
Shire of Kalamunda

General Services Committee

Minutes for Monday 2 July 2007



SHIRE OF KALAMUNDA

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Minutes of General Services Committee Held in the Council Chambers 2 Railway Road, Kalamunda Monday 2 July 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

E Taylor	(SHIRE PRESIDENT) NORTH WARD
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
J Winterhalder	EAST WARD

Officials

D Vaughan	CHIEF EXECUTIVE OFFICER
N Wilson	EXECUTIVE MANAGER CORPORATE SERVICES
K O'Connor	EXECUTIVE MANAGER COMMUNITY SERVICES
R O'Brien	EXECUTIVE MANAGER PLANNING & DEV SERVICES
M Singh	EXECUTIVE MANAGER ENGINEERING SERVICES
B Millan	EXECUTIVE ASSISTANT CHIEF EXECUTIVE OFFICER
S Leeson	MANAGER FINANCIAL SERVICE
R Briede	MANAGER LIBRARY SERVICE
J Button	ACTING MANAGER HEALTH SERVICE
M Comber	MINUTE SECRETARY

Apologies Nil

Observers 1

Newspapers Nil

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 Mr Alan Hill who is the Coordinator of the Friends of Quenda Creek noted that Item 66 on the Agenda refers to a proposal to place 2 of 3 reserves into the Gooseberry Hill National Park, whilst he is in total agreement with this he would like to see additional reserves given this same secure protection.

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 Tuesday 5 June 2007 is confirmed as a true and correct record of the proceedings.

Moved: (Cr Taylor)

Seconded: (Cr Casey)

CARRIED UNANIMOUSLY

6.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

- 6.1 The Chief Executive Officer noted that a Citizenship Ceremony will be held on 11 July 2007.
- 6.2 Cr Sadler reminded Councillors of the Councillor Forum taking place on 3 July 2007.

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 had given or will give advice.

8.1 Nil.

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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65. Correction of wrongly spelled Street Name Brigeta Road, Paul's Valley	13
66. Management Order over Lot 8227 – Quenda Creek Reserve	15

60. Financial Activity Statements for the Period Ending 31 May 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 31 May 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.

STATUTORY AND LEGAL IMPLICATIONS

6. Nil.

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

8. Nil.

FINANCIAL IMPLICATIONS

9. Nil.

STRATEGIC IMPLICATIONS

10. Nil.

OFFICER COMMENT

11. Nil.

COMMITTEE RECOMMENDATION

GS 60/2007

1. That the Financial Activity Statement report for the period ending 31 May 2007 ([*Attachment 1*](#)) be received.

Moved: (Cr Taylor)

Seconded: (Cr Tonkin)

CARRIED UNANIMOUSLY

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

61. Creditors Accounts Paid for June 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 June 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 June 2007 is attached. ([Attachment 1](#))

STATUTORY AND LEGAL IMPLICATIONS

5. Nil.

POLICY IMPLICATIONS

6. Nil.

PUBLIC CONSULTATION/COMMUNICATION

7. Nil.

FINANCIAL IMPLICATIONS

8. Nil.

STRATEGIC IMPLICATIONS

9. Nil.

OFFICER COMMENT

10. Nil.

MEETING COMMENT

11. The Audit Fees paid to Macri Partners was queried and clarified that this figures was associated with the hand over between Executive Managers and was regarded as a reasonable cost.
12. The payment of officer's private telephone lines was queried; it was noted that these payments are included in the staff packages of certain employees. Other employee telephone numbers appeared in the telephone directory and they could receive after hours calls. The payment of these accounts is therefore a fundamental obligation of Council

COMMITTEE RECOMMENDATION**GS 61/2007**

1. That the list of Creditors' Paid for June 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 McKechnie)

Seconded: (Cr D Sadler)

CARRIED UNANIMOUSLY

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

62. Review of Delegations

Previous Items: OCM 18 June 2007 – Item 9.1.8 (GS Item 51)
Service Area: Corporate Services
File Reference: LE-ACT-006
Applicant: N/A
Owner: N/A

PURPOSE

1. The list of delegations to the Chief Executive Officer is re-presented for Council consideration.

BACKGROUND

2. A list of current delegations to the Chief Executive Officer was presented to Council in June for review. At the Ordinary Council Meeting held on 18 June, Council resolved that the Officer Recommendation be left on the table for one month. Accordingly, the review of delegations is re-presented for Council consideration.
3. It is a requirement of the Local Government Act, section 5.46(2), that all delegations are to be reviewed by the delegator at least at least once every financial year. As the last review was accepted by Council on 17 October 2005, Council is required to review its delegations to the Chief Executive Officer during the 2006/2007 financial year.

