
Shire of Kalamunda

General Services Committee

Minutes for 5 June 2007



SHIRE OF KALAMUNDA

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Minutes of General Services Committee
Held in the Council Chambers
2 Railway Road, Kalamunda
Tuesday 5 June 2007

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

S Blair	NORTH WARD
D McKechnie	NORTH WARD
N Sadler	(CHAIRPERSON) SOUTH WEST WARD
D Sadler	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

Officials

M Singh	A/CHIEF EXECUTIVE OFFICER
N Wilson	EXECUTIVE MANAGER CORPORATE SERVICES
K O'Connor	EXECUTIVE MANAGER COMMUNITY SERVICES
D Tomlinson	A/EXECUTIVE MANAGER PLANNING & DEVELOPMENT SERVICES
B Millan	EXECUTIVE ASSISTANT
S Leeson	MANAGER FINANCIAL SERVICE
M Howe	A/MANAGER LIBRARY SERVICE
J Smith	MANAGER HEALTH SERVICE
J Gough	MINUTE SECRETARY

Apologies

E Taylor (SHIRE PRESIDENT) NORTH WARD
D Vaughan CHIEF EXECUTIVE OFFICER
R O'Brien EXECUTIVE MANAGER PLANNING AND DEVELOPMENT SERVICE
J Winterhalder EAST WARD

Observers

2

Newspapers

Community News

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 Nil.

5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 That the Minutes of the General Services Committee Meeting held on 7 May 2007 is confirmed as a true and correct record of the proceedings.

Moved: Cr Cresswell

Seconded: Cr D Sadler

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 Bulk Waste Kerbside Collection Service – Tender T0701

Reason for confidentiality. Local Government Act s.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.

8.0 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.
1. Item 50 – Insurance Contingency Reserve
The Executive Manager Corporate Services declared a financial interest in this item as he is a Board Member on the LGIS and the author of the report.
 2. Item 52 – Ray Owen Sports Centre Management Committee – Nomination for Membership
Cr Bilich declared an interest affecting impartiality in this item as she is the Chairperson for the Ray Owen Management Committee.
 3. Item 54 – Scott Reserve Pavilion Proposed Licence Agreement
Cr Cresswell declared an interest affecting impartiality in this item as he is the Chairperson for the Scott Reserve Management Committee.

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

48. Creditors Accounts Paid for May 2007

Previous Items: Nil
Service Area: Corporate Services
File Reference: FI-CRS-002
Applicant: N/A
Owner: N/A

PURPOSE

1. To receive creditors' accounts paid for the month of May 2007.

BACKGROUND

2. It is a requirement of the Local Government (Financial Management) Regulations 1996 (Regulation 12) that a list of Creditors' Accounts Paid is compiled each month.
3. This 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.

DETAILS

4. Accordingly, the list of Creditors' paid for May 2007 is attached. ([Attachment 1](#))

POLICY IMPLICATIONS

5. Nil

PUBLIC CONSULTATION/COMMUNICATION

6. Nil

STATUTORY AND LEGAL IMPLICATIONS

7. Nil.

FINANCIAL IMPLICATIONS

8. Nil.

STRATEGIC IMPLICATIONS

9. Nil.

OFFICER COMMENT

10. Nil.

MEETING COMMENT

11. Nil.

OFFICER RECOMMENDATION

GS 48/2007

1. That the list of Creditors' Paid for May 2007 attached ([Attachment 1](#)) be received by Council in accordance with the requirements of Regulation 12 of the Local Government Financial Management Regulations 1996.

Moved: Cr Giardina

Seconded: Cr Casey

CARRIED UNANIMOUSLY

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

49. Financial Activity Statements for the Period Ending 30 April 2007

Previous Items: Nil
Service Area: Corporate Services
File Reference: FI-SRR-006
Applicant: N/A
Owner: N/A

PURPOSE

1. To receive financial activity statements.

BACKGROUND

2. Attached are the financial activity statement reports for the period ending 30 April 2007 ([Attachment 1](#)) prepared in accordance with the requirements of Section 34 of the Local Government (Financial Management) Regulations 1996.
3. It is also a requirement of this regulation that each financial year a local government is to adopt a percentage or value to be used in statements of financial activity for reporting material variances.

COMMENTS

4. It has been agreed a percentage value of 10% variance be adopted for the 2006/2007 Financial Activity Statement. This amount is in accordance with the materiality provisions of Australian Accounting Standards (Refer AAS5) which is also set at 10%.
5. Refer ([Attachment 1.](#)) for comments relating to the above mentioned variances.

POLICY IMPLICATIONS

6. Nil.

PUBLIC CONSULTATION/COMMUNICATION

7. Nil.

STATUTORY AND LEGAL IMPLICATIONS

8. Nil.

FINANCIAL IMPLICATIONS

9. Nil.

STRATEGIC IMPLICATIONS

10. Nil.

OFFICER COMMENT

11. Nil.

OFFICER RECOMMENDATION

GS 49/2007

1. That the Financial Activity Statement report for the period ending 30 April 2007 ([*Attachment 1*](#)) be received.

Moved: Cr Tonkin

Seconded: Cr Casey

CARRIED UNANIMOUSLY

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

The Executive Manager Corporate Services declared a financial interest as a board member of the Local Government Insurance Service Municipal Scheme.

