
Shire of Kalamunda

General Services Committee

Minutes for 5 February 2007



 SHIRE OF KALAMUNDA

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 General Services Committee Meeting
 5 February 2007

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Minutes of General Services Committee
held in the Council Chamber,
2 Railway Road, Kalamunda
Monday, 5 February 2007

1.0 OFFICIAL OPENING

- 1.1 The Chairperson opened the Meeting at 7.00 pm and welcomed Councillors staff and members of the public gallery. The Chairperson welcomed the Executive Manager Planning and Development Services, Rory O'Brien, and the Manager Financial Services, Steve Leeson, to their first meeting as representatives of the Shire of Kalamunda.

2.0 APOLOGIES AND LEAVE OF ABSENCE

2.1 PRESENT

Councillors

E Taylor	(SHIRE PRESIDENT) NORTH WARD
S Blair	NORTH WARD
N Sadler	(CHAIRPERSON) SOUTH WEST WARD
D Sadler	SOUTH WEST WARD
A Morton	SOUTH WEST WARD
P Tonkin	SOUTH WARD
J Giardina	SOUTH WARD
S Bilich	SOUTH WARD
M Casey	NORTH WEST WARD
J Winterhalder	EAST WARD

Officials

M Singh	ACTING CHIEF EXECUTIVE OFFICER
S Leeson	A/EXECUTIVE MANAGER CORPORATE SERVICES
K O'Connor	EXECUTIVE MANAGER COMMUNITY SERVICES
R O'Brien	EXECUTIVE MANAGER PLANNING AND DEVELOPMENT SERVICES
D Elkins	A/EXECUTIVE MANAGER ENGINEERING SERVICES
B Millan	EXECUTIVE ASSISTANT
R Neale	MANAGER LIBRARY SERVICE
J Smith	MANAGER HEALTH SERVICE
D McPherson	MINUTE SECRETARY

Apologies

D McKechnie

M Cresswell

NORTH WARD

NORTH WEST WARD

Observers

3

Newspapers

Echo

Hills Gazette

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 A petition was tabled regarding Excessive Speed by motor vehicles on McCrea Road.

5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 Motion

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

Moved: (Cr Taylor)

Seconded: (Cr D Sadler)

CARRIED UNANIMOUSLY

6.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

6.1 Nil

7.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

7.1 Nil

8.0 DISCLOSURE OF INTERESTS

Disclosure of Financial and Proximity Interests

- (a) Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.60B and 5.65 of the Local Government Act 1995)
- (b) Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the Local Government Act 1995).

Disclosure of Interest Affecting Impartiality

- (a) Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee has given or will give advice.

9.0 REPORT TO COUNCIL

Please Note:

Strategic and Policy related items are bolded and will be dealt with as the first items of business.

1.	Creditors Accounts paid for December 2006 & January 2007	6
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Declaration of financial/conflict of interests to be recorded prior to dealing with each item

1. Creditors Accounts Paid For December 2006 And January 2007

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

PURPOSE

1. To receive creditors' accounts paid for the months of December 2006 and January 2007.

BACKGROUND

2. It is a requirement of the Local Government (Financial Management) Regulations 1996 (Regulation 12) that a list of Creditors' Accounts Paid is compiled each month.
3. This is required to show the payee's name, amount of payment, provide sufficient information to identify the transaction and the date of the meeting of council to which it is to be presented.

DETAILS

4. Accordingly, the list of Creditors' paid for December 2006 and January 2007 is attached. ([Attachment 1 & 2](#))

POLICY IMPLICATIONS

5. Nil

PUBLIC CONSULTATION/COMMUNICATION

6. Nil

STATUTORY AND LEGAL IMPLICATIONS

7. Nil

FINANCIAL IMPLICATIONS

8. Nil

STRATEGIC IMPLICATIONS

9. Nil

OFFICER COMMENT

10. Nil

MEETING COMMENT

11. A list of cheques queried by Councillors was tabled.

COMMITTEE RECOMMENDATION TO COUNCIL GS 1/2007

1. That the list of Creditors' Paid for December 2006 and January 2007 attached (Attachment 1) be received by Council in accordance with the requirements of Regulation 12 of the Local Government Financial Management) Regulations 1996.

Moved: Cr Tonkin

Seconded: Cr Blair

CARRIED UNANIMOUSLY

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

2. **Attendance at the Local Government Managers Association National Congress and Business Expo in Hobart by the Executive Manager Corporate Services**

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

PURPOSE

1. A proposal to attend the Local Government Managers Association (LGMA) National Congress and Business Expo to be held in Hobart in April/May 2007.

BACKGROUND

2. The LGMA is holding its National Congress and Business Expo in Hobart between 29 April to 2 May 2007.
3. Council Policy CS 4.1 includes the following statement:

Conferences/seminars, training and induction courses of interest to Councillors be referred to the appropriate standing committee and recommendation for the attendance of any Councillor be subject to a report item to Council.