DETAILS

4. A list of current Delegations is presented as ([Attachment 1](#)) with details of suggested actions. ([Attachment 2 Part 1 & Part 2](#)) is the list of Delegations proposed. The opportunity has been taken to make minor alterations to Delegation PS1.1 to correctly reflect the change to Local Planning Scheme No.3.
5. Section 5.42(1) of the Local Government Act states that, "A local government may delegate to the CEO 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. No new delegations are suggested in the review, however the opportunity has been taken to suggest removal of entries which are procedure or policies, and do not require Council delegation.

STATUTORY AND LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

8. Nil.

PUBLIC CONSULTATION/COMMUNICATION

9. Senior Executive Management Planning Group.

FINANCIAL IMPLICATIONS

10. Nil.

STRATEGIC IMPLICATIONS

11. Nil.

OFFICER COMMENT

12. Nil.

MEETING COMMENT

13. Noted that as the description "Rural" does not exist in the new Town Planning Scheme, there are two errors in the Planning & Building Services section of the Delegations Register, these are:

- PS1.3 Point 10 should read:
In land zoned "**Rural Landscape Interest**", "Rural Agriculture", "Rural Conservation" and "Rural Living" zones.....
- BS2.1 Point 4 b) Rural Zones should read:
These provision shall apply to Special Rural, Special Residential, Rural Agriculture, Rural Conservation Rural Landscape Interest and Rural Living zones.....

14. The purpose of accepting this Report is not to change any Policy, but to review and set delegations. The change made at point 3 of the Recommendation can be reviewed at a future meeting.

OFFICER RECOMMENDATION**GS 62/2007**

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](#))

COMMITTEE RECOMMENDATION

GS 62/2007

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.](#))
Except for Policy CS1.5 Point 4.

Moved: (Cr Winterhalder)

Seconded: (Cr Taylor)

ABSOLUTE MAJORITY/CARRIED UNANIMOUSLY

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

63. Aged Debtors and Creditors Report

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

PURPOSE

1. To receive monthly report on debtors and creditors.

BACKGROUND

2. Attached is the report detailing aged debtors and creditors as at 31 May 2007.
[*\(Attachment 1\)*](#)
3. Council has requested information as to outstanding debtors and creditors be reported on a monthly basis.

DETAILS

4. Sundry Debtors

> 90 days - Aged debtor collection / write off project since commenced as per audit committee 2007. A list of suggested write offs has been commenced. Some payments since received.

> 60 days - Comprised of 5 debtors for outstanding hall hire and lease charges currently being pursued.

> 30 days - Largely unpaid water and electricity charges retrospectively oncharged to lease holders. Balance being outstanding hall hire and lease charges invoiced.

Current - Increase due to grants being invoiced as projects are completed.

5. Creditors

> 90 days -Refund on credit notes being pursued.

> 60 days - Pioneer Road Services invoices authorised late. Rogers Concrete PL payment withheld until project completion.

> 30 days - These invoices are paid on the third fortnightly payment run.

STATUTORY AND LEGAL IMPLICATIONS

6.

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

8. Nil.

FINANCIAL IMPLICATIONS

9. Nil.

STRATEGIC IMPLICATIONS

10. Nil.

OFFICER COMMENT

11. Nil.

MEETING COMMENT

12. Executive Manager Corporate Services clarified that this list gives an up-to-date position on debtors; it does not include unpaid rates. Unpaid rates cannot be referred to Fines Enforcement Register as they are a charge on the property not the individual; however, this does give powers to sell the property in extreme circumstances. External facilitators are used to encourage people to pay their rates. No debt can be 'written off' without Council approval.

COMMITTEE RECOMMENDATION**GS 63/2007**

1. That the aged outstanding debtors and creditors report as at 31 May 2007 ([Attachment 1](#)) be received.

Moved: (Cr Taylor)

Seconded: (Cr Cresswell)

CARRIED UNANIMOUSLY

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

64. Renewal of Licence Agreement 22 Falls Road Lesmurdie by Schools of Kalamunda Area Motor Programme (SKAMP) Inc.

Previous Items:

Service Area: Community Services
File Reference: FL-2/22
Applicant: School of Kalamunda Area Motor Programme (SKAMP) Inc.
Owner: Shire of Kalamunda

PURPOSE

1. To consider the renewal of a Licence Agreement for the Hall located on Eversden Reserve (23383) - 22 Falls Road Lesmurdie, between the Shire of Kalamunda and School of Kalamunda Area Motor Programme (SKAMP) Inc (SKAMP).

