

## SHIRE OF KALAMUNDA

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13.4 Pensioner Rate Subsidy 2010/2011 (Cr Frank Lindsey)

13.5 Bahen Road, Hacketts Gully (Cr Frank Lindsey)

13.6 Targa West Rally (Cr Frank Lindsey)

**14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

14.1 Nil.

**15.0 MEETING CLOSED TO THE PUBLIC**

15.1 Nil.

**16.0 CLOSURE**

16.1 Meeting closed at 7.35 pm.



# Minutes of Ordinary Meeting of Council Held in the Council Chambers 2 Railway Road, Kalamunda Monday 20 September 2010

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## 1.0 OFFICIAL OPENING

- 1.1 The Shire President opened the meeting at 6.30 pm and welcomed Councillors, Staff and Members of the Press.

## 2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

### 2.1 ATTENDANCE

#### **Councillors**

Donald McKechnie	(CHAIRMAN) (SHIRE PRESIDENT)	NORTH WARD
Sue Bilich		NORTH WARD
Margaret Thomas		NORTH WARD
Allan Morton	(DEPUTY SHIRE PRESIDENT)	SOUTH WEST WARD
Noreen Townsend		SOUTH WEST WARD
Geoff Stallard		SOUTH EAST WARD
Frank Lindsey		SOUTH EAST WARD
Carol Everett		SOUTH EAST WARD
Peter Heggie		NORTH WEST WARD
Dylan O'Connor		NORTH WEST WARD

#### **Members of Staff**

James Trail	CHIEF EXECUTIVE OFFICER
Hazel Smallwood	A/DIRECTOR OF CORPORATE SERVICES
Darren Jones	A/DIRECTOR OF COMMUNITY DEVELOPMENT
Clayton Higham	DIRECTOR OF PLANNING & DEVELOPMENT SERVICES
Simon Miller	A/DIRECTOR OF ENGINEERING SERVICES
Darrell Forrest	MANAGER GOVERNANCE
Peter Hayes	MANAGER BUSINESS & STRATEGY
Michelle Clark	EXECUTIVE ASSISTANT CHIEF EXECUTIVE OFFICER
Sara Slavin	OBSERVER
Donna McPherson	MINUTE SECRETARY

**Members of Public** Nil.

**Members of Press** Kaitlyn Offer, Community Newspaper Group

2.2 Apologies

Maureen Robinson SOUTH WEST WARD  
Martyn Cresswell NORTH WEST WARD

2.3 Leave of Absence Previously Approved

Nil.

**3.0 PUBLIC QUESTION TIME**

A period of not less than 15 minutes is provided to allow questions from the Public Gallery on matters relating to the functions of this meeting.

3.1 Nil.

**4.0 PETITIONS/DEPUTATIONS**

4.1 Footpath Construction in Springdale Road, Kalamunda.

The CEO tabled a petition from residents of Springdale Road requesting the Council does not construct a footpath on Springdale Road.

A report will be prepared and presented to Council.

**5.0 APPLICATIONS FOR LEAVE OF ABSENCE**

5.1 Nil.

**6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

6.1 **Confirmation of Ordinary Council Meeting Minutes 16 August 2010**

RESOLVED OCM 130/10

That the Minutes of the Ordinary Council Meeting of the Shire of Kalamunda held in the Council Chambers on 16 August 2010 be confirmed.

Moved: Cr Geoff Stallard

Seconded: Cr Noreen Townsend

**CARRIED UNANIMOUSLY (10/0)**

## 6.2 Confirmation of Special Council Meeting Minutes 17 August 2010

### RESOLVED OCM 131/10

That the Minutes of the Special Council Meeting of the Shire of Kalamunda held in the Council Chambers on 17 August 2010 be confirmed.

Moved: Cr Noreen Townsend

Seconded: Cr Frank Lindsey

### **CARRIED UNANIMOUSLY (10/0)**

## 7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

### 7.1 Appeal against decision Lot 117 (159) Canning Road, Kalamunda– Redevelopment of Hare Krishna Temple

The Shire President advised that the Appeal against Council's decision on the redevelopment of Lot 117 Canning Road would be heard at the State Administrative Tribunal tomorrow (21 September 2010) at 10am. The Shire President would be representing Council at the hearing.