The Executive Manager Corporate Services remained in the Chambers as no debate took place on this item.

50. Insurance Contingency Reserve

Previous Items: N/A
Service Area: Corporate Services
File Reference:
Applicant: N/A
Owner: N/A

PURPOSE

1. To set up a reserve fund to provide funding for possible future premiums associated with the Shire of Kalamunda's Workers Compensation Insurance Policy.

BACKGROUND

2. The Shire of Kalamunda is a member of the Local Government Insurance Services (LGIS) Workcover Municipal Insurance Scheme and operates a "burner" policy for its workers compensation provisions.
3. A "burner" policy works on members paying an initial "deposit" provision (2.32%) based on expected total wage and salary costs. The policy year then over a number of years "burns" (accumulates) experienced claims costs at a rating of 75:100 against that deposit amount.
4. If the total "burned" costs for the policy year do not exceed the deposit premium (and that may take many years to tell) then the deposit is the extent of our premium.
5. However, if the claim quantum exceeds the deposit rate we have to pay extra premiums up to a capped maximum of 3.5% of the total wage and salaries for that year. Whilst we aim to keep workers compensation claim costs and through them insurance costs down, there exists a contingent or possible liability on the Shire for previous policy years if they burn past the deposit amount.
6. It is an industry practice to be prudent and set up a reserve fund to protect future ratepayers from incurring a cost that relates to past years.
7. The Shire would transfer funds to the reserve on an annual basis with the rate being set through the budget process. The amount of transfer normally reflects a percentage of the total of the salaries and wages.
8. To be totally protected the reserve would be funded at the difference between the deposit rating of (2.32%) and the maximum (3.5%) but the Shire will set a risk profile based on factors and conditions at that time. To reduce the impact on rates it is

expected that the reserve rate will be built up over a number of years.

DETAILS

9. The reserve would be titled "Insurance Contingency Reserve". Its primary use will be to provide for Workers Compensation Policy premiums.

POLICY IMPLICATIONS

10. Nil.

PUBLIC CONSULTATION/COMMUNICATION

11. Nil.

STATUTORY AND LEGAL IMPLICATIONS

12. Section 6.11 of the Local Government Act states "where a Local Government wishes to set aside monies for use for a purpose in a future financial year it is to establish and maintain a reserve account for each such purpose".

FINANCIAL IMPLICATIONS

13. At the moment the Shire budgets 2.3% of total wages and salaries as its workers compensation cost. This may be the eventual cost but a contingent liability of over 50% of that provision (i.e. up to 3.5% of the total wage and salaries) exist.
14. It is proposed as a strategy and subject to budget approval to progressively increase the budget figure for workers compensation over a number of years to build up the reserve fund to a point where the amount is considered sufficient for the Shires risk profile.
15. To protect the 2006/2007 year the Workers Compensation premium budgeted in excess of the deposit premium needs to be transferred to a reserve fund.

STRATEGIC IMPLICATIONS

16. The establishment of such a reserve and its associated funding is an industry accepted financial strategy designed to:
 1. Show the true cost of workers compensation.
 2. Protect future ratepayers from premium adjustments relating to previous years.

OFFICER COMMENT

17. Nil

MEETING COMMENT

18. The Executive Manager Corporate Services further explained the Recommendation to the Councillors.

COMMITTEE RECOMMENDATION TO COUNCIL

GS 50/2007

1. That the report on Workers Compensation premiums be received.
2. That the Shire of Kalamunda under Section 6.11 of the Local Government Act establish a Insurance Contingency Reserve for the purpose for Workers Compensation premium adjustments.
3. That the difference between the budgeted and the deposit costs for 2006/2007 Workers Compensation Premium (\$5,413) be transferred to the Insurance Contingency Reserve.

Moved: Cr McKechnie

Seconded: Cr Tonkin

CARRIED UNANIMOUSLY

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

51. Review of Delegations

Previous Items:
Service Area: Corporate Services
File Reference: LE-ACT-006
Applicant: N/A
Owner: N/A

PURPOSE

1. To review delegations the Shire of Kalamunda's delegations.

BACKGROUND

2. It is a requirement of the Local Government Act that delegations to the Chief Executive Officer and employees are to be reviewed at least once every financial year. In the 2005/2006 Compliance Report it was noted that this was last done on 17 October 2005.

DETAILS

3. A list of current Delegations is presented as ([Attachment 1.](#)) with details of suggested actions. ([Attachment 2 Part 1 & 2.](#)) is the list of Delegations proposed.
4. There are no new delegations but the opportunity has been taken to suggest removal of entries which are procedures or policies and do not require Council delegation.
5. Section 5.42 (1) of the Local Government Act states that, "A Local Government may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act:. The key word is "its", that is it can only delegate the Council's powers not those which reside in the Chief Executive Officer by virtue of his/her functions as defined in Section 5.41 of the Act. See ([Attachment 3](#)).
6. This item has been brought to Council to satisfy statutory requirements to review the Delegations. There is no obligation on Council to change delegations at this meeting.

