."
  15. The arena area is freely available for use by members of the public via an opening in the fence of the reserve that has no gate. The club utilise the reserve for club meetings on an average of 52 days each year. Bush walkers and people with dogs regularly use the reserve for exercise.
  16. The club have begun the process of completing a management plan for the reserve and have completed a draft that has been presented to Shire staff. The plan has identified several projects and improvements that will need to be completed over the next five years to ensure that the facility meets the needs of members and continues to adhere to the strict safety conditions imposed by the State Association.
  17. It is proposed that 1/3 of the arena would be resurfaced each year. The additional cost to the Shire to supply sand and level the arena would be approximately \$4,000 per year.
  18. The funds saved from not having to maintain the arena would be used for the further improvement of other facilities on the reserve including the provision of cross country jumps and new fencing to improve the safety of riders.
  19. The improvement of facilities surrounding the club will allow the club to hold larger events which will increase the income the club can produce and further invest in the reserve.
  20. The club would still be required to grade the arena regularly during the year to ensure it remains flat and in good condition.
  21. The club would still be responsible for ensuring that other areas of the grounds are maintained under clause 3(i) of the current Licence Agreement which states "to cut, water and maintain properly all such lawns and hedges to the same standard and numbers as they now are and to water and maintain properly all gardens, trees, shrubs and other flora as are from time to time laid out and planted on the area and where necessary to replace any shrubs and plants that have died or been destroyed."
  22. Walliston Riding and Pony Club (Inc) are one of only two clubs in the Shire that have licence agreements over grounds.
  23. Under the terms of a standard licence agreement the works requested would be considered to be major maintenance. As per other licence agreements, clubs who require assistance with major maintenance obligations should make a request to Council through the non recurrent budget process, on an annual basis.

- 
24. **Anna Marata from the Walliston Pony Club spoke on behalf of the Committee's Recommendation stating that the clubs resources are limited and they are finding difficulty in maintaining the grounds. The meeting was informed that the approximate annual cost of the maintenance works would be in the vicinity of \$4,000.**

RECOMMENDATION

1. That Walliston Riding and Pony Club (Inc) be advised to submit a non recurrent budget application, to assist with the maintenance of their grounds.

COMMITTEE RECOMMENDATION TO COUNCIL                      GS      36/2006

1. **That clause 3(g) of the licence agreement be amended at the lessee's cost to read:**
- (i) **that the Shire provide adequate sand and levelling of 1/3 of the arena at Walliston Riding and Pony Club each year; and**
  - (ii) **that with exception of this work, the club is to pay for all other routine maintenance works.**

Moved: (Cr Winterhalder)

Seconded: (Cr Taylor)

**CARRIED UNANIMOUSLY**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

***Disclosure of Interest Affecting Impartiality*** – *Councillor Casey is the Treasurer of Investing in Communities Forreestfield Local Committee.*

***Disclosure of Interest Affecting Impartiality*** – *Cr Casey is on the Steering Committee of the Eastern Districts Local Chamber of Commerce.*

37. Community Safety and Crime Prevention Plan Advisory Group  
(OR-IGR-027) (Community Services)  
Refer Item: N/A  
Applicant: Shire of Kalamunda  
Owner: Shire of Kalamunda

### Purpose of Report

1. To appoint members to the Shire of Kalamunda Community Safety and Crime Prevention Plan Advisory Group in accordance with the Terms of Reference shown at ([Attachment 1.](#))

### Background

2. In December 2004 Council agreed to enter into a partnership agreement with the City of Swan, the Shire of Mundaring, the Town of Bassendean and the Office of Crime Prevention to develop a District Community Safety and Crime Prevention Plan.
3. To ensure that the views and needs of the Shire of Kalamunda community would be included in the plan, at the April Ordinary Council Meeting (18.4.05), it was resolved:  
  
*"That Council agree to the establishment of a Community Safety and Crime Prevention Plan Advisory Group and adopt the draft Terms of Reference with (Attachment 1), under the heading 'Membership', being changed to read 'Advisory Group be made up to eight members, including one representative nominated by the following stake holders'."*