## 8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

### 8.1 Confidential Attachments - PSC57. Draft Local Planning Strategy - Recommended Approval to Forward to WAPC for Consent to Advertise

**Reason for Confidentiality** - *Local Government Act 1995* Section 5.23(2)(e) – “a matter if disclosed, would reveal –

- (i) a trade secret;
- (ii) information that has a commercial value to a person; or information about the business, professional, commercial or financial affairs of a person;

where the trade secret or information is held by, or is about, a person other than the local government.”

### 8.2 GSC99. Tender – Skate Park Construction – Fleming Reserve

**Reason for Confidentiality** – *Local Government Act 1995* Section 5,23(2) (c) permits the meeting be closed to the public for business relating to a matter that if disclosed, would reveal -

“A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.”

### 8.3 GSC100 Financial Options for the Acquisition of Two Blocks of Land on Kalamunda Road, High Wycombe

**Reason for Confidentiality** – *Local Government Act 1995* Section 5.23(2) (c) permits the meeting be closed to the public for business relating to a matter that if disclosed, would reveal -

“A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.”

8.4 GSC 101 Consider an Exchange of Land Between the Shire of Kalamunda and the State Government of Western Australia

**Reason for Confidentiality** – *Local Government Act 1995* Section 5.23(2) (c) permits the meeting be closed to the public for business relating to a matter that if disclosed, would reveal -

“A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.”

**9.0 DISCLOSURE OF INTERESTS**

**Disclosure of Financial and Proximity Interests**

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).

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).

9.1 Confidential Item GSC 100 Financial Options for the Acquisition of Two Blocks of Land on Kalamunda Road, High Wycombe

Cr Peter Heggie declared a financial interest as he has a lease at the Shopping Centre.

**Disclosure of Interest Affecting Impartiality**

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.

9.2

**10.0 REPORTS TO COUNCIL**

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

**10.1 Planning Services Committee Report**

**Withdrawn Items from Planning Services Report**

Item 57 withdrawn as there are Confidential Attachments presented with this item.

**10.1.1 Adoption of Body of Planning Services Report**

RESOLVED OCM 132/10

1. That the Recommendations contained in the Planning Services Committee Report of 6 September 2010, excluding withdrawn items numbers PSC 57 be adopted.

Moved: Cr Frank Lindsey

Seconded: Cr Margaret Thomas

**CARRIED UNANIMOUSLY(10/0)**

**10.1.2 PSC53. Policy Review - Appointment of Deputies under the *Health Act 1911***EN BLOC RESOLUTION OCM 132/10

1. That Council adopts the revised Policy (HLTH1) Appointment of Deputies under the *Health Act* as shown in (***Attachment 2.***)

Moved: Cr Frank Lindsey

Seconded: Cr Margaret Thomas

**CARRIED UNANIMOUSLY(10/0)****10.1.3 PSC54. Delegation - *Food Act 2008***EN BLOC RESOLUTION OCM 132/10

1. That Council amends delegation FOOD1 Prohibition Orders - Section 65 of the *Food Act 2008*, as shown in (***Attachment 2.***)

Moved: Cr Frank Lindsey

Seconded: Cr Margaret Thomas

**CARRIED UNANIMOUSLY(10/0)****10.1.4 PSC55. Local Planning Scheme 3 Amendment – Lot 608 (6) Dixon Road, Kalamunda – Local Open Space and Residential Boundary Realignment**EN BLOC RESOLUTION OCM 132/10

1. That Council initiates an amendment to Local Planning Scheme No.3 in accordance with the following:

PLANNING AND DEVELOPMENT ACT 2005  
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME  
SHIRE OF KALAMUNDA

LOCAL PLANNING SCHEME NO.3

AMENDMENT NO.33

Resolved that the Council in pursuance of Part 5 of the Planning and Development Act 2005 amends the Local Planning Scheme by:

1. Rezoning a portion of Lot 608 (6) Dixon Road, Kalamunda from Local Open Space to Residential R30.
2. Rezoning a portion of Lot 608 (6) Dixon Road, Kalamunda from Residential R30 to Local Open Space.