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

8. Senior Executive Management Planning Group.

STATUTORY AND LEGAL IMPLICATIONS

9. Section 5.16 (1); 5.44(1); 5.18 and 5.52 (1) of the Local Government Act.

FINANCIAL IMPLICATIONS

10. Nil.

STRATEGIC IMPLICATIONS

11. Nil.

OFFICER COMMENT

12. Nil.

MEETING COMMENT

13. Councillors requested that the item be left on the table to give them more opportunity to study the review of the Delegation Register.

OFFICER RECOMMENDATION**GS 51/2007**

1. That Council notes the review of the Delegation Register.
2. That Council revoke all existing delegations as listed in ([Attachment 1.](#))
3. That Council adopts the delegations as listed in ([Attachment 2, Part 1 & 2.](#))

Moved: Cr

Seconded: Cr

Recommendation lapsed due to there being no Mover**COMMITTEE RECOMMENDATION TO COUNCIL****GS 51/2007**

1. That the Officer Recommendation be left on the table for one month.

Moved: Cr McKechnie

Seconded: Cr Morton

ABSOLUTE MAJORITY/CARRIED UNANIMOUSLY

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

Cr Bilich declared an interest affecting impartiality in this item as she is the Chairperson for the Ray Owen Management Committee.

52. Ray Owen Sports Centre Management Committee – Nomination for Membership

Previous Items:	N/A
Service Area:	Community Services
File Reference:	CO-CCS-010/3
Applicant:	Shire of Kalamunda
Owner:	Shire of Kalamunda

PURPOSE

1. To consider the appointment of members to the Ray Owen Sports Centre Management Committee.

BACKGROUND

2. Jenny Warwick and Janet Rodwell have been nominated by Kalamunda and Districts Netball Association for membership of this committee and are replacing Sue Broad and Anthony Hemmings who have retired from the committee.
3. Ms Warwick is actively involved in the netball association and is the Vice President. Ms Rodwell is the current administrator of the netball association.
4. The rules and guidelines regarding membership of the Ray Owen Sports Centre Management Committee are as follows:

“the membership of the Management Committee shall not exceed six (6) members, comprising the following members:

 - a) Two representatives from the Kalamunda & Districts Netball Association, appointed from a meeting of that Association.
 - b) Two representatives from the Kalamunda & Districts Basketball Association, appointed from a meeting of that Association.
 - c) Two representatives from the Kalamunda Shire Council, one member being a shire councillor and an appointed non voting staff member.”
5. The current members of the committee are listed below:

Peter Hanson	Kalamunda and Districts Basketball Association
Marian Rolfe	Kalamunda and Districts Basketball Association
Cr Sue Bilich	Shire of Kalamunda

DETAILS

6. A membership form was received from both Ms Warwick and Ms Rodwell and they have had their nominations endorsed by the Kalamunda and Districts Netball Association.

POLICY IMPLICATIONS

7. Policy RS 2.1 concerning Advisory and Management Committees applies.

PUBLIC CONSULTATION/COMMUNICATION

8. N/A

STATUTORY AND LEGAL IMPLICATIONS

9. Appointments are made in accordance with Section 5.10 (1) (d) of the Local Government Act 2005.

FINANCIAL IMPLICATIONS

10. Nil

STRATEGIC IMPLICATIONS

11. Nil

OFFICER COMMENT

12. The Ray Owen Sports Centre Management Committee are actively involved in the ongoing management of the Ray Owen Sports Centre.

MEETING COMMENT

13. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL

GS 52/2007

1. That Council appoint Ms Jenny Warwick as a member of the Ray Owen Sports Centre Management Committee, representing the Kalamunda and Districts Netball Association.
2. That Council appoint Ms Janet Rodwell as a member of the Ray Owen Sports Centre Management Committee, representing the Kalamunda and Districts Netball Association.

Moved: (Cr Bilich)

Seconded: (Cr Tonkin)

ABSOLUTE MAJORITY/CARRIED UNANIMOUSLY

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

53. Hartfield Park Advisory Committee – Nomination for Membership

Previous Items: N/A
Service Area: Community Services
File Reference: CO-CCS-005/2
Applicant: Shire of Kalamunda
Owner: Shire of Kalamunda

PURPOSE

1. To consider the appointment of members to the Hartfield Park Advisory Committee.

BACKGROUND

2. Shannon Trew has been nominated by Forrestfield Little Athletics for membership of this committee and is replacing Kevin Kentish who has retired from the committee.
3. Terry Davidson has been nominated by the Forrestfield Junior Football Club for membership of this committee.
4. The rules and guidelines regarding membership of the Hartfield Park Advisory Committee are as follows:
 - “4.1 Committee members may be drawn from persons nominated by user groups or from other interested people. 1 person from each group as well as deputies may be appointed on a bi-annual basis unless Council elects to reappoint any or all members for a further term.”
5. The current members of the committee are listed below:

Phil Fawell	Kalamunda and Districts Hockey Club
Greg Pickles	Forrestfield Junior Cricket Club
Ray Sheridan	Forrestfield Senior Cricket Club
Derek Duplessis	Kalamunda Rugby Club
Jeff Tillemans	Forrestfield and Districts Bowling Club
Paul Mansfield	Forrestfield United Soccer Club

DETAILS

6. A membership form was received from both Mr Trew and Mr Davidson and they have had their nominations endorsed by their respective clubs.
7. The Forrestfield Junior Football Club have not been represented on the committee for a number of years.