### Comments

4. The partnership group through the City of Swan have recently recommended the appointment of a suitable consultant to prepare the plan, which is funded via the Office of Crime Prevention.
5. Nominations to the Advisory Group have now been received from the Kalamunda and Forreestfield Police, the Kalamunda and District Chamber of Commerce and Investing in Communities (Safer WA- **Forreestfield**). The Foothills Information and Referral Services declined to provide a nomination due to member's time constraints.
6. It is envisaged that the group will need to meet on three – four occasions during the development phase of the plan and on an as needs basis to monitor and review the implementation of the plan.
7. **Councillors requested the wording in Point 5 be changed from (Safer WA – High Wycombe) to (Safer WA Forreestfield).**

8. **The meeting was informed that the Bassendean Shire Council are hosting a workshop, being run by the consultants, which will present information to their Councillors regarding this initiative. It was decided that a similar workshop be arranged at the Shire of Kalamudna. The consultants are offering this workshop free of charge.**

## RECOMMENDATION

1. That the following representatives be appointed to the Community Safety and Crime Prevention Plan Advisory Group:

Senior Sergeant	Forrestfield Police
Senior Sergeant	Kalamunda Police
President	Kalamunda and District Chamber of Commerce
Cr Bilich	Shire of Kalamunda
Chairperson	Investing in Communities
Executive Manager Community Services or delegate	Shire of Kalamunda

COMMITTEE RECOMMENDATION TO COUNCIL GS 0/2006

1. **That the following representatives be appointed to the Community Safety and Crime Prevention Plan Advisory Group:**

<b>Senior Sergeant</b>	<b>Forrestfield Police</b>
<b>Senior Sergeant</b>	<b>Kalamunda Police</b>
<b>President or Nominee</b>	<b>Kalamunda and District Chamber of Commerce</b>
<b>President or Nominee</b>	<b>Eastern Districts Local Chamber of Commerce</b>
<b>Cr Bilich</b>	<b>Shire of Kalamunda</b>
<b>Chairperson</b>	<b>Investing in Communities</b>
<b>Executive Manager Community Services or delegate</b>	<b>Shire of Kalamunda</b>

Moved: (Cr McKechnie)

Seconded: (Cr Taylor)

**CARRIED UNANIMOUSLY**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

38. Re-allocation of Non-Recurrent Budget Item  
(C0-CCS-061) (Community Services)

Refer Item: N/A  
 Applicant: Shire of Kalamunda  
 Owner: Shire of Kalamunda

### Purpose of Report

1. To consider the re-allocation of the 2005/06 non-recurrent budget item for the Hartfield Park Skateboard ramp.

### Background

2. Funds were allocated in the 2002/2003 non-recurrent budget to upgrade the Hartfield Park Skate bowl. At this stage the Skate bowl was considered antiquated and not meeting the needs of young people in the Forrestfield area.
3. During this period plans were developed and community consultation regarding the Skate bowl occurred, however it was decided that the plans did not meet community expectations at this time. As a result these funds were rolled over into the 2003/2004 budget year in the hope that matching funding could be sought to increase the project fund.
4. In 2003/2004 the Shire applied to the Department of Sport and Recreation through the Community Sporting Recreation Facilities Fund (CSRFF) for an additional \$13,300 towards this project. When this item went through Council for consideration, it was noted that if the funding was not successful, then Council would consider additional funds for the project through the 2004/2005 non-recurrent budget.
5. The application to the Department of Sport and Recreation was unsuccessful.

### Comments

6. The 2005/06 non recurrent budget amount of \$20 000 is insufficient to modify or construct an adequate skate/bicycle facility in the Shire. Research carried out by Shire staff indicate that the cost of a quality skate/bicycle facility now exceeds \$250 000.
7. Alternative funding sources were researched and considered inadequate to provide a quality skate/bicycle facility. The process to acquire the necessary amount of funding would require considerable staff time with no guarantee of success.
8. The reallocation of these funds for the design and construction of BMX dirt jumps would see the following Shire's Youth Services Action Plan strategies become actions:
 

PUBLIC SPACES	"Develop initiatives for young people to have access to safe and appealing public spaces to congregate and engage in leisure pursuits"
(4.3)	"Encourage and involve young people in the design of public parks and open spaces."