DETAILS

4. The Main theme of the Congress is Power and the Passion, The Power to Make a Difference and The Passion to Lead. The Key Note speakers who will make presentation addressing the theme include Rtd General Peter Cosgrove and former Premier Jeff Kennet. Additionally a number of speakers will make their presentations on a number of contemporary challenges faced by local government including attracting and retaining good people, process improvements and creating environments for vibrant communities.
5. The official programme runs from Monday 30 April through to Wednesday 2 May 2007, with registrations on Sunday 29 April. The details of the programme are available from LGMA's website
http://www.lgma.org.au/national/national_congress.php;
6. The early bird registration fee for the conference is \$1,270 per person. The airfare is estimated at \$650 to \$750 per person. Additionally there will be some out of pocket expenditure payable to the attendee(s).

POLICY IMPLICATIONS

7. The Council Policy CS 4.1 makes a provision for the expenses to be reimbursed to Councillors if they attend a conference. The policy also provides guidelines for the expenditure that can be reimbursed.

PUBLIC CONSULTATION/COMMUNICATION

8. Nil

STATUTORY AND LEGAL IMPLICATIONS

9. Nil

FINANCIAL IMPLICATIONS

10. Council's budget has a provision for staff and councillors to attend such conferences.

STRATEGIC IMPLICATIONS

11. Nil

OFFICER COMMENT

12. The Congress Programme has relevance and value to staff and Council. The Executive Manager Corporate Services (EMCS) expressed his interest to attend the conference, at the time of his interview. The Chief Executive Officer has elected not to nominate himself to attend and nominated the EMCS to attend the conference.

Council may nominate a councillor to attend.

MEETING COMMENT

12. Councillors discussed the possibility of an elected member attending the Congress.

COMMITTEE RECOMMENDATION TO COUNCIL **GS 2/2007**

1. That the Executive Manager Corporate Services attendance at the Local Government Management Association National Congress be endorsed.

Moved: Cr Tonkin

Seconded: Cr Giardina

CARRIED UNANIMOUSLY

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

3. **Alfresco Dining Area In Central Mall**

Previous Items:

Service Area: Community Services

File Reference: CN-11/10

Applicant: Kim Gordon

Owner:

PURPOSE

1. To consider approving an alfresco dining area in Central Mall Kalamunda.

BACKGROUND

2. An application has been received from Kim Gordon of Crema Coffee 10 Central Road/Mall Kalamunda seeking approval to operate an alfresco dining area from the mall outside their premises. It is a requirement under the Trading in Thoroughfares and Public Place Local Law to seek approval from Council to operate an alfresco dining area, and if approved is subject to an annual licence.

DETAILS

3. The applicant advises that Crema Coffee has been operating for the past four years, and would like to increase the visibility of their premises by extending their current alfresco area within their property boundary to include a portion of the Central Mall ([Attachment 1](#)). The Crema Coffee premises are located at the most southern end of the mall. This area is not greatly used with the majority of shoppers exiting Kalamunda Central heading North or towards Barber Street. The applicant has advised that they would not operate this alfresco area on the days of the Kalamunda Markets (First Saturday of the month).

POLICY IMPLICATIONS

4. The Trading In Public Places Policy (RS 4.8) permits alfresco dining where it will enhance the character of Kalamunda as a village centre and will not conflict with the other similar activities or other normal functions of the municipality.

PUBLIC CONSULTATION/COMMUNICATION

5. Nil

STATUTORY AND LEGAL IMPLICATIONS

6. The Trading in Thoroughfares and Public Place Local Law provides for alfresco dining subject to the issuing of an annual license, and may be subject to specified conditions

FINANCIAL IMPLICATIONS

7. \$100 Application fee and \$600 Annual License fee

STRATEGIC IMPLICATIONS

8. Nil

OFFICER COMMENT

9. It is considered that this proposal would enhance the character and vitality of the area and increase pedestrian traffic in the Mall. The application is supported subject to the following conditions;
- a) Obtain a Trading in Public Place Permit from Council.
 - b) Approval is only for 8 tables and 32 chairs in the location as shown on attached plan.
 - c) The tables and chairs are to be movable and not fixed.
 - d) Pedestrian movement and approved vehicle movements are not be restricted.
 - e) Not permitted to operate on the first Saturday of the Month (Kalamunda Markets day).
 - f) Alfresco area, including tables and chairs to be maintained in a sound and clean condition.
 - g) Provide indemnity insurance of \$10 Million to indemnify Council against any claim arising in respect of public liability relevant to the operation of the alfresco area.

MEETING COMMENT

13. Nil

COMMITTEE RECOMMENDATION TO COUNCIL GS 3/2007

1. That approval is given to Mr Kim Gordon, proprietor of Crema Coffee, 10 Central Road/Mall, Kalamunda to obtain a Trading in Public Place permit to operate an alfresco dining area in Central mall outside of the Crema Coffee premises as per attached plan. Subject to the following conditions;
Obtain a Trading in Public Place Permit from Council.
- a) Approval is for 8 tables and 32 chairs only, and located as per approved plan.
 - b) The tables and chairs are to be movable and not fixed.
 - c) Pedestrian and approved vehicular movements are not to be restricted.
 - d) Not approved to operate on the first Saturday of the Month (Kalamunda Market Day).

