
Shire of Kalamunda

General Services Committee

Minutes for 3 March 2009



SHIRE OF KALAMUNDA

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**Minutes of General Services Committee
Held in the Council Chambers
2 Railway Road, Kalamunda
Tuesday 3 March 2009**

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

D McKechnie	(SHIRE PRESIDENT) NORTH WARD
E Taylor	NORTH WARD
M Thomas	(CHAIRMAN) NORTH WARD
A Morton	SOUTH WEST WARD
P Tonkin	SOUTH WARD
J Giardina	SOUTH WARD
C Everett	SOUTH WARD
P Heggie	NORTH WEST WARD
F Lindsey	EAST WARD

Officials

J Trail	CHIEF EXECUTIVE OFFICER
N Wilson	DIRECTOR OF CORPORATE SERVICES
R O'Brien	DIRECTOR OF PLANNING & DEVELOPMENT SERVICES
M Singh	DIRECTOR OF ENGINEERING SERVICES
B Millan	EXECUTIVE ASSISTANT CHIEF EXECUTIVE OFFICER
S Leeson	MANAGER FINANCIAL SERVICE
K Wilkinson	A/MANAGER LIBRARY SERVICE
J Smith	MANAGER HEALTH SERVICES
D McPherson	MINUTE SECRETARY

Apologies

M Cresswell	NORTH WEST WARD
M Robinson	SOUTH WEST WARD
D Sadler	SOUTH WEST WARD
K O'Connor	DIRECTOR OF COMMUNITY DEVELOPMENT

Observers

13

Newspapers

0

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 2 February 2009 is confirmed as a true and correct record of the proceedings.

Moved: (Cr McKechnie)

Seconded: (Cr Taylor)

CARRIED UNANIMOUSLY**6.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

6.1 Nil.

7.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

7.1 Nil.

8.0 DISCLOSURE OF INTERESTSDisclosure of Financial and Proximity Interests

- (a) Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 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. (Section 5.70 of the Local Government Act 1995)

8.1 Nil.

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.

8.2 **Item 21 Kalamunda Men’s Shed Feasibility Committee – Request for in principle Support for Partnership Arrangement**

Cr Tonkin declared an interest affecting impartiality as she is a Committee member.

Item 21 Kalamunda Men’s Shed Feasibility Committee – Request for in principle Support for Partnership Arrangement

Cr Taylor declared an interest affecting impartiality as a member of the Committee of Men’s Sheds there may be a perception that impartiality may be affected. She declared that she will consider this matter on its merits and will come to an impartial decision based on information presented to the meeting.

9.0 REPORT TO COUNCIL

Please Note:

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

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15. Roach Road, Piesse Brook – Road Closure

Previous Items: GS 129/2008: GS 14/2009
Service Area: Engineering Services
Author: Mahesh Singh
File Reference:
Applicant: Mr & Mrs Clune
Owner:

PURPOSE

1. To consider closing a portion of the road reserve on Roach Road, adjacent to 15 (Lot 325) Hummerston Road, Piesse Brook, as shown at ([Attachment 1.](#))

BACKGROUND

2. Council considered a Committee Recommendation at its Ordinary Council Meeting of 16 February 2009 and resolved as follows;

'That the Agenda Item GS 14/2009, 'Roach Road, Piesse Brook – Road Closure' be deferred until the General Services Committee, Tuesday 3rd March 2009, so as to ensure all necessary paper work is in place such as:

- *Fire brigade access through to Jorgensen Park via Lot 325.*
- *New walk trail for walkers to be constructed with proper engineered plans.*
- *Ensure legal documentation is drawn up for dual use of the roadway along the boundary of Lot 4 Hummerston Road to ensure side access for number 17 Hummerston Road.'*

DETAILS

3. The details of the proposal appear in agenda item GS 14/2009, included in the General Services Minutes.
4. Following the February 2009 General Services Committee, an on site meeting was held between Shire staff, Councillors and the applicant, to discuss various options, which led to the Ordinary Council Meeting Resolution.

