
Shire of Kalamunda

General Services Committee

Minutes for 3 October 2006



 SHIRE OF KALAMUNDA

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 General Services Committee Meeting
 3 October 2006

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

1.0 OFFICIAL OPENING

- 1.1 The Chairman opened the Meeting at 7.00 pm 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
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
J Winterhalder	EAST WARD

Officials

M Singh	ACTING CHIEF EXECUTIVE OFFICER
G Parslow	EXECUTIVE MANAGER CORPORATE SERVICES
K O'Connor	EXECUTIVE MANAGER COMMUNITY SERVICES
S Burrows	EXECUTIVE MANAGER PLANNING AND DEVELOPMENT SERVICES
B Millan	EXECUTIVE ASSISTANT
R Neale	MANAGER LIBRARY SERVICE
J Button	ACTING MANAGER HEALTH SERVICE
M Comber	MINUTE SECRETARY

Apologies

M Cresswell	NORTH WEST WARD
S Blair (Leave of Absence)	NORTH WARD

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 Nil

5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 That the Minutes of the General Services Committee Meeting held on 4 September 2006 is confirmed as a true and correct record of the proceedings.

Moved: (Cr Taylor)

Seconded: (Cr D Sadler)

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).

Item 107 – Extension of the Building Trades and Service Contracts.

Cr Winterhalder declared a financial interest as he is a trustee and beneficiary of a trust which owns shares in the Hastie Group.

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.

Item No. 101 – Light Vehicle Change Over 2006/2007 – Phase 1.

Cr S Bilich declared an interest affecting impartiality as her company delivers bulk LP gas.

Item No. 102 – Local Government Rating of Land Used for Charitable Purposes.

Cr M Casey declared an interest affecting impartiality as she is employed by Southern Cross Care, a not-for-profit organisation which provides care and residential accommodation, hostel and nursing home accommodation and also has independent living units on site.

Item No. 102 – Local Government Rating of Land Used for Charitable Purposes.

Cr N Sadler declared an interest affecting impartiality as she is a member of a committee in a voluntary capacity of a not-for-profit organisation which provides retirement villages, independent living units and aged care hostels.

Item No. 103 – Community Sport and Recreation Facilities Fund.

Cr N Sadler declared interests affecting impartiality as she is a patron of Forrestfield United Soccer Club and Foothills Netball Association.

Item No. 103 – Community Sport and Recreation Facilities Fund

Cr A Morton declared an interest affecting impartiality as he is a patron of Foothills Netball Association.

Item No. 104 – Renewal of Licence Agreement – Kalamunda Lapidary Club Inc.

G Parslow, Executive Manager Corporate Services, declared an interest affecting impartiality as he has recently joined the Kalamunda Lapidary Club.

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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REPORTS

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

- 98. Financial Activity Statements For The Period Ending 31 July 2006 And 31 August 2006 (FI-SRR-006) (Corporate Services)**
Refer Item:
Applicant:
Owner:

Purpose of Report

1. To receive financial activity statements.

Background

2. Attached are the financial activity statement reports for the period ending 31 July 2006 ([Attachment 1](#)) and 31 August 2006 ([Attachment 2](#)) 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 is proposed that 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 AASS) which is also set at 10%.

COMMITTEE RECOMMENDATION TO COUNCIL

GS 98/2006

1. That the Financial Activity Statement report for the period ending 31 July 2006 ([Attachment 1](#)) and 31 August 2006 ([Attachment 2](#)) be received.
2. That a percentage value of 10% be adopted to be used in the statements of financial activity for reporting material variances for the 2006/2007 financial year pursuant to Local Government (Financial Management) Regulations 1996 – Regulation 34(5).

Moved: (Cr McKechnie) Seconded: (Cr Taylor)

CARRIED UNANIMOUSLY

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

**99. Creditors Accounts Paid - September 2006
(FI-CRS-002) (Corporate Services)**

Refer Item:

Applicant:

Owner:

Purpose of Report

1. To receive creditors' accounts paid for the month of September 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 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 31 August 2006 to 22 September 2006 is attached. ([Attachment 1](#)).
5. **Clarification requested on cheque 54889 ALIA Conference \$4,700, National Library Conference attended by all Branch Librarians.**
6. **Clarification requested on cheque 54987 Banksia Tourist Village Accommodation \$960, accommodation for temporary staff.**

COMMITTEE RECOMMENDATION TO COUNCIL

GS 99/2006

1. That the list of Creditors' Paid from 7 September 2006 to 22 September 2006 is 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 McKechnie)

Seconded: (Cr Casey)

CARRIED UNANIMOUSLY

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

**100. Minutes of Audit Committee – Meeting 28 August 2006
(FI-AUD-003)**

Purpose of Report

1. To report to Council on the outcomes of the meeting of the Audit Committee held on 28 August 2006.

Background

2. 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 28 August 2006 meeting of the Audit committee are attached ([Attachment 1](#)).
4. The following item of business was dealt with:

Appointment of Auditors
5. It is to be noted that the above item was dealt with by separate report to the General Services Committee on 4 September 2006.