3. Amending the Scheme Map accordingly.

Subject to amendment documents and the required administration fee being submitted, the documents being adopted by Council and the Amendment being formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967*, without reference to the Western Australian Planning Commission.

Moved: Cr Frank Lindsey

Seconded: Cr Margaret Thomas

**CARRIED UNANIMOUSLY(10/0)**

**10.1.5 PSC56. Proposed Outbuilding (Shed) - Lot 87 (3) Coldwell Road (on the corner of Welshpool Road East), Wattle Grove**

EN BLOC RESOLUTION OCM 132/10

1. That Council approves the application dated 20 July 2010 to construct a 531sqm outbuilding (shed) on Lot 87 (3) Coldwell Road, Wattle Grove, subject to the following conditions:
  1. The approved outbuilding is not to be used for habitation, commercial or industrial purposes.
  2. Items and machinery stored within the approved outbuilding are to be used in conjunction with the maintenance of the subject property and the keeping of the animals approved by the Shire, to retain the amenity of the local area.

Moved: Cr Frank Lindsey

Seconded: Cr Margaret Thomas

**CARRIED UNANIMOUSLY(10/0)**

**10.1.6 PSC57. Draft Local Planning Strategy - Recommended Approval to Forward to WAPC for Consent to Advertise**

RESOLVED OCM 133/10

1. That the Council:
  - a. Endorses the draft Local Planning Strategy for the purpose of referral to the Western Australian Planning Commission for its certification under Regulation 12A(3) of the *Town Planning Regulations 1967* for the Strategy to be advertised for public comment.

Resolves that the draft Local Planning Strategy remain a confidential document until it is certified by the Western Australian Planning Commission and released for public comment.

Moved: Cr Margaret Thomas

Seconded: Cr Noreen Townsend

**CARRIED UNANIMOUSLY(10/0)**

## **10.2 General Services Committee Report**

### **Withdrawn Items from General Services Report**

GSC 95 withdrawn as it requires an absolute majority  
GSC 96 withdrawn as it requires an absolute majority  
GSC 99 withdrawn as it is a confidential matter  
GSC 100 withdrawn as it is a confidential matter  
GSC 101 withdrawn as it is a confidential matter  
GSC 102 withdrawn as it requires an absolute majority

### **10.2.1 Adoption of Body of General Services Report**

#### **RESOLVED OCM 134/10**

That the recommendations contained in the General Services Committee of the 13 September 2010 except withdrawn items GSC95, GSC96, GSC99, GSC100, GSC101 and GSC102 be adopted.

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)**

### **10.2.2 GSC85 Creditors Accounts Paid during the Period 28 July 2010 to 26 August 2010**

#### **EN BLOC RESOLUTION OCM 134/10**

1. That the list of Creditors paid during the period 28 July 2010 to 26 August 2010 (***Attachment 1.***) be received by Council in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)**

**10.2.3 GSC 86 Financial Activity Statements for the Period 31 July 2010**

EN BLOC RESOLUTION OCM 134/10

1. That the Financial Activity Statement reports for the period ending 31 July 2010 be received.

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)**

**10.2.4 GSC 87 Debtors and Creditors Report**

EN BLOC RESOLUTION OCM 134/10

1. That the outstanding Debtors and Creditors Report as at 31 July 2010 be received.

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)**

**10.2.5 GSC 88 Rates Debtors Report**

EN BLOC RESOLUTION OCM 134/10

1. That the Rates Debtors Report as at 31 July 2010 be received.

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)**

**10.2.6 GSC 89 Proposed Amendments to Disability Access and Inclusion Policy**

EN BLOC RESOLUTION OCM 134/10

1. That Council adopts the amended Disability Access and Inclusion Policy ADM 21 (***Attachment 1.***)

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)**

**10.2.7 GSC 90 Proposed Amendments to Graffiti Removal and Prevention Policy**EN BLOC RESOLUTION OCM 134/10

1. That Council adopts the amended Graffiti Removal and Prevention Policy (ADM23) as presented in **(Attachment 1)**.

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)****10.2.8 GSC 91 Application To Keep More Than Two Dogs – 36 Gannet Court, High Wycombe**EN BLOC RESOLUTION OCM 134/10