STATUTORY AND LEGAL IMPLICATIONS

5. Nil.

POLICY IMPLICATIONS

6. Nil.

PUBLIC CONSULTATION/COMMUNICATION

7. Nil.

FINANCIAL IMPLICATIONS

8. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

9. Nil.

OFFICER COMMENT

10. The following advice was provided to the applicant, in order to comply with the Ordinary Council Meeting Resolution and to progress the matter further;
- The emergency access through the road reserve proposed for closure can best be achieved by creating an easement in favour of the Shire;
 - The easement should be shown on the diagram to be prepared by a licensed surveyor and lodged with Landgate;
 - Similarly, the Right of Carriageway in favour of Lot 4 Hummerston Road should also be shown on the diagram; and
 - Shire staff will require a plan drawn up by a qualified Engineer, prior to the construction of a walk trail.
11. The applicant has agreed to comply with the staff advice and their letter of confirmation appears at ([*Attachment 1.*](#))

MEETING COMMENT

12. The applicant and a representative spoke in favour of the recommendation. Measures that would be taken to resolve the issues and concerns were clarified.
13. A Councillor enquired of the applicant if she would be in principle agreeable with the residents of Lot 4 (17) Hummerston Road purchasing a part of the road reserve to retain their driveway accesses. The applicant indicated that after further investigation and consultation this may be an option.
14. Councillors sought clarification on other points in relation to the report.

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15. Three speakers spoke against the recommendation. Councillors sought clarification of some points raised by the objectors.
 16. A Councillor queried the amount of vegetation which would need to be removed to allow a roadway to be built. The Director Engineering Services advised that at this time it was difficult to establish if any vegetation would be removed.
 17. The Committee sought clarification in relation to aspects of the proposal from the Director of Engineering Services. The Director Engineering Services reminded the Committee that the item presented was for the purpose of recommending to the Department of Land Management for the closure of the road reserve only.
 18. The Officer Recommendation was moved and seconded proforma. A Councillor proposed a point three (3) to the recommendation to allow a truncation of the road reserve to allow access to Lot 4 Hummerston Road and also provide public access via a walk way.
 19. The mover and the seconder accepted the amendment and a vote was taken.

OFFICER RECOMMENDATION

1. That a 15m side section of Roach Road reserve, abutting numbers 15 (Lot 325) and 17 (Lot 4) Hummerston Road, refer [*\(Item GSC 15 Attachment 2.\)*](#) be recommended for closure, to the Minister for Land, subject to the following;
 - a. The owners of 15 Hummerston Road (the applicant) purchase the 15m wide strip of land;
 - b. The applicant provides an 'in principal' agreement with the Water Corporation to relocate the water meter;
 - c. The applicant provides an easement for emergency access, on the land proposed to be purchased;
 - d. The applicant provide a Right of Carriageway to the owners of 17 (Lot 4) Hummerston Road, on the land proposed to be purchased, from Hummerston Road to the northern boundary;
 - e. The easement and Right of Carriageway is shown on the titles;
 - f. The applicant constructs a walk trail on the proposed Public Access Way at their own cost, to the satisfaction of the Director of Engineering Services;
 - g. The applicant arrange for a survey and lodgement of diagrams prepared by a licensed surveyor; and
 - h. That all costs associated with the proposed road closure, are paid for by the applicant.

-
2. That a 5m wide section of Roach Road reserve, abutting 13 (Lot 271) and 13a (Lot 272) Hummerston Road be designated as a Public Access Way.

