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Shire of Kalamunda

# General Services Committee

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Minutes for 6 April 2009



# SHIRE OF KALAMUNDA

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## Index for General Services Committee Meeting 6 April 2009

1.0	OFFICIAL OPENING .....	3
2.0	APOLOGIES AND LEAVE OF ABSENCE .....	3
3.0	PUBLIC QUESTION TIME.....	2
4.0	PETITIONS.....	2
5.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	2
6.0	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION ....	2
7.0	MATTERS FOR WHICH MEETING MAY BE CLOSED.....	2
7.1	Nil.....	2
8.0	DISCLOSURE OF INTERESTS .....	3
9.0	REPORT TO COUNCIL .....	4
22.	Creditors Accounts Paid for March 2009 .....	5
23.	Financial Activity Statements for the Period Ended 28 February 2009 ..	7
24.	Debtors and Creditors Report .....	11
25.	Rates Debtors Report .....	13
26.	Investments .....	15
27.	Nominated Employee's Entitlements Reserve .....	18
28.	Income Protection.....	21
29.	Swimming Pool Inspection Reserve .....	24
30.	High Wycombe Community and Recreation Centre – Future Purpose, Usage and Operations of the Centre.....	27
<b>31.</b>	<b>12 Grove Road, Walliston (Reserve 32344) - Submissions Received to Lease the Facility .....</b>	<b>32</b>
<b>32.</b>	<b>Hartfield Park Reserve Master Plan - Reallocation of Funds.</b>	<b>37</b>
<b>33.</b>	<b>Community Safety and Crime Prevention– Establishment of Advisory Committee.....</b>	<b>39</b>
34.	Community Safety and Crime Prevention Plan – Regional Coordinator .....	42
35.	Policy Review – Appointment of Litter Officers under the Litter Act ..	47
36.	Policy Review: Exemption from Council's Rubbish Removal Service ..	49
37.	Policy Review – Sharps and Syringes-Disposal from Council land and Facilities .....	51
38.	Kalamunda Farmer's Market – Application for Approval .....	53
39.	Reconsideration of Awarding of Tender – 9 Tonne Two Way Tip Truck – T0901 .....	59
40.	Kalamunda Swimming Pool – Architectural and Project Management Services for the Refurbishment of Facilities – Acceptance of Tender.	61
41.	Reid Oval- Hartfield Park, Forrestfield: Supply and Install Sports Lighting to Oval – Acceptance of Tender .....	64
10.0	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN .....	67
11.0	QUESTIONS BY MEMBERS WITHOUT NOTICE .....	67
12.0	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION .....	68
13.0	MATTERS CLOSED TO THE PUBLIC.....	68
14.0	CLOSURE .....	68



## Minutes of General Services Committee Held in the Council Chambers 2 Railway Road, Kalamunda Monday 6 April 2009

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### 1.0 OFFICIAL OPENING

- 1.1 The Chairman opened the meeting at 7:05 pm and welcomed Councillors, Staff and Members of the Public Gallery.

### 2.0 APOLOGIES AND LEAVE OF ABSENCE

- 2.1 PRESENT

#### Councillors

E Taylor	NORTH WARD
M Thomas	(DEPUTY CHAIRMAN) NORTH WARD
D Sadler	SOUTH WEST WARD
A Morton	SOUTH WEST WARD
M Robinson	SOUTH WEST WARD
P Tonkin	SOUTH WARD
J Giardina	SOUTH WARD
C Everett	SOUTH WARD
P Heggie	NORTH WEST WARD
M Cresswell	(CHAIRMAN) NORTH WEST WARD
F Lindsey	EAST WARD

#### Officials

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

**Apologies**

D McKechnie

(SHIRE PRESIDENT) NORTH WARD

**Observers**

55

**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 Kalamunda Out of School Care

Petition the Shire of Kalamunda to provide a community based premises for the relocation of Kalamunda Out of School Care Service (KOSC).

**5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

5.1 That the Minutes of the General Services Committee Meeting held on 3 March 2009 is confirmed as a true and correct record of the proceedings.

Moved: (Cr Taylor)

Seconded: (Cr Thomas)

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

6.1 Nil.

**7.0 MATTERS FOR WHICH MEETING MAY BE CLOSED**

7.1 Nil.

## 8.0 DISCLOSURE OF INTERESTS

### Disclosure of Financial and Proximity Interests

- (a) Members must disclose the nature of their interest in matters to be discussed at the meeting. (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 **Item 28 – Income Protection**

Mr Neil Wilson, Director of Corporate Services, declared a financial interest as he is a board member of the Local Government Insurance Service.

### 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 31 – 12 Grove road Walliston (Reserve 32344) – Submissions Received to Lease the Facility**

Cr Thomas declared an interest affecting impartiality as her grandson attends Kalamunda Out of School Care one day a week.

### 8.3 **Item 33 – Community Safety and Crime Prevention – Establishment of Advisory Committee**

Cr Everett declared an interest affecting impartiality as she is the president of the Lesmurdie Ratepayers Association and the person nominated as a committee member is related to her.

## 9.0 REPORT TO COUNCIL

### Please Note:

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

22.	Creditors Accounts Paid for March 2009 .....	5
23.	Financial Activity Statements for the Period Ended 28 February 2009 ..	7
24.	Debtors and Creditors Report .....	11
25.	Rates Debtors Report .....	13
26.	Investments .....	15
27.	Nominated Employee's Entitlements Reserve .....	18
28.	Income Protection.....	21
29.	Swimming Pool Inspection Reserve .....	24
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31.	<b>12 Grove Road, Walliston (Reserve 32344) - Submissions Received to Lease the Facility .....</b>	<b>32</b>
32.	<b>Hartfield Park Reserve Master Plan - Reallocation of Funds.</b>	<b>37</b>
33.	<b>Community Safety and Crime Prevention– Establishment of Advisory Committee.....</b>	<b>39</b>
34.	Community Safety and Crime Prevention Plan – Regional Coordinator .....	42
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41.	Reid Oval- Hartfield Park, Forrestfield: Supply and Install Sports Lighting to Oval – Acceptance of Tender .....	64

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

## **22. Creditors Accounts Paid for March 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 March 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 March 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. Nil.

**COMMITTEE RECOMMENDATION TO COUNCIL GS 22/2009**

1. That the list of Creditors' paid for March 2009 (*[GSC Item 22 Attachment 1](#)*) be received by Council in accordance with the requirements of Regulation 12 of the Local Government (Financial Management) Regulations 1996.

Moved: (Cr Thomas)

Seconded: (Cr Robinson)

**CARRIED UNANIMOUSLY**

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

### 23. Financial Activity Statements for the Period Ended 28 February 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 28 February 2009.

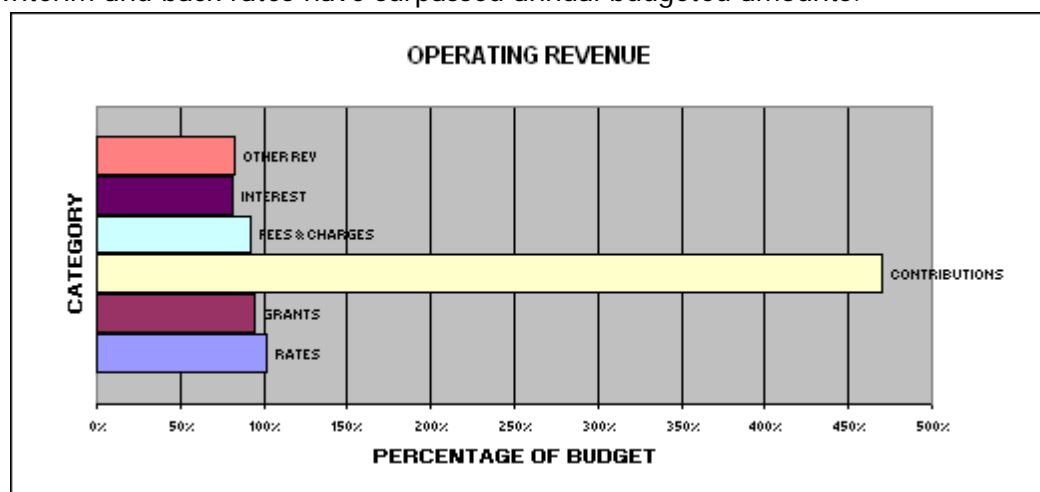
#### BACKGROUND

2. Attached are the financial activity statement reports for the period ending 28 February 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.

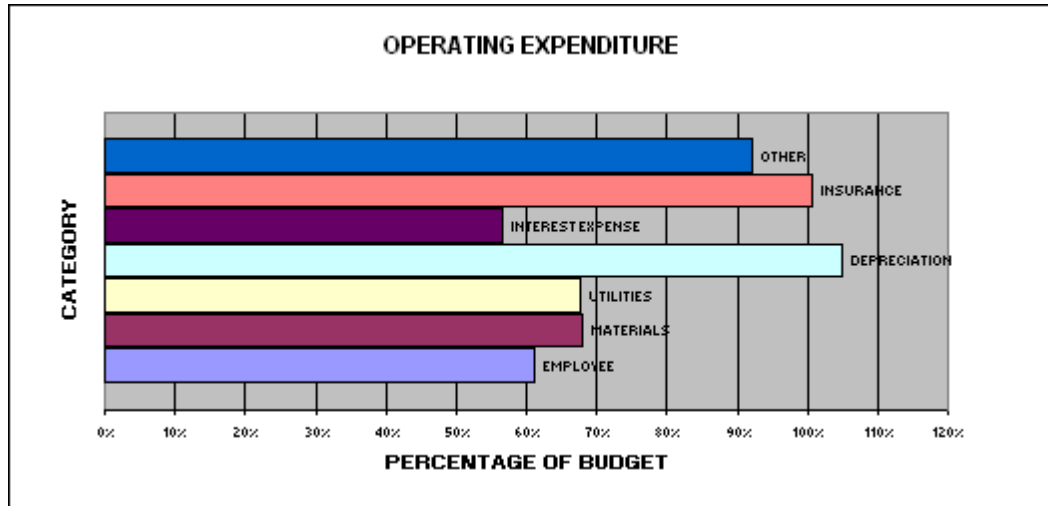
#### DETAILS

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 99.86% of annual budgeted amounts. Interest earnings continuing to perform will as reported previously. 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. Interim and back rates have surpassed annual budgeted amounts.



Operating expenditure continues to exceed year to date budget now primarily affected by building depreciation charges being calculated upon the revalued building amounts as at 30th June 2008. These figures were not incorporated into the 2008/2009 budget, though are non-cash in nature. Other expenditure items continue to perform according to budget review amounts as reported.