That Council:

1. Refuses an exemption to the Shire of Kalamunda Dog Local Law 2010 made under Section 26(3) of the *Dog Act 1976* by the applicant of 36 Gannet Court, High Wycombe.
2. Advises the applicant that they may appeal Council's decision by writing to the State Administrative Tribunal within 28 days of receiving notification from the Shire of Kalamunda.
3. Advises the adjoining neighbours of Council's decision.

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)****10.2.9 GSC 92 Bush Fire Advisory Committee – Election of Office Bearers**EN BLOC RESOLUTION OCM 134/10

1. That Council, in accordance with *Section 67 of the Bushfires Act 1954*, appoints the Committee Members and Office Bearers of the Shire of Kalamunda Bushfire Advisory Committee held on the 15 July 2010 as detailed in **(Attachment 1.)**.

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)**

**10.2.10 GSC 93 Kalamunda Aquatic Centre Management Agreement**EN BLOC RESOLUTION OCM 134/10

That Council:

1. Notes changes to financial projections and a proposed profit sharing arrangement with the prospective management.
2. Approves a three year Management Agreement with YMCA to manage and operate the Kalamunda Aquatic Centre.

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)**

**10.2.11 GSC 94 Awarding of Tender – Kalamunda Aquatic Centre Upgrade Stage 2 Reduced Scope**EN BLOC RESOLUTION OCM 134/10

1. That the revised Tender for Stage 2 of the Upgrade to the Kalamunda Aquatic Centre be awarded to AVP Commercial Pools for a lump sum price of \$294,000 (ex GST).

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)**

**10.2.12 GSC 97 Preparation of Business Plan for the Use of Lots 7, 8 and 4255 Lewis Road Forrestfield for Public Housing/Aged Accommodation**EN BLOC RESOLUTION OCM 134/10

1. That Council authorises the preparation of a Business Plan in accordance with *3.59 of the Local Government Act 1995* for the disposal by land lease and/or development of Lots 7, 8 and 4255 Lewis Road Forrestfield.
2. That the Business Plan also addresses the following:
  - Special Related Uses for
    - Aged Care Facilities
    - Community/public housing
    - Serviced Apartments
  - Independent living units
  - Medical Centre
  - Staged development to initially retain the TAFE College Buildings and Facilities

- Rezoning of the land
- That the above take into account:
  - The provision of passive recreation space
  - Linking the development to existing services and facilities

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)**

**10.2.13 GSC 98 Chief Executive Officer's Report**

EN BLOC RESOLUTION OCM 134/10

1. That Council note and receive the Chief Executive Officer's report as attached.

Moved: Cr Allan Morton

Seconded: Cr Peter Heggie

**CARRIED UNANIMOUSLY (10/0)**

**10.2.14 GSC 95 Budget Amendment – Jorgensen Park Project**

RESOLVED OCM 135/10

1. That the Shire of Kalamunda 2010-2011 Budget as adopted be amended to incorporate \$(49,750) account 330611.403 and \$49,750 expenditure to job 4332 Jorgensen Park playground equipment. Increase in account from \$0.

Moved: Cr Allan Morton

Seconded: Cr Margaret Thomas

**CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (10/0)**

**10.2.15 GSC 96 Budget Amendment – Lotterywest Walk Trail Signage Project**

RESOLVED OCM 136/10

1. That the budget amendment to incorporate Lotterywest grant funding for the walk trail signage project of \$(7,700) to revenue account 330606.465 and expenditure of \$7,700 to account 330730/1131 be adopted.