- e) Alfresco area, including tables and chairs are to be maintained in a sound and clean condition.
- f) Provide indemnity insurance of \$10 Million to indemnify Council against any claim arising in respect of public liability relevant to the operation of the alfresco area.

Moved: Cr Giardina

Seconded: Cr Blair

CARRIED UNANIMOUSLY

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

4. **Submission to Lease 12 Grove Road Walliston**

Previous Items: N/A
Service Area: Community Services
File Reference: TM: GR-14/012
Applicant: Kalamunda Community Care Inc
Owner: Shire of Kalamunda

PURPOSE

1. To consider a submission received from Kalamunda Community Care Inc (KCC) to occupy the premises situated at Reserve 32344, 12 Grove Road Walliston (previously the Walliston Pre Primary facility) ([Attachment 1.](#))

BACKGROUND

2. Incorporated community groups were invited, through advertisements in local newspapers, to submit proposals to occupy the premises. Submissions closed 7 January 2007.
3. Only one submission was received and this was from KCC.
4. This premises was leased to Walliston Pre-Primary from 1978 and to the Minister for Education from 1996 to December 2006. The building is now without a tenant. The terms of the lease included: annual rental of \$1966.36; routine maintenance, insurances, outgoings and utility costs which were the responsibility of the lessee. The land is a Local Reserve (Kindergarten), and may be used for any purpose approved by Council.

DETAILS

5. Submitters were asked to address the following criteria: organisation's history, current membership, purpose/objectives, community benefit, copies of latest audited financial statements and constitution.

Comments from KCC submission included the following:

- KCC currently leases 8 Lindsay Street Kalamunda from the Shire. These premises are unsuitable for their current operations and do not allow for any expansion of the organisation's services.
- Shire of Kalamunda convened a Home and Community Care (HACC) service providers information session in March 2005 where organisations were asked to advise of their current operations and their future plans. KCC advised on that occasion that their most pressing need was a new facility for administration and centre-based day care services.

- The Grove Road facility would be used as a day centre, with funding to be jointly sought by KCC and the Shire from HACC or Lottery West to upgrade the current toilets and kitchen.
- The facility is an ideal site from which to operate day centre programme. The hours of operation will be 9.00am to 4.30pm Monday to Friday. Clients will be transported on a 14 seater commuter bus and 2-3 staff cars will be parked at the facility.

POLICY IMPLICATIONS

6. Nil

PUBLIC CONSULTATION/COMMUNICATION

7. The residents of the four adjacent Grove Road properties were contacted regarding the proposed use of the premises as a day centre and all advised they had no objections.

STATUTORY AND LEGAL IMPLICATIONS

8. In this case, and in accordance with District Planning Scheme No 2 (Part II Reserved Land), section 2.3 Use of Local Reserves states local reserves may be used:

2.3(d) for any purpose approved by the Council but in accordance with any conditions imposed by the Council.

9. In accordance with the Local Government (Functions & General) Regulations 1996, regulation 30, Dispositions of property to which section 3.58 of Act does not apply, section 2 states:
A disposition of land is an exempt disposition if-

2 (c) the land is disposed of to a body, whether incorporated or not-

the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and

the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions

FINANCIAL IMPLICATIONS

10. The Council will be responsible for ongoing maintenance and repair while the premises remains unoccupied.

STRATEGIC IMPLICATIONS

11. Council's Strategic Plan 2025 recognises the need for Council to work in partnership with other organisations to ensure required services and facilities are available in the Shire for our increasing ageing population.

OFFICER COMMENT

12. KCC have indicated they wish to have the option of redeveloping the site within five years to erect a purpose built facility using HACC and Lotteries Capital funding. Consideration of such a proposal could only be given on receipt of a formal application at the time.
13. KCC will apply for funding from HACC and Lottery West to upgrade the current toilets and kitchen area. The kitchen is to be used for the warming of the meals only. The upgrade will need to take place before KCC are able to use the premises.
14. The proposed use by KCC would not significantly increase the level of activity experienced from the previous occupants of the building.
15. KCC has been leasing the premises at 8 Lindsay Street Kalamunda since 1989. During the last lease renegotiation in August 2004 it was recognised that the facility would not satisfy their requirements in the long term, and therefore nine, one year term options were agreed to.
16. Under the current lease agreement for 8 Lindsay Street, the Shire of Kalamunda pays gas, power, telephone, water, and rubbish collection charges. The telephone account which is approximately \$2,000 per year is seen as a donation to the KCC.
17. It is proposed that KCC would be responsible for the costs of all utility and rubbish charges at the Grove Road premises as they are a State and federally funded organisation and as such should be financially independent of the Council.
18. The proposed annual rental charge has been calculated as follows:
 - The current rent charge for 8 Lindsay Street is \$9,890.84 per annum, which equates to \$44.75 per square metre of the building.
 - Based on square metres, the rent for the building at 12 Grove Road would be \$9,845.00 per annum.

