
Shire of Kalamunda

General Services Committee

Minutes for 11 April 2011

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MINUTES

1.0 OFFICIAL OPENING

- 1.1 The Chairman opened the meeting at 6.30 pm and welcomed Councillors, Staff, Members of the Public Gallery and Rhonda Hardy who will take up the position of Director Corporate Services in May 2011.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Donald McKechnie	(Shire President) North Ward
Margaret Thomas	North Ward
Allan Morton	South West Ward
Maureen Robinson	South West Ward
Noreen Townsend	South West Ward
Frank Lindsey	South East Ward
Carol Everett	South East Ward
Geoff Stallard	South East Ward
Justin Whitten	North West Ward
Dylan O'Connor	North West Ward

Members of Staff

James Trail	Chief Executive Officer
Steve Leeson	A/Director of Corporate Services
Clayton Higham	Director of Planning & Development Services
Kevin O'Connor	Director of Community Development
Simon Miller	Manager Operations
Darrell Forrest	Manager Governance
Darren Jones	Manager Community Development
Michelle Clark	Executive Assistant
Nicole O'Neill	Public Relations Officer
Meri Comber	Minute Secretary

Guest

Rhonda Hardy	Director Corporate Services Elect
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Members of the Public 34

Members of the Press Nil

2.2 Apologies

Councillors

Sue Bilich	North Ward
Martyn Cresswell	North West Ward

Members of Staff

Mahesh Singh

Director Engineering Services

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 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/DEPUTATIONS

4.1 Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Nil.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 That the Minutes of the General Services Committee Meeting held on 14 March 2011 are confirmed as a true and correct record of the proceedings.

Moved: Cr Geoff Stallard

Seconded: Cr Margaret Thomas

Vote: **CARRIED UNANIMOUSLY (10/0)**

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

7.1 Nil.

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

8.1 Item 51. Lot 7 (292) Sultana Road East, Forrestfield. **CONFIDENTIAL ITEM** Provided under separate cover.

Reason for Confidentiality - *Local Government Act 1995* s.5.23 (2) (d) - legal advice obtained or which may be obtained by the local government and which relates to a matter to be discussed at the meeting.

9.0 DISCLOSURE OF INTERESTS

9.1 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*.)

9.1.1 Item 53 – Kalamunda Men’s Shed Inc. Relocation Proposal

Cr Donald McKechnie declared a financial interest as he is a paid up member of the Kalamunda Men’s Shed.

9.2 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.

9.2.1 Nil.

10.0 REPORT TO COUNCIL

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

MOTION

That the General Services Committee order of business be changed and item 53, Kalamunda Men’s Shed, be moved forward on the Agenda to be the first item to be considered.

Moved: Cr Donald McKechnie

Seconded: Cr Margaret Thomas

Vote: **CARRIED UNANIMOUSLY (10/0)**

53. Kalamunda Men’s Shed Inc. – Relocation Proposal

The full report is in numerical order in this Agenda.

MOTION

That the General Services Committee order of business be changed and item 56, Lilian Road, Maida Vale – Proposed Footpath, be moved forward on the Agenda to be the second item to be considered.

Moved: Cr Donald McKechnie

Seconded Cr Margaret Thomas

Vote: **CARRIED UNANIMOUSLY (10/0)**

56. Lilian Road, Maida Vale – Proposed Footpath

The full report is in numerical order in this Agenda.

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

42. Creditors' Accounts Paid During the Period 2 March to 25 March 2011

Previous Items	N/A
Responsible Officer	Acting Director Corporate Services
Service Area	Finance
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A

Attachment 1	Creditor Payments for the period 2 March to 25 March 2011 – Page 1
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PURPOSE

1. To receive creditors' accounts paid during the period 2 March to 25 March 2011 (Attachment 1).

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 list of creditors paid during the periods 2 March to 25 March 2011 (Attachment 1).

STATUTORY AND LEGAL IMPLICATIONS

5. Nil.

POLICY IMPLICATIONS

6. Nil.

PUBLIC CONSULTATION/COMMUNICATION

7. Nil.

FINANCIAL IMPLICATIONS

8. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

9. This report works toward achieving objective:
- *5.5.2 Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.*
- of the Shire of Kalamunda Strategic Plan 2009-2014.

Sustainability Implications

Social implications

10. Nil.

Economic Implications

11. Nil.

Environmental Implications

12. Nil.

OFFICER COMMENT

13. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 42/2011)

1. That the list of creditors paid during the period 2 March to 25 March 2011 (Attachment 1) be received by Council in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

Moved: Cr Donald McKechnie

Seconded: Cr Margaret Thomas

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

43. Monthly Financial Statements for the Period ending 31 March 2011

Previous Items	N/A
Responsible Officer	Acting Director Corporate Services
Service Area	Finance
File Reference	FI-SRR-006
Applicant	N/A
Owner	N/A

Attachment 1 Statement of Financial Activity for the period ending 31 March 2011 – Page 19

PURPOSE

1. To receive the draft monthly financial statement reports for the period ending 31 March 2011.

BACKGROUND

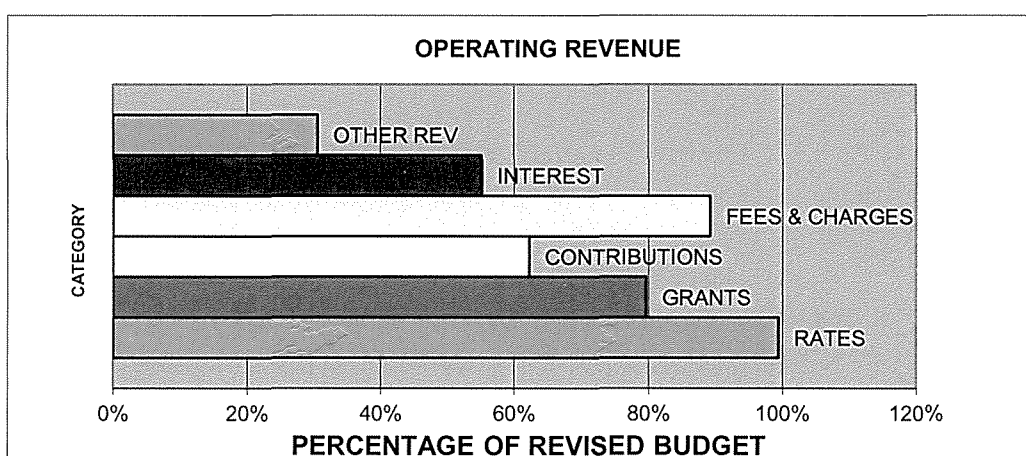
2. Attached is the monthly Rate Setting Statement and Statement of Comprehensive Income for the period ending 31 March 2011. These have been prepared in accordance with the requirements of *Local Government (Financial Management) Regulations 1996 (Section 34)*.
3. It is also a requirement of the Regulation that each financial year the local government adopts a percentage or value to be used in statements of financial activity for reporting material variances.