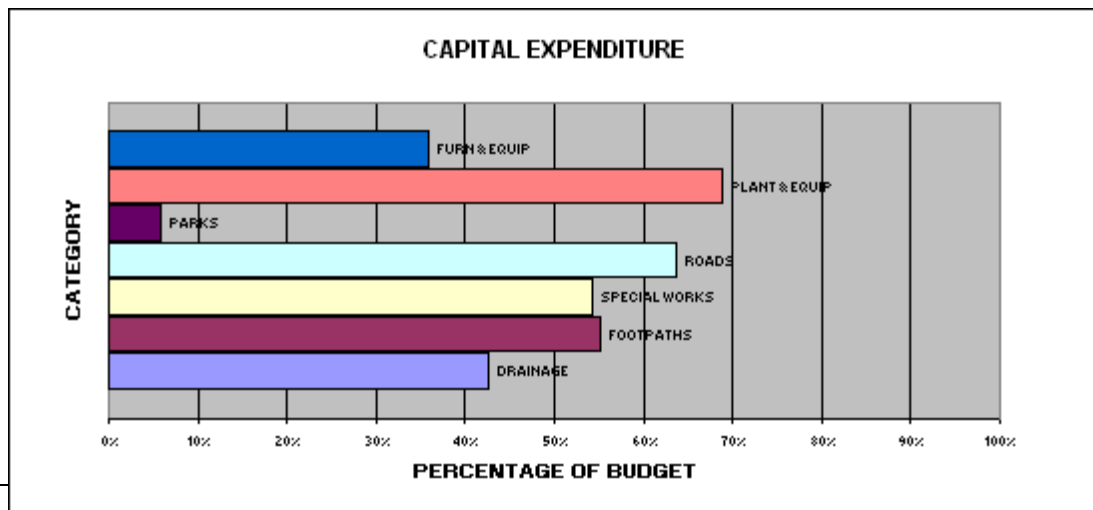
Key reporting areas:  
Salaries and Wages

These continue to be reported as being under year to date budget though now increasing monthly as the EBA and negotiated increases commencing from January 1 take effect. Other employee costs such as training / uniforms are also below budget though purchase orders raised commit these budget funds to be spent in the coming months.

Other Expenditure which 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 overall is now at 46.02% of annual budget, based upon actual expenditure, ignoring the value of purchase orders committed which total to date \$1.45 million. The purchase of assets, which was increased in the budget review by \$0.5 million, is currently at 41.44% of budget, but is largely influenced by the administration airconditioning replacement project which is scheduled for completion by the end of June.



<b>FINANCIAL RATIOS</b>	<b>2008/09</b>	<b>2007/08</b>
Current Ratio	8.8 : 1	1.21 : 1
Untied Cash to Trade Creditors Ratio	13.7 : 1	0.37 : 1
Debt Ratio	1.16%	1.61%
Debt Service Ratio	0.29%	0.37%
Gross Debt to Revenue Ratio	2.11%	2.20%
Gross Debt to Economically Realisable Assets Ratio	0.31%	0.36%
Rate Coverage Ratio	55.31%	49.41%
Outstanding Rates Ratio	16.44%	3.06%

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. Nil.

**COMMITTEE RECOMMENDATION TO COUNCIL GS 23/2009**

1. That the Financial Activity Statement reports for the period ending 28 February 2009 ([\*GSC Item 23 Attachment 1\*](#)) be received.

Moved: (Cr Thomas)

Seconded: (Cr Robinson)

**CARRIED UNANIMOUSLY**

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

## 24. 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 28 February 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 missing page of the attachment was tabled at the meeting.

**COMMITTEE RECOMMENDATION TO COUNCIL**

**GS 24/2009**

1. That the outstanding debtors and creditors report as at 28 February 2009 ([GSC Item 24 Attachment 1](#)) be received.

Moved: (Cr Thomas)

Seconded: (Cr Taylor)

**CARRIED UNANIMOUSLY**

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

## 25. 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 28 February 2009.

### BACKGROUND

2. Attached is the report detailing rates debtors as at 28 February 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 25/2009**

1. That the rates debtors report as at 28 February 2009 ([\*GSC Item 25 Attachment 1\*](#)) be received.

Moved: (Cr Thomas)

Seconded: (Cr Taylor)

**CARRIED UNANIMOUSLY**

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

## 26. Investments

Previous Items: GS 5/2009  
Service Area: Corporate Services  
Author: Steve Leeson  
File Reference: FI-INV-001  
Applicant: N/A  
Owner: N/A

### PURPOSE

1. To increase the number of banks authorised for the placement of Council's short term invested funds.

### BACKGROUND

2. Current policy restricts the placement of funds to the eight banks listed in Policy FIN7, being (listed with their Standard and Poors rating):
  1. Australia and New Zealand Banking Group – AA
  2. National Australia Bank – AA
  3. Westpac – AA
  4. Bankwest – AA
  5. Commonwealth Bank – AA
  6. CitiBank – previously AA, currently under review due to restructure
  7. St George Bank Ltd - AA
  8. Bendigo Bank – BBB
3. February's General Services report on Investment Procedures, detailed a strategy addressing the need to maximise investment income whilst applying the Government Guarantee. As part of this strategy, extra banks were to be sourced to add to our policy list of approved investment Banks.

### DETAILS

4. From the Australian Prudential Regulatory Authority (APRA) list of "Eligible Institutions for the Guarantee of Wholesale Funding and the Guarantee of Deposits", the following banks (listed with their S&P rating) ([Attachment 2](#)) are additionally recommended for including within Council's policy on Short Term Investments:
  1. HSBC Bank Australia Limited – AA
  2. ING Bank Australia Limited – AA
  3. Rabobank Australia Limited – AAA

- 
5. Being APRA authorised deposit taking institutions, the first one million dollars invested with these additional banks have Federal Government backing. These banks also have access to the Federal Government guarantee scheme for deposit balances exceeding one million dollars.

#### **STATUTORY AND LEGAL IMPLICATIONS**

6. Investments will continue to be placed in accordance with Council policy, being only with those approved banks as listed in FIN7 Short Term Investments.

#### **POLICY IMPLICATIONS**

7. Policy FIN7 part 3(b) will require amending to include the additional 10 banks.

#### **PUBLIC CONSULTATION/COMMUNICATION**

8. Nil

#### **FINANCIAL IMPLICATIONS**

9. The proposed amendment will reduce the amount of Government Guarantee fee which must be paid on funds in excess of one million dollars with one institution, as Councils' investments can be more widely distributed. This would inturn reduce the amount of Council funds at risk (non-guaranteed), noting that those non-guaranteed investments are only invested with the top four banks (Westpac, NAB, Commonwealth, ANZ).

#### **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

10. Nil

#### **OFFICER COMMENT**

11. The risk of bank failure in Australia without further Government intervention remains minor.
12. A broader range of banks in which to invest provides opportunities to gain improved rates of interest earnings without placing Council investment at risk in only using banks which are Government backed and have access to the Guarantee fee system.

#### **MEETING COMMENT**

13. Councillors sought clarification as to the effect of a change in Federal Government Policy.

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**COMMITTEE RECOMMENDATION TO COUNCIL GS 26/2009**

1. That policy FIN7 Short Term Investments be amended to include at 3 (b) the following banks:
  1. HSBC Bank Australia Limited
  2. ING Bank Australia Limited
  3. Rabobank Australia Limited

Moved: (Cr Thomas)

Seconded: (Cr Lindsey)

**For the Recommendation**

Cr Everett  
Cr Giardina  
Cr Tonkin  
Cr Robinson  
Cr Morton  
Cr Sadler  
Cr Heggie  
Cr Lindsey  
Cr Thomas  
Cr Cresswell

**Against the Recommendation**

Cr Taylor

**CARRIED**

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

## 27. Nominated Employee's Entitlements Reserve

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

### PURPOSE

1. To set up a reserve fund for nominated employee's entitlements for sick leave and long service leave accruals.

### BACKGROUND

2. The Shire of Kalamunda has been in negotiations with the Department of Health regarding the Shire acquiring the grant funding and service provision obligations of Kalamunda Community Care Incorporated (KCC), to commence 1 April 2009.
3. Thirty-two existing KCC staff will terminate their current employment with KCC on 31 March 2009, becoming Shire employees in the Home and Community Care (HACC) service area commencing 1 April 2009.
4. The process will involve existing entitlements as at 31 March for annual leave and long service leave being paid out to KCC employees, with accruals for future sick leave and long service leave as at 31 March being acquired by the Shire. These accruals would then become payable by the Shire to these previous KCC employees, now nominated Shire HACC employees, at a later date.
5. The Department of Health has agreed to set aside surplus KCC funds and transfer cash equal to the accrued leave to the Shire, for the future payment of existing KCC employee accruals.

### DETAILS

6. The transfer of KCC employee accruals, whilst not required under current legislation, is in recognition of staff contribution towards the provision of community care services in the Kalamunda area, and their future efforts as Shire HACC employees. The fate of employee entitlements during the transition had been of concern to existing KCC staff and this agreement with the Department of Health benefits those staff members whilst not being at a cost to the Shire.
7. KCC staff accruals will be determined as at the 31 March with calculations for the actual cash amount required for backing these accruals determined post this date and the cash requested from the Department of Health.

8. The reserve would be titled "Nominated Employee Entitlements Reserve". Its primary use will be to receive funds from the KCC surplus, for existing KCC employee's accruals of sick and long service leave as at the 31 March, with such entitlements being paid from this reserve.

### **POLICY IMPLICATIONS**

9. Nil.

### **PUBLIC CONSULTATION/COMMUNICATION**

10. Nil.

### **STATUTORY AND LEGAL IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

12. The KCC cash to be received as approved by the Department of Health, will offset future payments of existing nominated KCC staff accruals for sick and long service leave. Future accruals of sick and long service leave will be the obligation of the Shire as these staff will be Shire employees.

### **STRATEGIC IMPLICATIONS**

13. The establishment of such a reserve and its associated funding is an industry accepted financial strategy designed to:
1. Fund the cost of future payments for sick and long service leave based upon existing accrual calculations.

### **OFFICER COMMENT**

14. Nil

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**MEETING COMMENT**

15. Nil.

**COMMITTEE RECOMMENDATION TO COUNCIL                      GS 27/2009**

1. That the Shire of Kalamunda under Section 6.11 of the Local Government Act establish a Nominated Employee Entitlements Reserve for the purpose of providing funds for the payment of Kalamunda Community Care employee's accruals of sick and long service leave as at the 31 March 2009.
2. That the funds to be received from Kalamunda Community Care equating to the accrued annual and sick leave be transferred to the Nominated Employee Entitlements Reserve.

Moved: (Cr Robinson)

Seconded: (Cr Taylor)

**CARRIED UNANIMOUSLY**

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

*Mr Neil Wilson declared a financial interest as he is a board member of the Local Government Insurance Service. Mr Wilson left the chambers at 7:28pm and returned at 7:38pm.*

## **28. Income Protection**

Previous Items: N/A  
Service Area: Corporate  
Author: Neil Wilson  
File Reference: FI-INS-004  
Applicant: N/A  
Owner: N/A

### **PURPOSE**

1. To consider a report on the provision of income protection to Shire of Kalamunda employees.

### **BACKGROUND**

2. As part of an Attraction and Retention Strategy the option of an income protection policy is being considered. As yet this is not a widely provided benefit and accordingly may be a cost effective “point of differentiation” in setting ourselves as employers of choice.