COMMITTEE RECOMMENDATION TO COUNCIL

GS 100/2006

1. That Council receive the minutes of the 28 August 2006 meeting of the Audit Committee.

Moved : (Cr Casey)

Seconded: (Cr Winterhalder)

CARRIED UNANIMOUSLY

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

Cr Bilich disclosed an interest affecting impartiality, as her company delivers bulk LP gas

**101. Light Vehicle Change Over 2006/2007 - Phase 1
(Corporate Services)**

Refer Item:

Applicant:

Owner:

Purpose of Report

1. To approve the purchase of four (4) light vehicles scheduled for replacement in accordance with Council Policy CS1.22 and the purchase of two (2) additional light vehicles in accordance with the 2006/2007 budget.

Background

2. An amount of \$149,000 net is provided within the 2006/2007 budget to replace seven (7) light vehicles in accordance with Council Policy and the purchase of two (2) additional light vehicles.
3. Trade – in prices of the four (4) light vehicles were sought from ten metropolitan motor vehicle dealers. The new vehicle prices were obtained from the Department of Finance & Treasury (DF&T) under the State Government vehicle Contract. Council received six (6) submissions.
4. As part of the submission, all dealers were required to quote on a gas fuel option (gas only or gas/petrol) on new vehicles being supplied.

Comments

5. The outcome of the DF&T prices and the submissions received for the trade-ins along with the outright purchases of the two new vehicles are attached ([Attachment 1](#)).
6. Only one manufacturer (Mitsubishi Australia) was able to supply an option of gas fuel to the specification 'C' vehicles. With this specification, the LPG option is gas only & not dual fuel. The option of acquiring gas only vehicles is as outlined ([Attachment 1](#)).
7. Indicative pricing was also obtained from the DF&T for the hybrid petrol / electric vehicle Toyota Prius. A vehicle supplied to Council specifications, equates to a cost of \$32,836.36 (ex GST). This vehicle could be suitable for inspectorial duties, although would be outside of the capacity of the current Budget.
8. All of the proposed vehicles are able to be supplied meeting Council specifications and delivery times.

9. Selecting in all cases the lowest capital cost option i.e. petrol vehicles, the change over schedule would be as follows:

<u>Supplier</u>	<u>Vehicle</u>	<u>Registration</u>	<u>Net Change Over \$</u>
Kalamunda Toyota	Camry Altise	KM 824	\$ 12,699.41
Kalamunda Toyota	Camry Altise	KM 13939	\$ 15,972.14
Kalamunda Toyota	Camry Altise	KM 13520	\$ 16,790.32
Kalamunda Toyota	Camry Altise	New vehicle	\$ 23,335.77
Goldy Holden	Viva JF	KM 26079	\$ 7,805.45
Goldy Holden	Viva JF	New Vehicle	\$ 16,441.82
<u>Total Net Changeover</u>			<u>\$ 93,044.91</u>

10. This would provide available funds for Phase II of the light vehicle change over programme (i.e. 3 vehicles) of approximately \$ 55,955 which will be under taken in early 2007.

11. If the LP gas option was selected, where available, the replacement programme would be in accordance with the following:

<u>Supplier</u>	<u>Vehicle</u>	<u>Registration</u>	<u>Net Change Over \$</u>
Melville Mitsubishi	380 (LPG)	KM 824	\$ 17,871.57
Melville Mitsubishi	380 (LPG)	KM 13939	\$ 21,053.39
Melville Mitsubishi	380 (LPG)	KM 13520	\$ 21,053.39
Melville Mitsubishi	380 (LPG)	New vehicle	\$ 27,871.57
Goldy Holden	Viva JF	KM 26079	\$ 7,805.45 (LPG N/A)
Goldy Holden	Viva JF	New Vehicle	\$ 16,441.82 (LPG N/A)
<u>Total Net Changeover</u>			<u>\$ 112,097.19</u>

12. The LPG option for four (4) vehicles would add a further \$19,052.28 to the capital cost of replacement. This would provide available funds for Phase II of the programme of \$36,903.00 which would be sufficient to replace only two (2) of the three (3) vehicles due for replacement in 2006/2007.

13. **The Executive Manager Corporate Services advised that four of the vehicles are to be provided to managers under their contracts, two are to be inspectorial vehicles as allocated.**

14. **Petrol fuel consumption figures are published for the proposed vehicles, but not LPG consumption so potential operating cost savings are not readily determined.**

15. **Operating cost comparisons have not been obtained from other Local Government Authorities.**
16. **The Executive Manager Corporate Services advised that the budget of \$149,000 for replacement vehicles would not be exceeded, however, if the LP Gas option as noted in point 11. were adopted then the replacement programme could be modified to suit the available budget.**
17. **Although the policy is to replace a vehicle after it is 4 years old, or has travelled 90,000km, there are precedents where these limits have been exceeded in the past. There is a strong preference not to do this and if the replacement of one vehicle were deferred then it would be possible to reschedule the purchase to early in the 07/08 year once that budget was approved.**
18. **The savings on fuel costs using LPG powered vehicles could be made available to use against vehicle replacement costs.**

RECOMMENDATION

GS 101/2006

1. That in view of the additional capital cost of \$19,052.28 of acquiring four (4) LPG only vehicles and two (2) petrol vehicles, Council agrees to purchase six (6) petrol vehicles within Phase I of the 2006/2007 replacement programme in accordance with the following:

Supplier	Vehicle	Registration	Net Change Over \$
Kalamunda Toyota	Camry Altise	KM 824	\$ 12,699.41
Kalamunda Toyota	Camry Altise	KM 13939	\$ 15,972.14
Kalamunda Toyota	Camry Altise	KM 13520	\$ 16,790.32
Kalamunda Toyota	Camry Altise	(New vehicle)	\$ 23,335.77
Goldy Holden	Viva JF	KM 26079	\$ 7,805.45
Goldy Holden	Viva JF	(New Vehicle)	\$ 16,441.82
Total Net Changeover			\$ 93,044.91

MOVED: (Cr Winterhalder)

SECONDED: (Cr Taylor)

For

Cr Tonkin
 Cr D Sadler
 Cr Winterhalder
 Cr Taylor

Against

Cr Bilich
 Cr Giardina
 Cr Morton
 Cr Casey
 Cr McKechnie
 Cr N Sadler

On being put to the Vote, the Motion was **LOST**.

COMMITTEE RECOMMENDATION TO COUNCIL GS 101/2006

1. Council agrees to purchase 6 vehicles being 4 LPG and 2 petrol, within Phase 1 of the 2006/2007 replacement programme in accordance with the following:

<u>Supplier</u>	<u>Vehicle</u>	<u>Registration</u>	<u>Net Change Over \$</u>
Melville Mitsubishi	380 (LPG)	KM 824	\$ 17,871.57
Melville Mitsubishi	380 (LPG)	KM 13939	\$ 21,053.39
Melville Mitsubishi	380 (LPG)	KM 13520	\$ 21,053.39
Melville Mitsubishi	380 (LPG)	New vehicle	\$ 27,871.57
Goldy Holden	Viva JF	KM 26079	\$ 7,805.45 (LPG N/A)
Goldy Holden	Viva JF	New Vehicle	\$ 16,441.82 (LPG N/A)
<u>Total Net Changeover</u>			<u>\$ 112,097.19</u>

MOVED: (Cr Casey) SECONDED (Cr Bilich)

For

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

Against

Cr D Sadler

MOTION CARRIED

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

Cr Casey disclosed an interest affecting impartiality as she is employed by Southern Cross Care, a not-for-profit organisation which provides care and residential accommodation, hostel and nursing home accommodation and also has independent living units on site.

Cr N Sadler disclosed an interest affecting impartiality, as she is a member of a committee, in a voluntary capacity, of a not-for-profit organisation, which provides retirement villages, independent living units and aged care hostels.

102. Local Government Rating Of Land Used For Charitable Purposes (Corporate Services)

Refer Item:

Applicant:

Owner:

Purpose of Report

1. To consider and provide feedback on a strategy proposed by the Minister for Local Government and Regional Development on the treatment, for rating purposes, of land used for charitable purposes.

Background

2. In December 2004, the then Minister for Local Government and Regional Development in response to a number of approaches made to her office, requested that the Local Government Advisory Board examine and report on the general issue of local government rating of land used for charitable purposes.
3. The Board has completed its investigation and has provided a report to the Minister.

Comments

4. The Local Government Advisory Board Inquiry Report into the operation of section 6.26 (2) (g) of the Local Government Act 1995 has now been released by the Minister. The Minister has advised that he proposes to implement the following strategies in response to the Report:-

Strategy 1 Independent Living Units (ILUs) owned and operated by religious, charitable and other non profit organisation (NFPO's) are to be rated if not subsidised. The nature and level of subsidy will be prescribed in the Local Government Act 1995 Regulations.

These arrangements are to apply to ILU's in villages established after 1 July 2007 and 1 July 2015, to all retirement villages. Existing lease holders will not be rated while they hold their lease.

Strategy 2 Religious, charitable and other not-for-profit organisations providing aged care services and receiving care subsidies in accordance with the Aged Care

Act 1997(Commonwealth) are to be exempt from rates. This may require an amendment to the Act and/or Regulations.

Strategy 3 Land held by not-for-profit community housing providers and used for crisis accommodation or housing for people with a disability should be exempt from being rated. This may require an amendment to the Act and/or Regulations.

Strategy 4 Request the Local Government Advisory Board to undertake further work to determine how to isolate the types of community housing that should be rated without negatively impacting upon;

- Occupiers of this housing that are financially disadvantaged; and
- Community housing providers.

This may require an amendment to the Act and/or Regulations

Strategy 5 The Act and/or Regulations to be amended to address the following matters in relation to vacant land:

- Vacant land that is held for use as a charitable purpose in the future is exempt from rates;
- The owner of vacant land seeking an exemption is to provide information to the relevant local government that is sufficient for it to be able to satisfy itself of the future land use intended; and
- If the land is not eventually used for a charitable purpose, back rates are to be paid to compensate for the time it was previously exempted. Back-rating is to extend back for a period not exceeding 15 years from the time the decision is made that an exemption is appropriate.

Strategy 6 That the Act and/or the Regulations be amended to prescribe that incidental "non charitable" land uses do not jeopardise the overall dominant charitable purpose of the property.

Strategy 7 That the Act and/or Regulations be amended to clarify that it is possible to rate part of a property, if that part is clearly non charitable and not incidental or ancillary to a dominant charitable purpose.