POLICY IMPLICATIONS

8. Policy RS 2.1 concerning Advisory and Management Committees applies.

PUBLIC CONSULTATION/COMMUNICATION

9. N/A

STATUTORY AND LEGAL IMPLICATIONS

10. Appointments are made in accordance with Section 5.10 (1) (d) of the Local Government Act 2005.

FINANCIAL IMPLICATIONS

11. Nil

STRATEGIC IMPLICATIONS

12. Nil

OFFICER COMMENT

13. The involvement in the advisory committee of all groups utilising Hartfield Park Reserve is encouraged so that open communication is maintained with all users.

MEETING COMMENT

14. Nil.

OFFICER RECOMMENDATION

GS 53/2007

1. That Council appoint Mr Shannon Trew as a member of the Hartfield Park Advisory Committee, representing the Forrestfield Little Athletics Club.
2. That Council appoint Mr Terry Davidson as a member of the Hartfield Park Advisory Committee, representing Forrestfield Junior Football Club.

Moved: Cr N Sadler

Seconded: Cr Morton

ABSOLUTE MAJORITY/CARRIED UNANIMOUSLY

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

Cr Cresswell declared an interest affecting impartiality in this item as he is the Chairperson for the Scott Reserve Management Committee.

54. Scott Reserve Pavilion Proposed Licence Agreement

Previous Items: N/A
Service Area: Community Services
File Reference: NR-03/020
Applicant: Shire of Kalamunda
Owner: Shire of Kalamunda

PURPOSE

1. To consider entering in to a licence agreement between the Shire of Kalamunda and High Wycombe Junior Football Club, High Wycombe Amateur Football Club and High Wycombe Cricket Club at the Scott Reserve Pavilion for the purpose of clubrooms and change rooms.

BACKGROUND

2. The Scott Reserve pavilion does not currently have a formal licence agreement with the principal football and cricket club users. Council is therefore currently responsible for 100% of the outgoings for this pavilion.
3. According to Council Policy RS 6.2, a licence agreement is required between sporting clubs occupying Shire buildings and the Shire. The agreement only applies to the pavilion, not the surrounding reserve.

DETAILS

4. The proposed licence document is a standard document which provides details on when the pavilion is used, who pays for the various costs and outlines the responsibilities of each party.
5. The main terms of the proposed Scott Reserve pavilion licence are shown below.
 - a) The licensee's are to:
 - Pay the amount of \$700 per annum for rental of the pavilion. This amount to increase annually in line with the Consumer Price Index.
 - Maintain premises in a clean and sanitary condition.
 - Maintain \$10 million in Public Liability Insurance.
 - Undertake minor maintenance to maintain the building, furniture and fittings in good condition.
 - b) The term of the licence is five years with one five year option.
 - c) The Shire will separate all relevant accounts between the clubs to

coincide with their seasonal usage of the licensed premises as follows:

100% of all outgoings including the licence fee during the summer season to be charged to High Wycombe Cricket Club;

50% of all outgoings including the licence fee during the winter season to be charged to High Wycombe Junior Football Club and

50% of all outgoings including the licence fee during winter season to be charged to High Wycombe Amateur Football Club.

POLICY IMPLICATIONS

6. Policy RS 3.2 Lease and Licences of Council Controlled Premises includes the following purpose:

“ensures the uniformity and effective management of all leased and licensed facilities.”

7. Policy RS 6.2 Clubhouse and Facilities on Reserves includes the following:

“9. That each organisation occupying a clubhouse on Council reserves will be required to enter into an agreement which secures tenure under the terms and conditions which are consistent with all of Council's policies.”

8. Policy BS 5.0 Council Owned Buildings includes the following purpose:

“This Policy Statement is intended to differentiate between the type of maintenance items applicable, for lease and licence purposes, and to clarify responsibility aspects.

PUBLIC CONSULTATION/COMMUNICATION

9. All three sporting clubs have been involved in negotiations and have agreed to the conditions contained in the proposed licence.

STATUTORY AND LEGAL IMPLICATIONS

10. N/A

FINANCIAL IMPLICATIONS

11. The sporting clubs will become responsible for funding minor maintenance works, as defined in Policy BS 5.0, and all outgoings including the security system, electricity, water and gas (if applicable) for the pavilion.
12. Council will be responsible for all other costs as per the licence agreement.

STRATEGIC IMPLICATIONS

13. N/A

OFFICER COMMENT

14. The agreement will ensure uniformity and consistency for sporting clubs occupying Shire of Kalamunda owned pavilions.

MEETING COMMENT

15. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL**GS 54/2007**

1. That Council enter in to a licence agreement with the High Wycombe Junior Football Club, High Wycombe Amateur Football Club and High Wycombe Cricket Club at the Scott Reserve Pavilion for the purpose of clubrooms and change rooms, with the main terms and conditions summarised below:

- a) The licensee's are to:

Pay the amount of \$700 per annum for rental of the pavilion. This amount to increase annually in line with the Consumer Price Index.

Maintain premises in a clean and sanitary condition.

Maintain \$10 million in Public Liability Insurance.

Undertake minor maintenance to maintain the building, furniture and fittings in good condition.

- b) The term of the licence is five years with one five year option.