Moved: (Cr Taylor)

Seconded: (Cr McKechnie)

COMMITTEE RECOMMENDATION TO COUNCIL GS 15/2009

1. That a 15m side section of Roach Road reserve, abutting umbers 15 (Lot 325) and 17 (Lot 4) Hummerston Road, refer ([Item GSC 15 Attachment 2](#)) be recommended for closure, to the Minister for Land, subject to the following;
 - a. The owners of 15 Hummerston Road (the applicant) purchase the 15m wide strip of land;
 - b. The applicant provides an 'in principal' agreement with the Water Corporation to relocate the water meter;
 - c. The applicant provides an easement for emergency access, on the land proposed to be purchased;
 - d. The applicant provide a Right of Carriageway to the owners of 17 (Lot 4) Hummerston Road, on the land proposed to be purchased, from Hummerston Road to the northern boundary;
 - e. The easement and Right of Carriageway is shown on the titles;
 - f. The applicant constructs a walk trail on the proposed Public Access Way at their own cost, to the satisfaction of the Director of Engineering Services;
 - g. The applicant arrange for a survey and lodgement of diagrams prepared by a licensed surveyor; and
 - h. That all costs associated with the proposed road closure, are paid for by the applicant.
2. That a 5m wide section of Roach Road reserve, abutting 13 (Lot 271) and 13a (Lot 272) Hummerston Road be designated as a Public Access Way.

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3. That the recommendation be made to the Minister to give the opportunity to the owners of Lot 4 Hummerston Road to purchase a truncated portion of the Roach Road Reserve encompassing the driveway to Lot 4 Hummerston Road.

Moved: (Cr Taylor)

Seconded: (Cr McKechnie)

For the Recommendation

Cr Everett
Cr Tonkin
Cr Morton
Cr Lindsey
Cr Taylor
Cr McKechnie
Cr Thomas

Against the Recommendation

Cr Giardina
Cr Heggie

CARRIED

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

16. Creditors Accounts Paid for February 2009

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

PURPOSE

1. To receive creditors' accounts paid for the month February 2009.

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. The report is required to show payee's name, the amount of the payment, the date of the payment, and sufficient information to identify the transaction.

DETAILS

4. Accordingly, the lists of Creditors' paid in February 2009 ([Attachment 1](#)) is attached.

STATUTORY AND LEGAL IMPLICATIONS

5. Nil.

POLICY IMPLICATIONS

6. Nil.

PUBLIC CONSULTATION/COMMUNICATION

7. Nil.

FINANCIAL IMPLICATIONS

8. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

9. Nil.

OFFICER COMMENT

10. Nil.

MEETING COMMENT

11. A Councillor queried EFT 5971 – East Metropolitan Regional Council (EMRC)– contribution to tourism and requested details of the payment. The Director of Corporate Services advised part of this amount was for general tourism promotion of the area the CEO has requested a breakdown of this payment from the EMRC and the information would be provided to Councillors when it became available.
12. A Councillor queried a payment to A1 Walliston Tree Service. The Director Corporate Services advised this was part of the Shire's ongoing tree pruning and dangerous tree removal programme. A breakdown would be provided to Councillors before the next meeting.

COMMITTEE RECOMMENDATION TO COUNCIL GS 16/2009

1. That the list of Creditors' paid for February 2009 ([*GSC Item 16 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 Taylor)