Strategy 8 That the Act and/or Regulations be amended so that organisations seeking a rating exemption are required to provide the local government with relevant information to allow it to make a considered decision about whether land is being used for charitable purposes.

5. The Minister is seeking feedback from Councils and other key stakeholders on the proposals. Comments are required by the end of October 2006.
6. Staff have prepared Draft Comments on the Minister's proposal ([Attachment 1](#)) for Council consideration.

-
7. **Committee was advised that a new recommendation would be coming out of the State Council and could be brought to the Ordinary Council Meeting of the 16 October 2006**

RECOMMENDATION

GS 102/2006

1. That Council endorses the Draft Comments as per [Attachment 1](#), for submission to the Minister for Local Government and Regional Development in response to the proposed strategies relating to local government rating of land used for charitable purposes.

There was no Mover or Seconder and the Motion **LAPSED**

Cr Taylor proposed an alternative Motion as a result of additional information provided to the Committee.

COMMITTEE RECOMMENDATION TO COUNCIL GS 102/2006

1. That the item be deferred to the Ordinary Council Meeting 16 October 2006 pending further information coming from State Council at WALGA.

Moved: (Cr Taylor)

Seconded: (Cr Winterhalder)

CARRIED UNANIMOUSLY

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

Cr Morton disclosed an interest affecting impartiality, as he is a patron of Foothills Netball Association.

Cr N Sadler disclosed interests affecting impartiality, as she is a patron of Forrestfield United Soccer Club and Foothills Netball Association.

103. Community Sport and Recreation Facilities Fund (FI-FAG-006) (Community Services)

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

Purpose of Report

1. To prioritise the applications received for funding through the Department of Sport and Recreation's (DSR) Community Sport and Recreation Facilities Fund (CSRFF)

Background

2. Through the CSRFF, the State Government provides financial assistance to community groups and local government authorities to develop basic infrastructure for sport and recreation. The program aims to increase participation in sport and recreation with an emphasis on physical activity, through well-planned facilities.
3. Sporting Groups were invited to submit applications which fit into two categories:

Annual Grants: \$2500.00 - \$270,000.00 for projects requiring less complex planning process. Grants given in this category must be claimed in the next financial year i.e. 2007/08

Forward Planning Grants: \$270,000.00 - \$1.8m for more complex projects that require a forward planning period of between one and three years. Grants given in the category will be allocated in the first (2007/08), second (2008/09) or third (2009/10) year of the triennium.
4. The maximum CSRFF grant approved will be no greater than one-third of the total estimated cost of the applicant's project. Furthermore, the WA State Government's contribution must be at least matched by the applicants own cash contribution, with the balance of funds being sourced by the applicant.
5. There is no obligation on the local government authority to make any contribution to a project, although Council may consider contributing up to one third of funding.
6. The current CSRFF funding round was advertised in local papers and news outlets, on the Shire website and letters were distributed to all local clubs. All clubs submitting applications also attended a CSRFF information session.

Comments

7. Four applications were received for the current funding round.
8. Forrestfield Junior Football Club: have applied for the supply and erection of two lighting towers at Reid Oval in Forrestfield.
9. The club feels that this project will improve the training facilities for their growing membership. The club has seen a constant improvement in the number of players registered especially in the Auskick and younger age groups. The club currently only caters for juniors and older teams struggle to train on the ground due to the poor lighting available. Lighting is currently provided from three small towers located along the northern side of the ground, however this is quite poor and only lights a small section of the ground. Everyone is forced to train on this section of the ground which causes problems for coaches and players and negatively impacts the surface in this area.
10. Training currently extends through until 9.00pm due to the lack of space available for all players once it gets dark. The provision of lighting on a larger area of the ground would allow more players to train earlier and would also reduce the wear on the one section of the ground. Older children would also be encouraged to remain with the club if they had more space to conduct longer kicking drills.
11. The project has been designed to allow for the future construction of two more light towers which would light the entire oval for training and allow night games to be played in the future. This would also allow for the development of a senior team at the club.
12. The club applied for CSRFF funding in the 2006/07 round; however, were not successful due to the pending completion of the Sporting Reserve Development Plan.
13. The club is seeking a contribution of \$27,866.67 from the Shire, \$27,866.67 from the Department of Sport and Recreation and the club will contribute \$27,866.67 (inclusive of GST).
14. Forrestfield United Soccer Club: have applied for the supply and erection of nine lighting towers at Hartfield Park Reserve.
15. Lighting for the soccer pitches is currently supplied by eight lighting towers that have been installed over a number of years. The towers are of varying ages, wattage and heights which create uneven light across the soccer pitches. This uneven light creates a hazard for players and does not allow the club to play night matches.
16. The Hartfield soccer ground is heavily used by the soccer club all year round; however, there are several areas that cannot be used at night as the lighting is poor. The ground closest to the soccer pavilion is heavily used as the lighting is best in this area. Areas further away along Hale Road and Morrison Oval have limited usage after sunset.