DETAILS

4. As part of the Budget adoption process, Council agreed to report variances of 5% or \$5,000, whichever is greater, within the monthly Financial Activity Statement.
5. Refer to the comments relating to the above mentioned variances in the report.

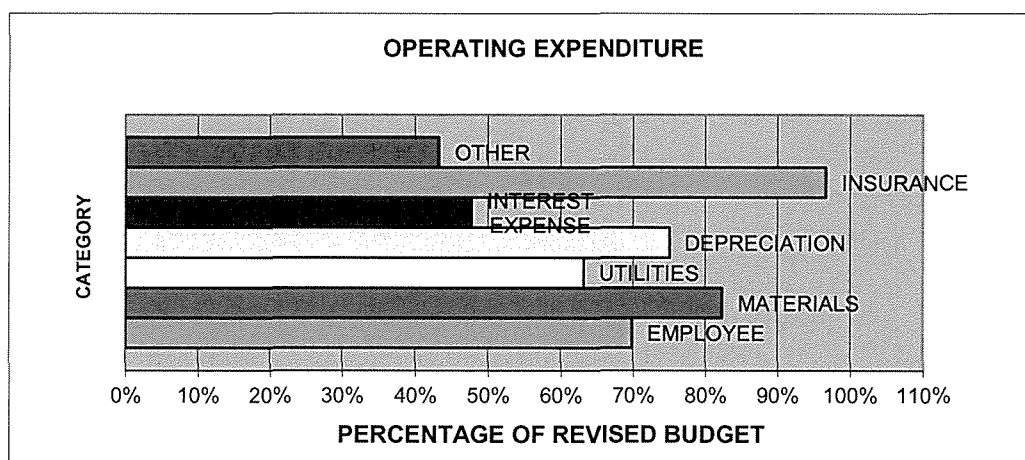
6. Financial Commentary**Operating income**

- a. RATES - Cash in lieu of rates from Co-Operative Bulk Handling yet to be received.
- b. OPERATING GRANTS - Increased over previous month \$137,658.
- c. INTEREST - Only one term deposit maturity during the month of March. The bulk of interest earnings are recognised later in the financial year as term deposits are placed after rates first instalment receipts. During the month of April, seven term deposits will mature with expected interest earnings of \$130,125.
- d. FEES & CHARGES - Excluding household waste collection charges levied, the monthly increase in fee revenue was \$230,985 with building and planning fees remaining at revised year to date budgeted amounts.

**Operating expenditure**

Having adopted the mid-year budget review, most categories are generally reporting within year to date budgeted amounts.

- a. MATERIALS - Timing differences for receipt of contractor invoices within the waste collection program are reflective against verge collection and recycling expenditure being under year to date budget.
- b. INSURANCE - Against the revised budget is considered fully spent for the year.
- c. OTHER - Comprising a small category of budgeted expenditure, this is largely affected by the payment of the Historical Societies operating grant of \$20,500 during the month.
- d. INTEREST EXPENSE- A revised budget incorporating the Kalamunda Road land purchase loan having been drawn down ahead of planned necessitating a loan payment in the 2010/2011 year, has increased the budget for interest expense.

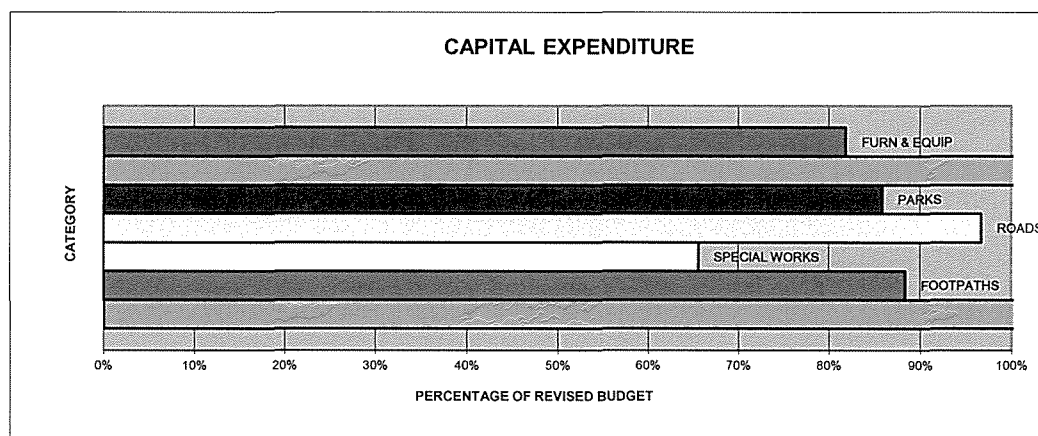


Salaries & Wages

Net employment costs are tracking at 100% of year to date budget, with savings in some areas continue to be offset by vacancies and late appointments in others. Training expenditure is reporting at 72% of year to date budget which is reflective of percentage of the financial year elapsed. Recruitment costs have exceeded budget review amounts.

Capital Expenditure

The Engineering works program is currently at 70% of budget based upon actual expenditure. Expenditure for the month was \$1.821m - Building (being largely the Zig Zag Centre and Depot Operations Centre) and roadworks represent the bulk of the capital program and are reflecting as on target based upon expenditure.



FINANCIAL RATIOS

2010/11

2009/10

Current Ratio

1.8:1

0.59:1

Calculated as follows:

Current assets minus restricted current assets
 Current liabilities minus liabilities associated
 with restricted assets

The current ratio is used to evaluate the liquidity, or ability to meet short term debts.

<u>Untied Cash to Trade Creditors Ratio</u>	0.4:1	0.00:1
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Calculated as follows:

$$\frac{\text{Untied cash}}{\text{Unpaid trade creditors}}$$

The untied cash to trade creditors ratio indicates the ability of the Council to pay its trade creditors, in accordance with normal trading terms and conditions, using untied / unrestricted funds. This is an indicator of the short term position of Council. A ratio of less than 1 would indicate insufficient funds to pay trade creditors.

<u>Debt Ratio</u>	2.99%	2.86%
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Calculated as follows:

$$\frac{\text{Total liabilities}}{\text{Total assets}}$$

The debt ratio is a measure of the Council's liabilities as a percentage of its assets. Generally the lower the ratio the greater the capacity to borrow, though a local government must include infrastructure assets in this calculation, which should be considered in context.

<u>Debt Service Ratio</u>	1.23%	0.29%
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Calculated as follows:

$$\frac{\text{Debt Service Cost (Principal \& Interest)}}{\text{Available operating revenue}}$$

The debt service ratio represents Council's ability to service debt out of uncommitted or general purpose funds available for operations. Self supporting loans should be taken into consideration when evaluating this ratio.

<u>Gross Debt to Revenue Ratio</u>	16.08%	10.29%
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Calculated as follows:

$$\frac{\text{Gross debt}}{\text{Total revenue}}$$

The gross debt to revenue ratio illustrates Council's ability to cover gross debt with its revenue in any given year. The lower the percentage the greater the ability to service borrowings. As debt is typically repaid over several years, this ratio is more of a guide for Council's future capacity to repay.