Moved: Cr Allan Morton

Seconded: Cr Margaret Thomas

**CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (10/0)**

**10.2.16 GSC 102 Funding Options - 2010/2011 Plant Replacement Program**RESOLVED OCM 137/10

1. That, pursuant to Section 6.20 of the *Local Government Act 1995*, Council approves the raising of a loan of \$585,000 to fund plant purchases, previously identified as being funded by an operating lease in the 2010/11 Budget.
2. That loan repayments to be funded from operating costs.

Moved: Cr Carol Everett

Seconded: Cr Allan Morton

**CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (10/0)****10.2.17 GSC 99. Tender – Skate Park Construction – Fleming Reserve**RESOLVED OCM 138/10

**Reason for confidentiality** - – *Local Government Act 1995 Section 5,23(2) (c)* permits the meeting be closed to the public for business relating to a matter that if disclosed, would reveal;

*"A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*

That Council:

1. Appoints DME Contractors as the preferred Tenderer for the construction of Stage 1 and, subject to receipt of Lotterywest grant funding, for the construction of Stages 1 and 2.
2. Delegates authority to the Chief Executive Officer to:
  - a. Negotiate and accept the identified Pre-Contract variations; and
  - b. Finalise the Tender with DME Contractors for construction of:
    - i) Stage 1 to the value of \$255,281.00
    - ii) Stage 2 to the value of \$114,719.00

Moved: Cr Margaret Thomas

Seconded: Cr Dylan O'Connor

**CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (10/0)**

**10.2.18 GSC 100 Financial Options for the Acquisition of Two Blocks of Land on Kalamunda Road, High Wycombe**

*Cr Peter Heggie declared a financial interest as he has a lease at the Shopping Centre. Cr Heggie left the Council Chambers at 6.46 pm and returned at 6.47 pm and did not vote on this item.*

RESOLVED OCM 139/10

**Reason for confidentiality** - – *Local Government Act 1995 Section 5.23(2) (c)* permits the meeting be closed to the public for business relating to a matter that if disclosed, would reveal;

*"A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*

1. That negotiation proceeds with the owners of the two blocks based on the basis of either one of the following options:
  - (a) A land swap and cash consideration for the acquisition of the two blocks of land on Kalamunda Road, High Wycombe for two blocks of land on Edney Road with the cash consideration funded through loan borrowings.
  - (b) If the owners of the two blocks of land are not in agreement with a land swap in part consideration, then a loan be raised for the full consideration of the two blocks of land on Kalamunda Road, High Wycombe.
  
2. A report on the outcome of negotiation be presented to Council for approval.

Moved: Cr Dylan O'Connor

Seconded: Cr Margaret Thomas

**CARRIED UNANIMOUSLY (10/0)**

**10.2.19 GSC 101 Consider an Exchange of Land Between the Shire of Kalamunda and the State Government of Western Australia**

RESOLVED OCM 140/10

**Reason for confidentiality** - – *Local Government Act 1995 Section 5.23(2) (c)* permits the meeting be closed to the public for business relating to a matter that if disclosed, would reveal;

*"A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*

That Council:

1. Advises the Police Department of Western Australia that it supports the exchange of land between the two parties for those properties located at:
  - a. Portion of 3 Salix Way, Forrestfield, and
  - b. 17-19 Mead Street, Kalamunda.

2. Advises the Police Department of Western Australia that this disposal can take the form of an area of up to 1100m<sup>2</sup> from 3 Salix Way subject to the Police Department confirming their operational requirements for the site.
3. Advises the Police Department of Western Australia that this agreement is subject to the State Government confirming:
  - The property located at 17-19 Mead Street, Kalamunda will be provided to the Shire of Kalamunda in freehold title.
  - The mutually agreed valuations for the two properties in this transaction.
  - The balance of funds required be paid by the Shire of Kalamunda to the Police Department of Western Australia.
4. Authorises the Chief Executive Officer to initiate the subdivision of 3 Salix Way, Forrestfield in accordance with the plan provided in Attachment 3 to this report (or in some other form) if the Police Department of Western Australia confirm that they require only portion of the 3 Salix Way site.
5. Authorises the Chief Executive Officer to prepare and advertise a Business Plan for the purposes of a Major Land Transaction for the acquisition of 17-19 Mead Street, Kalamunda.
6. The Business Plan is to include funding options that are available.