### **DETAILS**

3. The Policy is provided through Local Government Insurance Services (LGIS) and will provide to employees 80% of their pay for a period of up to two (2) years if they are unable to work through accident or illness. The attachment ([Attachment 1](#)) explains the benefits the policy provides.

### **STATUTORY AND LEGAL IMPLICATIONS**

4. Nil.

### **POLICY IMPLICATIONS**

5. Nil.

### **PUBLIC CONSULTATION/COMMUNICATION**

6. Nil.

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**FINANCIAL IMPLICATIONS**

7. The cost of such a policy is 0.75% of the employee's wage. On an \$8.5 million wage bill the premium would be circa \$63,750. There are potential savings to the Shire if leave claims are made in that sick if pay is paid to an employee over a ten (10) working day period then 80% of the payment can be recouped from the policy payable to the Shire.
8. The total cost of implementation could also be reduced and its imposition spread over two (2) years if the Shire uses part of its claims experience benefits it has accumulated to phase in the premium. Such a process would see a nett demand for extra recurrent funds of circa \$32,000 in both the 2009/2010 and 2010/2011 years.

**STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

9. Governance and Organisation Outcome 5.6 – Skilled, Committed and Professional Staff.
10. Attraction and Retention Strategies in a very competitive market include setting the Shire of Kalamunda as an employer of choice.

**OFFICER COMMENT**

11. The proposal as presented by LGIS offers a product which may appeal to a number of employees and prospective employees which makes it a reasonably priced strategy.

**MEETING COMMENT**

12. Councillors sought clarification of some aspects of the proposal. Aspects of the query were taken on notice with the information to be collated and provided to Councillors.
13. The Director of Corporate Services declared a financial interest and left the room before Councillors debated the recommendation.
14. The reason Councillors voted against the Officer recommendation was:
  1. The nett cost of the proposal is not clear.
  2. Lack of precedence within local government industry.
  3. Current economic conditions do not justify additional attraction and retention measures.
  4. Use the example of State Government which does not offer this product to employees.

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**COMMITTEE RECOMMENDATION TO COUNCIL GS 28/2009**

1. That the 2009/2010 draft Recurrent Budget be prepared on the basis of the Shire of Kalamunda purchasing the Local Government Insurance Services Income Protection Service with 50% of the costs drawn down from the Local Government Insurance Service – Shire of Kalamunda Claim Experience Bonus.

Moved (Cr Taylor)

Seconded: (Cr Thomas)

**For the Recommendation**

Cr Morton  
Cr Lindsey  
Cr Taylor  
Cr Thomas  
Cr Cresswell

**Against the Recommendation**

Cr Everett  
Cr Giardina  
Cr Tonkin  
Cr Robinson  
Cr Sadler  
Cr Heggie

**LOST**

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

## **29. Swimming Pool Inspection Reserve**

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

### **PURPOSE**

1. To set up a reserve fund to aggregate swimming pool inspection fees levied over a four year rolling programme.

### **BACKGROUND**

2. The Shire of Kalamunda currently undertakes swimming pool inspections over a four year period, billing pool owners as inspected. To overcome timing issues related to property ownership transfers between the dates of inspection and billing, and to adopt common local government practice, starting 1<sup>st</sup> July 2009, pool owners will be levied annually one quarter of the inspection fee, undertaken over a four year rolling programme.
3. The Royal Life Saving Society is the Shire's contractor for the current inspection programme ending 30<sup>th</sup> June 2009. The next inspection programme will commence 1<sup>st</sup> July 2009 ending 30<sup>th</sup> June 2013.
4. The Shire would transfer funds to this reserve on an annual basis which is equal to the actual levied amount. The swimming pool levy is determined through the budget process.
5. Payment for the inspection service would be made from this reserve. Inspections are carried out once every four years.

### **DETAILS**

6. The reserve would be titled "Swimming Pool Inspection Reserve". Its primary use will be to aggregate swimming pool inspection fees and to provide for the cost of the rolling four year programme.

### **POLICY IMPLICATIONS**

7. Nil.

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**PUBLIC CONSULTATION/COMMUNICATION**

8. Nil.

**STATUTORY AND LEGAL IMPLICATIONS**

9. Section 6.11 of the Local Government Act states “where a Local Government wishes to set aside monies for use for a purpose in a future financial year it is to establish and maintain a reserve account for each such purpose”.
10. Local Government Miscellaneous Provisions Act 245(A)8(B); the maximum inspection fee is \$55.

**FINANCIAL IMPLICATIONS**

11. The Shire budgets to recover the cost of the swimming pool inspection programme with an allowance for administrative costs, in the rate set.

**STRATEGIC IMPLICATIONS**

12. The establishment of such a reserve and its associated funding is an industry accepted financial strategy designed to:
1. Fund the cost of the swimming pool inspection programme.
  2. To allocate the cost over the four year period.

**OFFICER COMMENT**

13. Nil

**MEETING COMMENT**

14. A Councillor enquired as to the progress of the inspections. This question was taken on notice and the information to be provided to Councillors.

**COMMITTEE RECOMMENDATION TO COUNCIL****GS 29/2009**

1. That the Shire of Kalamunda under Section 6.11 of the Local Government Act, establish a Swimming Pool Inspection Reserve for the purpose to aggregate swimming pool inspection fees and to provide for the cost of the rolling four year programme.

2. That the annual swimming pool levy of one quarter of the inspection fee, be transferred annually to the reserve, and that funding for the payment of the four year inspection programme be transferred from the reserve.

Moved: (Cr Robinson)

Seconded: (Cr Thomas)

**CARRIED UNANIMOUSLY**

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

### **30. High Wycombe Community and Recreation Centre – Future Purpose, Usage and Operations of the Centre**

Previous Items: N/A  
Service Area: Community Development  
Author: Kevin O'Connor  
File Reference: CO-INF-014  
Applicant: N/A  
Owner: N/A

#### **PURPOSE**

1. To consider the medium to longer term options for new and additional uses of the High Wycombe Community and Recreation Centre (HWCRC).

#### **BACKGROUND**

2. In October 2008, a telephone survey of 240 residents from High Wycombe and Maida Vale was conducted in an attempt to improve our understanding of the community usage level and attitude towards the HWCRC.
3. Out of the 78% of participants who had heard of the Centre, 54% had also attended for either programmed activities or other permanent user group hire and casual community use.
4. The most concerning fact relating to these statistics was that only 10% attended regularly and approximately 80% attended either rarely, once or twice a year, or even less frequently.
5. Additional, more detailed statistics were also prepared that showed the total annual usage during staffed opening hours (9am to 5pm) was approximately 21%, broken down as follows:

Usage from 9am to 12 noon:	52.6%
Usage from 12 noon to 5pm	4.53%

Total usage outside of open hours was 43%.
6. To gain a further understanding of the broader community's views on the Centre, a workshop was held on 3 December 2008 to gain input into the future operations and any additional community uses, activities and services.
7. The Workshop results ([\*Attachment 1.\*](#)) have been previously circulated in the Councillor Bulletin and distributed to all participants. The majority of the short term (0-1 year) suggestions will be researched, promoted and implemented, where feasible, within this timeframe.
8. The medium to longer term (1-3 and 3 years plus) suggestions will undergo further assessment and if they meet our strategic and sustainability outcomes, can be considered for implementation on a needs basis, or recommended that a feasibility or business case be carried out.

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**DETAILS**

9. If we look at the medium to longer term suggestions, these can be further categorised ([Attachment 2.](#)) to help determine additional new activities /services and future direction for the HWCRC.
10. Also included in ([Attachment 2.](#)) are some Community Services Staff suggestions that were considered relevant following the workshop feedback session.
11. As previously mentioned the uses suggested under Programs and 0-1 year timeframe will be progressed by staff and their success or otherwise will be largely dependent on community demand, support, staff, space and time availability.

**STATUTORY AND LEGAL IMPLICATIONS**

12. In accordance with Section 3.18(3) of the Local Government Act 1995;  
*A Local Government is to satisfy itself that services and facilities that it provides –*
  - (a) *integrate and coordinate, so far as practicable, with any provided by the Commonwealth, The State or any public body;*
  - (b) *do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and*
  - (c) *are managed efficiently and effectively*
13. Depending on the future uses and purpose of the HWCRC, the Council would also need to address any other statutory and legal implications that may arise regarding the operation, management and tenure of this facility.

**POLICY IMPLICATIONS**

14. There are a number of Policies in relation to Fees/Charges and Tenure that may, or may not, be relevant dependant upon the outcome of the medium to longer term options presented. The short term suggestions have no policy implications and can be handled at a management level.

**PUBLIC CONSULTATION/COMMUNICATION**

15. As previously advised, the phone survey of the High Wycombe and Maida Vale Residents was followed up with a Community Workshop held in December 2008.
16. All participants and interested stakeholders have been advised of the results of this consultation.
17. In addition to this community feedback, the following relevant issues were raised at the (2008) North West Ward Land Use Vision Workshop:
  - More Youth Activities and Facilities
  - Community and family based activity centre
  - Larger community learning centre, activities for all ages
  - An efficient and well resourced library
  - New community centre creating a hub with shopfront for the Council

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## FINANCIAL IMPLICATIONS

18. Category One: (Additional Services/Activities)

These would be conducted either during existing or adjusted staff opening hours, or outside of these hours on a permanent hire fee basis. Therefore, apart from the “Shire Services”, which would need further Management and Council input, these additional activities could be implemented at minimum cost.

19. Category Two: (New Services/Facilities)

Costs and income would be one of the issues to be addressed as part of the feasibility and business planning process.

20. Category Three: (New Function / Purpose)

Costs and income would be one of the issues to be addressed as part of the feasibility and business planning process.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

21. Shire of Kalamunda Strategic Plan 2009-2014:

Outcome 1.3, Strategy 1.3.5

*Development of active and passive recreational facilities based on evidence supported evaluation and environmentally sustainable principles.*

Outcome 1.6, Strategy 1.6.4

*Support and partner with community, government and not for profit groups that provide learning and wellbeing opportunities for all ages.*

Outcome 2.3, Strategy 2.3.2

*Maintain, refurbish or upgrade existing infrastructure to encourage increased utilisation and extension of asset life.*

Outcome 5.3, Strategy 5.3.2

*Regularly review services and standards offered by the Shire to ensure they meet community needs.*

## OFFICER COMMENT

22. One of the initial changes to be introduced will be to adjust the staffed opening hours to allow for evening group fitness and gym usage. Additional programmes and activities including youth and seniors will also be implemented subject to community demand/support and staff, space and time slot availability.
23. From a community demand/support and sustainability perspective, the gym extension and some form of small café with public internet services (possibly self-service coin operated) is the next priority and would be subject to a feasibility/business plan being prepared for consideration.