BACKGROUND

2. SKAMP previously entered into a Licence Agreement for twenty one years which expired on 1 June 2007.
3. The organisation paid a peppercorn rent of \$1.00 per annum during the duration of the Agreement.

DETAILS

4. SKAMP have now requested a renewal of the Licence Agreement for a period of five years with an option for a further five year term.
5. SKAMP is a not-for-profit organisation which relies on fund raising and tuition fees to cover running costs. The hall is currently used each Tuesday and Thursday during school term.

POLICY IMPLICATIONS

6. Nil.

PUBLIC CONSULTATION/COMMUNICATION

7. SKAMP have been occupying the facility for twenty years and no complaints have been received from nearby residents.

STATUTORY AND LEGAL IMPLICATIONS

8. 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."

9. 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.

FINANCIAL IMPLICATIONS

10. Nil.

STRATEGIC IMPLICATIONS

11. Nil.

OFFICER COMMENT

12. SKAMP have complied with the terms and conditions of the previous Licence Agreement.

MEETING COMMENT

13. It was noted that SKAMP continue to be of significant social benefit to the local community in their assistance in development of fine and gross motor skills with junior primary school children who have learning difficulties. Council members would be interested in receiving an up-date from SKAMP on their activities.

COMMITTEE RECOMMENDATION

GS 64/2007

1. That Schools of Kalamunda Area Motor Programme (SKAMP) Inc. be offered a renewal of a Licence Agreement with the main terms and conditions listed below:
- Peppercorn rental of \$1.00 per annum
 - Pay all rubbish charges, gas, power, water, electricity and cleaning costs.
 - Be responsible for all minor maintenance.
 - Keep the premises in a clean and sanitary condition, including maintaining the garden.
 - The term of the licence is five years with a further five year option.

Moved: (Cr Tonkin)

Seconded: (Cr Taylor)

CARRIED UNANIMOUSLY

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

65. Correction of Wrongly Spelled Street Name Brigeta Road, Paul's Valley

Previous Items: N/A
Service Area: Planning & Development Services
File Reference: BR-30/GEN
Applicant: R Asher
Owner: N/A

PURPOSE

1. To decide whether to support a correction of spelling for Brigeta Road, named after Mrs Brigita Asher. The road was spelled incorrectly from the time of formal gazettal of the road.

BACKGROUND

2. In 1964, the Shire constructed Asher Road to service Ron and Brigita's Asher property in Paul's Valley. The property was then subdivided in 4 lots and the owner was asked to name the road accessing those lots. Ron Asher named it Brigita Road in honour of his wife.
3. According to the Geographic Names Committee's records, the diagram of survey was approved in 1966 and the spelling on the approved diagram was Brigeta.

DETAILS

4. Mr Asher, who now lives in Broadwater Lifestyle Village visited Perth last year and became aware of the wrong spelling of the road name. He contacted the Shire requesting the correction of spelling.
5. Acting on our advice, he contacted all the land owners in Brigeta Road with a request to support correction of the street name.

STATUTORY AND LEGAL IMPLICATIONS

6. Nil.

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

8. The applicant conducted public consultation with all the owners and residents of the street in question. All the written submissions received were in favour of correcting the spelling of the road name.

FINANCIAL IMPLICATIONS

9. Shire of Kalamunda's Engineering Services would be responsible for a new street sign, should Council support the correction of the name.

STRATEGIC IMPLICATIONS

10. Nil.

OFFICER COMMENT

11. It seems that a mistake was made at the Gazettal stage and although the landowners used the name Brigeta Road since 1964, they all gave their unanimous support to Mr Asher in his bid to correct the spelling.

MEETING COMMENT

12. Noted that the spelling of Paulls Valley should be double "l".

COMMITTEE RECOMMENDATION

GS 65/2007

1. That Council supports the change of the road name from Brigeta Road to Brigita Road and that The Geographic Names Committee be advised accordingly.