MEETING COMMENT

19. A representative of the applicant addressed the Committee and requested that conditions of the previous lease, those mentioned in paragraph 16, be included as conditions in the proposed lease.
20. Councillors discussed the matter of the conditions of the lease.
21. The Executive Manager Community Services advised the lease was a commercial lease and the conditions were standard lease conditions for all Shire leases.

-
22. Councillors discussed the issue of 'major maintenance' of the building being the responsibility of the leasee. The Executive Manager Community Services advised this was a standard condition of all shire leases. The matter of the condition of the roof of the building was raised. The Executive Manager Community Services to investigate and provide information to Councillors.

COMMITTEE RECOMMENDATION TO COUNCIL GS 4/2007

1. That Kalamunda Community Care Inc be offered a lease of the premises situated at 12 Grove Road Walliston in accordance with the main terms and conditions listed below:
- Pay \$9,845 in rent per annum, indexed to C.P.I annually.
 - Pay 100% of rubbish charges, gas, water, power, telephone, cleaning, garden maintenance and all costs associated with the preparation, execution and stamping of the Agreement.
 - Maintain \$10 million public liability insurance; building insurance for the premises; and adequate contents insurance.
 - Maintain the premises in a clean and sanitary condition and be responsible for all minor and major maintenance.
 - The term of the lease be five years with a further five year option.
 - The premises to be used for the purpose of a Day Centre Facility.

Moved: Cr Taylor

Seconded: Cr Winterhalder

CARRIED UNANIMOUSLY

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

5. **Jack Healey Centre Management Committee - Nomination for Membership**

Previous Items: N/A
 Service Area: Community Services
 File Reference: LM:CO-CCS-00
 Applicant: N/A
 Owner: N/A

PURPOSE

1. To consider the appointment of two members to the Jack Healey Centre Management Committee

BACKGROUND

2. Richard Vickers has nominated to represent the Kalamunda Stamp Club on the Jack Healey Centre Management Committee.

Robin Waller has nominated to represent the Kalamunda Men's Probus Club on the Jack Healey Centre Management Committee.

Current members of the committee are listed blow:

NAME OF PERSON	REPRESENTING
Cr. Elizabeth Taylor	Shire President, Councillor
Hazel Jarvis	Independent
Ruby Wiles	Retirees W.A. Kalamunda
Edith Williams	Meals on Wheels
Millie Sala Tenna	Meals on Wheels
Jean Falconbridge	Retirees W.A. Kalamunda
Ruth Jopling	Computer classes
P. Ken MacDonald	Kalamunda Senior Citizen's Club
Sidney Hepton	Kalamunda Community Choral Society
Cr. John Giardina	Councillor (Deputy)

DETAILS

3. Robin Waller is nominated by the Kalamunda Men's Probus Club to replace Mr. Eric Wilkinson who has tendered his resignation. There is no current representation from Kalamunda Stamp Club.

POLICY IMPLICATIONS

4. Rules and Guidelines for the Jack Healey Centre Management Committee state that:

" 3.1 A total of up to 15 members all of whom shall be appointed by Council for a term of 12 months unless Council elects to reappoint any or all members for a further term.

3.2 A maximum of two members may be nominated from each user group - three members may nominate as independent members and two members from Council"

STATUTORY AND LEGAL IMPLICATIONS

5. Nil

FINANCIAL IMPLICATIONS

6. Nil

STRATEGIC IMPLICATIONS

7. Nil

OFFICER COMMENT

8. Acceptance of the recommendation would increase the number of committee members to 12.

MEETING COMMENT

9. Nil

COMMITTEE RECOMMENDATION TO COUNCIL GS 5/2007

1. That Council appoint Richard Vickers and Robin Waller as members of the Jack Healey Centre Management Committee.

Moved: Cr Taylor

Seconded: Cr Casey

CARRIED

ABSOLUTE MAJORITY

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

6. Closure and Sale of Right of Way (ROW) – Lot 66 Glyde Road, Lesmurdie.

Previous Items:

Service Area: Planning and Development Services

File Reference: (GL-13/105)

Applicant: Fugro Spatial Solutions Pty Ltd

Owner: Crown

PURPOSE

1. To consider whether to support a request for closure and sale of ROW Lot 66, behind Lot 303 Glyde Road, Lesmurdie. ([Attachment 1.](#))

BACKGROUND

2. Council has received a request for purchase of the above ROW from the owners of Lot 303 Glyde Road, Lesmurdie. They are in a process of submitting a subdivision application for their land to the WA Planning Commission, and were hoping to include Lot 66 in their property.

DETAILS

3. The subject land is designated as a Right of Way (ROW), but today it is a landlocked portion of land that originally formed part of lot 303. The portion of the ROW serves no public function or benefit.
4. The land belongs to the Crown and the responsibility for its maintenance is with the Shire of Kalamunda. With no direct access to the land, the maintenance work causes some difficulties.