<u>Gross Debt to Economically Realisable Assets Ratio</u>	3.03%	2.04%
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Calculated as follows:

$$\frac{\text{Gross debt}}{\text{Economically realisable assets}}$$

The gross debt to economically realisable assets ratio relates actual borrowings directly to tangible assets (excludes infrastructure assets). It illustrates a Council's reliance on borrowings to fund new projects and gives an indication as to its future capacity. The lower the ratio the better placed a Council is.

<u>Rate Coverage Ratio</u>	51.32%	49.45%
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Calculated as follows:

$$\frac{\text{Net rate revenue}}{\text{Operating revenue}}$$

The rates coverage ratio measures Council's dependence on rate revenue to fund operations. It is considered that a higher ratio would indicate a higher controllable dependency on rates revenue and less of a dependency on government grants and other uncontrollable funding sources. Large grants or contributions of a once-off nature will affect this ratio.

<u>Outstanding Rates Ratio</u>	12.54%	3.97%
Calculated as follows:		<u>Rates outstanding</u> Rates collectable

The outstanding rates ratio helps to determine the effectiveness of Council's rate collection procedures. The lower the ratio the better the collection policy and procedures. This ratio ignores pensioner rates deferrals due to their nature. The ratio should be low as at 30 June each year.

STATUTORY AND LEGAL IMPLICATIONS

7. Nil.

POLICY IMPLICATIONS

8. Nil.

PUBLIC CONSULTATION/COMMUNICATION

9. Nil.

FINANCIAL IMPLICATIONS

10. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

11. This report works toward achieving objective:
- *5.5.2 Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.*
- of the Shire of Kalamunda Strategic Plan 2009-2014.

Sustainability Implications

Social implications

12. Nil.

Economic Implications

13. Nil.

Environmental Implications

14. Nil.

OFFICER COMMENT

15. More detail is provided on various analysis in the attachment.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 43/2011)

1. That the monthly financial statements which comprise the Statement of Financial Position, Statement of Comprehensive Income by Nature and Type, Statement of Comprehensive Income by Program, Rate Setting Statement, Cash Flow Statement, Notes to and Forming Part of the Financial Report and Operating Budget Variance Analysis for the period ending 31 March 2011 (Attachment 1) be received.

Moved: Cr Margaret Thomas

Seconded: Cr Carol Everett

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

44. Debtors and Creditors Reports for the Period ending 31 March 2011

Previous Items	N/A
Responsible Officer	Acting Director Corporate Services
Service Area	Finance
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A
Attachment 1	Summary of Debtors for the period ended 31 March 2011 – Page 65
Attachment 2	Summary of Creditors for the period ended 31 March 2011 – Page 66

PURPOSE

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

BACKGROUND

2. Attached are the reports detailing aged debtors (Attachment 1) and creditors (Attachment 2) as at 31 March 2011.
3. Council has requested reports detailing outstanding debtors and creditors on a monthly basis.

DETAILS

Debtors

4. A particular items affecting the outstanding balances is 90+ days - Dept Regional Australia Dept Regional Development Grant funding for Zig Zag Community Centre - Project Progress Report completed and sent on 21/03/2011.
5. Outstanding debts to note:
 - a. Roger and Raimunda Townend (\$45,996) - being handled by the Shire's legal representatives. (Refer to Report 51 in this Agenda for proposed resolution of this dispute.)
 - b. Forrestfield United Soccer Club (\$34,260) - again, no further progress towards repayment of outstanding loan invoice. Contact with all committee members is in progress.
 - c. Kalamunda Youth Theatre Company (\$1,561.25) - Agreement made at Pre-trial conference (22/03/2011) for a fortnightly Direct Debit payment to pay off the amount of \$1,000.00.

Creditors

6. Payments totalling \$4,859,770 were made during the month of March. Standard payment terms are 30 days from the end of month, with local business and contractors on 14 day terms.
7. Invoices showing as outstanding greater than 60 and 90 days are the result of the original invoice documentation not being received by Finance.
8. All contractors, trades and suppliers are advised of the Shire's preference to pay by Electronic Funds Transfer (EFT) for efficiency and cost savings.

STATUTORY AND LEGAL IMPLICATIONS

9. Nil.

POLICY IMPLICATIONS

10. Nil.

PUBLIC CONSULTATION/COMMUNICATION

11. Nil.

FINANCIAL IMPLICATIONS

12. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS**Strategic Planning Implications**

13. This report works toward achieving objective:
 - *5.5.2 Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.*of the Shire of Kalamunda Strategic Plan 2009-2014.

Sustainability ImplicationsSocial implications

14. Nil.

Economic Implications

15. Nil.
-

Environmental Implications

16. Nil.

OFFICER COMMENT

17. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 44/2011)

1. That the outstanding debtors (Attachment 1) and creditors (Attachment 2) report as at 31 March 2011 be received.

Moved: Cr Noreen Townsend

Seconded: Cr Donald McKechnie

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

45. Rates Debtors Report for the Period ending 31 March 2011

Previous Items	N/A
Responsible Officer	Acting Director Corporate Services
Service Area	Finance
File Reference	FI-DRS-004
Applicant	N/A
Owner	N/A

Attachment 1 Summary of Outstanding Rates for the period ended
31 March 2011 – Page 67

PURPOSE

1. To receive a report on rates debtors as at 31 March 2011.

BACKGROUND

2. Attached is the report detailing rates debtors as at 31 March 2011 (Attachment 1).

DETAILS

3. The fourth and final rates instalment is due on 8 April 2011.
4. Stage 2 of the debt recovery process is being undertaken by Dun & Bradstreet. This stage is the issue of General Procedure Claims.
5. The outstanding rate debt of 145 ratepayers was referred to Dun & Bradstreet for legal action. The total of these recovery actions is \$253,675. Telephone calls were made, where possible, to those ratepayers who have not responded to the request for payment in full.

STATUTORY AND LEGAL IMPLICATIONS

6. Nil.

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

8. Nil.

FINANCIAL IMPLICATIONS

9. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

10. This report works toward achieving objective:
- 5.5.2: Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.
- of the Shire of Kalamunda Strategic Plan 2009-2014.

Sustainability Implications

Social implications

11. Nil.

Economic Implications

12. Nil.

Environmental Implications

13. Nil.

OFFICER COMMENT

14. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 45/2011)

1. That the rates debtors report as at 31 March 2011 (Attachment 1) be received.

Moved: Cr Margaret Thomas

Seconded: Cr Maureen Robinson

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

46. Expression of Interest for a Proposed Major Land Transaction, or alternatively the Shire of Kalamunda developing and managing the development of Lots 7, 8 and 4255 Lewis Road Wattle Grove.