- c) The Shire will separate all relevant accounts between the clubs to coincide with their seasonal usage of the licensed premises as follows:

100% of all outgoings including the licence fee during the summer season to be charged to High Wycombe Cricket Club;

50% of all outgoings including the licence fee during the winter season to be charged to High Wycombe Junior Football Club and

50% of all outgoings including the licence fee during winter season to be charged to High Wycombe Amateur Football Club.

Moved: Cr Cresswell

Seconded: Cr Casey

CARRIED UNANIMOUSLY

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

55. Railway Road Community Precinct – (Community and Cultural Facility) - Grant Funding

Previous Items: OCM 45/06
Service Area: Community Services
File Reference: CO-INF-007
Applicant: Shire of Kalamunda
Owner:

PURPOSE

1. To obtain in principle support for both capital and operating funding contribution for the proposed Community and Cultural Facility.

BACKGROUND

2. The Railway Road Community Precinct Feasibility Study recommended that a Multi Purpose Community and Cultural Facility be constructed on land adjoining the Kalamunda Public Library and the Kalamunda History Village.
3. At the June 2006 Ordinary Council Meeting it was resolved "*That Council adopt the draft final report and advise Evolve Solutions of the following amendments that are considered necessary prior to completion of the report-*
 - i) *Page 44, Programme and Procurement; amend Appendix & Page Numbers also funding approvals date to read December 2006. Project completion date to read May 2008.*
 - ii) *Programme Timeline Table – amend to suit above Programme and Procurement timelines.*
 - iii) *Grant Schemes Table – amend to include reference to the AusIndustry, Australian Tourism Development Programme Funding.*
4. In the same report it was commented that

" the proposal programme timelines for the significant capital contribution required from Council, and the grant approvals, will need detailed consideration and planning".

and

"It is proposed that Shire staff will prepare a draft capital funding and grant approval timeline for Council to consider."

DETAILS

5. Following discussion with potential funding bodies a number of grant sources have been identified that may provide capital contributions to various components of this project.

6. All these funding bodies have various grant criteria and conditions, some of which have been addressed in the feasibility study and some that will need further planning and revised concept design drawings to be prepared.
7. The Commonwealth's Regional Partnership Programme (RPP) administered through the Perth Area Consultative Committee (Perth ACC) requires evidence from applicants that all cash and in-kind contributions are secured or committed.
8. They also require applicants to address aspects of ongoing viability and sustainability, showing evidence that the project will be viable beyond the construction period.
9. An in principal commitment to the capital and operational costs from council is sufficient for the purpose of the RPP and other Commonwealth and state funding applications.

POLICY IMPLICATIONS

10. Nil

PUBLIC CONSULTATION/COMMUNICATION

11. Public consultation was initially carried out as part of the feasibility study process. Following advice from the Perth ACC a further workshop will be conducted to clarify expectations and seek formal commitments from potential funding partners and user group stakeholders.

STATUTORY AND LEGAL IMPLICATIONS

12. Normal budgetary and development approvals will be required.

FINANCIAL IMPLICATIONS

13. The reports findings and estimates of capital and operating costs ([Attachment 1.](#)) reveal a projected average cash deficit of \$70,000 over the first five years of operation. With the inclusion of depreciation and asset replacement provision, this increases to an average of \$115,000 per annum.
14. When the outcome of grant applications are known, discussion on the funding of future infrastructure assets will need to take place.

STRATEGIC IMPLICATIONS

15. The Plan for the Future of the District includes new initiative 3.2 *"Progress tourism initiatives including the Visitor Centre and Community Precinct"*. The Cultural Plan 2006 includes the following Economic Development strategy *"Complete plans and activities related to the Railway Road Community Precinct development to consider opportunities*

for a proposed community and information 'shared space', as per the 25 Year Strategic Plan".

OFFICER COMMENT

16. The reason for bringing this matter before the Council at this time is to take advantage of the current situation where the Commonwealth Government is very open to and supportive of receiving funding proposals.
17. The Council does, however, have the option of not dealing with this matter at present by deferring it to a later date, or postponing seeking funding for the project until the proceeding financial year.
18. If significant grant funding was to be received for the project, then there would be a requirement to spend those funds within a reasonable timeframe.
19. The proposed partnership grant funds and Council's in principal capital contribution ([Attachment 2.](#)) are based on information provided by funding bodies. The endorsement of this plan by Council would enable staff to further progress these grant applications knowing that there is in principal support for Council's contributions.
20. Endorsement of this plan would also assist in the preparation of our future five year financial plan, which can then take this proposal into account.

MEETING COMMENT

21. An Alternative Motion was tabled.
22. Councillors expressed their concerns about the amount of money committed to the proposal prior to grant money being known. The Executive Manager Engineering Services stressed that no money would be committed until ratified on the Budget. The Recommendation was amended to the satisfaction of the Councillors.

OFFICER RECOMMENDATION

GS 55/2007

1. That Council endorse the proposed capital funding plan ([Attachment 2.](#)) for the purposes of applying for external funding for the proposed Multi Purpose Community and Cultural facility, which includes an in principle Council contribution up to an amount of \$1.4 million.
2. That Council provide in principle support for funding the operating costs deficit of the proposed Multi Purpose Community and Cultural facility subject to the in principle support being dependant on the outcome of negotiations and the future involvement of the other parties.