POLICY IMPLICATIONS

5. Nil

PUBLIC CONSULTATION/COMMUNICATION

6. Potentially affected neighbouring landowners have been advised of the proposal and no objection to the sale and amalgamation in the Lot 303 was received.

STATUTORY AND LEGAL IMPLICATIONS

7. The final decision on the closure rests with the WA Planning Commission and is administered under the Planning and Development Act.

FINANCIAL IMPLICATIONS

8. Nil

STRATEGIC IMPLICATIONS

9. Nil

OFFICER COMMENT

10. The valuation for the purchase of the land was received and the owners of Lot 303 have confirmed their commitment to buy the land.
11. It is therefore recommended to support the closure, sale and amalgamation of Lot 66 into Lot 303.

MEETING COMMENT

12. Nil

OFFICER RECOMMENDATION

1. That action be initiated for the closure and sale of the Right of Way, Lot 66 Glyde Road, Lesmurdie as shown at (Attachment 1).
2. That, should no objection be received, the Minister be requested to close the Right of Way.
3. That the Minister be indemnified against any liability arising from the Right of Way closure and sale.

Moved: Cr Giardina

Seconded: Cr D Sadler

CARRIED UNANIMOUSLY

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

7. Street Name for Subdivision of Lot 360 Lesmurdie Road, Lesmurdie.

Previous Items: N/A
Service Area: Planning and Development Services
File Reference: PG-NAM-001, 125851
Applicant: Development Planning Strategies
Owner: St Brigids Convent of Mercy Inc

PURPOSE

1. To consider a new street name for a subdivision in Lesmurdie.

BACKGROUND

2. Street names are required to be shown on survey plans before submission for clearance of the subdivision.
3. An application for subdivision of Lot 360 was approved by the WA Planning Commission in November 2006.

DETAILS

4. It is proposed to extend Keane Street through to Rooth Road. ([Attachment 1.](#))
A new road name, selected by the applicant is:

- Woodview Retreat.

The applicant has stated that this name recognises the valley views visible from the roadway and adjoining allotments westward across Lesmurdie Road.

POLICY IMPLICATIONS

5. N/A

PUBLIC CONSULTATION/COMMUNICATION

6. N/A

STATUTORY AND LEGAL IMPLICATIONS

7. Nil

FINANCIAL IMPLICATIONS

8. Nil

STRATEGIC IMPLICATIONS

9. Nil

OFFICER COMMENT

10. Preliminary liaison with Geographic Names Committee indicates its acceptance of this name and it is recommended that the Council endorse the use of the name.

The Council recommendation is forwarded to the Geographic Names Committee of the Department of Land Information for approval.

MEETING COMMENT

11. Nil

COMMITTEE RECOMMENDATION TO COUNCIL GS 7/2007

1. That the Council support the new name 'Woodview Retreat' and extension of the name 'Keane Street' for subdivision of Lot 360 Lesmurdie Road, Lesmurdie and request the Geographic Names Committee to approve the names.

Moved: Cr Tonkin

Seconded: Cr Casey

CARRIED UNANIMOUSLY

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

8. Street Names for Subdivision of Lots 8, 9 & 61 St John Road, Wattle Grove.

Previous Items: N/A
Service Area: Planning and Development Services
File Reference: PG-NAM-001, 132462 & 132463
Applicant: Auguste Properties Pty Ltd
Owner: SL Truss & KG Adcock

PURPOSE

1. To consider new street names for subdivision in Wattle Grove Urban Development Zone (Cell 9).

BACKGROUND

2. Council adopted the Outline Development Plan (ODP) as the basis for subdivision for Cell 9, Wattle Grove at its meeting of September 2000. ([Attachment 1.](#)) The ODP was adopted by the WA Planning Commission in March 2001. An application for the subdivision of lots 9 & 61 was approved in November 2006 (WAPC 132462). An application for the subdivision of Lot 8 was approved in January 2007 (WAPC 132463). See ([Attachment 2.](#)) for the Locality Plan.

DETAILS

3. Four new street names for subdivision are required (Attachment 2.). The Names selected by the developer are:

12. Angelica Way,
13. Rosemary Street,
14. Senna Street and
15. Sage Road.

Names are from the list of herb names pre-approved by the Geographic Names Committee for Kalamunda Shire foothills area.

POLICY IMPLICATIONS

4. Nil

PUBLIC CONSULTATION/COMMUNICATION

5. Nil

STATUTORY AND LEGAL IMPLICATIONS

6. Nil

FINANCIAL IMPLICATIONS

7. Nil

STRATEGIC IMPLICATIONS

8. Nil

OFFICER COMMENT

9. The Geographic Names Committee has indicated its acceptance of the names and it is recommended that the Council endorse the use of the names.
10. Street names are required to be shown on survey plans before submission for clearance of the subdivision.
11. The Council recommendation is forwarded to the Geographic Names Committee of the Department of Land Information for approval.