-
17. Improved lighting would allow the club to schedule training away from the main pitch areas. It will also allow for the future expansion of soccer club numbers as more areas are available for training later in the evenings.
 18. The nine lighting towers will require less power than the existing lighting towers due to improved performance of globes and lighting infrastructure. The locations of the towers will not only allow for even light across the ground but also night games to be played in the near future.
 19. The project has been designed to allow for expansion on to the hockey grounds if required in the future.
 20. The club is seeking a contribution of \$87,059.00 from the Shire, \$87,059.00 from the Department of Sport and Recreation and the club will contribute \$87,059.00 (inclusive of GST).
 21. Walliston Riding and Pony Club: have applied for the construction of a safety arena at the Walliston Riding and Pony Club grounds in Walliston.
 22. The club have experienced an increasing number of young riders with some nearby pony clubs recommending that children under the age of seven attend Walliston. The club has instructors who are trained to teach horse riding and associated skills to children under the age of seven, which is not available at all clubs in Western Australia.
 23. The project will involve the construction of a 70m x 30m enclosed arena with pine post rail fencing and plastic coated wire. The arena will have a sand base suitable for horse riding activities.
 24. The arena has been designed to allow for a range of activities to be conducted. The arena is suitable for very young riders, people training young horses, jumping events, dressage and educational activities associated with the pony club. Gates have also been installed to allow riders to pass through the arena while competing in other events on the grounds.
 25. The Walliston Riding and Pony Club grounds are open to the general public seven days a week and the arena would also be available. There are currently two other horse clubs utilising the grounds and a number of private individuals.
 26. The project was identified in the club's vision document as important for the clubs development and the safety of young riders in particular. The Pony Club Association of Western Australia supports the need for an arena such as this one when young riders are involved.
 27. The club is seeking a contribution of \$14,248.67 from the Shire, \$14,248.67 from the Department of Sport and Recreation and the club will contribute \$14,248.67 (inclusive of GST).
 28. Foothills Netball Association: have applied to resurface eight netball courts at its facility on Maida Vale Reserve.

29. The club was previously successful in gaining a CSRFF grant and Council funds for the resurfacing of four courts at the centre. This project will resurface a further eight courts.
30. The courts are in a dilapidated condition with cracks, moss and uneven surfaces causing problems for players and umpires. Players, umpires and parents have complained about the condition of the courts and the safety of the surface. Netball WA has also expressed concern at the courts and will not schedule regional games at the centre.
31. The courts will be resurfaced with a product recommended by Netball Australia and complies with all relevant standards for netball court construction.
32. The club is seeking a contribution of \$35,280.30 from the Shire, \$35,280.30 from the Department of Sport and Recreation and the club will contribute \$35,280.30 (inclusive of GST).
33. Listed below is a table of applicants. All applications are for annual grants.

Applicant	Membership Numbers	Project	Applicant Contribution	Requested Council Contribution	CSRFF Grant Application	Total Project Cost
Forrestfield Junior Football Club	250	Supply and erection of new lighting at Reid Oval	\$27,866.67	\$27,866.67	\$27,866.67	\$83,600.00
Forrestfield United Soccer Club	683	Supply and erection of new lighting at Hartfield Park	\$87,059.00	\$87,059.00	\$87,059.00	\$261,178.50
Walliston Riding and Pony Club	150	Construct a safety arena	\$14,248.67	\$14,248.67	\$14,248.67	\$42,746.00
Foothills Netball Association	630	Resurface courts	\$35,280.30	\$35,280.30	\$35,280.30	\$105,840.90

34. In respect to the Council contribution listed above, this is based upon the Club's intentions and request for Council funding. If the applications are successful in securing CSRFF funding, Council will have the opportunity to consider the level of grant funding, self supporting loan or a combination of both through the normal budgetary processes.
35. The submissions have been ranked in accordance with the criteria used by the Department of Sport and Recreation. The DSR criteria ([Attachment 1.](#)) include Project Justification, Planned Approach, Community Input, Management Planning, Access and opportunity, Design, Financial Viability, Co-ordination and the potential to increase physical activity.

-
36. **The Executive Manager Community Services confirmed that the grounds of the Walliston Riding and Pony Club are available to the general public, however, for security reasons the property is locked. The name of the contact for a key is noted on the gate.**
 37. **It was confirmed none of these projects are identified in the Sporting Reserves Development Plan**
 38. **Executive Manager Community Services believed the reason that the resurfacing of courts is rated lowly by the Department of Sport and Recreation was due to the fact it did not increase the level of physical activity and would be seen as a club responsibility.**

COMMITTEE RECOMMENDATION TO COUNCIL

GS 103/2006

1. That the Department of Sport and Recreation CSRFF Grant applications be ranked and prioritised as follows:
 - i. Forrestfield Junior Football Club – Oval Lighting
 - ii. Walliston Riding and Pony Club – Safety Arena
 - iii. Foothills Netball Association – Court Resurfacing
 - iv. Forrestfield United Soccer Club – Pitch Lighting
2. That the above ranking does not commit funding from Council and each proposal will be assessed within the context of overall budget priorities.

Moved: (Cr Taylor)

Seconded: (Cr McKechnie)

CARRIED UNANIMOUSLY

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

Geoff Parslow, Executive Manager Corporate Services, disclosed an interest affecting impartiality, as he has recently joined the Kalamunda Lapidary Club.