Previous Items	OCM 16/2011
Responsible Officer	Chief Executive Officer
Service Area	Office of the CEO
File Reference	LW04/029A, LW04/025 & LW04/021
Applicant	N/A
Owner	N/A
Attachment 1	Report to General Services Committee 14 February 2011 – <i>Expression of Interest for a Proposed Major Land Transaction – Lots 7, 8 and 4255 Lewis Road Wattle Grove</i> – Page 68
Attachment 2	Expression of Interest Document – <i>Expression of Interest for a Proposed Major Land Transaction Lots 7, 8 and 4255 Lewis Road Wattle Grove</i> – Page 72
Attachment 3	Spring Rare Flora Search and Level 1 Vegetation Survey – Lots 7, 8 and 4255 Lewis Road, Wattle Grove – Shire of Kalamunda – Prepared by Arthur S West, PhD, Consulting Botanist – 25 January 2011 – Page 78
Attachment 4	Lot 7, 8 and 4255 Lewis Road, Forrestfield Fauna Assessment – Prepared by Mr Brenden Metcalf and Dr Mike Bamford – 25 October 2010 – Page 108
Confidential Attachment 5	Project Report and Cost Estimates for Shire of Kalamunda to fund and manage the proposed development. Under separate cover <u>Reason for Confidentiality:</u> <i>Local Government Act 1995</i> S5.23(2)(c) – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”

PURPOSE

1. To consider approval of a revised strategy with respect to the advertising of Expressions of Interest for the development of Lots 7, 8 and 4255 Lewis Road Wattle Grove in accordance with the proposals outlined within the Expressions of Interest (EOI) document.
2. The Expressions of Interest received will allow Council to consider and evaluate options for the future development and disposal of these parcels of land.
3. To consider an alternative option to 1 and 2 above, for the Shire of Kalamunda to undertake the development and management of the land in accordance with the project report in Attachment 5.

BACKGROUND

4. At the Ordinary Council Meeting of 21 February 2011, Council resolved (OCM 16/2011) to defer to the March 2011 General Services Committee Meeting the action proposed by Officers to advertise for expressions of interest for this development, requesting the CEO include the option of the Shire funding and managing the proposed development.
5. Committee Recommendation to Council (GS 23/2011) reads:
"That expressions of interest for a proposed major land transaction – Lots 7, 8 and 4255 Lewis Road Wattle Grove, be deferred to the March General Services Committee meeting, requesting the CEO include the option of the Shire funding and managing the proposed development."
6. The original report to the General Services Committee and Council is attached as Attachment 1.

DETAILS

7. The Shire of Kalamunda – Aged Accommodation Strategy provides comment in regards to Residential Care and Aged Persons Housing and the following is an extract from the strategy report
Residential Care
There are very few Local Governments in WA that do operate hostel and nursing homes. However, it has not been uncommon for Local Government to support or facilitate in some way the development of hostel and nursing homes. This is most commonly by identifying the need and demand, providing land and advice.
Age Persons Housing
Local Government's involvement in providing aged persons housing is much more significant and is relatively common in both metropolitan and rural councils. Most of these housing projects were built with Federal Government funding for 'independent living units' (that no longer exists) or through the State Governments Joint Venture Housing Scheme.
The key findings and challenges for the strategy were listed as:
 - Ageing population and ageing in place.
 - Greater investment in Home Support and Community Care.
 - Little choice in housing for older people.
 - Declining investment in public housing and housing affordability.
 - Significant shortage of residential care places.
 - A struggling Residential Care Industry
 - Older people are changing.

8. The Lewis Road site has several existing buildings (Hall and TAFE College with Residence attached) and a recent inspection has revealed that these building could be retained and used within the development.

The use of these buildings would be best decided by the design team, but could include recreation facilities and other alternative accommodation opportunities.

STATUTORY AND LEGAL IMPLICATIONS

9. The *Local Government Act 1995* (the Act), and accompanying legislation places great emphasis upon the accountability of local government. Section 3.59 of the Act requires local governments that enter into a major land transaction to prepare a business plan.
10. The EOI process will provide the preferred development option prior to a Business Plan being developed.
11. Should Council resolve to develop and manage the sites, it will need to follow the statutory planning processes in terms of zoning and development approvals required under various legislation.

POLICY IMPLICATIONS

12. Nil

PUBLIC CONSULTATION/COMMUNICATION

13. Public Consultation will take place at the Business Plan advertising stage.

FINANCIAL IMPLICATIONS

14. The cost of undertaking an EOI process is included in the 2010/11 Budget.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

15. The proposals address the following Goals in the Strategic Plan
- Goal 1; Community Development – Outcome 1.1 Enhanced quality of life for the aged and disabled
- Goal 2; Built Environment – Outcome 2.1 Meeting community needs today and into the future, and to effectively plan for future community needs and population growth

Sustainability Implications

Social implications

16. The EOI document broadly suggests that the site would be suitable for community housing and aged care.

Economic Implications

17. The development of this land conforms with the planned expansion of the urban area to provide additional housing with financial benefit to the Shire of Kalamunda through development income, land lease rental or sale of all or part of the properties.

Environmental Implications

18. The EOI takes into consideration the environmental implications in the proposed development of the site.

OFFICER COMMENT

19. The recommendation options below will allow a decision to be made that will continue to move this project forward.
20. Council needs to decide whether:
- The development at Lewis Road should have a component of high/low care as well as independent living units.
 - The development at Lewis Road should only contain independent living units and not a component of high/low care.
21. Should Council decide the development on Lewis Road is to have a component of high/low care, then due to the construction, uncertainty of funding, management, high operational costs along with providing services outside the core business of Local Government, a High/Low Care Facility managed and operated by the Shire of Kalamunda is not recommended by Shire Staff.
22. Should Council decide that the development on Lewis Road not have a component of high/low care, Shire staff are of the opinion that the Council entertain the Shire developing the Lewis Road site itself.
23. The 2010/2011 Budget has a provision of \$10,000 for Lewis Road that could fund the initial consultant work for the business plan.

An additional attachment 2a was circulated to Councillors at the meeting together with a replacement Attachment 2.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 46/2010)

1. That a Business Plan be developed in accordance with Section 3.59 of the Local Government Act 1995 for the staged construction of independent living units on Lots 7, 8 and 4255 Lewis Road Wattle Grove to be undertaken by the Shire of Kalamunda.
2. That a Consultant Architect be engaged to provide site design, concept plans and cost estimates for inclusion in the Business Plan.
3. That the consultant provide advice on the possible uses of the existing buildings on Lot 4255 Lewis Road, Wattle Grove.