MEETING COMMENT

12. Councillors discussed the suitability of one of the proposed names. It was agreed to request an alternative name for one of the streets to be presented for approval at the Ordinary Council Meeting.

COMMITTEE RECOMMENDATION TO COUNCIL GS 8/2007

1. That the Council support new names Angelica Way, Rosemary Street, and Sage Road for subdivision of lots 8, 9 & 62 St John Road, Wattle Grove and request Geographic Names Committee to approve the names.
2. That staff present an alternate name to be approved at the Ordinary Council meeting on 19 February 2007.

Moved: Cr Tonkin

Seconded: Cr Bilich

CARRIED**For the Recommendation**

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

Against the Recommendation

Cr Winterhalder
Cr Blair

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

9. Auslink Funding: Abernethy Road

Previous Items:	N/A
Service Area:	Engineering Services
File Reference:	AB-03/GEN
Applicant:	N/A
Owner:	N/A

PURPOSE

1. To endorse the conditions of Auslink funding, a Federal Government initiative, for the construction of the second carriageway of Abernethy Road.

BACKGROUND

2. In December of 2006 the Department of Transport and Regional Services (DOTRS) announced the funding to be provided to Local Government under Auslink's Strategic Regional Project programme.

DETAILS

3. Department of Transport and Regional Services has advised that the Shire's application for the construction of the second carriageway of Abernethy Road from the boundary with the City of Belmont to the railway bridge, near Dundas Road ([Attachment 1](#)), has been approved.
4. The total cost of the project is \$3.85m, 70% of which will be funded under the Auslink Programme, being \$2.695m. The remaining 30%, being \$1.155m is to be contributed by the Shire.

POLICY IMPLICATIONS

5. Nil

PUBLIC CONSULTATION/COMMUNICATION

6. The planning and consultation for this project was undertaken at the time of the original construction. As part of the original project, the 'road box' for the second carriageway was excavated, and the drainage system was installed.

STATUTORY AND LEGAL IMPLICATIONS

7. It is a condition of funding that the Council enter into a formal agreement with the Federal Government. The agreement details such things as the project description, timing of payments, reporting on progress, and acquittal of the funds. The requirements of the agreement are substantially similar to the requirements of the Roads to Recovery Programme and are included at [Attachment 2](#).

FINANCIAL IMPLICATIONS

8. The Shire's contribution of \$1.155m is proposed to be funded over two years ie 2007/08 and 2008/09, from the Works Programme.
9. As with the Roads to Recovery Programme, it is a condition of the Strategic Regional funding that the Council maintain its own expenditure on roads.

STRATEGIC IMPLICATIONS

10. The construction of the second carriageway of Abernethy Road progresses in fulfilling a key challenge identified in the Shire's 25 Year Strategic Plan, by addressing a transport need of economic development. The construction of the Abernethy Road second carriageway is also in accordance with the strategy of the 25 Year Strategic Plan to be actively involved in 'Access Park' and the Forrestfield Marshalling Yards.

OFFICER COMMENT

11. This project is considered to have a high strategic significance to the greater community by providing a strategic road link to the Perth Airport, Tonkin Highway, Roe Highway, Great Eastern Highway and Great Northern Highway via the Lloyd Street extension. For users of Abernethy Road, the construction of the second carriageway will provide increased road efficiency by allowing for passing of turning vehicles, and will increase road user safety by providing protected turning pockets at intersections and large driveways.

MEETING COMMENT

- 12 Nil

COMMITTEE RECOMMENDATION TO COUNCIL GS 9/2007

1. That the Auslink Strategic Regional funding for the construction of the Abernethy Road second carriageway is endorsed and the Chief Executive Officer is authorised to sign the agreement with the Department of Transport and Regional Services.

Moved: Cr Taylor

Seconded: Cr Casey

CARRIED UNANIMOUSLY

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

10. Tender For Hire And Operation Of Skid Steer Loader

Previous Items: N/A
 Service Area: Engineering Services
 File Reference: AD-TEN-004
 Applicant: N/A
 Owner: N/A

PURPOSE

- To consider tenders for the hire and operation of a skid steer loader.

BACKGROUND

- Tender T0613 - Hire and Operation of Skid Steer Loader, closed on the 12 January 2007. A total of 7 tenders were received, with one of the tenders being an Alternative Tender. Details of the received tenders are as follows:

	Stephen Catellani	Hawley's Bobcat Hire	Progressive Brick Paving	Mayday Earthmoving	Erections (WA)	Jimmy's Bobcats	Jimmy's Bobcats (Alternative)
Experience	No	Yes	Yes	Yes	No	Yes	Yes
Machine	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Attachments	No	Yes	Yes	No	No	Yes	Yes
Tendered Price	\$75/hr	\$61/hr	\$65/hr	\$67/hr	\$66/hr	\$71.5/hr	\$77/hr

DETAILS

- The lowest tender was submitted by Hawley's Bobcat Hire. Hawley's Bobcat Hire's tendered submission complies with the Contract Specifications.