- 
24. From a demographic trend perspective with 45% of the High Wycombe population being aged between 0 and 30 years, the following Category 2 “New Services and Facilities” would also appear to be worth considering as part of a feasibility and Business Planning exercise.
- Jungle Gym Equipment
  - Indoor Cricket Equipment
  - Telecentre Services
  - Rock Climbing Wall
25. The following Category 3 “Functions and Purposes” would be achievable if there was strong community demand/support and they could either be the main function of the facility or be a co-located extension/addition to the existing facilities:
- Public Library (relocated)
  - Youth Centre
26. The following Officer’s Comments are provided regarding the remaining category 2 and 3 services / facilities and functions/purpose, that were included in the Community Feedback Summary:
- *Fitness Centre* – Would change purpose and function of the facility from community to private operation, there is, however, a local business owner who has expressed an interest in further exploring this option.
  - *Indoor Skate Centre* – Would change purpose and function of the facility from community to private operation.
  - *Sports Club* – Would change purpose and most functions of the facility, unless management maintained community use/access. Would need to integrate with or replace existing sporting club facilities on Scott Reserve.
  - *Community Care Centre* – These services are currently provided by Kalamunda HACC. There is no centre based care services identified for High Wycombe in our current Business Plan.
  - *Community Offices* – These would be dependant on strong community demand/support and State Government investment away from their established regional base in Midland.
  - *Part Time Police Station or Satellite Office* – The Police Station suggestion would be a very difficult political exercise to achieve, however, a satellite office or ‘shop front’ similar to the Shire Staff and Councillor proposal may receive some support.
  - *TAFE Courses* – This would also be a very difficult political and practical exercise because of location, cost and need for State Government investment away from established regional centres.

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**MEETING COMMENT**

27. Councillors congratulated staff on the report.

**COMMITTEE RECOMMENDATION TO COUNCIL GS 30/2009**

1. That a feasibility study and/or business plan be prepared for a proposed gymnasium expansion and additional café/kiosk sales with public internet access at the High Wycombe Community Recreation Centre.
2. That the following additional services, facilities and new functions and purpose be considered for location within or as an extension to the High Wycombe Community and Recreation Centre:
  - a. Jungle Gym equipment
  - b. Indoor Cricket equipment
  - c. Rock Climbing Wall
  - d. Telecentre
  - e. Public Library (relocation)
  - f. Youth Centre
3. That those services, facilities, functions and purposes agreed to by Council as part of any feasibility or business case exercise be included in the next review and update of the Community Services Business Plan and Shire of Kalamunda Corporate Plan.

Moved: (Cr Taylor)

Seconded: (Cr Thomas)

**CARRIED UNANIMOUSLY**

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

*Cr Thomas declared an interest affecting impartiality as her grandson attends Kalamunda Out of School Care one day a week.*

**31. 12 Grove Road, Walliston (Reserve 32344) - Submissions Received to Lease the Facility**

Previous Items: OCM 2/07 and 102/07, 144/08  
Service Area: Community Development  
Author: Kevin O'Connor  
File Reference: TM: GR-14/012  
Applicant: Kalamunda Out Of School Centre Inc., Kalamunda Playgroup Inc, Wendy Fletcher,  
Owner: Shire of Kalamunda

**PURPOSE**

1. To reconsider submissions received from Kalamunda Out Of School Centre Inc., Kalamunda Playgroup Inc, and Wendy Fletcher to occupy the premises situated at Reserve 32344, 12 Grove Road Walliston. ([Attachment 1.](#))

**BACKGROUND**

2. These submissions were presented to the November 2008 General Services Committee with staff recommending that Kalamunda Out of School Centre Inc be offered a lease and the Kalamunda Playgroup be offered a sub-lease, of the premises located at 12 Grove Road, Walliston, (Reserve 32344), in accordance with certain terms and conditions:
3. Following comments at this meeting from one of the applicants advising that their consultation and report would soon be available and staff advice that essential maintenance and repairs would need to be carried out, the following Council resolution was passed:
  - a. *That the decision be deferred until February 2009 to allow time for a building condition report for this premises to be completed and any essential maintenance and/or repairs be carried out by Council prior to the occupancy of the premises.*
  - b. *That a report be presented by the Chief Executive Officer as to the state of the building in December 2008.*
4. One of the original submissions was from Kalamunda Community Care Inc., who had previously been offered a lease of the premises. Following the transfer of their Home and Community Care (HACC) Services to the Shire of Kalamunda, the submission was withdrawn.
5. The premises were previously leased to Walliston Pre-Primary from 1978 and to the Minister for Education from 1996 to December 2006. The building does not currently have a tenant. The land is a Local Reserve (Kindergarten), and may be used for any purpose approved by Council.

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**DETAILS**

6. The details of the expressions of interest received are as follows:
7. **Kalamunda Playgroup Inc.** – the Playgroup has held a Tenancy Agreement with Council since 1996 and operates from the Walliston Hall in Lawnbrook Road West. Although the Tenancy Agreement for the Playgroup has expired, negotiations for a new Agreement were placed on hold until the outcome of this submission is known. The Playgroup currently pays a Community Group Rate for the hire of the hall of \$5.00 per hour.
8. The Playgroup currently has four morning sessions and caters for forty eight children and their parents. The Playgroup has advised the current space is too small to comfortably accommodate the needs of more than twelve children and the accompanying 8-12 adults for each session. The toilets at the Walliston Hall are separate from the main building which also presents problems during wet weather.
9. Given the previous purpose of the 12 Grove Road facility, the Playgroup believes the location and the amount of space, both internally and externally, are ideal to run their programmes
10. **Kalamunda Out Of School Centre Inc.** – the Group is a not for profit body that has been operating from Kalamunda Primary School for the past twenty one years. The Group uses two old demountable classrooms which are no longer maintained and have become unsatisfactory for their purposes.
11. In response to the Federal Governments Stimulus Package, the Kalamunda Primary School has elected to apply for additional facilities to enhance their school, as a result, the demountable classrooms from which they have operated for 21 years will be demolished. Kalamunda Primary School confirms their future only exists until such time that the construction works commence, time unknown.
12. The Group provides a licensed and accredited child care programme for before school, after school and holiday care periods for children aged 5-12 years. The Group services ten local primary schools and currently provide care for 26 children for before school care, 45 children for after school care and 52 children for holiday care.
13. Kalamunda Out Of School Centre Inc (KOSC) have a desire to extend their care to include holiday programmes that could take youth up to age 15. The service is currently limited from 5 to 12 years old due to current operating facilities.
14. The centre currently operates from 6.30am to 9.00am and 2.30pm to 6.15pm during normal hours, and from 7.00am to 6.15pm during school holidays.
15. **Wendy Fletcher** – is proposing the development of a “Kalamunda Early Childhood Centre” (Early Childhood Development and Care) at the site specifically for the 0-5 age group. This would potentially enable a wide range of other agencies, community groups and associations, with compatible aims and activities, to co-locate and utilise the facility and grounds.

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16. Ms Fletcher requested that Council reserves any decision about the use and occupancy of the facility until a community consultation process and planning stage is complete. In February 2009 the results of this consultation were distributed to all Councillors and community members requesting that further input, comments and suggestions for change be submitted by May 2009.

### **STATUTORY AND LEGAL IMPLICATIONS**

17. The reserve is under a Management Order and is vested with the Shire of Kalamunda under the Land Administration Act 1997. All leases and licences are subject to approval from the Minister for Lands in accordance with section 19 of the Land Administration Act 1997.
18. Section 3.58 (5)(d) of the Local Government Act 1995 and the Local Government (Functions and General) Amendment Regulations 1997 s.30 (b) apply to the disposition of property. This proposed lease would be classified as an exempt disposition under these Regulations.

### **POLICY IMPLICATIONS**

19. Policy FAC12 – *Lease, License and Rent of Council Owned or Controlled Properties* – the objective of the Policy is to ensure uniformity and effective management of all leased and licensed facilities.
20. ADM10 – *Council Owned Buildings – Guidelines for Maintenance* – the Policy provides guidelines for maintenance matters in regard to buildings owned by Council.

### **PUBLIC CONSULTATION/COMMUNICATION**

21. The proposed uses are similar to when it was used as a pre-primary facility, however further community consultation may be required should the staff recommendation not be adopted.
22. The following is an extract from relevant correspondence received from the Children Services Officer, Department for Communities.

*“It has been brought to my attention that the Kalamunda Outside School Hours Care service is soon to lose their premises.*

*The Kalamunda Shire has only 3 services available to working families and as such do a great job helping families to manage work and child care. There are 8 schools across the hills that are currently being serviced by Kalamunda Out of School Centre and these families will have no options should the centre be forced to close.*

*You will be familiar with the excellent Community Strategic Planning Report done by Wendy Fletcher – an individual and resident of the Shire which states clearly the number of children under 5 years of age currently within the Shire who will eventually need after school care. This issue will not go away. Child care does not finish once the child attends formal school.*

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*The children of Kalamunda need to be considered in the Shire's Strategic Plan, and appropriate premises need to be provided for them*

*The Kalamunda OSC has an excellent community committee that would work professionally with the Shire to develop a plan for ensuring families were appropriately catered for."*

23. The first stage of the Early Childhood Development and Care community consultation process was conducted in September/October 2008. A summary of community input was outlined in this document together with potential strategies to address the issues raised. During the second stage of the community consultation process this document will be widely circulated throughout the Shire of Kalamunda in order to generate further community discussion and feedback (May 2009) so that the strategies presented can be refined and prioritised for eventual community action.

### **FINANCIAL IMPLICATIONS**

24. The Shire of Kalamunda will be responsible for major maintenance during the term of the lease. The replacement of the asbestos roof was completed in January 2009.
25. The estimated cost of the maintenance, upgrading and repair works ([Attachment 2](#)) is \$85,000. In order for these unbudgeted works to be commenced before next financial year, an allocation from the Building Reserve Fund is recommended.

### **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

26. Shire of Kalamunda Strategic Plan 2009 – 14

Outcome 1.6, Strategy 1.6.4

*Support and partner with community, government and not for profit groups that provide learning and wellbeing opportunities for all ages.*

Outcome 1.6, Strategy 1.6.6

*Ensure adequate child care facilities operate in the Shire.*

### **OFFICER COMMENT**

27. Some preliminary discussions between KOSC and Wendy Fletcher have identified possible 'co-habitation' limitations for which consideration needs to be given. An early review of this opportunity has revealed that this situation would not be entirely beneficial to either party.
28. The KOSC functions as an activity centre for ages 5 and upwards, that allows free movement between 'play stations'. Using this as an example, it would not be possible to 'lock and leave' to ensure all objects potentially of choking hazard etc would be removed from the centre.
29. There are a number of other areas of concern that do not lend themselves to be appropriate in the sharing of this facility given the diverse age groups (0-12) and the continuous and extensive use it will have.