CARRIED UNANIMOUSLY

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

17. Financial Activity Statements for the Period Ended 31 January 2009

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

PURPOSE

1. To receive the financial activity statement reports for the period ended 31 January 2009.

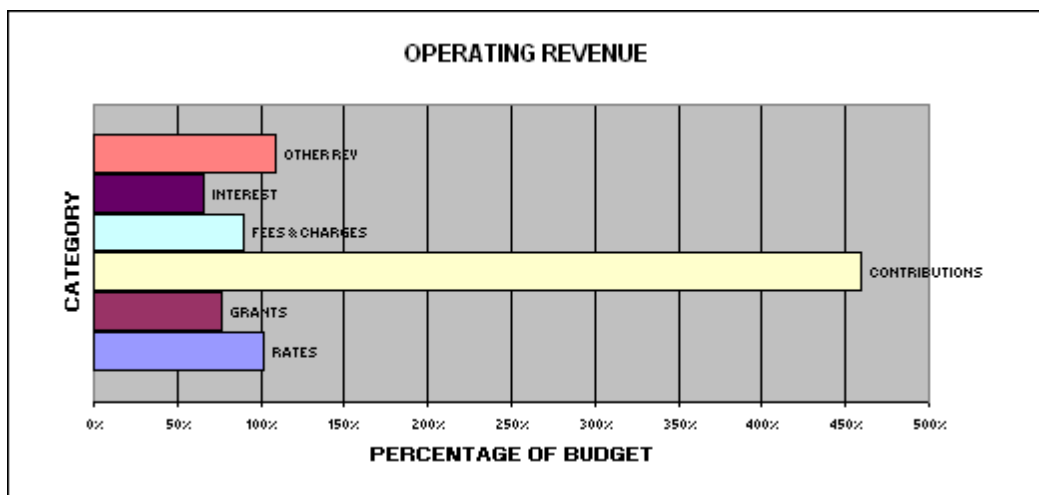
BACKGROUND

2. Attached are the financial activity statement reports for the period ending 31 January 2009 ([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.

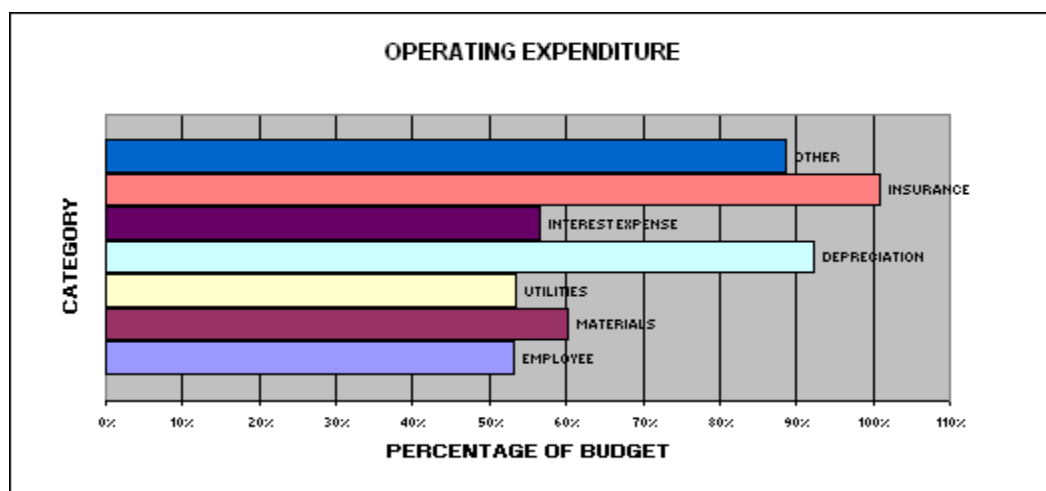
DETAILS

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

Operating income is currently 97.05% of annual budgeted amounts with outstanding operating grants for projects currently being reviewed. Interest earnings recognised on term deposit maturity throughout the year with several to mature in February, continue to exceed year to date budget. Part of any earnings in excess of budget are to be allocated to reserve and therefore become restricted cash. Unbudgeted roadwork and cash in lieu of public open space contributions received have lead to actual contribution performance exceeding annual budget, though these funds are restricted in nature.



Operating expenditure is exceeding budget year to date. This is mainly affected by payments in advance for licences, subscriptions and maintenance agreements, which are timing differences.