POLICY IMPLICATIONS

- Nil.

PUBLIC CONSULTATION/COMMUNICATION

- The tender process is open to public scrutiny. The tender opening was undertaken in view of two members of the public.

STATUTORY AND LEGAL IMPLICATIONS

- Nil.

FINANCIAL IMPLICATIONS

7. The Shire operates a skid steer loader within its road crew. The cost of operating the machine is included within road maintenance and road construction budgets. This Contract will replace the previous Contract C0302.

STRATEGIC IMPLICATIONS

8. Nil.

OFFICER COMMENT

9. Hawley's Bobcat Hire appear to have experience in similar work to that undertaken by the Shire and has been operating a skid steer loader for 9 years. The skid steer loader offered by Hawley's Bobcat Hire is similar in size and capacity to the machine operated by the existing contractor.
10. An alternative tender was submitted by Jimmy's Bobcats, the Shire's current contractor. The alternative tender proposed to provide a combined hire rate for the use of skid steer loader and mini excavator, as well as a rate to use a side tipper truck. The proposed combined rate provides a saving to the Shire where both a skid steer loader and mini excavator are required at the same time. The combined use of the machines also provides increased flexibility to the Shire when works are underway. However, the cost of the alternative contract is considered greater than the potential benefit. As such, it is recommended that the alternative tender not be accepted.
11. In view of the low tendered hourly rate, it is recommended that the tender by Hawley's Bobcat Hire be accepted.

MEETING COMMENT

12. Nil

COMMITTEE RECOMMENDATION TO COUNCIL**GS 10/2007**

1. That the tender submitted by Hawley's Bobcat Hire for tender T0613, Hire and Operation of Skid Steer Loader, by accepted at the tendered rate of \$61 per hour.

Moved: Cr Tonkin

Seconded: Cr Casey

CARRIED UNANIMOUSLY

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

11. Cell 9 Wattle Grove – Review of Cell Infrastructure Contributions

Previous Items: Put in Sept 2000, Oct 03 & Aug 2006 (PS)
 Service Area: Engineering Services
 File Reference: PG-DEV-013
 Applicant: N/A
 Owner: N/A

PURPOSE

1. To consider the adoption of Infrastructure Contribution rate, to apply from 1 March 2007.

BACKGROUND

2. The provisions for the development of Cell 9 Wattle Grove, within the Shire of Kalamunda District Planning Scheme No 2, require that new estimates be prepared at least annually, to permit the determination of Cell Infrastructure Contributions to be paid by developers.
3. Due to rapidly increasing land costs, at its Ordinary Meeting held in October 2003, Council resolved to review the costs every six months.
4. The Council adopted the Outline Development Plan for Cell 9, Wattle Grove in September 2000, with Cell Infrastructure Contributions of \$6,700 per potential dwelling. Subsequent reviews have amended the Contribution rate as below:
- 5.

Date Amended	New Rate
1/11/2001	\$7,100
1/11/2002	\$8,100
1/11/2003	\$10,000
1/11/2004	\$12,550
19/7/2005	\$13,550
1/3/2006	\$15,500
1/9/2006	\$19,050

DETAILS

8. The eighth review has now been completed. Over the past six months, a number of issues have impacted on the Cell Infrastructure Contributions.

Number of Dwellings Units

9. All lots remaining to be subdivided have been reviewed, having regard to the size of new lots created to date, and alterations to the Outline Development Plan. It is now estimated that the total yield for Cell 9 will be 1870 dwelling units, of which 914 have already been created. The anticipated and actual yields are shown at **(Attachment 1)**.

Land valuations

10. A large portion of Cell Infrastructure Contributions is for the purchase of land for Public Open Space, the school site and road reserves. In July 2006 it was estimated that \$15,967,900 would be required to purchase the remaining land.
12. Since the last review the scheme has purchased five areas of land for Public Open Space and two areas for the school site as follows:

Public Open Space

Lot 3 (29) Sheffield Road	\$466,980
Lot 4 P (25) Sheffield Road	\$467,160
Lot 54 (55) St John Road	\$261,072
Lot 56 (46) Arthur Road	\$523,450
Lot 64 (41) Arthur Road	\$1,211,140

School Site

Lot 53 (65) St John Road	\$1,954,546
Lot 54 (55) St John Road	\$1,954,546

13. The purchase of the school site was pre-funded by the Education Department with an understanding to re-coup the money, from the Cell 9 Scheme, in future years. The repayment schedule will be subject to a separate report item.
11. Christie Whyte Moore undertook a revaluation, in January 2007, of the land that remains to be acquired. The revaluation took into account the englobos prices of recent sales within Cell 9 and price movements in the wider area.
14. The land purchases to date are shown at **(Attachment 2)**. It is now estimated that \$16,393,900 will be required to purchase the remaining land.