Moved: Cr Blair

Seconded: (Cr)

Due to there being no Secunder, the Recommendation lapsed.

COMMITTEE RECOMMENDATION TO COUNCIL**GS 55/2007**

1. That Council endorse the proposed capital funding plan ([Attachment 2.](#)) for the purposes of applying for external funding for the proposed Multi Purpose Community and Cultural facility, which includes an in principle Council contribution up to an amount of \$1.4 million, **subject to funding available from State and Commonwealth.**
2. That Council provide in principle support for funding the operating costs deficit of the proposed Multi Purpose Community and Cultural facility subject to the in principle support being dependant on the outcome of negotiations and the future involvement of the other parties.

Moved: Cr Giardina

Seconded: Cr Tonkin

For:

Cr Bilich
Cr Giardina
Cr Tonkin
Cr Casey
Cr Blair
Cr McKechnie

Against:

Cr D Sadler
Cr Cresswell
Cr N Sadler
Cr Morton

CARRIED

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

56. Targa West Rally.

Previous Items: N/A
Service Area: Community Services
File Reference: CO-CEV-007
Applicant: Targa West Pty Ltd
Owner: N/A

PURPOSE

1. To consider a proposal from Targa West Tarmac Rally 2007 that 'Special Stages' of the rally take place in the Shire of Kalamunda on Friday 7 September, 2007.

BACKGROUND

2. The proposed Shire of Kalamunda stages will follow a similar format to other Targa style events run around the country such as Targa Tasmania, Rally Tasmania and the Classic Adelaide. It will run between 6-9 September and will host approximately 100 competitors from around the country. The event will also run through the Shires of Chittering and Toodyay.

DETAILS

3. On September 7, 2007 the rally will commence in Forrest Place with extensive media coverage. It will then progress to Perth Airport and move into the John Forrest National Park. Organisers have requested to run a special stage to Kalamunda to regroup and have lunch.
4. The following routes to be included in this stage are:
 - Zig Zag Scenic Drive: Mid morning to midday shown at ([Attachment 1.](#)) This is regarded to be the ideal road for a rally to challenge and entertain competitors and spectators alike. The stage would run twice up the Zig Zag. Spectators would be restricted to the corners and would be locked in until the stage has been completed.
 - Barber Street: Lunch break. Organisers would like to include the town centre in the day's activities. They propose that the rally vehicles stop in succession for around 30 minutes in the town centre. For 100 cars, the viewing period will be around 90 minutes. With competitors and crews this would equate to around 600 people plus any additional spectators the cars will attract. This stage could be developed into a colourful and energetic boost to the town centre on the Friday afternoon.
 - Mundaring Weir Road: Early afternoon. Croxton Road to Bahen Road shown at ([Attachment 2.](#)) After a lunch break in central Kalamunda, each group of cars (3) will make their way down to Croxton Road and in succession, commence the time trial to Bahen Road.

-
- Canning Mills Road: Early Afternoon. This will be a short stage from Canning Road to Brockway Road (City of Gosnells), via Canning Mills Road shown at ([Attachment 3.](#))
5. The competition has a strict order and the rally cars will compete at 30 second intervals to ensure that there is no period of time when a resident may think that it is safe to drive along the rally route.
 6. Immediately after the last car enters the stage a team of officials will sweep through and reopen driveways and roads affected by the closure.
 7. A full road closure will apply to Zig Zag Scenic Drive and Mundaring Weir Road from Croxton Road to Bahen Road. The original Mundaring Weir Road stage was to have the route run from Croxton Road, via Aldersyde Road to Glenisla Road. However, the organisers amended this stage to reduce the impact of the closure on residents.
 8. A half road closure will apply for Barber Street.
 9. The closures will apply for three hours; Zig Zag Scenic Drive may have to be closed marginally longer due to this part of the course being run twice.
 10. The proposal received from the organisers includes the following procedures.
 - Signage will be erected at least four weeks prior to the rally to notify the day and time of the road closures.
 - 60 minutes prior to the competition, all appointed closures will be implemented and a team of officials will go through and close all driveways along the course as indicated to residents. Residents will be reminded prior to the event and on the day.
 - From the commencement time of closure at least four teams of officials are appointed to ensure that the closure is secure and that the road is safe for competition.
 - Organisers will work closely with residents to eliminate any inconvenience caused by the closures.

POLICY IMPLICATIONS

11. N/A

PUBLIC CONSULTATION/COMMUNICATION

12. A letter informing residents of the road closures has been mailed out to the following streets:
 - Mundaring Weir Road Closure:
Aldersyde, Bahen, Croxton, Fern, Glenisla, Hinkler, Loaring, Mitchell,
Mundaring Weir Road, Paull's Valley Road, Walnut Roads. ([Attachment 4.](#))

Zig Zag Scenic Drive, Gooseberry Hill.
Lascelles Parade, Ocean View Parade. ([Attachment 5.](#))

13. To date, one call has been received from a person who resides on Fern Road seeking an alternative route for residents to take if they require prompt access to Kalamunda. The family have an infirm elderly relative living on the property who requires daily specialist medical attention. As a result of her concerns, the closed section of Hummerston Road can be temporarily reopened for the duration of the rally stage to enable access to the Kalamunda town site.
14. The Targa West Risk Management Plan includes the presence of a First Intervention Vehicle (FIV) at the start of every stage manned with either Doctors or experienced emergency paramedics. They are equipped with life saving equipment and light fire fighting equipment. The facility would be made available to residents if required.