Moved: Cr Margaret Thomas

Seconded: Cr Noreen Townsend

**CARRIED UNANIMOUSLY (10/0)**

**10.3 Chief Executive Officers' Report**

**10.3.1 Preparation of Business Plan for the Use of Lots 1 Cygnet Crescent and Lot 21 Edney Road, High Wycombe for a Housing Development**

**PURPOSE**

1. To seek Council's endorsement to proceed with the Preparation of a Business Plan for a proposed subdivision of Lots 1 Cygnet Crescent and Lot 21 Edney Road for a Housing Development. Refer (***Attachment 1***) Concept Plan for illustration purposes only prepared by Chappell Lambert Everett.

**BACKGROUND**

2. The above property is vacant land owned freehold by Council and has a Residential R20 zoning under Town Planning Scheme 3 (TPS 3).
3. Lot 1 Cygnet Crescent is a square corner lot of 607 m<sup>2</sup> in area held as a reserve for public purposes but zoned residential. Lot 21 Edney Road is a triangular shaped block 6,068 m<sup>2</sup> in area bounded by Roe Highway to the East, Cygnet Road to the South West, Edney Road to the North West and Lot 15 Edney Road to the North East.

## DETAILS

4. To enable any form of development to proceed a Business Plan is required to prepare for the disposal of the property.
5. In accordance with Section 3.58 of the *Local Government Act 1995*, to dispose includes sell, lease or otherwise dispose of, whether absolutely or not.
6. The disposal of the land will be in accordance of the provisions of Section 3.58 of the *Local Government Act 1995*.
7. There will be a requirement to make application for the rezoning of the land.

## STATUTORY AND LEGAL IMPLICATIONS

8. The Business Plan will be developed in accordance with the requirements of Section 3.59 of the *Local Government Act 1995*.

## POLICY IMPLICATIONS

9. Nil

## PUBLIC CONSULTATION/COMMUNICATION

10. Statewide notice of Council's proposal to enter into a Major Land Transaction is required and must include advice that a business plan may be inspected or obtained and that submissions may be made to the local government before a day to be specified that is not less than 6 weeks after the notice is given.

## FINANCIAL IMPLICATIONS

11. The business plan will be developed using Council's own staff resources.
12. The 2010/2011 budget would allow for any expenditure incurred in preparation of documentation.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

### 13. Strategic Planning Implications

Development of the site will assist Council in addressing:

- a) Goal 2 of the Strategic Plan: Built Environment – Sustainably manage the built environment and to effectively plan for future community needs and population growth.
- b) Goal 5; Governance and Organisation – Outcome 5.4 Diversify revenue and funding sources – 5.4.2 Explore avenues of funding, including borrowings and sale of assets.

### 14. Sustainability Implications Social Implications

- Provides an opportunity for the Development of a range of housing options close to a range of essential community services.

## Economic Implications

## Environmental Implications

- **Environmental, Heritage**
- Nil.

## OFFICER COMMENT

- 15 Although the site is currently zoned R20 its size provides the option to increase this to R60 to provide between 25-30 housing lots.

The Business Plan will address options involving:

- 1) Subdivision and sale of the lots in a similar manner to the East Welshpool Road development currently being undertaken by Shire of Kalamunda. Indicative prices for lots in a group housing development of this type are \$180,000 - \$200,000 resulting in a possible gross return of the development of between \$4.75 million and \$5.7 million.
- 2) A joint venture with a developer to build a range of housing units for sale. Any joint venture would be based on a return equal to or higher than option 1.

Lot 1 Cygnet Road may be included in the proposal for sub-division, there is sufficient flexibility to retain it in its current form as a reserve for public purposes and to enhance the development of the surrounding land.

- 16 The proposal provides an opportunity for the Shire to be a pro-active leader in meeting the expectations of the State Government's "Directions 2031 and Beyond" for a 50% increase in the current average residential density in response to population growth and changing community needs to achieve infill and green field housing targets.