104. Renewal of Licence Agreement – Kalamunda Lapidary Club Inc (RC-01/003) (Community Services)

Refer Item: N/A
Applicant: Kalamunda Lapidary Club Inc
Owner: Shire of Kalamunda

Purpose of Report

1. To consider the renewal of the licence agreement for the Kalamunda Lapidary Club building located on Kostera Oval Reserve.

Background

2. The Kalamunda Lapidary Club Inc entered into a licence agreement with the Shire of Kalamunda on 1 January 1986 and this agreement expires on 31 December 2006.
3. The Kalamunda Lapidary Club Inc have requested a new licence agreement so they can continue to use the building located in the North West corner of the Kostera Oval Reserve, beside the Pat Moran Pavilion.

Comments

4. The Kalamunda Lapidary Club Inc has occupied the building for many years and has been reliable and responsible licensees.
5. The main terms and conditions of the proposed agreement are summarised below and discussions with the group indicate that these will be acceptable:
 - a) To pay the amount of \$560 (inc GST) per annum for rental of the pavilion. This amount to increase annually in line with the Consumer Price Index.
 - b) Maintain premises in a clean and sanitary condition.
 - c) Maintain \$10 million in Public Liability Insurance.
 - d) Undertake minor maintenance to maintain the building, furniture and fittings in good condition.
 - e) The term of the licence is five years therefore due to expire on 31 December 2011 with one five year option.
6. The only amendment to the existing agreement will be an increase to the public liability requirement from \$1 million to \$10 million.

COMMITTEE RECOMMENDATION TO COUNCIL GS 104/2006

1. That the licence agreement with Kalamunda Lapidary Club Inc be renewed with the main terms and conditions summarised below:
 - a) To pay the amount of \$560 (inc GST) per annum for rental of the pavilion. This amount to increase annually in line with the Consumer Price Index.
 - b) Maintain premises in a clean and sanitary condition
 - c) Maintain \$10 million in Public Liability Insurance
 - d) Undertake minor maintenance to maintain the building, furniture and fittings in good condition.
 - e) The term of the licence is five years therefore due to expire on 31 December 2011 with one five year option

Moved: (Cr Taylor)

Seconded: (Cr Winterhalder)

CARRIED UNANIMOUSLY

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

105. Hartfield Park Advisory Committee – Nomination for Membership (CO-CCS-005/2) (Community Services)

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

Purpose of Report

1. To consider a nomination for the appointment of a member to the Hartfield Park Advisory Committee

Background

2. Kevin Kentish has nominated to represent the Forrestfield Little Athletics Club on the Hartfield Park Advisory Committee.
3. Current members of the Committee are listed below:
4. Rules and Guidelines for the Hartfield Park Advisory Committee state that:

"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:

Name of Person	Representing
Ray Sheridan	Forrestfield Senior Cricket Club
Paul Mansfield	Forrestfield United Soccer Club
Phillip Fawell	Kalamunda Hockey Club
Greg Pickles	Forrestfield Junior Cricket Club
Matt Peachey	Kalamunda Rugby Club
Jeff Tillemans	Forrestfield Bowling Club

Comments

6. The Forrestfield Little Athletics Club utilise Hartfield Park Reserve for its activities.
7. Kevin Kentish is to replace John Evans who has retired from the committee.

COMMITTEE RECOMMENDATION TO COUNCIL GS 102/2006

1. That Council appoint Kevin Kentish as a member of the Hartfield Park Advisory Committee.

Moved: (Cr Morton)

Seconded: (Cr D Sadler)

CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY

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

106. Jack Healey Management Committee - Nomination For Membership (CO-CCS-011) (Community Services)

Refer Item: N/A

Applicant: Shire of Kalamunda

Owner: Shire of Kalamunda

Purpose of Report

1. To consider a nomination for the appointment of a member to the Jack Healey Management Committee.

Background

2. Sidney Hepton has nominated to represent the Kalamunda Community Choral Society on the Jack Healey Management Committee.
3. Current members of the Committee are listed below:

<u>NAME OF PERSON</u>	<u>REPRESENTING:</u>
Cr. Elizabeth Taylor	Shire President, Councillor SOK
Eric Wilkinson	Probus
Hazel Jarvis	Independent
Ruby Wiles	Australian Pensioners League
Edith Williams	Meals on Wheels
Millie Sala Tenna	Meals on Wheels
Jean Falconbridge	Retirees W.A. Kalamunda
Ruth Jopling	Computer classes
P. Ken MacDonald	Kalamunda Senior Citizen's Club
Leah Millar (Seniors)	Seniors Officer, Shire of Kalamunda

4. Rules and Guidelines for the Jack Healey Management Committee state that:
 - 3.1 *A total of up to 15 members all of whom shall be appointed by Council for a term of 12 months unless Council elects to reappoint any or all members for a further term.*
 - 3.2 *A maximum of two members may be nominated from each user group - three members may nominate as independent members and two members from Council*

Comments

5. Sidney Hepton resides in High Wycombe and is a member of the Kalamunda Community Choral Society who meet at the Jack Healey Centre each week.

COMMITTEE RECOMMENDATION TO COUNCIL GS 106/2006

1. That Council appoint Sidney Hepton as a member of the Jack Healey Management Committee.

Moved: (Cr Taylor)

Seconded: (Cr Giardina)

CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY

Declaration of financial/conflict of interests to be recorded prior to dealing with each item
Cr Winterhalder declared a financial interest as he is the trustee and beneficiary of a trust which owns shares in Hastie Group.