Moved: Cr Margaret Thomas

Seconded: Cr Donald McKechnie

Vote: For
Cr Frank Lindsey
Cr Geoff Stallard
Cr Dylan O'Connor
Cr Donald McKechnie
Cr Margaret Thomas
Cr Justin Whitten

Against
Cr Carol Everett
Cr Maureen Robinson
Cr Noreen Townsend
Cr Allan Morton

CARRIED (6/4)

Attachment 1
GS Item 23

14 February 2011

GSC
Item 46

11 April 2011
Attachment 2a

SHIRE OF KALAMUNDA

DRAFT

Expressions of Interest For a Proposed Major Land Transaction

Lots 7, 8 and 4255 Lewis Road,
Wattle Grove



**shire of
kalamunda**

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Executive Summary

In 2008 the Shire completed an Aged Accommodation Strategy to provide a framework for addressing the current and future housing, residential, and home and community care needs for the older people living in the Shire. The Strategy identified that the older people residing within its boundaries had doubled in the past 10 years and by 2030 one in every three people living within the Shire would be 55 years old with over half of this population being over 70 years of age. Residential properties within the Shire comprises of 94% of separate houses designed for families with a growing need for aged accommodation.

The concepts outlined in this expression of interest document is for development of Lots 7, 8 and 4255 Lewis Road, Wattle Grove as it provides an opportunity for an aged care, community/public housing project close to shopping, transport and Home and Community Care (HACC) services. It will assist Council in addressing the following goals contained in the Shire's Strategic Plan:

- Goal 1; Community Development – Outcome 1.1 Enhanced quality of life for the aged and disabled.
- Goal 2; Built Environment – Outcome 2.1 Meeting community needs today and into the future, and to effectively plan for future community needs and population growth

Wattle Grove is one of several areas within the Shire of Kalamunda having potential for increased residential development to accommodate the expected high growth in population identified in 'Directions 2031 and Beyond' prepared by the Western Australian Department of Planning and incorporated in the Shire's 'Draft Local Planning Strategy'. The Strategy identified Wattle Grove for future consideration as an urban investigation area due to its proximity to the urban front and employment opportunities around the airport.

The North West boundary of the three lots subject to the proposal adjoins the Hartfield Golf Club with an attractive outlook creating the opportunity for a small residential development overlooking the golf course.

These proposals are viable business activities that diversify the land usage and generate income for the Shire from sale of land and/or a long term commercial land lease. Based on the preferred option after consultation and advertising, the Shire will continue to retain ownership and control of all or a significant portion of the land.

Lot 4255 contains a number of buildings being used and rented to TAFE College for vocational education and training under a licence agreement between the Minister for Training (Swan TAFE) and the Shire that expires on 31 December 2011. Either party may terminate the licence agreement by giving 3 month notice. These buildings are in a sound state and with upgrading and modification could form part of the future development of the site. There is a house that forms part of the TAFE buildings that until recently was being rented. This home, now vacant, could form part of the redevelopment.

A Shire hall located behind the Swan TAFE on Lot 4255 is an underutilised asset that could be used as part of the future development of the site. The hall building is in good condition and has been properly maintained by the Shire.

There is a small residential home on Lot 8 Lewis currently under a residential lease that expires in February 2011. The building is old and in need of major expenditure for it to remain a rental property. The proposal is to demolish the house as part of the redevelopment of the three blocks.

Lots 7 and 8 are zoned special rural and Lot 4255 is zoned local reserve-hall under Local Planning Scheme No 3 (LPS 3). Any change in intended use will require these lots to be rezoned.

A botanists report prepared by Coterra Environment has identified Declared Rare Flora specie, *Conospermum undulatum* on a portion of Lot 7 and Lot 4255 Lewis Road. A copy of the report is included as an attachment.

To protect the declared rare species, the preferred option would be to relocate the plants to a suitable location. It is understood that this particular specie may be difficult to relocate and application to relocate the specie will be required before permission is granted to transfer the endangered plants to another location. If permission to relocate is not granted, then the building envelope will need to be constructed around the endangered plants.

The concept drawings included with this document are based on two possible uses of the three blocks of land. One being to develop the whole area covered by the three lots for development and lease of the land for aged care, community and public housing with a combination of uses including a special use aged care precinct, special use senior community housing and independent living R40. The second, using part of the land area for residential development and sale, and a portion for aged care, community and public housing for development and lease.

Purpose of this Proposal

The intention of this proposal is to seek expressions of interest for a proposed major land transaction that addresses the objectives of the Strategic Plan of the Shire. The information received will be included in a business plan for public consultation and adoption by Council.

The Local Government Act 1995 (the Act), and accompanying legislation places great emphasis upon the accountability of local government. Section 3.59 of the Act requires local governments that enter into a major land transaction either by means of disposal of land by lease or sale to prepare a business plan.

In the area of the provision of services and facilities, the Council of the local government is to satisfy itself that the services and facilities it provides integrate and co-ordinate with any provided by state and federal governments or public bodies to avoid unnecessary duplication with those provided by governments, any other body or person be they public or private; and the resources of the Council are managed efficiently and effectively.

This Business Plan addresses the growing need for new community housing in the Shire identified in 'Directions 2031 and Beyond' prepared by the Western Australian Department of Planning and included in the 'Draft Local Planning Strategy 2010' prepared by the Shire.

The business plan is designed to ensure the Shire of Kalamunda can address itself to these matters.

In some instances involving entering into defined undertakings or transactions, a local government is required to provide an overall assessment of the services and facilities it may provide, and undertake cause and effects analysis of its proposals. Whilst the proposal presented does not require this scrutiny the Plan does address section 3.59 of the Local Government Act 1995.

Finally, the Plan addresses many of the requirements of Clause 7 of the National Competition Policy (NCP) so as to ensure that the Council of the local government of the Shire of Kalamunda can satisfy itself that it is meeting the essential criteria of that policy.

Proposal

The subdivision concept proposal includes the following options:

Option 1

- The lease and development of the Shire's landholding of approximately 30,737m² located at Lots 7, 8 and 4255 Lewis Road, Wattle Grove for aged care and community and public housing.
- Inclusion of the TAFE College buildings and Shire Hall as part of a staged development of the land for aged care and community public housing located at Lot 4255 Lewis Road, Wattle Grove for aged care and community and public housing.

Option2

- The development and sale of a portion of the Shire's landholding of three blocks of land of approximately 9,260m² located at Lot 7, Lot 8 and Lot 4255 Lewis Road, Wattle Grove for single residential housing.
- The development of a portion of the Shire's landholding of three blocks of land of approximately 16,421m² located at Lot 7, Lot 8 and Lot 4255 Lewis Road, Wattle Grove for aged care, community and public housing.
- Inclusion of the TAFE College buildings and Shire Hall as part of a staged development of the site for aged care and community housing.
- The construction of a new 16 meter wide public road of approximately 5,056m² located at Lot 7, Lot 8 and Lot 4355 Lewis Road, Wattle Grove to service the new residential blocks.

Option 2 provides the Shire with an opportunity to create an attractive residential subdivision that considers the physical attributes of the site and assists Council to effectively plan for future population growth identified in "Directions 20131 and Beyond' prepared by the Western Australian Planning Commission in August 2010 and included in the Shire's 'Draft Local Planning Strategy. Internal roads will need to be constructed by the developers of the aged care and community centre.