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30. Kalamunda Out Of School Centre Inc. and Kalamunda Playgroup Inc. are two long-standing community organisations, who, for different reasons, have a need to re-locate to more suitable premises.
  31. Although the Kalamunda Playgroup Inc have similar needs and some compatibility and it is always better to ensure maximum use of the facility, this option of co-locating is probably not desirable at this stage for reasons similar to the above.
  32. KOSC have advised that if in the future they are able to extend their services then they would treat that as an added bonus. This is not to say, however, that they are strenuously opposed to any situation that is tenable between the interested parties.

#### **MEETING COMMENT**

33. Three people spoke in support of the recommendation.
34. A Councillor expressed concern as to the amount of involvement governments have in providing out-of-school services. Does the Director of Community Services have any idea of the amount, if any, of support funding has been provided for these services by state and federal government in the past. The question is taken on notice.

#### **COMMITTEE RECOMMENDATION TO COUNCIL GS 31/2009**

1. That Council offer the Kalamunda Out of School Centre Inc a lease of the premises located at 12 Grove Road, Walliston, (Reserve 32344), in accordance with the main conditions listed below:
  - Pay \$3,000 in rent per annum, indexed to C.P.I annually.
  - Pay all rubbish charges, gas, power, water, building/contents insurance, rates, levies, charges, cleaning costs, telephone, IT charges and security costs.
  - Maintain the premises in a clean and sanitary condition and be responsible for all minor maintenance.
  - The term of the lease is for a period of five years with a further five year option.
2. That Council has no objection to the Kalamunda Playgroup Inc. being offered a sub lease of the premises located at 12 Grove Road, Walliston, (Reserve 32344), should this be agreeable to both parties in the future.
3. That an amount of up to \$85,000 be drawn from the Building Reserve Fund for maintenance, upgrading and repair works to the premises.

Moved: (Cr Giardina)

Seconded: (Cr Tonkin)

#### **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY**

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

### **32. Hartfield Park Reserve Master Plan - Reallocation of Funds**

Previous Items: Nil  
Service Area: Community Development  
Author: Katie Potts  
File Reference: FI-FAG-050  
Applicant: Shire of Kalamunda  
Owner: Shire of Kalamunda

#### **PURPOSE**

1. To transfer \$13,600 from the "Lesmurdie Tennis Club – Converting Courts to Synthetic Grass" account, to the "Hartfield Park Reserve Master Plan" account.

#### **BACKGROUND**

2. The funds were originally set aside to assist the club to convert a number of courts to a synthetic surfaces as part of a Community Sport and Recreation Facilities Fund project.
3. The Lesmurdie Tennis Club have since received approval from the Department of Sport and Recreation to change the original purpose of the application to only re-surface the courts, which has meant the contribution of Council towards the project is reduced from \$34,200 to \$10,000.
4. The Hartfield Park Master Plan currently has a carry over budget allocation of \$21,400.

#### **DETAILS**

5. In order to achieve the desired outcome for the Master Plan, additional funds were required. The successful quote for this work was \$34,000 plus GST.

#### **STATUTORY AND LEGAL IMPLICATIONS**

6. Expenditure from the Shire's municipal fund not included in an annual budget, is to be authorised in advance by resolution (\*absolute majority required), or authorised in advance by the mayor or president in an emergency. S 6.8 (b) (c) Local Government Act 1995.

#### **POLICY IMPLICATIONS**

7. Nil.

#### **PUBLIC CONSULTATION/COMMUNICATION**

8. Nil.

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**FINANCIAL IMPLICATIONS**

9. The proposed amendment will have a nil effect on the adopted budget's final position, being a decrease of \$13,600 from the Lesmurdie Tennis Club to an additional expenditure of \$13,600 for the Hartfield Park Master Plan.

**STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

10. Nil.

**OFFICER COMMENT**

11. An increase in funds to the Hartfield Park Reserve Management Plan is required to raise the amount to a fair market value which will attract a reasonable quality consultant to carry out the project.

**MEETING COMMENT**

12. Nil.

**COMMITTEE RECOMMENDATION TO COUNCIL GS 32/2009**

1. That \$13,600 is transferred from the "Lesmurdie Tennis Club – Convert Courts to Synthetic Grass"(4541) account, to the "Hartfield Park Reserve Master Plan"(C001 501750) account.

Moved: (Cr Tonkin)

Seconded: (Cr Robinson)

**CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY**

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

*Cr Everett declared an interest affecting impartiality as she is the president of the Lesmurdie Ratepayers Association and the person nominated as a committee member is related to her.*

### **33. Community Safety and Crime Prevention– Establishment of Advisory Committee**

Previous Items: OCM 35/08  
Service Area: Community Development  
Author: Kevin O'Connor  
File Reference: CO-CCS-073  
Applicant: N/A  
Owner: N/A

#### **PURPOSE**

1. To consider establishment of a Community Safety and Crime Prevention Advisory Committee and to appoint members.

#### **BACKGROUND**

2. Our Community Safety and Crime Prevention Plan (2007/10) was developed in consultation with relevant State Government agencies and community stakeholders to ensure strategies were consistent with both Government and Community needs and priorities.

#### **DETAILS**

3. It was always the intention of staff to establish this committee once additional resources were available to assist with administration and coordination of its activities.
4. A draft Terms of Reference ([Attachment 1.](#)) is provided for Council's consideration.
5. The Commonwealth "Safer Suburbs" funding will provide for a Safer Communities Project Officer (12 month contract) who will be responsible for development and progress of the Committee's outcomes, actions and targets for the first 12 months.
6. Following a review of the Committee achievements and the expiry of the 12 month appointment, a decision would then be made as to the level of support required for the Committee.

#### **STATUTORY AND LEGAL IMPLICATIONS**

7. In accordance with Sections 5.8 – 5.11 of the Local Government Act 1995.

#### **POLICY IMPLICATIONS**

8. Nil.

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**PUBLIC CONSULTATION/COMMUNICATION**

9. The Committee and Project Officer will be responsible to ensure that adequate community consultation and communications are maintained.

**FINANCIAL IMPLICATIONS**

10. The 12 month contract from the Safer Communities Project Officer's salary and overheads is funded from the Commonwealth "Safer Suburbs" grant.
11. This Officer would be responsible for attracting other grant funding to initiate programmes and projects recommended by the Advisory Committee that are in accordance with the Community Safety and Crime Prevention Plan.
12. An annual Administration grant to cover the initial planning committee and the proposed Advisory Committee's running costs, is provided to Council by the Office of Crime Prevention.

**STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

13. Shire of Kalamunda Strategic Plan (2009-2014)  
Outcome 1.4  
*The Shire of Kalamunda is a safe and secure community*  
Strategies 1.4.1  
*Continue to improve the physical environment and design of council facilities experiencing safety problems.*  
Strategy 1.4.2  
*Increase level and quality of lighting across the Shire including lighting in parks and public places*  
Strategy 1.4.3  
*Investigate installation of CCTV or alternative safety measures for community safety problem areas and hotspots.*  
Strategy 1.4.4  
*Develop strategies to support and educate the community about safety and crime prevention.*  
Strategy 1.4.5  
*Develop and implement a local Graffiti policy and strategy.*  
  
Shire of Kalamunda Community Safety and Crime Prevention Plan (2007 – 2010)  
Outcome 2(c), (g) and 6 (f), (g)

**OFFICER COMMENT**

14. The establishment of this Committee and the appointment of members will enable Council to more effectively address the outcomes and strategies from its strategic plans.
15. Another project to be delivered from the "Safer Suburbs" funding is the feasibility and implementation of CCTV and Lighting. This Committee will play an important part in reviewing the feasibility and recommendations for this project.

- 
16. The recent Graffiti Forum held in Forrestfield highlighted this need for a coordinated and inclusive community response to the on-going vandalism problem.

#### **MEETING COMMENT**

17. Councillor Taylor was nominated as Council's representative on this committee. Councillor Taylor accepted the nomination.

#### **COMMITTEE RECOMMENDATION TO COUNCIL GS 33/2009**

1. That Council adopt the draft Terms of Reference ([\*GSC Item 33 Attachment 1.\*](#)) for the Community Safety and Crime Prevention Advisory Committee.
2. That Council appoint the following members to the Community Safety and Crime Prevention Advisory Committee:

Ray Briggs	WA Police Service
Brian Davies	Kalamunda Chamber of Commerce Inc
Angela Rose-Charlesworth	High Wycombe Community Association Inc
John Everett	Lesmurdie Ratepayers Association Inc
Keith Hughes	Forrestfield Residents Association Inc
Greg Smith	Wattle Grove Residents Association Inc
Councillor Taylor	Shire of Kalamunda Elected Member

Moved: (Cr Thomas)

Seconded: (Cr Tonkin)

#### **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY**

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

### **34. Community Safety and Crime Prevention Plan – Regional Coordinator**

Previous Items: OCM 35/08  
Service Area: Community Development  
Author: Kevin O'Connor  
File Reference: OR-IGR-027  
Applicant:  
Owner:

#### **PURPOSE**

1. To consider entering into a partnership to share the costs for a Regional Community Safety and Crime Prevention Coordinator.

#### **BACKGROUND**

2. The Community Safety and Crime Prevention Plan (CSCPP) (2007-10) was produced as a partnership model between the City of Swan, Town of Bassendean, the Shires of Mundaring & Kalamunda and the WA Government.
3. The CSCPP comprises Regional Strategies as well as individual plans for each Local Government. The priorities and strategies identified in the Plan have been developed through an in-depth analysis of the available evidence.
4. The Plan is designed as a planning and implementation document. It contains a schedule of priorities and strategies that can be implemented regionally and in each Local Government through a partnership between Local Government, State Government Agencies and community and business organisations.
5. The Plan was developed in consultation with relevant State Government Agencies and community organisations to ensure strategies are consistent with government plans and priorities, particularly the State Community Safety and Crime Prevention Strategy.

#### **DETAILS**

6. The Plan comprises six Regional Priorities and five Regional Strategies that the 4 Local Government Authorities could implement together plus strategies for the Shire of Kalamunda to implement in partnership with government and non-government organisations and community and business groups.
7. The five Regional Strategies identified for the four Local Government Authorities are:
  - a. Regional Community Safety and Crime Prevention Coordinator
  - b. Address fear of crime and community perceptions
  - c. Stronger partnership with the Police
  - d. Regional crime and community safety partnership and reporting structure
  - e. Share resources and successful strategies across the Region

- 
8. A regional working group consisting of Chief Executive Officers from the four Local Governments, WA Police and Office of Crime Prevention (OCP) staff, have now met twice to discuss the implementation of the Regional Strategies.
  9. The highest priority identified by this group was the employment of a Regional Community Safety and Crime Prevention Coordinator.
  10. The main objectives of this position would be to:
    - a. Oversee and coordinate implementation of the Community Safety and Crime Prevention Plan and achieve regional and Local Government crime prevention and community safety priorities.
    - b. Develop a Memorandum of Understanding between the 4 Local Government Authorities and the WA Police to support the Regional Coordinator.
    - c. Be responsible for accessing additional funds to support the community safety and crime prevention strategies across the region.
    - d. Support the capacity of each Local Government Authority to implement its specific strategies.
    - e. Ensure that Local Government strategies are integrated with strategies being implemented by State Government agencies and non-government organisations.
  11. The working group were very conscious of the fact that in order to effectively address the remaining four regional strategies, a regional resource of this nature was the highest priority.