## OFFICER RECOMMENDATION

1. That Council authorise the preparation of a business plan in accordance with Section 3.59 of the *Local Government Act 1995* for the disposal by land lease and or land development of Lot 1 Cygnet Crescent and Lot 21 Edney Road to obtain the best and most appropriate residential outcome for the land in that locality.
2. That the business plan addresses the following:
  - Options for subdivision and future land tenure and sale of lots
  - Development option include possible group housing with or without a joint venture partner
  - Rezoning of the land

- That the above take into account:
  - The provision of passive recreation space
  - Linking the development to existing services & facilities

Moved: Cr Margaret Thomas

Seconded: Cr Geoff Stallard

The CEO provided direction to the Council in relation to the business plan process and Council debated the Officer Recommendation. Cr Frank Lindsey proposed an amendment to the Officer Recommendation suggesting that staff consider options to relocate the public open space within the development. This amendment was accepted by the mover and the seconder and put to the vote.

RESOLVED OCM 141/10

1. That Council authorises the preparation of a business plan in accordance with Section 3.59 of the *Local Government Act 1995* for the disposal by land lease and or land development of Lot 1 Cygnet Crescent and Lot 21 Edney Road to obtain the best and most appropriate residential outcome for the land in that locality.
  
2. That the business plan addresses the following:
  - Options for subdivision and future land tenure and sale of lots
  - Development option include possible group housing with or without a joint venture partner
  - Rezoning of the land
  - That the above take into account:
    - The provision of passive recreation space
    - That staff consider options to relocate the public open space within the development.
    - Linking the development to existing services and facilities

Moved: Cr Margaret Thomas

Seconded: Cr Geoff Stallard

**For**

Cr Carol Everett  
 Cr Frank Lindsey  
 Cr Geoff Stallard  
 Cr Allan Morton  
 Cr Noreen Townsend  
 Cr Sue Bilich  
 Cr Margaret Thomas  
 Cr Donald McKechnie

**Against**

Cr Peter Heggie  
 Cr Dylan O'Connor

**CARRIED (8/2)**

**11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.1 Request for Prescribed Burn – Piesse Brook**MOTION**

That the Shire of Kalamunda write to the Minister for Conservation and the Environment in support of local residents who have sought to have the Department carry out a prescribed burn on state forest in Piesse Brook which has not been burnt off for 34 years.

Moved: Cr Frank Lindsey

Seconded:

Cr Frank Lindsey provided further information as to the location of the Reserve and the motion was amended.

11.1 Request for Prescribed Burn – Piesse Brook**RESOLVED OCM 142/10**

That the Shire of Kalamunda write to the Minister for Conservation and the Environment in support of local residents who have sought to have the Department carry out a prescribed burn on Reserve Number R47880 bounded by Mundaring Weir Road and Lot 13 Mundaring Weir Road which has not been burnt off for 34 years.

Moved: Cr Frank Lindsey

Seconded: Cr Geoff Stallard

**CARRIED UNANIMOUSLY(10/0)****12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE**12.1 Responsibility of Council in Relation to Fuel Loads (Cr Geoff Stallard)

Q. Is there a legal responsibility in relation to areas that have a fuel loading of above a certain limit and have not been burnt for a certain amount of time?

A. Taken on Notice.

**13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**13.1 Budget Amendment – Lotterywest Walk Trail Signage Project (Item GSC 85 – 13 September 2010)

Q. A Councillor queried whether the EMRC had finance available for its Member Councils and whether they could make a contribution to a project of this nature. The Chief Executive Officer advised that they would be approached and the Councillors notified of the outcome.

A. Officers have since followed up with the EMRC, who have advised the following:

“Unfortunately there is no further funding additional to the \$10,000 contributed to the Perth Hills Trails Master Plan. These funds were a one off funding provision as part of the Mountain Biking component of the Perth Hills Trails Master Plan.”

The EMRC is happy to provide a letter of support to the Shire to assist in future funding applications.

13.2 GSC 91. Application to Keep More Than Two Dogs – 36 Gannet Court, High Wycombe (Cr Sue Bilich – 13 September 2010)

Q. I notice the three dogs at the property are all registered. Does the system not show when there are more than two dogs being registered to the same address?