Background

History

The description of the land is as follows:

- Lot 7 Lewis Road, High Wycombe is a long rectangular vacant block approximately 10,256 m² in area bounded by Lewis Road to the South East, Hartfield Golf Club to the North West, Lot 4255 to the North East and Lot 8 to the South West.
- Lot 8 Lewis Road, High Wycombe is a long rectangular partly developed block approximately 10,227 m² in area bounded by Lewis Road to the South East, Hartfield Golf Club to the North West, Lot 7 to the North East and Lot 9 to the South West. There is a small residential home situated on Lot 8 Lewis Road. The home is presently being rented under a short term lease that expires in February 2011. The home is old and in need of significant expenditure to bring it up to a suitable rental standard.
- Lot 4255 Lewis Road, High Wycombe is a long rectangular developed block approximately 10,254m² in area bounded by Lewis Road to the South East, Hartfield Golf Club to the North West. Lot 5 to the North East and Lot 7 to the South West. The buildings constructed on this block are in good condition and are being leased to TAFE, with the lease expiring in December 2011. There is a community hall in good condition located on this block. The hall is an underutilised building that could be used and incorporated as part of the development of this site.

Aged Care Strategy

An Aged Care Strategy prepared by the Shire in 2008 identified a need to address future housing and community care for older people within close proximity to Home and Community Care (HACC) Services in Forrestfield.

Zoning

- Lot 7 Lewis Road, High Wycombe is vacant land zoned special rural under Local Planning Scheme 3 (LPS 3).
- Lot 8 Lewis Road, High Wycombe is developed land zoned special rural under Local Planning Scheme 3 (LPS3).
- Lot 4255 Lewis Road, High Wycombe is developed land zoned local reserve-hall under Local Planning Scheme 3 (LPS3).

Registered Proprietor

Lot 7 Lewis Road is owned freehold by the Shire of Kalamunda.

Lot 8 Lewis Road is owned freehold by the Shire of Kalamunda.

Lot 4255 Lewis Road is owned freehold by the Shire of Kalamunda.

Core Activities

The core activity is development and lease of the three blocks of land or part development and sale of land and part development and lease of the three blocks of land.

Key Values

Clients:

All customers are highly valued, and this proposal provides new aged care facilities, community/public housing, serviced apartments and independent living units to cater for a broad cross section of an aging community. A mixed use development will help to create stronger links to shopping and other community services in the area. The proposed development will benefit existing residents who reside in the area through having a well planned development.

Service:

The indicative costs estimates of services required in relation to the proposal were prepared using professional consultants and staff of the Shire of Kalamunda.

Key Players

- Chief Executive Officer
- Director of Planning & Development Services
- Director of Corporate Services
- Manager of Property and Procurement
 - Manager of Strategy and Business

Analysis of Proposal

1.0 Concept Plan

Concept plans were prepared following careful evaluation of topographical and physical characteristics of the site and adjoining land usages.

The plan compliments and enhances the land usage of the area by creating new community accommodation compatible with similar types of accommodation on Lewis Road and new residential building blocks.

The business plan conforms with the 'Draft Local Planning Strategy 2010' for additional community housing and dovetails with 'Directions 2031 and Beyond' prepared by the Western Australian Planning Commission on the need for additional housing in the north-east metropolitan sub region encompassing the local government districts of Swan, Kalamunda and Mundaring.

The proposal will result in development of community housing and accommodation for the senior end of the population on the three lots of land.

Building and rezoning applications will need to be prepared for consideration by Council.

2.0 Servicing

Services exist for these three lots, but based on the type and size of the planned development may require upgrading by the developer.

2.1 Roadwork's

The development fronts onto Lewis Road. Internal access roads will need to be constructed by the developer to service the individual units build on the land and a new public road constructed to provide access to the built blocks of land overlooking the golf course. This cost will be met by the developer of the site.

2.2 Stormwater

Stormwater drainage will need to be contained and stored either on site or connected to existing storm water drains. This is a cost that will be met by the developer of the three lots.

2.3 Sewerage

The developers of the land will be required to connect to existing deep sewerage if this is readily available.

2.4 Water

Connection to water will be the responsibility of the developers of the land.

2.5 Gas

Connection to gas will be the responsibility of the developers of the land.

2.6 Telstra

Connection to Telstra will be the responsibility of the developers of the land.

2.7 Retaining Walls

Due to the topography of the land the requirement for retaining walls is not envisaged. If retaining walls are required the cost and responsibility will be borne by the developer.

Environmental, Heritage and Cultural Issues

1.0 Environmental Issues

An endangered species of plant, waxy-leafed smoke bush (*Conospermum Undulatum*) identified on Lots 7 and 4255 Lewis Road will require the protection of these plants. An independent botanical report prepared by Coterra Environment on the location of the plants is included as an attachment.

The plants will require protection either through relocation or protection on site. The preferred option included as part of the business plan is for their relocation to a suitable site.

2.0 Archaeological and Ethnographic Issues

There are no archaeological and ethnographic issues that the Shire is aware of affecting the site.

3.0 Heritage and Cultural

There are no heritage and cultural issues that the Shire is aware of affecting the site.

Issues

The Local Government Act indicates those matters the Council should concern itself about in relation to services and facilities.

This section answers the questions raised

Operations

- **Do the services and facilities integrate and coordinate with those provided by governments or public bodies?**

The proposed land development dovetails with "Directions 2031 and Beyond" prepared by the Western Australian Planning Commission and the "Draft Local Planning Strategy 2010" prepared by the Shire of Kalamunda.

- **Do the services and facilities duplicate, to an inappropriate extent, with those provided by governments, anybody or person whether public or private?**

No, the services compliments the facilities provided by the private sector.

- **How can the Council itself be satisfied that the services and facilities are managed efficiently and effectively?**

The future planning and development of the land will be controlled by the Shire.

Causes and Effects

- **What is the expected effect of the proposals on the provision of services and facilities provided by the Shire?**

The proposal will require additional waste support services, the creation of a new road that should be offset from long term revenue for the shire from a lease agreement, rates and other services and charges.

- **What is the expected effect of the proposals on other persons providing services and facilities in the Shire?**

The proposal will create new jobs for people living in the area that provide direct or indirect services for aged care and the servicing of facilities.

- **What is the expected financial effect on the Shire?**

The disposal of land by sale and lease provides better utilisation of an asset belonging to the shire, and generates a long term commercial income stream for the Shire.

-
- **What is the expected effect of the proposals in relation to the Plan for the Future?**

The proposal compliments the 'Draft Local Planning Strategy' and 'Five Year Financial Plan to 2012/2013' for community housing and the anticipated future increases in population.

- **Has the Shire the ability to manage the services and facilities?**

The utilisation of resources will be limited to surveying the land, rezoning the land and advertising the business plan and construction of a new road.

- **Have the principles of National Competition Policy been addressed in relation to the delivery of these services and facilities?**

The principles of National Competition Policy have been considered. The Shire will not gain any advantage for itself as it will be selling an asset at market competitive prices.