Key reporting areas:

Salaries and Wages

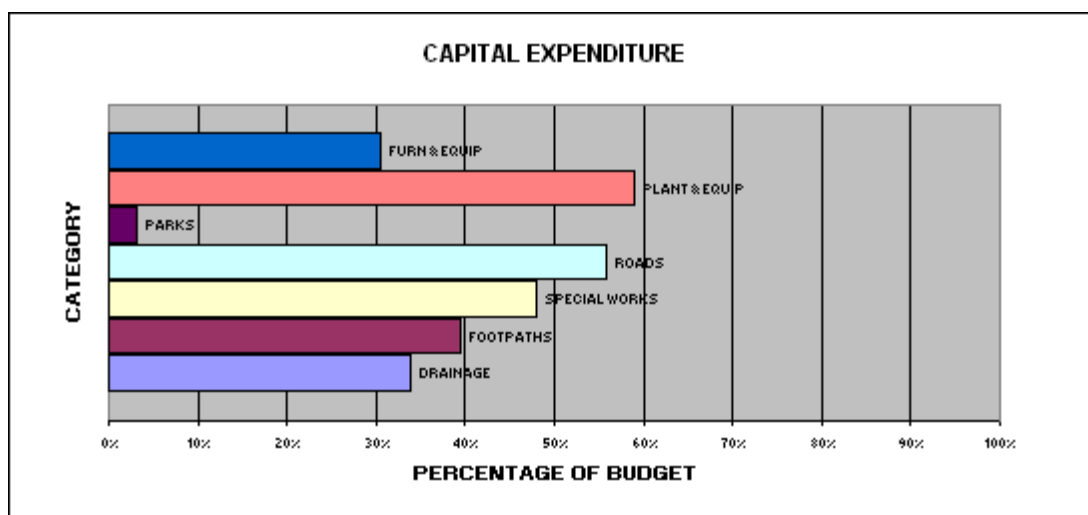
These are now reported as exceeding year to date budget, influenced by workers' compensation insurance which is paid annually in advance, recruitment and EBA's.

Other Expenditure

This category comprises a budget of \$48,750 for donations to the History Village, community groups and residents selected as state sport representatives. It also includes analytical costs budgeted at \$10,700. As both the History Village and analytical fees are paid in advance, this category is shown as nearly fully expended.

Capital Expenditure

Capital Expenditure is at 39.35% of annual budget. This is based upon actual expenditure, ignoring the value of committed purchase orders. This is largely affected by the CSRFF funded projects (Kalamunda Bowling \$543k) and Public Open Space projects (Maida Vale Reserve \$270k, Hartfield Park \$353, Fleming Reserve \$630k) approval and commencement dates.



FINANCIAL RATIOS	2008/2009	2007/2008
Current Ratio	7.7 : 1	1.21 : 1
Untied Cash to Trade Creditors Ratio	9.9 : 1	0.37 : 1
Debt Ratio	1.30%	1.61%
Debt Service Ratio	0.30%	0.37%
Gross Debt to Revenue Ratio	2.19%	2.20%
Gross Debt to Economically Realisable Assets Ratio	0.31%	0.36%
Rate Coverage Ratio	55.32%	49.41%
Outstanding Rates Ratio	19.46%	3.06%

The above ratios are calculated as follows:

The above ratios are calculated as follows:

Current Ratio	$\frac{\text{Current assets minus restricted current assets}}{\text{Current liabilities minus liabilities associated with restricted assets}}$
Untied Cash to Trade Creditors Ratio	$\frac{\text{Untied cash}}{\text{Unpaid trade creditors}}$

Debt Ratio	$\frac{\text{Total liabilities}}{\text{Total assets}}$
Debt Service Ratio	$\frac{\text{Debt Service Cost (Principal \& Interest)}}{\text{Available operating revenue}}$
Gross Debt to Revenue Ratio	$\frac{\text{Gross debt}}{\text{Total revenue}}$
Gross Debt to Economically Realisable Assets Ratio	$\frac{\text{Gross debt}}{\text{Economically realisable assets}}$
Rate Coverage Ratio	$\frac{\text{Net rate revenue}}{\text{Operating revenue}}$
Outstanding Rates Ratio	$\frac{\text{Rates outstanding}}{\text{Rates collectable}}$

STATUTORY AND LEGAL IMPLICATIONS

7. Nil.

POLICY IMPLICATIONS

8. Nil.

PUBLIC CONSULTATION/COMMUNICATION

9. Nil.

FINANCIAL IMPLICATIONS

10. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

11. Nil.

OFFICER COMMENT

12. Nil.

MEETING COMMENT

13. The Director of Corporate Services advised the figure under Operating Expenditure - Other Expenditure was incorrect and should be \$48,750 not 448,750.