A. Answer to be provided and included on the General Services Committee Agenda.

13.3 Request for CEO to Write to Former Councillor Requesting Information ( Cr Frank Lindsey)

Q. I refer to my earlier motion put to the Ordinary Council Meeting held on 19 April 2010. The motion was in regard to the Shire corresponding with former Councillor Elizabeth Taylor about her use of confidential information concerning a staffing matter. Has the Shire has received a response to its correspondence from Mrs Taylor?

A. The CEO advised he did not believe a response had been received.

13.4 Pensioner Rate Subsidy 2010/2011 (Cr Frank Lindsey)

Q1. Is it correct that the total revenue foregone by the Shire in 2010/2011 as a result of offering pensioners a 50% subsidy on their rates amounts to approximately \$480,000pa, and if not, what is the correct figure?

Q2. If the Shire's currently separate charges for rates and rubbish collection were combined, would this afford pensioners an additional subsidy from the State Government for the rubbish collection component of the newly combined rates, for which they would otherwise be ineligible?

Q3. If the answer to question (2) is in the affirmative, what would be the net financial gain to pensioners within the Shire of combining rates and rubbish collection charges?

Q4. What would be the net financial impact to the Shire of combining both rates and rubbish collection charges in order to allow pensioners to obtain a 50% discount on the amalgamated sum and how would that compare with current arrangements?

A. A response would be provided to Councillors.

13.5 Bahen Road, Hacketts Gully (Cr Frank Lindsey)

Q. Have Shire staff taken any action to ensure that the end of Bahen Road, which has been closed by someone placing rocks across the road reserve and planting the road reserve with trees and shrubs, remains open and continues to be available as an escape route for residents in the event of a bush fire approaching Hacketts Gully from the north?

A. A response would be provided to Councillors.

13.6 Targa West Rally (Cr Frank Lindsey)

Q1. Has the Shire received any formal complaints or indications of support from residents or local business proprietors for the Targa West Rally and if so, what has been the extent of support or opposition?

A1. There have been no formal complaints received through Synergy from residents or businesses. On the day, the sound operator received two requests to lower the sound levels and this will be addressed next year through alternative sound equipment.

Q2. What has been the total expenditure incurred by the Shire in support of the Targa West Rally and what measurable and / or intangible benefits are returned to local businesses and the community as a result of sponsoring the Targa West Rally?

A2. Total expenditure is a little under the \$16,000 allocated in the annual budget. It is very difficult to measure and quantify economic benefits to the business community of Kalamunda. Although difficult to measure, below is a summary of the perceived benefits:

- Brings the community together and creates a colourful social occasion for residents to enjoy.
- Quit Targa West has a policy of using local services and suppliers wherever possible. They also strongly encourage competitors and crews to buy locally whenever they are in the area.
- An estimated 1000-1500 people visit the Shire as a direct result of the Rally and have opportunity to visit and purchase from local businesses.
- Lunches are purchased by the organisers from local businesses for all competitors and service crews, family, friends and spectators are all encouraged to purchase lunches, coffees etc from any of the local cafes and shops.
- Local businesses benefit by the provision of supplies and services to the event, competitors, service crews and spectators.
- All competitors visit the area prior to the event to conduct their reconnaissance, which also benefits local businesses.
- Many competitors, crews and spectators re-visit the area after the event to take advantage of the various things the town and region has to offer, once again benefiting the community.
- A strong marketing programme features the Shire of Kalamunda as an event partner.
- National TV, along with all the media coverage, helps to raise the profile of the Shire of Kalamunda and its local businesses.

- The Shire is treated as GOLD Level Sponsor of the event and receives all the benefits associated with this level of sponsorship without any financial contribution to the organisers.

**14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

14.1 Nil.

**15.0 MEETING CLOSED TO THE PUBLIC**

15.1 Nil.

**16.0 CLOSURE**

16.1 There being no further business the Chairman declared the meeting closed at 7.35 pm.

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

Signed.....Chairman

Dated this .....day of .....2010