Risk Analysis

The Shire of Kalamunda recognises that the development of land is a risk activity subject to unpredictable outcomes. The subdivision of land during its development phase does not generate any income; rather it produces parcels of land (lots) that have a sale value when subdivided. Profits from the subdivision development are dependent on meeting market expectations, maximising prices and minimising costs.

If the land development of the whole site is considered a preferred option for community housing and aged care, then the risks will be borne by the developer, with the Shire in receipt of income from the disposal of land and buildings by land lease.

The development indicates that the subdivision will provide a financial benefit to the Shire. The market is also determined by price, concept designs and plans prepared by project developers.

The Plan identifies the following risks in relation to the development:

- **Cost Overruns and Delays**
Competing demands from the building construction and mining sector, particularly in relation to material and labour may delay the completion of the project if sub-contractors are used.
- **Site Risk**

Soil conditions have not been confirmed for the site.
- **Market Risk**

Property prices may have an effect upon the returns anticipated for this project, particularly if there is a downturn in the economy.
- **Subdivision Approvals**

While the site has no known archaeological and ethnographic issues, this may be subject to challenge
- **Finance Risk**

While it is anticipated that the development will be financed from the development and sale of the land, the holding cost will be restricted to construction of the road, site costs, and planning approvals.

Appendix B : Subdivision Concept Plans

Option 1 – Subdivision Concept Plan

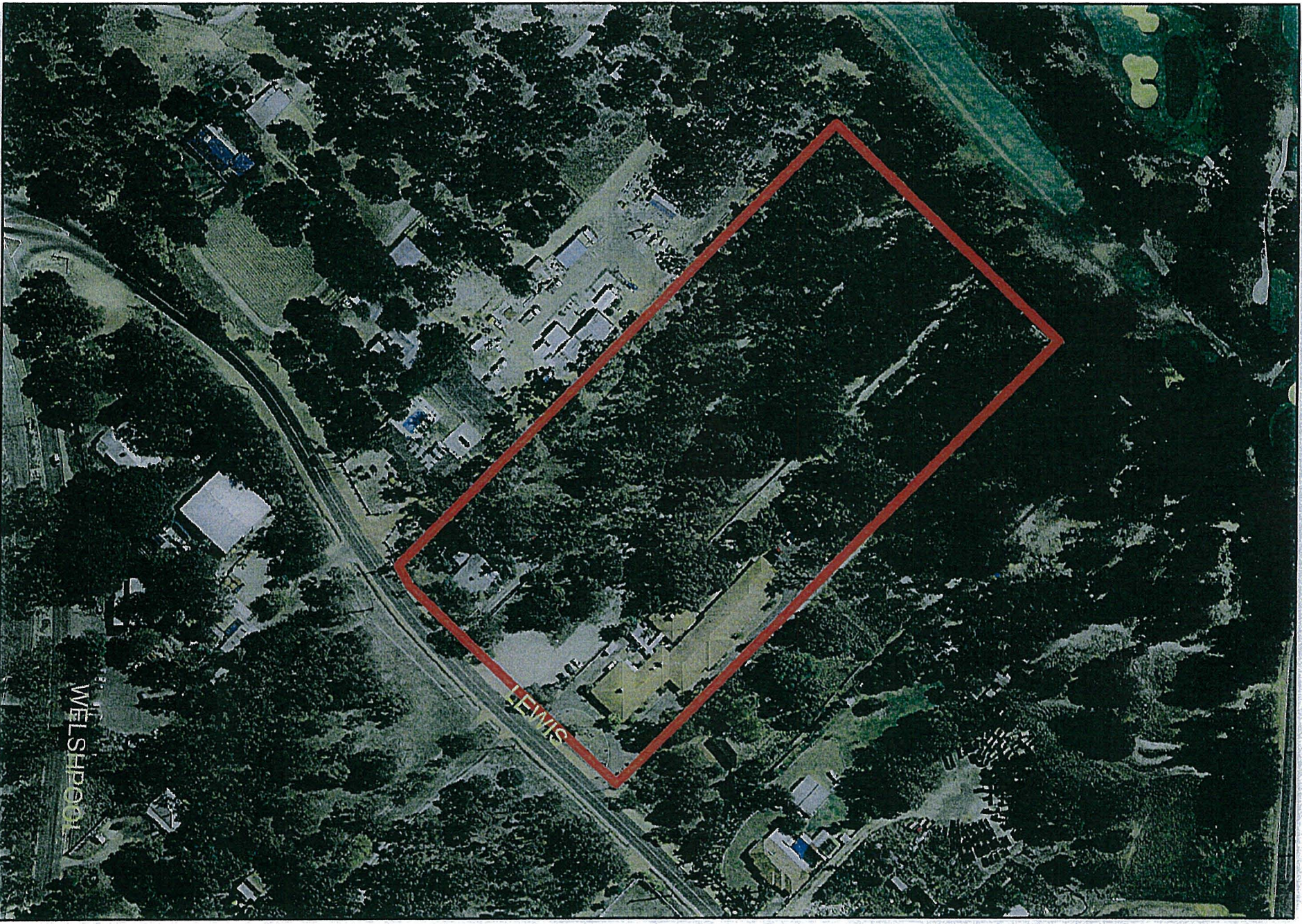
Option 2 – Subdivision Concept Plan

Disclaimer

The attached concept plans for the land the subject of this expression of interest document is for illustration purposes only of possible development options and not adopted development plans of the Council.