- 
9. The design and construction of BMX dirt jumps is also supported by the draft Plan for the Future of the District (2006- 2011) New Initiatives - Social Outcomes:
- 1.6 “..progressively implement the Youth action Plan”
- 1.6 (c) “encourage young people to become volunteers.”
10. Considerable resources from Community Services, Rangers and Engineering are required to investigate and remove informal BMX jumps.
11. Surrounding bushland is often damaged to create informal BMX jumps. Environmental damage affects not only the physical environment, but the conscientious work of environmental ‘friends’ groups who give valuable time to regenerate and protect the unique flora and fauna within the Shire. Environmental damage should reduce as a result of formal BMX jumps being constructed.
12. Written correspondence and verbal support received by the Shire from young people, parents, Kalamunda police and community groups indicate a high level of support for BMX dirt jumps.
13. It is proposed to use the non-recurrent budget funds to reconstruct the BMX dirt jumps, provide seating and signage at the current location on Fleming Reserve in High Wycombe.
14. Estimates for machinery, materials and labour associated with the reconstruction of the established BMX jumps, new seating and signage located at the Fleming Reserve site are based on updated budget elements of ‘The Hub’ proposal, dated December 2004 and estimated to cost between \$15 000 - \$20 000.
15. It is also proposed that BMX dirt jumps be considered in the future on Alan Anderson Reserve in Lesmurdie and the land adjoining at 24 Anderson Road in Forrestfield Public comment procedures would be implemented in the form of a letter box drop to nearby residents before these two proposals were considered further.

#### RECOMMENDATION

1. That Council:
- (i) re-allocate the \$20 000 in the non-recurrent budget for Hartfield Skateboard ramp to the re-construction of BMX dirt jumps, seating and signage on Fleming Reserve in High Wycombe;
  - (ii) endorse the proposal to consider construction of BMX dirt jumps on Alan Anderson Reserve in Lesmurdie; and
  - (iii) endorse the proposal to consider construction of BMX dirt jumps on adjoining land at 24 Anderson Road in Forrestfield.

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**RECOMMENDATION**

1. **That this item be referred back to staff to allow for more discussion to take place with relevant stakeholders on the needs, location and costing of the BMX dirt jumps proposal.**

Moved: (Cr Casey)

Seconded: (Cr Cresswell)

**For****Against**

Cr Bilich  
Cr Tonkin  
Cr Winterhalder  
Cr N Sadler  
Cr Giardina  
Cr Morton  
Cr Casey  
Cr Cresswell  
Cr Taylor  
Cr McKechnie

**MOTION LOST**

COMMITTEE RECOMMENDATION TO COUNCIL

GS 38/2006

1. **That Council re-allocate the \$20,000 in the non-recurrent budget for Hartfield Skateboard ramp, to the construction of BMX dirt jumps on adjoining land at 24 Anderson Road in Forrestfield.**

Moved: (Cr Giardina)

Seconded: (Cr Taylor)

**For****Against**

Cr N Sadler  
Cr Giardina  
Cr Morton  
Cr Casey  
Cr Taylor  
Cr Bilich  
Cr Tonkin  
Cr Winterhalder

Cr McKechnie  
Cr Cresswell

**Absolute Majority**

**CARRIED**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

39. Renewal of Lease for Walliston Pre-primary Centre Over 12 Grove Road, Walliston

(GR-14/012) (Planning and Development Services)

Refer Item: N/A

Applicant: Department of Education and Training

Owner: The Crown

### **Purpose of Report**

1. To consider the extension of the Lease with the Minister of Education for Walliston Pre-primary Centre on 12 Grove Road, Walliston (Reserve 32344)

### **Background**

2. Council currently leases the above site to the Minister for Education, which is occupied by Walliston Pre-Primary. The lease expires on the 21 July 2006.
3. Walliston Primary School has indicated its preference to consolidate its pre-primary program onto the school site, which is on the adjacent Crown Reserve. This would be dependent on the availability of a transportable building for relocation on the school site. It is envisaged that this would occur in 2007.
4. The Department of Education and Training have therefore requested the lease to be extended until the end of 2006 with an option for a further extension for 2007.

### **Comment**

5. A renewal of a lease can occur by an exchange of the letters of agreement between the parties. The terms of the lease would remain as per the current agreement and includes the following:
  - To pay the amount of \$1,878.09 in rent, increased by an amount equal to the Consumer Price Index;
  - To pay all the rates, taxes and outgoings including electricity, telephone, cleaning and gardening;
  - To undertake minor and major maintenance.
6. It is recommended to allow the extension of the present lease until the 31 December 2006 with an option to extend it further until 31 December 2007.