COMMITTEE RECOMMENDATION TO COUNCIL GS 17/2009

1. That the Financial Activity Statement reports for the period ending 31 January 2009 ([GSC Item 17 Attachment 1](#)) be received.

Moved: (Cr Taylor)

Seconded: (Cr Everett)

CARRIED UNANIMOUSLY

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

18. Debtors and Creditors Report

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

PURPOSE

1. To receive a monthly report on debtors and creditors.

BACKGROUND

2. Attached is a report detailing aged debtors and creditors as at 31 January 2009. ([Attachment 1](#)).
3. Council has requested information as to outstanding debtors and creditors be reported on a monthly basis.

DETAILS

4. Debtors
As per attached schedule. ([Attachment 1](#)).
5. Creditors
As per attached schedule. ([Attachment 1](#)).

STATUTORY AND LEGAL IMPLICATIONS

6. Nil.

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

8. Nil.

FINANCIAL IMPLICATIONS

9. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

10. Nil.

OFFICER COMMENT

11. Nil.

MEETING COMMENT

12. A Councillor queried if any action was taken on the debts over 90 days and if it was possible to highlight debts that were being followed up with an asterisk. The Director of Corporate Services advised these debts were followed up and long outstanding debts were referred to Austral Mercantile for collection action. The Director confirmed it would be possible to highlight followed up debts with an asterisk.

COMMITTEE RECOMMENDATION TO COUNCIL GS 18/2009

1. That the outstanding debtors and creditors report as at 31 January 2009 ([GSC Item 18 Attachment 1](#)) be received.

Moved: (Cr Taylor)

Seconded: (Cr Everett)

CARRIED UNANIMOUSLY

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

19. Rates Debtors Report

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

PURPOSE

1. To receive a report on rates debtors as at 31 January 2009.

BACKGROUND

2. Attached is the report detailing rates debtors as at 31 January 2009.
[\(Attachment 1\)](#).

DETAILS

3. Rates Debtors

As per attached schedule. [\(Attachment 1\)](#)

STATUTORY AND LEGAL IMPLICATIONS

4. Nil.

POLICY IMPLICATIONS

5. Nil.

PUBLIC CONSULTATION/COMMUNICATION

6. Nil.

FINANCIAL IMPLICATIONS

7. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

8. Nil.

OFFICER COMMENT

9. Nil.

MEETING COMMENT

10. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL GS 19/2009

1. That the rates debtors report as at 31 January 2009 ([*GSC Item 19 Attachment 1*](#)) be received.

Moved: (Cr McKechnie)

Seconded: (Cr Taylor)

CARRIED UNANIMOUSLY

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

20. Appointment of “Authorised Persons”

Previous Items: OCM 164/2008
Service Area: Corporate Services
Author: Neil Wilson
File Reference:
Applicant: N/A
Owner: N/A

PURPOSE

1. To ensure that the functions of the local government are being carried out by people who are correctly authorised to do so.

BACKGROUND

2. Various functions of the local government are to be carried out by “authorised persons”. For example, the issue of infringement notices under certain local laws. The authorised person is to be appointed by the local government, that is, by Council, unless this power is delegated to another person.

DETAILS

3. The Shire of Kalamunda operates under a wide range of legislation - Acts, regulations and local laws. It is important that the Shire complies with the requirements of these statutes.
4. The *Local Government Act 1995* and the *Local Government (Miscellaneous Provisions) Act 1960* allow for most of the powers and duties of the local government to be delegated. Other legislation, such as the *Dog Act 1976*, do not.

STATUTORY AND LEGAL IMPLICATIONS

5. Legal issues may arise where action is taken against a person by someone who is not correctly authorised to take such action.