Moved: (Cr Winterhalder)

Seconded: (Cr Taylor)

CARRIED UNANIMOUSLY

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

66. Management Order over Lot 8227 – Quenda Creek Reserve

Previous Items: GS/43 May 2007
Service Area: Planning and Development Services
File Reference: KL-01/039 RES
Applicant: Western Australian Planning Commission (WAPC)
Owner: WAPC

PURPOSE

1. To consider a request from the Western Australian Planning Commission (WAPC) for the Shire to relinquish a Management Order over Lots 8228 and 9090 Kalamatta Way, Gooseberry Hill, from Reserve 28735 in order for them to be amalgamated into Class A Reserve 30200.

BACKGROUND

2. Reserve 28735 consists of three lots – Lot 8228, adjoining Lot 9090 and Lot 8227 with a total area of 2.6860 ha. The purpose of the reserve is 'Public Recreation'.
3. Lot 8227, which is outside the boundary of the Park, was set aside as a condition of subdivision for the designated purpose of "Public Recreation" in accordance with Section 20A of the Town Planning and Development Act to be managed by the Shire of Kalamunda.
4. Kalamatta Way has been set as the boundary of the National Park. The DEC does not require the inclusion of Lot 8227 into the National Park and therefore it is required that management remain with the Shire.

DETAILS

5. The area of land shown outlined on ([Attachment 1.](#)) is reserved for Parks and Recreation purposes in the Metropolitan Regional Scheme and is currently part of the Darling Range Regional Park. The area includes Lots 8228 and 9090 from Reserve 28735 currently managed by the Shire of Kalamunda.
6. The WAPC owns the majority of the land and is now in a position to include Lots 8228 and 9090 into the regional park with a Management Order issued in favour of the Conservation Commission of WA (Part of the Department of Environment and Conservation).
7. In order to facilitate a transfer of the Lots to the State, Council needs to relinquish the Management Order over the portions of the reserve in question.

STATUTORY AND LEGAL IMPLICATIONS

8. Should Council decide to relinquish the Management Order, the responsibility for Lots 8228 and 9090 would go to the Conservation Commission of WA (DEC) for management.

POLICY IMPLICATIONS

9. Nil.

PUBLIC CONSULTATION/COMMUNICATION

10. Discussions have been held between staff and CEAC.

FINANCIAL IMPLICATIONS

11. Potential cost saving by handing two reserves back to the State.

STRATEGIC IMPLICATIONS

12. Nil.

OFFICER COMMENT

13. The vegetation on Lots 8228 and 9090 comprises Darling Scarp Complex (which is locally uncommon) and should be retained for conservation. Amalgamation into the Regional Park under management of the Conservation Commission would protect the vegetation. Amalgamating the reserves and incorporating them into the Regional Park would facilitate more appropriate management.

MEETING COMMENT

14. Mr Alan Hill spoke on the Officer's Recommendation stating that he supports the move that Council relinquish the two lots (8228 and 9090) and that they should become part of the proposed Gooseberry Hill National Park. Mr Hill would, however, like Council to also relinquish Lots 8227, 7782 and 7998 and these also be amalgamated into the proposed Gooseberry Hill National Park.
15. Executive Manager Planning and Building Services noted that the WA Planning Commission had not shown any interest in Lot 8227 as this had been given up as a Public Open Space in the Old Town Planning Scheme. It was agreed to endorse the Recommendation as received, the inclusion of additional lots could be investigated at a later date.

COMMITTEE RECOMMENDATION**GS 66/2007**

1. That Council agrees to relinquish the Management Order over Lots 8228 and 9090 (Reserve 28735) Gooseberry Hill and that the WAPC be advised accordingly.
2. That Council agrees that Reserve 28735, now comprising only Lot 8227, continues to be under the care and control of the Shire of Kalamunda for the purpose of "Public Recreation".

Moved: (Cr Tonkin)

Seconded: (Cr Taylor)

CARRIED UNANIMOUSLY

10.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

11.1 FESA Levy (Cr McKechnie)

Q. "....Are we expecting an increase in the levy and are we, as a Shire, getting overtures for monies from the Shire rates for more equipment?"

A. Executive Manager Corporate Services noted that notification had been received indicating a rise of 6-8%. A request has been submitted for capital works funds because the SES reports that the allowances were insufficient. The Chief Executive Officer further noted that when a serious fire is experienced in our Shire FESA's resources give very realistic help to our Bush Fire Brigades.

12.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

12.1 Nil

**13.0 MATTERS CLOSED TO THE PUBLIC
(Matters Behind Closed Doors)**

13.1 Nil

14.0 CLOSURE

There being no further business, the Chairman declared the meeting closed at 7.56pm.

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

Signed.....Chairman

Dated thisday of.....2007