COMMITTEE RECOMMENDATION TO COUNCIL                      GS      0/2006

1. That the Department of Education and Training (DET) be advised that the Council has no objection to the extension of the lease over 12 Grove Road (Reserve 32344), Walliston with the same terms and conditions until 31 December 2006.
2. That the DET is requested to advise the Shire of Kalamunda 3 months prior to the end of the year should they wish to extend the lease into 2007.

Moved: (Cr Taylor)

Seconded: (Cr Winterhalder)

**CARRIED UNANIMOUSLY**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

**CEO left the room at 8.50pm and returned at 8.55pm**

40. Closure of Pedestrian Access Way between Kalmia Way and Wisteria Court, Forrestfield  
(KL-04/GEN) (Planning and Development Services)  
Refer Item: GS 54/2005, PS 53/2005  
Applicant: A Dafterdar  
Owner: Crown Land

**Purpose of Report**

1. To advise Council of the decision of the Department for Planning and Infrastructure regarding the proposed closure of the Pedestrian Access Way (PAW) between Kalmia Way and Wisteria Court, Forrestfield ([Attachment 1](#)).

**Background**

2. Council, at its Ordinary Meeting of 20 June 2005 resolved to request the Department for Planning and Infrastructure (DPI) to support the closure of the subject PAW by way of placing gates at either end.

**Comments**

3. The Council's request was forwarded to the DPI for consideration. The DPI has subsequently advised that it does not support the closure for the following reasons:
- It is considered that this PAW forms part of the strategic pedestrian network for the area, and alternative routes do not provide access of comparable quality and convenience.
  - Its closure would have an adverse impact on the level of access to neighbourhood facilities, public transport routes, and local recreation reserves.
  - Insufficient evidence to demonstrate significant incidents of nuisance and anti-social behaviour presenting a risk to public safety so as to warrant closure.
4. Given that the decision to close the PAW is ultimately with the DPI, it is proposed not to take any further action and residents be advised accordingly.

COMMITTEE RECOMMENDATION

GS 40/2006

1. That Council notes the Department for Planning and Infrastructure's decision not to close the Pedestrian Access Way and residents be advised that there will be no further action in regard to closure of the Pedestrian Access Way.

Moved: (Cr Taylor)

Seconded: (Cr Winterhalder)

**CARRIED UNANIMOUSLY**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

**Cr Winterhalder left the Chambers and 8.58pm and returned at 9pm.  
Cr Taylor left the Chambers at 9.02pm and returned at 9.05pm.**

41. Closure of Pedestrian Access Way (PAW) between Richards Road and Warner Road, High Wycombe (RC-03/GEN) (Planning and Development Services)

Refer Item: N/A

Applicant: C McManus

Owner: Western Agency Pty Ltd

### **Purpose of Report**

1. Council is to consider whether to continue with the closure procedure of the Pedestrian Access Way (PAW) between Richards Road and Warner Road in High Wycombe, as shown at ([Attachment 1.](#)).

### **Background**

2. A request for closure was originally received in 2004 from an adjacent landowner in Richards Road. The request was made on the basis of anti social behaviour in and around the PAW.
3. In accordance with procedure, adjacent land owners were contacted to ascertain if there was tacit support for purchasing a portion of the PAW if it were to be closed. At the time there was insufficient interest in the purchase of the PAW from adjacent land owners and as such, the process for closure did not continue.
4. Another request for closure was received in December 2005, supported by the signatures of two other adjoining owners. The fourth adjoining owner is the State Housing Commission.
5. Although all the signatories to the letter requesting the closure in this instance support the closure, again, with the exception of the applicant, they were not willing to commit to purchase any part of PAW land or contribute to the costs applicable to the closure. The State Housing Commission advised that it did not wish to purchase a purchase a portion of the PAW if it were closed.

### **Comments**

6. The PAW provides access from Richards Road to the amenities at the end of Warner Road including the library, Cyril Road Hall, a Medical Centre, bus stop, shops and school and a church.
7. If the PAW was closed, the maximum additional walking distance would be 450 m or approximately 5 minutes. The pedestrian traffic would divert to Newburn and Cyril Roads, which carry a relatively high volume of traffic.
8. Given that all adjoining land owners have not committed to purchasing a portion of the PAW, it is recommended that the closure not proceed.