Contributions

15. Since June 2006, Cell 9 has received Cell Infrastructure Contributions amounting to \$3,304,400 with 189 lots being created. The total contributions received to date are shown at **(Attachment 1)**. A contribution of \$98,800 remains in dispute. As previously recorded, this amount has been included as income.

Cell Infrastructure Works

16. Since the last review an amount of \$38,404 was paid for the construction of works. Payments made to date for the construction of works are shown at **(Attachment 3)**.
17. A review has been conducted of all outstanding Cell Infrastructure Works and the estimated cost for their construction is \$6,081,500. This compares with \$5,898,400 estimated in July 2006.

Cell Management

18. Since the last review an amount of \$20,491 was paid for Cell Management. Payments to date for Cell Management are shown at **(Attachment 3)**.

Cell Infrastructure Contributions

19. The status of Cell Infrastructure Costs is as follows:

Cell Infrastructure Costs	Actual to 22/01/07	Predicted	Total
Management & Administration	\$406,243.00	\$965,200.00	\$1,371,443.00
Land Purchases	\$9,673,749.00	\$16,393,900.00	\$26,067,649.00
Drainage, Roads & Services	\$1,827,194.00	\$6,081,500.00	\$7,908,694.00
Repayment to Education Dept	Nil	\$3,909,090.00	\$3,909,091.00
TOTAL	\$11,907,186.00	\$27,349,690.00	\$39,256,877.00

POLICY IMPLICATIONS

20. Nil

PUBLIC CONSULTATION/COMMUNICATION

21. Nil

STATUTORY AND LEGAL IMPLICATIONS

22. Nil

FINANCIAL IMPLICATIONS

23. Scheme is cost neutral to the Shire.

STRATEGIC IMPLICATIONS

24. N/A

OFFICER COMMENT

25. It is expected that further contributions for 50 lots will be received before the adoption of the new rate. There is no land required for public purposes associated with these developments.

26. The scheme currently has a cash balance of \$2,380,965. The remainder of the Cell Infrastructure Costs will need to be contributed by the 906 potential dwelling units, yet to be developed, which will result in a Cell Infrastructure Contribution rate of \$22,050 (rounded to the nearest \$50) per dwelling unit. Calculations for the contribution rate appear at *(Attachment 4)*.

MEETING COMMENT

27. Councillors debated an alternative to the contributions recommendation proposed.

RECOMMENDATION

1. That the revised Cell 9 Infrastructure Contribution of \$22,050 plus GST, per potential dwelling, be adopted, commencing 1 March 2007.

2. That the contribution amount be amended pro-rata on a monthly basis in conjunction with the proposed six (6) monthly review.

Moved: Cr Winterhalder

Seconded: Cr Tonkin

LOST**For the Recommendation**

Cr Giardina
Cr Tonkin
Cr Blair
Cr Winterhalder

Against the Recommendation

Cr N Sadler
Cr Bilich
Cr D Sadler
Cr Casey
Cr Morton
Cr Taylor

COMMITTEE RECOMMENDATION TO COUNCIL GS 11/2007

1. That the revised Cell 9 Infrastructure Contribution of \$22,050 plus GST, per potential dwelling, be adopted, commencing 1 March 2007.

Moved: Cr Taylor

Seconded: Cr Casey

CARRIED

For the Recommendation

Cr Bilich
Cr Tonkin
Cr Morton
Cr D Sadler
Cr Casey
Cr Taylor
Cr Blair
Cr N Salder

Against the Recommendation

Cr Giaridina
Cr Winterhalder

10.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

10.1 Nil

11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

11.1 Local Government Elections (Cr Tonkin)

Q. Noted that submissions from Local Governments in relation to the changes to the voting system for local government elections is due on 27 February 2007. Is Shire of Kalamunda going to do a submission on the preferential voting issue?

A. The Shire President will be signing a letter to the Minister which is primarily based on advice received from WALGA.

11.2 Art Registry (Cr Tonkin)

Q. Could you please advise the fate of the photos of the pioneer presidents of the Shire of Kalamunda that are now in storage?

A. This question is taken on notice.

11.3 Request from Drainage Material (Cr Giardina)

Q. A recent request was forwarded to the Executive Manager Community Services requesting provision of Soil to a sporting organisation for drainage. What is the outcome of this request?

A. This information will be forwarded to Cr Giardina.

11.4 Draft Policy Document (Cr D Sadler)

Q. Eighteen months ago Councillors received a document of draft policies for review. There has been no further communication regarding this matter. Can you please let Councillors know what is happening with the review of policies?

A. Each department is looking at the current policies to establish which need to be review. This is an ongoing process and as a policy is review it will be presented to council for endorsement. The reason for producing the document in its entirety was to present to Councillors the revised format for policies.

Q. Would there be a Councillor Forum held to review policies?

A. This question is taken on notice.

12.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

12.1 Nil

13.0 MATTERS BEHIND CLOSED DOORS

13.1 Nil

14.0 CLOSURE

There being no further business, the Chairman declared the meeting closed at 8.10 pm.

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

Signed Chairman

Dated thisday of2007