POLICY IMPLICATIONS

6. Nil.

PUBLIC CONSULTATION/COMMUNICATION

7. Nil.

FINANCIAL IMPLICATIONS

8. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

9. Nil.

OFFICER COMMENT

10. This item is presented due to resignations and appointments of new staff which require amendments to the lists presented at the December 2008 meeting.

MEETING COMMENT

11. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL GS 20/2009

1. That Council appoints the following employees. Such appointments are to remain valid until revoked, or until the person appointed is no longer employed by the Shire of Kalamunda –

Local Government Model By-laws (Removal and Disposal of Obstructing Animals or Vehicles) No. 7

Carl Robinson be appointed as an authorised person.

The place to which vehicles may be removed to under the local law is –
10 Raymond Road
Kalamunda

Dogs Local Law

Carl Robinson to be appointed as an authorised person.

Carl Robinson be appointed as a Pound Keeper for the purposes of the local law.

Dog Act 1976 and associated Regulations

Carl Robinson be appointed as an authorised person.

Carl Robinson be appointed as an authorised person for the purpose of seizing, detaining and destroying dogs under regulation 13 of the Dog (Restricted Breeds) Regulations (No. 2) 2002;

Carl Robinson, Bernadett Potter, Sophia Hilton be appointed as Registration Officers.

Control of Vehicles (Off-road Areas) Act 1978 and Regulations

Carl Robinson be appointed as an authorised officer. This appointment applies to the whole of the district of the Shire of Kalamunda.

Moved: (Cr Giardina)

Seconded: (Cr Taylor)

CARRIED UNANIMOUSLY

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

Cr Tonkin declared an interest affecting impartiality as she is a Committee member.

Cr Taylor declared an interest affecting impartiality as a member of the Committee of Men's Sheds there may be a perception that impartiality may be affected. She declared that she will consider this matter on its merits and will come to an impartial decision based on information presented to the meeting.

21. Kalamunda Men's Shed Feasibility Committee – Request for in Principle Support for Partnership Arrangement

Previous Items: Nil
Service Area: Community Development
Author: Kevin O'Connor
File Reference: CL-LOS-015
Applicant: N/A
Owner:

PURPOSE

1. To update Council on progress with the Kalamunda Men's Shed (KMS) proposal and gain in principle support for a partnership arrangement.

BACKGROUND

2. Following a very successful meeting to canvas interest in the development of a Men's Shed, the first meeting of the KMS Feasibility Committee was held on 24 October 2008.
3. The Feasibility Committee is representative of many interests within the Kalamunda community and comprises individuals with substantial expertise, including Councillors Taylor and Tonkin.
4. The aims of the Men's Shed are many. The overall objective, however, is that the Shed provides the opportunity for men to meet and be valued, creative and contribute. The Shed will also promote well being and understanding among men and provide role models and mentoring for youth.
5. The initial areas being focused upon by the Committee include Property and Equipment Governance, Funding and People.
6. The Committee with the assistance of the Council have been fortunate enough to gain agreement from the Police to have the use of the old vehicle examiner's shed and office ([Attachment 1.](#)) adjacent to the Kalamunda Police Station on Canning Road.
7. The Committee are in the final stages of incorporation and have approval from the Police Superintendent to access the shed and office for preliminary clean-up and minor maintenance.

DETAILS

8. Subject to confirmation from the Police Asset Management branch that the two buildings can be removed from the current Lease Area or whether they would prefer a sub-lease type agreement, a formal Tenant Agreement will be negotiated with the Men's Shed incorporated body in due course.
9. The KMS information ([Attachment 2.](#)) is an update from the Feasibility Committee on the status of the proposal to date:

STATUTORY AND LEGAL IMPLICATIONS

10. The Feasibility Committee have been through a very thorough process to ensure that all requirements are addressed.
11. The Tenant Agreement and insurance cover are two fundamental issues that the Committee are keen to resolve as early as possible.
12. The disposal of this property by lease/licence etc is an exempt disposition and is excluded from the application of Section 3.58 of the Local Government Act (1995).