#### **STATUTORY AND LEGAL IMPLICATIONS**

12. Nil.

#### **POLICY IMPLICATIONS**

13. Nil.

#### **PUBLIC CONSULTATION/COMMUNICATION**

14. Nil.

#### **FINANCIAL IMPLICATIONS**

15. The City of Swan has agreed to be the host employee and have provided an estimate of \$30,000 per annum as a quarter share of the operating costs.
16. The City of Swan will absorb the initial capital expense for vehicle; computer etc and this will be recouped from the other three Councils as part of the annual charge out rate for operating costs.
17. If one of the four Councils involved does not support the funding of this position and the recommended tenure period of three years, then the proposal would not proceed.

- 
18. Each Council has been asked to give a firm commitment to support this initiative commencing in the 2009/10 Financial Year.

### **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

19. Shire of Kalamunda Strategic Plan (2009-2014)  
Outcome 1.4  
*The Shire of Kalamunda is a safe and secure community.*  
Strategy 1.4.4  
*Develop strategies to support and educate the community about safety and crime prevention.*  
Strategy 1.4.6  
*Provide ongoing support to a region wide strategic level group to plan and drive regional community safety and crime prevention initiatives.*
20. Community Safety and Crime Prevention Plan (2007 – 2010)  
*This proposal would assist with the implementation of a number of Priority Outcomes from our local plan and in particular Strategy 6 (b), (c) and (i).*
21. The financial support for a Regional Partnership such as this would enhance our existing regional resource sharing agreement and contribute to the social sustainability and advancement of our Local Government.

### **OFFICER COMMENT**

22. In addition to the main objectives of this position the Regional Coordination would also be tasked to deliver the following actions:
- a. Publicise and promote current activities, achievement and success stories across the region and in each Local Government to increase community awareness.
  - b. Address community perceptions that the level of crime across the region is higher than the reality.
  - c. Establish and maintain a structure and mechanism through which the 4 Local Government Authorities can work together with the police.
  - d. Improve coordination and alignment between State Government, Local Government and non-government initiatives to address community safety and crime prevention across the Region.
  - e. Share resources and strategies between Local Government Authorities to address graffiti, vandalism and damage.
  - f. Improve information sharing about successful strategies being implemented in each Local Government, non-government organisations and businesses.
23. The Police representative on the Working Group has suggested that this position could be based at the East Metropolitan Crime Prevention Office in Midland. This would provide the advantage of developing a close working relationship and liaison between the coordinator and the District Police operations and ensure that prevention programmes are delivered within a regional context.

- 
24. It is envisaged that this position would be for a trial three year period, with annual reviews of the effectiveness of this position measured by the actions and outcomes achieved.
25. A draft Terms of Reference is being prepared to formalise the existing working group. It is envisaged that their Aims and Objectives would include:
- a. To drive, monitor and review the implementation of the Regional Community Safety and Crime Prevention Plan.
  - b. To report on the Committee's activities annually for inclusion in the Shire of Mundaring, City of Swan, Town of Bassendean, Shire of Kalamunda WA Police and Office of Crime Prevention Annual Report.
  - c. To advise Councils on appropriate matters relating to community safety and crime prevention, as they relate to regional programmes.
  - d. To consider matters relating to community safety and crime prevention, raised by Councils, Committee Members or the community that may impact the Eastern Metropolitan Region.
  - e. To support, when applicable, programmes and activities related to community safety and crime prevention within the Eastern Metropolitan Region.
  - f. To promote and enhance awareness of community safety and crime prevention issues and new projects in the region through media such as newspaper articles, internet and other appropriate means.
26. With the current availability of Commonwealth and State Government funding for community safety initiatives e.g. "Safer Suburbs" it is important for the Shire of Kalamunda to have access to up-to-date information on best practise and other regional or state wide experiences, so that we can maximise the use of these funds.

#### **MEETING COMMENT**

27. The Chief Executive Officer provided clarification to some points within the report and the appointment of the Regional Community Safety and Crime Prevention Coordinator.

#### **COMMITTEE RECOMMENDATION TO COUNCIL GS 34/2009**

1. That Council agree to supporting the establishment of the Regional Community Safety and Crime Prevention Coordinator for a period of three years at \$30,000 per annum.

- 
2. That the 2009/2010 Draft Budget be prepared on the basis of providing for this expenditure.

Moved: (Cr Thomas)

Seconded: (Cr Everett)

**For the Recommendation**

Cr Everett  
Cr Giardina  
Cr Tonkin  
Cr Robinson  
Cr Morton  
Cr Heggie  
Cr Lindsey  
Cr Taylor  
Cr Thomas  
Cr Cresswell

**Against the Recommendation**

Cr Sadler

**CARRIED**

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**EN BLOC COMMITTEE RECOMMENDATION TO COUNCIL**

That the Recommendations contained in Items 35, 36 and 37 of this Agenda be adopted.

Moved: (Cr Robinson)

Seconded: (Cr Tonkin)

**CARRIED UNANIMOUSLY**

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

**35. Policy Review – Appointment of Litter Officers under the Litter Act**

Previous Items: Policy HLTH2  
Service Area: Community Development  
Author: Jonathan Smith  
File Reference: HU-EMP-001  
Applicant:  
Owner:

**PURPOSE**

1. To consider revoking the existing Policy: Appointment of Litter Officers under Litter Act (HLTH2).

**BACKGROUND**

2. The date the existing policy ([Attachment 1.](#)) was adopted is unknown.

**DETAILS**

3. The policy was to identify the Shire Officers who would be gazetted as litter officers under the Litter Act.

**STATUTORY AND LEGAL IMPLICATIONS**

4. Nil.

**POLICY IMPLICATIONS**

5. Recommendation is to revoke this policy.

**PUBLIC CONSULTATION/COMMUNICATION**

6. Nil.

**FINANCIAL IMPLICATIONS**

7. Nil.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

8. Nil.

## **OFFICER COMMENT**

9. Historically Council was required to gazette officers as Litter Officers. Subsequently the legislation was amended removing this requirement. Currently a local government employee or Councillor is an authorised person under Section 26(1)(C) of the Litter Act 1979

10. It is recommended this policy be revoked.

## **MEETING COMMENT**

11. Nil.

## **COMMITTEE RECOMMENDATION TO COUNCIL GS 35/2009**

1. That Council Policy: Appointment of Litter Officers under the Litter Act (HLTH2) be revoked.

Moved: (Cr Robinson)

Seconded: (Cr Tonkin)

**CARRIED UNANIMOUSLY**

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

### **36. Policy Review: Exemption from Council's Rubbish Removal Service**

Previous Items: Policy HLTH5  
Service Area: Community Development  
Author: Jonathan Smith  
File Reference: FI-RST-010  
Applicant: N/A  
Owner: N/A

#### **PURPOSE**

1. To consider revoking the existing Policy: Exemption from Council's Rubbish Removal Service (HLTH5).

#### **BACKGROUND**

2. The date the existing policy ([Attachment 1.](#)) was adopted is unknown.

#### **DETAILS**

3. The policy was to accommodate residents who present valid reasons for exemption from the weekly rubbish service.

#### **STATUTORY AND LEGAL IMPLICATIONS**

4. Health Act 1911, section 112A(2)& (3) (revoked in 2008)  
Waste Avoidance & Resource Recovery Act 2007I

#### **POLICY IMPLICATIONS**

5. Recommendation is to revoke this policy.

#### **PUBLIC CONSULTATION/COMMUNICATION**

6. Nil

#### **FINANCIAL IMPLICATIONS**

7. Exempted residents do not pay rubbish rates.

#### **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

8. Expectation and requirement that the Shire provides a refuse removal service to all residents.

**OFFICER COMMENT**

9. Under the Health Act 1911 powers existed for Local Government to exempt residents from having a refuse service. With the gazettal of the Waste Avoidance & Resource Recover Act 2007 all waste provisions contained in the Health Act 1911 were revoked.
10. The Waste Avoidance & Resource Recover Act 2007 does not provide these exemptions.
11. It is recommended this policy be revoked

**MEETING COMMENT**

12. Nil.

**COMMITTEE RECOMMENDATION TO COUNCIL GS 36/2009**

1. That Council Policy: Exemption from Council's Rubbish Removal Service (HLTH5) be revoked.

Moved: (Cr Robinson)

Seconded: (Cr Tonkin)

**CARRIED UNANIMOUSLY**

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

### **37. Policy Review – Sharps and Syringes-Disposal from Council land and Facilities**

Previous Items: Policy HLTH9  
Service Area: Community Development  
Author: Jonathan Smith  
File Reference: LE-LOL-026  
Applicant: N/A  
Owner: N/A

#### **PURPOSE**

1. To consider revoking the existing Policy: Sharps and Syringes - Disposal from Council Land and Facilities Policy (HLTH9).

#### **BACKGROUND**

2. The existing policy ([Attachment 1.](#)) was adopted in August 2002.

#### **DETAILS**

3. This policy aims to ensure that appropriate advice is given to members of the public and to facilitate programs for the safe collection and disposal of improperly discarded sharps in public places.

#### **STATUTORY AND LEGAL IMPLICATIONS**

4. Occupational safety and Health issue.

#### **POLICY IMPLICATIONS**

5. Recommendation is to revoke this policy

#### **PUBLIC CONSULTATION/COMMUNICATION**

6. Nil.

#### **FINANCIAL IMPLICATIONS**

7. Nil.

#### **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

8. Nil.

**OFFICER COMMENT**

9. This policy relates to the manner in which the Shire responds to sharps and syringes disposed of on Shire property. This is an operational matter and it is recommended that the policy be revoked and be registered as an Administration Policy and Procedure.

**MEETING COMMENT**

10. Nil.

**COMMITTEE RECOMMENDATION TO COUNCIL GS 37/2009**

1. That Council Policy: Sharps and Syringes - Disposal from Council Land and Facilities Policy (HLTH9) be revoked.

Moved: (Cr Robinson)

Seconded: (Cr Tonkin)

**CARRIED UNANIMOUSLY**

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

### **38. Kalamunda Farmer's Market – Application for Approval**

Previous Items:

Service Area:	Community Development
Author	Jonathan Smith
File Reference:	CN-11/GEN
Applicant:	Kalamunda Chamber of Commerce
Owner:	N/A

#### **PURPOSE**

1. To consider an application from the Kalamunda Chamber of Commerce to operate the Kalamunda Farmer's Market.

#### **BACKGROUND**

2. An application has been received from the Chamber of Commerce seeking approval to operate a weekly farmers market in the Kalamunda Town Centre, on Sundays, commencing 3 May 2009.