STATUTORY AND LEGAL IMPLICATIONS

15. Targa West have a \$100,000,000 Public Liability insurance policy.
16. A Risk Management Plan has been received from Targa West.
17. Road Closures will be in accordance with Sections 81 and 83 of the Road Traffic Act.:
18. All roads will be manned as indicated in the Main Roads Traffic Management Code of Practice (July 2006).
19. Organisers will produce a Traffic Management Plan for Shire of Kalamunda approval.

FINANCIAL IMPLICATIONS

20. N/A

STRATEGIC IMPLICATIONS

21. Cultural Plan – Festivals and Events, 1 – 2.

OFFICER COMMENT

22. The Targa West event has been planned with substantial emphasis on driver and spectator safety as well as environmental issues. These points have been addressed in the extensive proposal received from organisers.
23. The event has been successfully run in the Shires of Chittering and Toodyay and feedback received has been positive from all aspects of running the event.
24. There are a number of benefits in having the rally run through the Shire of Kalamunda from an economic viewpoint it will;

- a) bring a minimum of 600 people to the town centre.
- b) provide widespread media coverage for the area.

MEETING COMMENT

25. Councillors discussed whether this application would be coming back to Council if the event became a regular event or whether the Recommendation being voted on was for this instance only.

COMMITTEE RECOMMENDATION TO COUNCIL

GS 56/2007

1. That approval be granted to Targa West Pty Ltd to conduct a car rally on Friday 7 September 2007, as shown at ([Attachments 1, 2, 3.](#)) with the following conditions;
 - That it is supported by a comprehensive Traffic Management Plan to be approved by Engineering Services which will be submitted no later than two months prior to the event.
 - That the organisers of the rally undertake to consult business in the Kalamunda CBD in relation to the half road closure.
 - That the organisers undertake a letter box drop at least two weeks prior to the rally to residences and business located along the proposed closure routes.
 - That signage notifying road users of closure are erected one month prior to the event
 - That signage notifying road closures are 1200 x 900 (recommended standard by Main Roads.)
2. That in accordance with Sections 81 and 83 of the Road Traffic Act that the following Road Closures be granted to conduct the Targa West Rally.
 - Zig Zag Scenic Drive – Full road closure from 10:00am – 12:00pm between Ridgehill Road and Lascelles Parade. I
 - Barber Street, Kalamunda – Half road closure from 12:00pm – 2:30pm between Haynes Street to Mead Street.
 - Mundaring Weir Road – Full Road closure from 1:00pm – 4:30pm – between Croxton Road to Bahen Road.
 - Canning Mills Road – Full road closure from 4:00pm – 5:00pm between Canning Road to Brockway Road

Moved: Cr Giardina

Seconded: Cr D Sadler

CARRIED UNANIMOUSLY

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

57. Road Closure – 20 Bedford Crescent, Forrestfield

Previous Items: N/A
Service Area: Engineering Services
File Reference: HE-RLW-021
Applicant: Minorco Pty Ltd
Owner: N/A

PURPOSE

1. To consider the closure of road reserve abutting 20 Bedford Crescent, Forrestfield, shown at ([Attachment 1.](#)).

BACKGROUND

2. Minorco Pty Ltd (the applicant) the owners of 20 Bedford Crescent have requested that the portion of road abutting their property be closed, due to the continuous public use of the area as a rubbish dumping ground.
3. The use of the area as a dumping ground has been an ongoing problem for a long period of time, with the Shire's Health Services being requested to collect and clean up the area on a regular basis.

DETAILS

4. The applicant has requested the Shire endorse closing Bedford Crescent, at the corner of Webster Road, whereby they will purchase of the road reserve, which they suggest will solve the dumping problem.
5. The portion of Bedford Crescent requested for closure, is used solely as an access to the applicant's business premises, and the intention is that should Council agree to the closure, the applicant would construct an access to their business from Webster Road. Closing the existing access on Bedford would effectively eliminate the rubbish dumping problem.
6. Recently the Western Australian Planning Commission was successful in their application to Council for the closure of a portion of road reserve in Bedford Crescent which adjoins the current application, shown at ([Attachment 2.](#))
7. Bushland abutting Bedford Crescent can be accessed via Roe Highway for fire fighting purposes.

POLICY IMPLICATIONS

8. Nil.

PUBLIC CONSULTATION/COMMUNICATION

9. As there is a statutory requirement for a public notice, no community consultation was carried out.

STATUTORY AND LEGAL IMPLICATIONS

10. The road closure will be affected under Section 58 of the Land Administration Act 1997.

FINANCIAL IMPLICATIONS

11. Costs incurred for the public advertisement would be paid for in advance by the applicant.

STRATEGIC IMPLICATIONS

12. Nil.

OFFICER COMMENT

13. The road reserve is surplus to current and future requirements of the road network.
14. The applicant would be required to deal directly with the Department for Planning and Infrastructure, regarding the purchase of the road reserve.