Cr Winterhalder vacated the Chambers at 8.06pm and did not take part in discussions held. Cr Winterhalder returned to the Chambers at 8.11pm.

107. Extension of the Building Trades and Services Contracts (AD-TEN-004) (Planning and Development Services)

Refer Item: 106/2004
Applicant: N/A
Owner: Shire of Kalamunda

Purpose of Report

1. To seek Council approval for the extension of contracts for the maintenance to all Shire owned buildings, playground equipment and bus shelters within the Shire of Kalamunda.

Background

2. When the original tenders were received, they were approved at the November 2004 Ordinary meeting of Council with recommendation that they would all be appointed for a period of two (2) years.
3. The existing contracts are all due to expire on 31 December 2006; however each has a clause allowing the Council, at its discretion, to extend the contract for a period not exceeding twelve (12) calendar months upon the same terms and conditions as specified.

Comments

4. The various trades are required for building maintenance tasks and are often needed at short notice with varying degrees of urgency, depending upon the particular problem. For this reason several contractors were appointed against each tender at an hourly rate. The exception was the Air Conditioning Maintenance contract which has been quoted as a cost per annum.
5. All contractors have performed well within the constraints of their contract and it is therefore recommended that their contracts are extended for a further twelve months.
6. **Executive Manager Planning and Building Services confirmed that this would be the preferred list for building maintenance. If no one is available for a job from this list, then an alternative would be sought. Larger jobs always go out to tender.**
7. **Executive Manager Planning and Building Services confirmed that Hastie was the only company to respond to the tender for air conditioning maintenance, the service provided by this company in the past has been good.**

COMMITTEE RECOMMENDATION TO COUNCIL GS 107/2006

1. That the following contractors have their existing contracts extended for a further twelve (12) months to be effective from 31 December 2006:-

Carpentry and General Maintenance:

- Hill Top Building Maintenance - \$30.00 p/h
- Metz Handyman Services - \$30.00 p/h
- William Grimes - \$30.00 p/h

Electrical Maintenance

- High Speed Electrics - \$38.50 p/h
- A & S Hill - \$40.00 p/h

Plumbing Maintenance:

- Simon Engineering - \$42.00 p/h
- Lindley Contracting - \$45.00 p/h

Painting:

- Aussie Maintenance - \$28.00 p/h
- Riely Shelly - \$33.00 p/h
- Westside Property Repairs - \$35.00 p/h

Glazing:

- Glazwell Glass - \$40.00 cost plus 10%
- Glass Craft - \$45.00 cost plus 20%

Air Conditioning Maintenance:

- Hastie Services - \$7,440.00 per annum

Moved: (Cr Taylor)

Seconded: (Cr McKechnie)

CARRIED UNANIMOUSLY

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

**108. Closure of Road – Walnut Road and Yule Road, Bickley
(WL-08/GEN and YL-01/GEN) (Engineering Services)**

Refer Item: N/A

Applicant: Department of Conservation and Land Management

Owner: N/A

Purpose of Report

1. To consider the closure of two portions of unmade road, namely Yule Road and Walnut Road, Bickley.

Background

2. The Department of Conservation and Land Management, on behalf of the Government Astronomer, wishes to set aside the observatory site located at the end of Walnut Road Bickley, as a reserve.
3. In order to rationalise the land on which the observatory is situated, CALM has requested that the unmade section of Walnut Road and Yule Road ([Attachment 1.](#)), be closed in order that they can be incorporated into the adjacent reserves.

Comments

4. Under Section 58 of the *Land Administration Act*, the Council can request the Minister for Lands to close a road following procedures prescribed in the Act, which include advertising a notice of intention in the newspapers and allowing a 35 day comment period.
5. The section of Walnut Road to be closed and incorporated into the adjacent reserve serves only the observatory. At its Ordinary Council Meeting of 21 August 2006, the Council resolved the following:
 1. *That a notice for the temporary closure of Walnut Road Bickley be advertised in accordance with Section 3.50 of the Local Government Act 1995.*
 2. *That in the event there is no objection, the temporary closure of Walnut Road Bickley, in accordance with ([Attachment 1.](#)) be effected.*
6. The permanent closure of Walnut Road is a logical next step to the temporary closure of the road, with the permanent closure to be over the same section of road the subject of the temporary road closure.
7. Yule Road is an unmade road between two reserves, which does not provide access to any properties. Closing Yule Road will enable a single large reserve to be created and remove any liability to Council for the unmade road.

COUNCIL RECOMMENDATION TO COUNCIL

GS 108/2006

1. That action to close the unmade sections of Walnut Road and Yule Road, Bickley, having areas of 11,197m² and 576m² respectively, as shown on ([Attachment 1.](#)) be initiated in accordance with Section 58 of the *Land Administration Act*.
2. That in the event no objection is received, the Minister for Lands be requested to close the road reserve.