- 
9. **Dr McManus spoke against the Recommendation, providing an updated outcome of the survey of the property owners living adjacent to the PAW, of which her son is one. Dr McManus reported that all parties abutting the PAW are not opposed to the closure and that the owners of 278 and 299 are willing to purchase the land, being making it possible for the PAW closure procedure to progress to the next stage.**

RECOMMENDATION

1. That the Council not proceed with the closure of the Pedestrian Access Way between Richards Road and Warner Road, High Wycombe due to the lack of commitment from the adjoining owners to purchase the land or contribute to the cost of the closure.

Moved: (Cr Giardina)

Seconded: Nil

**MOTION LAPSED**

COMMITTEE RECOMMENDATION TO COUNCIL

GS

41/2006

1. **That this matter be referred back to staff for further investigation in respect to a commitment from adjoining landowners to purchase the land.**

Moved: (Cr Taylor)

Seconded: (Cr Winterhalder)

**CARRIED UNANIMOUSLY**

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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

42. Proposed Street Names for Subdivision of Lots 57, 59 and 60  
St John Road, Wattle Grove  
(ST-03/31, 128727) (Planning and Development Services)

Refer Item: N/A

Applicant: Natlan Investments Pty Ltd

Owner: Natlan Investments Pty Ltd

### Purpose of Report

1. Council is to consider street names for a subdivision in Wattle Grove. Council's recommendation is forwarded to the Geographic Names Committee (GNC) of the Department of Land Information for approval.

### Background

2. Council adopted an Outline Development Plan as the basis for subdivision for Cell 9, Wattle Grove at its meeting of September 2000. The Plan was adopted by the WA Planning Commission in March 2001. ([Attachment 1](#)) An application for subdivision of Lots 57, 59 and 60 was approved in September 2005.
3. Street names are required to be shown on survey plans before submission for clearance of the subdivision.

### Comments

4. Four new street names are required for subdivision ([Attachment 2](#)). The names selected by the developer are as follows:

- Kardar Street,
- Kwilena Avenue,
- Kwoka Street and
- Kelang Road.

All the proposed names are aboriginal words for animals.

One existing street name, The Promenade, is to be extended to the north-east.

5. Preliminary liaison with the GNC has indicated its acceptance of these names and it is recommended that the Council endorse the use of the new names.
6. **Due to concern expressed at the unfortunate meaning of one the streets named in the Recommendation, given its double meaning, the Item was referred back to staff for further investigation.**

## RECOMMENDATION                      GS                      42/2006

1. That the Council support the new names of Kardar Street, Kwilena Avenue, Kwoka Street and Kelang Road and the extension of The Promenade as shown on ([Attachment 2](#)) and request the Geographic Names Committee of the department of Land Information to approve these names.

Moved: (Cr Giardina)

Seconded: (Cr Taylor)

**For**

Cr McKechnie  
Cr Taylor  
Cr Cresswell  
Cr Casey  
Cr Giardina

**Against**

Cr Bilich  
Cr Morton  
Cr Tonkin  
Cr Winterhalder  
Cr N Sadler

(The Chairperson exercised her casting vote against the Recommendation)

**MOTION LOST**

## COMMITTEE RECOMMENDATION TO COUNCIL                      GS                      0/2006

2. **That this Item be referred back to staff for further deliberation and clarification.**

Moved: (Cr N Sadler)

Seconded: (Cr Winterhalder)

**For**

Cr Bilich  
Cr Morton  
Cr Tonkin  
Cr Winterhalder  
Cr N Sadler

**Against**

Cr McKechnie  
Cr Taylor  
Cr Cresswell  
Cr Casey  
Cr Giardina

(The Chairperson exercised her casting vote for the Recommendation)

**CARRIED**

10.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

10.1 Nil

11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

**11.1 Cr Bilich asked when will the Working Party recommence meeting to discuss the draft designs for the balance of the Shire's entrance statements. The CEO informed the meeting that Engineering Services are about to call for Tenders for the third entry statement for High Wycombe as part of the Village Improvement Project. The Working Party will commence meeting again in the near future to finalise the 'Plan for the Future' of the Shire and the 'Cultural Plan', which will include entrance statements in their final reports.**

**12.1 Cr McKechnie asked for a list of verges mowed in the Shire, be forwarded to Councillors to keep them abreast of the locations. This will be provided by the Executive Manager Engineering Services on a bi-monthly basis.**

12.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

13.1 Nil

13.0 MATTERS BEHIND CLOSED DOORS

14.1 Nil

14.0 CLOSURE

There being no further business, the Chairman declared the meeting closed at 9.15 pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed ..... Chairman

Dated this .....day of .....2006