MEETING COMMENT

15. Mr Stinson spoke in favour of the Recommendation, outlining his concerns about the fact that the road reserve is used as a rubbish tip.

COMMITTEE RECOMMENDATION TO COUNCIL**GS 57/2007**

1. That the closure of road reserve abutting 20 Bedford Crescent, Forrestfield, shown at [*Attachment 1.*](#) be endorsed.

Moved: Cr N Sadler

Seconded: Cr Morton

CARRIED UNANIMOUSLY

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

58. Road Closure – Lot 55 Sheffield Road Welshpool

Previous Items: N/A
Service Area: Engineering Services
File Reference: SH-07/GEN
Applicant: Main Roads WA
Owner: N/A

PURPOSE

1. To consider the closure of road reserve abutting Lot 55 Sheffield Road Welshpool as shown at ([Attachment 1.](#)).

BACKGROUND

2. Main Roads WA is pursuing to dedicate numerous freehold land parcels presently forming part of the metropolitan regions freeway, highway and main road reserves.
3. Recently freehold land parcels acquired for road purposes held by the Commissioner for Main Road were transferred to the State of WA and dedicated as road.

DETAILS

4. Main Roads WA advises that Lot 55 was included by error and dedicated as a road reserve. This land, although mostly contained within the Main Roads protection boundary and reserved under the Metropolitan Region Scheme for road purposes, is in fact partially surplus to road purposes.
5. The correct procedure to be applied in this instance should have been for the surplus land to first be subdivided and sold with the balance of land remaining in Lot 55 required for the Roe Highway to be dedicated in due course, shown shaded at ([Attachment 1.](#))
6. Accordingly, Main Roads WA would like the road reserve to be closed which will allow the opportunity to regain title to this land through the Department for Planning and Infrastructure facilitating the disposal of the surplus land and subsequent rededication of the balance required for Roe Highway.

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

8. As there is a statutory requirement for a public notice, no community consultation was carried out.

STATUTORY AND LEGAL IMPLICATIONS

9. The road closure will be affected under Section 58 of the Land Administration Act 1997.

FINANCIAL IMPLICATIONS

10. Main Roads WA has indemnified the Shire against any liability arising from the closure.

STRATEGIC IMPLICATIONS

11. Nil.

OFFICER COMMENT

12. The road reserve is surplus to current and future requirements of the road network.
13. The applicant would be required to deal directly with the Department for Planning and Infrastructure, regarding the closure of the road reserve.

MEETING COMMENT

14. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL

GS 58/2007

1. That the closure of road reserve abutting Lot 55 Sheffield Road Welshpool, shown at [*\(Attachment 1.\)*](#) be endorsed.

Moved: Cr Morton

Seconded: Cr D Sadler

CARRIED UNANIMOUSLY

10.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

10.1 Nil.

11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

11.1 Nil.

12.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

12.1 Nil.

13.0 MATTERS BEHIND CLOSED DOORS

13.1 MOTION

1. That Council goes behind closed doors to consider Tender T0701 - Bulk Waste Kerbside Collection Service.

Moved: Cr McKechnie

Seconded: Cr Cresswell

CARRIED UNANIMOUSLY

The gallery was vacated at 7.55pm

13.2 Bulk Waste Kerbside Collection Service – Tender T0701

Reason for confidentiality. Local Government Act s.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.

OFFICER RECOMMENDATION

1. That the contract for the Bulk Waste Kerbside Collection for three years with two, one year options, commencing on 1 July 2007 be awarded to BIS Cleanaway Limited, for the prices tendered in Schedule 8 items 1, 2 and 6, of \$136.63 per tonne for junk and steel and \$114.81 per tonne for greenwaste.
2. That approval be given to the signing and sealing of the contract in the form contained in the Request for Tender subject to the prior provision of a bank guarantee in the favour of the Shire for the sum of \$100,000 and subject to the following matters being included in the contract;
 - a) A provision allowing for adjustments to tendered rates in the event that there is a change in the relevant law.
 - b) Inclusion of a force majeure clause.

A clause allowing the contractor to claim an additional \$5.00 per tonne if at the

conclusion of a financial year, the combined tonnage of greenwaste and junk is shown to the satisfaction of the Shire to have fallen below 5670 tonnes.

Moved: Cr Bilich

Seconded: Cr Giardina

FOR:

- Cr Bilich
- Cr Giardina
- Cr Cresswell

AGAINST:

- Cr Tonkin
- Cr Casey
- Cr Blair
- Cr McKechnie
- Cr N Sadler
- Cr Morton
- Cr D Sadler

The Recommendation was lost

COMMITTEE RECOMMENDATION TO COUNCIL

GS 58/2007

1. That Councillors defer consideration of this item, pending further information from staff prior to the Ordinary Council Meeting, in regards to alternatives listed in Point 25.

Moved: Cr Casey

Seconded: Cr McKechnie

CARRIED UNANIMOUSLY

13.3 MOTION

1. That the meeting return from behind closed doors.

Moved: Cr Casey

Seconded: Cr Cresswell

CARRIED UNANIMOUSLY

The meeting re-opened at 8.38pm.

14.0 CLOSURE

There being no further business, the Chairman declared the meeting closed at 8.40 pm.

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

Signed Chairman

Dated thisday of2007