#### **DETAILS**

3. The aim of a farmers market is for local businesses to sell local fresh produce to local residents. The concept is relatively new in Australia, with the first market opening in 1999 and now with some 120 markets across Australia.
4. Farmers markets by definition are limited to the sale of food, or related goods. Goods sold must come from within a defined regional boundary.
5. The proposal states that a weekly Sunday market will;
  - a. Provide a reliable source of fresh local produce
  - b. Create a regular weekly income for local producers
  - c. Be linked to a 'shop local' programme
  - d. Be operated by the Kalamunda Chamber of Commerce
  - e. Be located in the same location as the Kalamunda Village Markets
  - f. Incur no parking issues as they will be held on Sundays
6. The proposal addresses a range of issues, not limited to, but including benefits to the community, suggested business structure, insurance, market office, market manager, stallholders handbook, market site (conditions and layout, food safety requirements, signage, occupational health and safety), sustainability and financing.
7. The proposal is for the Winter months to operate between the hours of 8.00am to 1.00pm and Summer months between the hours of 7.00am to 12.00 noon.

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**STATUTORY AND LEGAL IMPLICATIONS**

8. The Shire of Kalamunda Trading on Thoroughfares and Public Places Local Law 2008 requires Council approval for a Traders Permit.

**POLICY IMPLICATIONS**

9. Trading in Public Places- General Principles Policy Number HLTH12

**PUBLIC CONSULTATION/COMMUNICATION**

10. The Steering Committee have consulted with businesses in the Central Mall area and promoted the concept on the Kalamunda Chamber of Commerce website and in the local media. Two stall holder workshops are scheduled to be held prior to the commencement of the first market.

**FINANCIAL IMPLICATIONS**

11. The Kalamunda Chamber of Commerce have requested that Council consider providing a seeding grant of \$10,000 to establish essential infrastructure, promotion and marketing.
12. A cash flow projection table has been submitted itemising all market income and expenditure up to December 2009.
13. The majority of the seed funding will be spent on portable market pavilions, signs/banners, advertising, printing and stallholder workshops. The income, which is mainly from stallholder fees is predicted to provide the markets with a gradually increasing surplus totalling up to \$10,000 by December 2009.
14. The seed funding would be allocated from the existing Economic Development budget, as this proposal addresses strategies and initiatives from both our Plan for the Future of the District and the Council Strategic Plan (2009 – 2014).
15. The Kalamunda Farmers Market would initially be charged \$100 application fee and \$159 Permit Fee until 30 June 2009.
16. The fee is based on the current charge of \$950 that applies to the Kalamunda Village Markets. This is likely to rise in the 2009/2010 budget.

**STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

17. Shire of Kalamunda Strategic Plan 2009-2014 Outcome 4.2  
*Increased opportunities for local business and employment*  
Strategy 4.2.3  
*Partner with local and regional businesses to support further economic development*

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**OFFICER COMMENT**

18. The existing Kalamunda Village Markets are well established, successful, well patronised and generally operate without complaint, aside from parking issues, and have grown beyond expectations.
19. The Farmer's Market is similar in operation however is specifically intended for the sale by the producer of locally produced foods, or related products, on a weekly basis.
20. It is proposed that a defined town centre market area be approved by Council to limit the extent of land that the markets, including the Kalamunda Village Markets, can occupy. Refer to ([Attachment 1.](#)), the intention is that the approved area will cover all the area currently occupied by the Kalamunda Village Markets.
21. On the basis that this will be a weekly market, it will exclude all garden and lawn areas, and approved alfresco area (Crema Coffee). Haynes Street is also excluded.
22. The benefits of the proposal in providing the community with access to fresh local produce and financially helping local producers is commendable.
23. The Shire will provide a community bin service, and will invoice the Kalamunda Farmers Market a charge for each bin provided. Currently community bins are serviced by the Shire litter truck and cost \$90 per annum for one bin. The location of where these bins will be stored is to be determined.
24. The Kalamunda Farmers Market have been advised that due to the frequency of this event, and to meet food standards, the proposed breakfast bar will be required to be in an approved food vehicle.
25. It is recommended that the Kalamunda Farmers Market application be approved for a trial period of 14 months (until 30 June 2010), subject to the following conditions being met prior to the commencement of the Kalamunda Farmer's Market:
  - a. All food stalls will need to comply with the requirements of the Food Act 2008 and the Australian New Zealand Food Standards Code and will require individual application and approval by the Shire Health Service
  - b. That following each market day the area is returned to its pre-event condition
  - c. That indemnity insurance of \$10 million to indemnify Council against any claim arising in respect of public liability aspects is maintained by the Kalamunda Farmers Market for the duration of the permit.
  - d. Provide a site plan showing the position and size of stalls –located within the Kalamunda centre market area. ([Attachment 2.](#)) Need to liaise with the adjoining property owners and occupiers.

- e. Provide a risk management plan for the proposal – to address occupational health and safety, food safety, public safety issues and waste disposal.
- f. The applicant has requested Nestorbrae Lane be closed each Market Day to allow the safe operation of the market area.

### **MEETING COMMENT**

- 26. The President of the Kalamunda Chamber of Commerce addressed the Committee in support of the recommendation and provided some background into the proposed markets. Councillors sought clarification as to some points raised.
- 27. Councillors sought clarification as to some aspects of the report and recommendation. The Director of Community Development and the Chief Executive Officer provided clarification.
- 28. The Officer Recommendation lapsed as there was no mover.
- 29. A recommendation with additional point “1. h” and an additional point 2 was moved and seconded. Council debated the recommendation before it was put to the vote.

### **OFFICER RECOMMENDATION**

- 1. That the Council approve, for a trial period of 14 months (ending 30 June 2010) the operation of the Kalamunda Farmer’s Market on Sundays in the Kalamunda town centre, subject to the following conditions.
  - a. All food stalls will need to comply with the requirements of the Food Act 2008 and the Australian New Zealand Food Standards Code and will require individual application and approval by the Shire Health Service
  - b. That following each market day the area is returned to its pre-event condition
  - c. That indemnity insurance of \$10 million to indemnify Council against any claim arising in respect of public liability aspects is maintained by the Kalamunda Farmers Market for the duration of the permit.
  - d. Provide a site plan showing the position and size of stalls –located within the Kalamunda centre market area. Stalls cannot be located on lawn, garden or on Haynes Street.
  - e. Provide a risk management plan for the proposal – to address occupational health and safety, food safety, public safety issues and waste disposal.

- f. Payment of \$259 (Application and licence fees until 30 June 2009)
- g. That Council grants approval to close Nestorbrae Lane on the day and for the hours the Farmers Market operates. The market organisers shall erect suitable signage each Farmers Market Day advising motorists that Nestorbrae Lane is closed.

#### **COMMITTEE RECOMMENDATION TO COUNCIL GS 38/2008**

1. That the Council approve, for a trial period of 14 months (ending 30 June 2010) the operation of the Kalamunda Farmer's Market on Sundays in the Kalamunda town centre, subject to the following conditions.
  - a. All food stalls will need to comply with the requirements of the Food Act 2008 and the Australian New Zealand Food Standards Code and will require individual application and approval by the Shire Health Service
  - b. That following each market day the area is returned to its pre-event condition
  - c. That indemnity insurance of \$10 million to indemnify Council against any claim arising in respect of public liability aspects is maintained by the Kalamunda Farmers Market for the duration of the permit.
  - d. Provide a site plan showing the position and size of stalls –located within the Kalamunda centre market area. Stalls cannot be located on lawn, garden or on Haynes Street.
  - e. Provide a risk management plan for the proposal – to address occupational health and safety, food safety, public safety issues and waste disposal.
  - f. Payment of \$259 (Application and licence fees until 30 June 2009)
  - g. That Council grants approval to close Nestorbrae Lane on the day and for the hours the Farmers Market operates. The market organisers shall erect suitable signage each Farmers Market Day advising motorists that Nestorbrae Lane is closed.
  - h. That a review of the parking arrangements be undertaken after three months operation.
2. That Council grant seed capital of \$10,000 in the form of an interest free loan for one year to be review by Council after this period.

Moved: (Cr Robinson)

Seconded: (Cr Tonkin)

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**For the Recommendation**

Cr Everett  
Cr Giardina  
Cr Tonkin  
Cr Robinson  
Cr Morton  
Cr Heggie  
Cr Lindsey  
Cr Thomas  
Cr Cresswell

**Against the Recommendation**

Cr Sadler  
Cr Taylor

**CARRIED**

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

### **39. Reconsideration of Awarding of Tender – 9 Tonne Two Way Tip Truck – T0901**

Previous Items: PS 32/2009  
Service Area: Engineering Services  
Author: Kanwal Singh  
File Reference: AD-TEN-004  
Applicant: N/A  
Owner: N/A

#### **PURPOSE**

1. To re-consider awarding the Tender for a 9 Tonne Two Way Truck Tip Truck.

#### **BACKGROUND**

2. At its Ordinary Council Meeting of 16 March 2009, Council resolved the following;
  1. *That Council approves the purchase of new 9.0 Tonne two way tip truck from AV Truck Services Pty Ltd, at the tendered price of \$ 111,760.00 (excluding GST).*
  2. *That Council approves the disposal of vehicle KM 14281 to David Hawley at the outright purchase price of \$23,000 (excluding GST).*

#### **DETAILS**

3. Since the awarding of the Tender to the successful Tenderers, AV Truck Services Pty Ltd have advised that they are no longer the distributors for the truck offered and therefore are not in a position to supply the tendered equipment. Accordingly, part one of the above Motion cannot be acted upon.
4. The next most competitive price was offered by WA Hino at \$114,283, excluding GST, which is \$2,523 more expensive. WA Hino and they have confirmed that their offered price is still current.

#### **STATUTORY AND LEGAL IMPLICATIONS**

5. Nil.

#### **POLICY IMPLICATIONS**

6. Nil.

**PUBLIC CONSULTATION/COMMUNICATION**

7. Nil.

**FINANCIAL IMPLICATIONS**

8. The additional cost for accepting the price from WA Hino amounts to \$2,523.

**STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

9. Nil.

**OFFICER COMMENT**

10. Given that AV Truck Services are not in a position to supply the tendered truck and that WA Hino are willing to maintain their original submitted price for their vehicle, it is recommended that the Contract be awarded to them, as this will be the most expedient and cost effective option.

**MEETING COMMENT**

11. Nil.

**COMMITTEE RECOMMENDATION TO COUNCIL GS 39/2009**

1. That the Contract for the Supply and Delivery of 9 Tonne Two Way Tip truck be awarded to WA Hino at their tendered price of \$114,283.00 excluding GST.