POLICY IMPLICATIONS

13. Nil.

PUBLIC CONSULTATION/COMMUNICATION

14. The open invitation to an information session was an enormous success, with overwhelming support to progress the concept. This strong community interest has continued with offers for assistance and suggestions for programmes and activities once the Men's Shed is established.

FINANCIAL IMPLICATIONS

15. The Police Service has agreed to continue to meet the utility costs for the two buildings as their contribution towards the project.
16. It is proposed that a five year lease will be offered to the group at a peppercorn rental, with the usual outgoing and minor maintenance being their responsibility.
17. A Community Initiative Grant application up to \$1,000 is being submitted to provide the group with seed funding to assist with their set-up costs.
18. If Council was to follow the City of Fremantle partnership model, then it would need to consider allocating funding for a 0.5 of a Full Time Employee to cover the wage and overheads for the Shed Foreman. This would amount to approximately \$30,000 per annum.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

19. Inclusive intergenerational health and wellbeing opportunities are a Community Development outcome from our Strategic Plan 2009-14.
20. The proposal is also linked to the following strategies from our Strategic Plan.
 - 1.2.4 Promote participation and capacity building in community life by supporting community groups and volunteers*
 - 1.6.2 Develop and implement intergenerational skill sharing activities that provide learning opportunities for all ages.*
 - 1.6.4 Develop and partner with community, government and not for profit groups that provide learning and wellbeing opportunities for all ages.*

OFFICER COMMENT

21. It is now appropriate that the KMS Feasibility Committee go back to the community with a progress report and clarify the expectation of the proposal. With this in mind the KMS Feasibility Committee now require to formally know the level of support for the proposal from the Council.
22. In addition to the current assistance that staff and Councillors have already provided, in order to carry the proposal to the next level, the following Council support would be required.
 - i) Agreement to enter into a formal Tenancy Agreement, either directly between the Council and the KMS (Inc) or to give support for an agreement between the WA Police Service and the KMS.
 - ii) The Tenancy Agreement to be for an initial 5 (five) year period with a renewal option for a further term, with the annual rental to be on a peppercorn basis.
 - iii) Agreement in-principle to consider the funding of a Part Time Position as part of the 2009/10 budget deliberation process.
23. Resolution of the Council's level of support for the above issues would then enable the KMS Feasibility Committee to clarify the partnership model before the next public meeting.

MEETING COMMENT

24. Two members of the Kalamunda Men's Shed committee addressed the committee and provided information regarding the organisation and the purpose of the Shed.

COMMITTEE RECOMMENDATION TO COUNCIL GS 21/2009

1. That Council agreed to enter into a formal Tenancy Agreement, either directly between the Council and the Kalamunda Men's Shed (Inc), or to give support for an agreement between the WA Police Service and the Kalamunda Men's Shed.
2. The Tenancy Agreement to be for an initial 5 (five) year period with a renewal option for a further term, with the annual rental to be on a peppercorn basis.
3. That the Council agree in-principle to consider the funding of a Part Time Position as part of the 2009/10 budget deliberation process.

Moved: (Cr Giardina)

Seconded: (Cr Taylor)

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 Action on Complaints (Cr Tonkin)

Q. When staff receive a complaint that a resident has removed natural vegetation and limbs off trees on the Shire verge what action does the council take?

A. Taken on Notice

11.2 Work by Western Power at Jorgensen Park (Cr Everett)

Q. Has there been any further update on Western Power completing the work on the switchboard at Jorgensen Park?

A. This work has been completed and the airconditioner is working.

12.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

12.1 Nil.

13.0 MATTERS CLOSED TO THE PUBLIC

13.1 Nil.

14.0 CLOSURE

There being no further business, the Chairman declared the meeting closed at 8.30pm.

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

Signed.....Chairman

Dated thisday of.....2009