Moved: (Cr Winterhalder)

Seconded: (Cr Taylor)

CARRIED UNANIMOUSLY

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

**109. Closure of Road – June Road and Newlands Grove, Gooseberry Hill
(JN-04/GEN and NW-02/GEN) (Engineering Services)**

Refer Item: N/A

Applicant: Department for Planning and Infrastructure

Owner: N/A

Purpose of Report

1. To consider the closure of two portions of unmade road, namely June Road and Newlands Grove, Gooseberry Hill.

Background

2. The Western Australian Planning Commission has acquired land in Gooseberry Hill to be amalgamated into a single reserve with the intent of ultimately including the land in the Gooseberry Hill National Park. Within this land are the unmade roads of June Road and Newlands Grove as shown on ([Attachment 1.](#)).
3. In order to rationalise the land holding and future National Park land, the Department of Planning and Infrastructure have requested the Council to approve the closing of the two unmade roads in accordance with Section 58 of the *Land Administration Act*.

Comments

4. Under Section 58 of the *Land Administration Act*, the Council can request the Minister for Lands to close a road following procedures prescribed in the Act, which includes advertising a notice of intention in the newspapers and allowing a 35 day comment period.
5. The subject sections of June Road and Newlands Grove do not provide access to any properties other than the proposed National Park. Closing June Road and Newlands Grove will enable the amalgamation of the surrounding land and unmade road into a single reserve to form a Crown Reserve and remove any liability to Council for the unmade roads.
6. Properties 16 to 34 June Road are freehold lots owned by the Western Australian Planning commission. Closing June Road will result in freehold lots existing without a legal road frontage. Considering the intent of the process is to create a single National Park by amalgamating the land parcels, this problem is a 'technicality'. However, it is recommended that the Minister for Lands be requested to close June Road on the condition that the freehold lots are incorporated into the closed road reserve, or alternatively incorporated into the adjacent 17 Lascelles Parade, also a freehold lot owned by the Western Australian Planning Commission.

COMMITTEE RECOMMENDATION TO COUNCIL

GS 109/2006

1. That action to close the unmade sections of June Road and Newlands Grove, Gooseberry Hill, having areas of 4,458m² and 3,579m² respectively, as shown on **(Attachment 1.)**, be initiated in accordance with Section 58 of the *Land Administration Act*.
2. That in the event no objection is received, the Minister for Lands be requested to close the road reserves, with the section of June Road, as shown at **(Attachment 1.)** being closed on the condition that the freehold lots addressed 16, 22, 26, 30 and 34 June Road, are incorporated into the June Road reserve or into 17 Lascelles Road, at the time of closure.

Moved: (Cr Taylor)

Seconded: (Cr Tonkin)

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 Pool Table – Jack Healey Centre. (Cr Giardina)**

Q. I have recently heard that the pool table, a donation from a previous President, Owen McGrath, had been disposed of by a member of this Committee. Are members of the Management Committee of the Jack Healey Centre aware of the Terms of Reference?

A. Acting CEO anticipated the matter would be resolved the following day at the next meeting of the Committee. If a satisfactory conclusion could not be reached this may need to come before Council at a future time

11.2 Illegal business' Maida Vale. (Cr D Sadler)

Q. Would an unsigned letter regarding two alleged illegal business' operating from residences in the Maida Vale area be acted on?

A. The Executive Manager of Planning and Building Services was not aware of the letter, the Councillor will sign the letter and pass to the Executive Manager at the conclusion of the meeting to be dealt with.

11.3 Conduct of Elections. (Cr McKechnie)

Q. Have there been any developments regarding the proposal that would take the running and manning of elections away from Local Government bodies?

A. Cr Taylor indicated that the matter had been discussed at Zone meetings but without any resolution.

11.4 Proposed Brickworks on Airport Land in the City of Swan. (Cr Casey)

Q. Has a copy of the conditions from the Minister for Transport and Regional Development placed on BGC regarding the proposed brickworks on airport land in the City of Swan had been received by the Shire of Kalamunda?

A. Executive Manager Building and Planning Services confirmed that a copy had been received.

12.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**12.1 Amendments to Local Government Act**

Cr Taylor informed the Councillors that the State Government had put forward an amendment to the Local Government Act in relation to the method of voting for Local Government. Cr N Sadler suggested that a motion be put forward, similar to that suggested by the Central Zone, regarding the proposal to reinstate preferential voting as oppose to this Council's previous unanimous decision to support first past the post.

MOTION - COMMITTEE RECOMMENDATION TO COUNCIL

1. That the Shire of Kalamunda opposes the proposed changes to the method of voting and immediately write to the Minister for Local Government, local MPs and members of the Legislative Council opposing the changes and the actions of the Government and that WALGA's intention to conduct a media campaign (including newspaper advertising) to raise community awareness about the implications of the proposed changes is endorsed.

Moved: (Cr Taylor)

Seconded: (Cr N Sadler)

For

Cr Bilich
Cr Giardina
Cr Tonkin
Cr Morton
Cr Casey
Cr D Sadler
Cr Taylor
Cr N Sadler
Cr McKechnie

Against

Cr Winterhalder

MOTION CARRIED**13.0 MATTERS BEHIND CLOSED DOORS**

- 13.1 Nil

14.0 CLOSURE

There being no further business, the Chairman declared the meeting closed at 8.35 pm.

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

Signed Chairman

Dated thisday of2006