Moved: (Cr Thomas)

Seconded: (Cr Taylor)

**CARRIED UNANIMOUSLY**

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

#### **40. Kalamunda Swimming Pool – Architectural and Project Management Services for the Refurbishment of Facilities – Acceptance of Tender**

Previous Items: OCM 167/2008  
Service Area: Engineering Services  
Author: Tex McPherson  
File Reference: CL-11/040  
Applicant: Shire of Kalamunda  
Owner: Shire of Kalamunda

#### **PURPOSE**

1. To consider Tenders for the provision of Architectural and Project Management Services for the refurbishment of facilities within Kalamunda Swimming Pool complex.

#### **BACKGROUND**

2. The following is part of the Resolution (OCM 167/2008) which was resolved at the Ordinary Council Meeting held on 15 December 2008;
  1. *That Council approve expenditure of up to \$100,000 from the Building Reserve Fund for investigation of water leakage and mitigation works, and the installation of a stand alone chlorination and filtration system and resurfacing of the toddler's pool.*
  2. *That Council approve of \$500, 000 being expended from the Australian Government Regional and Local Community Infrastructure Programme on upgrading and refurbishment works as detailed under Stage1 at (GSC Item 141 Attachment 4.)*
  3. *That Council make provision in the 2009/2010 annual budget for the proposed works detailed under Stage 2 at (GSC Item 141 Attachment 4.)*
3. Accordingly for funding purposes the project has been divided into two stages, with the first stage funding from the Australian Government under "Australian Government Regional and Local Community Infrastructure Programme Funding". The second stage will be totally funded from the Council's Municipal fund.
4. It is imperative that there is continuity between the two stages, as there will be work being carried out on both stages at the same time and there will be a cost savings with one Architect and Project Manager.

5. Stage One, which includes works outlined in part 1 and 2 of the Ordinary Council Meeting Resolution, is time tied by the Government Grant and the funds are required to be expended by 30 September 2009 and the final report to be submitted by 30 November 2009. The majority of the work in Stage Two has to be carried out when the facility is closed over the winter period. Therefore work on Stage Two must commence as soon as possible into the new financial year, once funding has been released.
6. The scope of work outlined at Attachment 4 in the General Services Report Item number 141 is, is reproduced at ([Attachment 1.](#))

## DETAILS

7. Request for Tenders for the Architectural and Project Management Services was advertised on Saturday 21 February 2009 in the Local Government Tender section of *The West Australian* and closed on Thursday 12 March 2009.
8. The services required include the following;
  - a. Scope of Work – Assess each item from the schedule above and prepare a scope of work within the estimated cost;
  - b. Design and Documentation – prepare any designs and documentation that will be required to execute the works. The documentation will be embedded into Shire's request for Tender and quotation documentation;
  - c. Technical Assistance – provide assistance during the Tender and/or quotation process;
  - d. Project Management – provide project management services during the construction activities and through defects liability period, if required, for each of the stages; and
  - e. Other Costs – that are realised at the time of Tender ie Structural Engineer.
9. Four (4) offers were received from the following companies:

Tenderer	Stage 1	Stage 2	Total Tendered Price (excl GST)
Donovan Payne	24,500.00	41,800.00	\$66,300
Olk & Associates	36,680.00	53,400.00	\$90,080
Braude & Associates	47,500.00	87,800.00	\$135,300
James Christou	118,450.00	117,586.00	\$236,036

10. Donovan and Payne Architects is the preferred Tenderer as it complies with the Contract Specifications and Conditions.

## STATUTORY AND LEGAL IMPLICATIONS

11. Nil.

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## POLICY IMPLICATIONS

12. Policy PUR1 – Purchasing Policy – has followed.

## PUBLIC CONSULTATION/COMMUNICATION

13. The Tender opening process is open to public scrutiny. The Tenders were opened in the presence of two Shire Officers and three members of the public.

## FINANCIAL IMPLICATIONS

14. OCM 167/2008 allocated the following funding to the project:

Stage	Source	Amount
1.	Australian Government Grant	544,000
	Building reserve	100,000
2.	2009/10 Budget	878,000
	Total	\$1,522,000

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

15. Nil.

## OFFICER COMMENT

16. There was a good response during the Tender advertising period finally with four Tenders received at the date of closing.
17. All Tenders received were assessed against the selection criteria by Shire staff and it was found that the lowest Tender received, Donovan Payne Architects is the most advantageous Tender, as they conform to the requirements of the Tender documentation.

## MEETING COMMENT

18. A Councillor queried the variance in the price of the tenders. The Chief Executive Officer advised it was not unusual to see such variances.

## COMMITTEE RECOMMENDATION TO COUNCIL GS 40/2009

1. That the Tender for the provision of Architectural and Project Management services for the refurbishment of facilities within Kalamunda Swimming Pool complex, be awarded to Donovan Payne Architects, at a total cost of \$66,300 excluding GST.

Moved: (Cr Taylor)

Seconded: (Cr Robinson)

**CARRIED UNANIMOUSLY**

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

#### 41. Reid Oval- Hartfield Park, Forrestfield: Supply and Install Sports Lighting to Oval – Acceptance of Tender

Previous Items: N/A  
 Service Area: Engineering Services  
 Author: Tex McPherson  
 File Reference: HL-01/199  
 Applicant: Shire of Kalamunda  
 Owner: Shire of Kalamunda

#### PURPOSE

1. To consider awarding the Tender for the supply and installation of sports lighting to Reid Oval which is a part of the Hartfield Park sporting complex in Forrestfield.

#### BACKGROUND

2. The major user of the facility the, Forrestfield Junior Football Club, initiated the original project in 2007/08 to supply and install sports lighting towers for night activities on Reid Oval.
3. When the original submission was received late in 2007, there were errors in the technical requirements and the quotations were dated 2006. These anomalies were ratified and quotations were requested from selected electrical contractors who work in this field.
4. Only one quotation was received and which was greater than the Tender threshold. Accordingly, the project was put on hold and additional funds were provided in the following financial year.

#### DETAILS

5. Request for Tenders for the project was advertised on Saturday 14 February 2009, in the Local Government Tender section of *The West Australian*, and closed on Thursday 5 March 2009.
6. A total of ten (10) offers were received from the following companies:

<b>Tenderer</b>	<b>Tendered Price (excl GST)</b>
Hender Lee Electrical Contractors Pty Ltd	55,949.33
BJN Electrical Services Pty Ltd	58,346.00
Future Power WA Pty Ltd	63,917.00
Shamrock Electrics	65,269.00
WestNet Energy	78,043.38
S.J. Electrical	84,159.83
Lightbase Pty Ltd	87,000.00
A.B. Tillbury Pty Ltd	89,520.00
JR Electrical Contracting	93,598.18
Amber Electrical Services (WA) Pty Ltd	22,188.00

7. Hender Lee Electrical Contractors Pty Ltd is the preferred Tenderer as they comply with the Contract Specifications and Conditions.

#### **STATUTORY AND LEGAL IMPLICATIONS**

8. Nil

#### **POLICY IMPLICATIONS**

9. Policy PUR1 – Purchasing Policy – has followed.

#### **PUBLIC CONSULTATION/COMMUNICATION**

10. N/A

#### **FINANCIAL IMPLICATIONS**

11. The total Budget allocation for this project is \$190,000 which includes a carryover of \$84,000 from the 2007/08 Financial Year. The 2007/08 allocation included a CSRFF grant of \$27,806.
12. The project, as specified in the Tender documents, is expected to be completed for under \$60,000.

#### **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

13. Nil.

#### **OFFICER COMMENT**

14. This Request for Tender received a better response, than an earlier request, where only one quotation was received. This has resulted in a significant reduction in the cost of the project.
15. The current project included for the installation of two light poles, and made further provision for two additional light poles. These additional two poles could be installed at an estimated cost of \$30,000 thereby, bringing the total project cost to approximately \$90,000 and will still comply with the CSRFF grant requirements, as the grant cannot exceed one third of the cost of the project.
16. It would make sense to negotiate the installation of the two additional light poles with the successful Tenderer.
17. The Reid Oval site and the Clubrooms are also in need of a power upgrade, at an estimated cost of \$30,000. This project was planned to be carried out in 2009/10. Given the savings, this project could also be brought forward.
18. The Tenders received were assessed against the selection criteria by Shire staff, with support of the project Electrical Consultant who provided technical assessment of the Tenders.

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19. The Tender received from Amber Electrical Services (WA) Pty Ltd is a non conforming Tender, as it was for labour only, with the assumption that the Principal would supply the lighting tower, lights and electrical switchboards. Accordingly, Hender Lee Electrical Contractors Pty Ltd is the lowest conforming Tenderer.

#### **MEETING COMMENT**

20. A Councillor question if the football club was contributing to the cost of the installation of lighting. The Director of Engineering Services advised this project was originally funded in 2007/2008 from grant funds and had further funds allocated in the 2008/2009 budget.

#### **COMMITTEE RECOMMENDATION TO COUNCIL PS 41/2009**

1. That the Tender for the supply and installation of two (2) sports lights to Reid Oval, Hartfield Park, Forrestfield, be awarded to Hender Lee Electrical Contractors Pty Ltd.
2. That the installation of the two (2) additional light poles be negotiated with the successful Contractor.

Moved: (Cr Robinson)

Seconded: (Cr Morton)

**CARRIED UNANIMOUSLY**

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**10.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

10.1 Nil.

**11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE****11.1 Central Kalamunda Land – Cr Giardina**

Q. Is the site that is currently used by the Kalamunda Community Radio owned by the WA Police Department?

A. This is correct.

Q. Have staff done any work in the precinct around the Jack Healey Centre, including WA Police Department property, has this area been considered for a centre to house groups such as family groups, seniors etc?

A. As part of strategic planning for next year it is the intention to look at the feasibility of this area being used as a community precinct.

Q. Would the Council be looking at purchasing the land owned by the police department for incorporation into this plan?

A. This would be something for Council to consider. A written response will be provided to these queries.

**11.2 Footpath – High Wycombe Lifestyle Village – Cr Heggie**

Q. Will a footpath from the Lifestyle Village to Whitnoom Road be constructed?

A. The Director of Engineering Services Advised this would be in the footpaths budget for the 2009/2010 year.

**11.3 Community Precinct – Cr Taylor**

Q. When referring to the Police Station building was reference being made to the building currently used by Kalamunda Community Radio and the residence next door? As this property is not owned by the Shire.

A. The CEO advised it was understood that this was not Shire of Kalamunda property, but when looking at the feasibility of a community precinct a concept plan would be drawn up to include the area bordered by Central Road, Mead Street and Canning Road would be considered.

**Shell Site, Canning Road – Cr Taylor**

Q. Can anyone provide an update as to the situation with the site?

A. The Director of Planning and Development Services advised he had recently met with the owner of the land who still hasn't had final clearance from the

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EPA. The landowner has development plans drawn up. The Shire of Kalamunda Planning Department has been advised by the Shire's solicitors not to get involved in the clean up of the site.

Q. Should the Shire be writing to the EPA?

A. We have offered the landowner to do this and are await for him to provide the contact at the EPA.

**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 9.13pm.

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

Signed.....Chairman

Dated this .....day of.....2009