Attachments

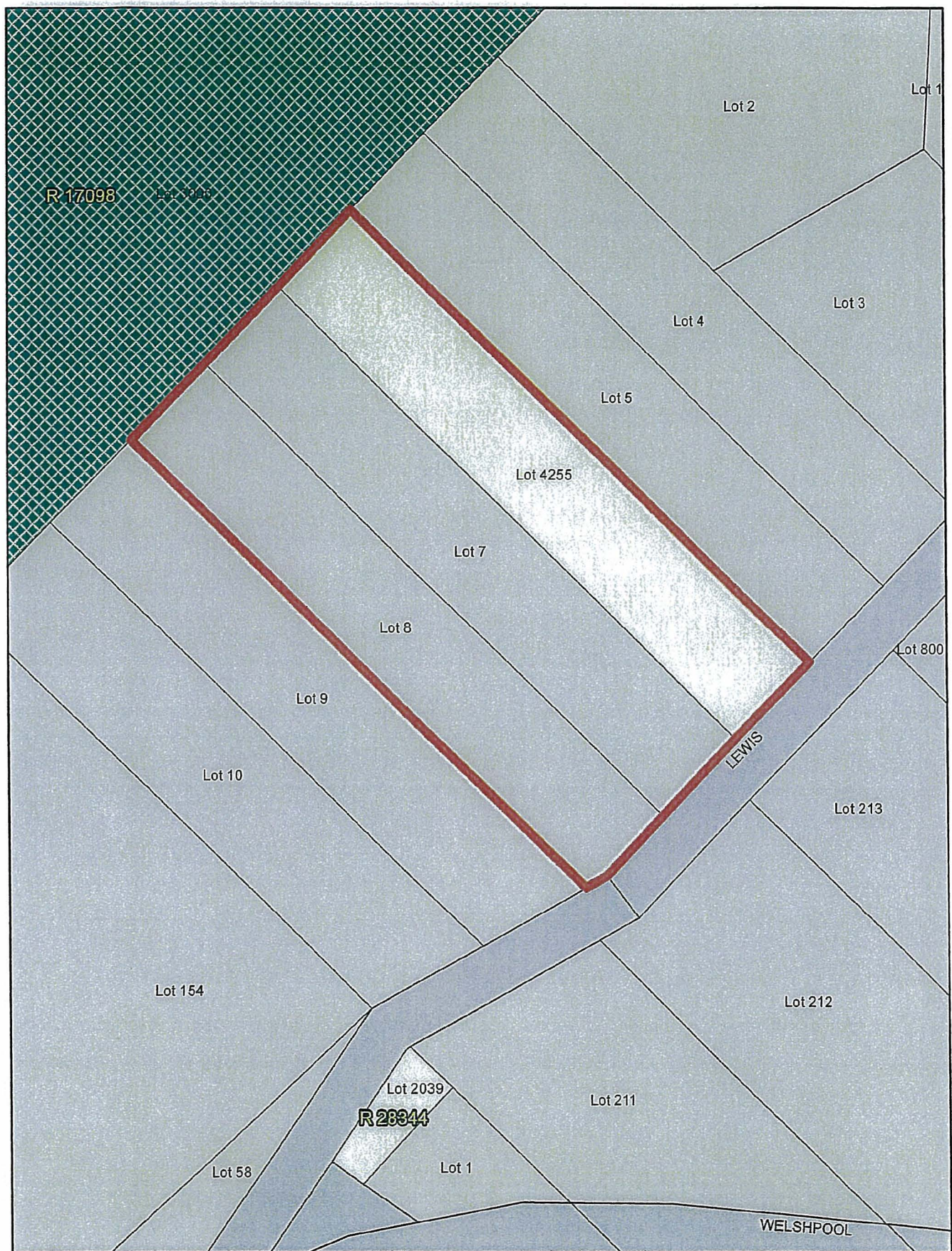
- **A – Aerial and Location Scheme Maps**
- **B – Subdivision Concept Plans**
- **C- Botanists Report on Endangered Species of Flora**



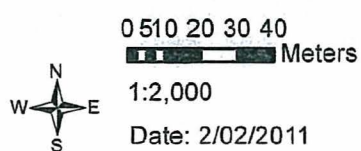
LOTS 7, 8 AND 4255 LEWIS ROAD
Date: 20/2/2011

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1:2,000

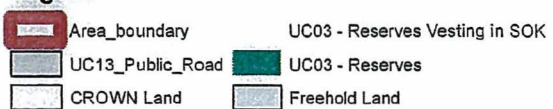


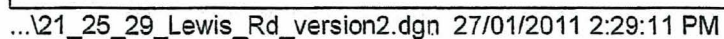


LOTS 7, 8 AND 4255 LEWIS ROAD



Legend







**Expressions of Interest
For a Proposed Major Land
Transaction**

**Lots 7, 8 and 4255 Lewis Road,
Wattle Grove**

Closing Date 2.00 pm 11th May 2011

Submissions are to be clearly labelled:

**"EOI 1102 – Lots 7, 8 and 4255 Lewis Road,
Wattle Grove"**

Placed in a sealed envelope and addressed to:

**Tender Box
Shire of Kalamunda
2 Railway Road
KALAMUNDA W A 6076**

By the closing date and time shown above.

Late EOI'S will not be accepted

1. INTRODUCTION

1.1 Background

In 2008 the Shire completed an Aged Accommodation Strategy to provide a framework for addressing the current and future housing, residential, and home and community care needs for the aging population in the Shire. The Strategy identified that the older people residing within its boundaries had doubled in the past 10 years and by 2030 one in every three people living within the Shire would be 55 years old with over half of this population being over 70 years of age. Residential properties within the Shire comprises of 94% of separate houses designed for families with a growing need for aged accommodation.

1.2 Purpose of Expression of Interest

This expression of interest seeks to:

- Canvas a range of Developers who will take the opportunity to design and construct an appropriate development for the location and assist Council in meeting its Aged Accommodation Goals
- Provide a development that reflects the future development and townscape needs of the Wattle Grove Locality
- Incorporate and provide rehabilitation works to the natural features of the site
- Provide feed back in regards to appropriate Purchase and or Land Lease terms and conditions, with Council's preferred option being a long term land lease and Council rates payable

The information obtained through the Expression of Interest process will assist with Council's consideration of the most appropriate land use, development and disposal of the 3 parcels of land

2 PARAMETERS

2.1 Site, Design and Development Details

Wattle Grove is one of several areas within the Shire of Kalamunda having potential for increased residential development to accommodate the expected growth in population identified in 'Directions 2031 and Beyond' prepared by the Western Australian Department of Planning and incorporated in the Shire's 'Draft Local Planning Strategy'.

The North West boundary of the three lots subject to the proposal adjoins the Hartfield Golf Club with an attractive outlook over the golf course.

Lot 4255 contains a number of buildings being used and rented to TAFE College for vocational education and training under a license agreement between the Minister for Training (Swan TAFE) and the Shire that expires on 31 December 2011. Either party may terminate the license agreement by giving 3 month notice. These buildings are in a sound state and with upgrading and modification could form part of the future

development of the site. There is a house that forms part of the TAFE buildings that until recently was being rented. This home, now vacant, could form part of the redevelopment.

A Shire hall located behind the Swan TAFE on Lot 4255 is an underutilised asset that could be used as part of the future development of the site. The hall building is in good condition and has been properly maintained by the Shire.

There is a small residential home on Lot 8 Lewis currently under a residential lease that expires in February 2011. The building is old and in need of major expenditure for it to remain a rental property. The proposal is to demolish the house as part of the redevelopment of the three blocks.

Lots 7 and 8 are zoned Special Rural and Lot 4255 is zoned local reserve-hall under Local Planning Scheme No 3 (LPS 3). Any change in intended use will require these lots to be rezoned.

2.2 Statutory Approval Process

Planning

Respondents will be required to follow statutory processes in regard to the Shire of Kalamunda Local Planning Scheme No. 3 (LPS 3).

Current Zoning

- Lot 7 Lewis Road, Wattle Grove is vacant land zoned Special Rural under Local Planning Scheme No. 3 (LPS 3).
- Lot 8 Lewis Road, Wattle Grove is developed land zoned Special Rural under Local Planning Scheme No. 3 (LPS 3).
- Lot 4255 Lewis Road, Wattle Grove is developed land reserved Local Reserve-Hall under Local Planning Scheme No. 3 (LPS 3).

Registered Proprietor

Lot 7 Lewis Road is owned freehold by the Shire of Kalamunda.

Lot 8 Lewis Road is owned freehold by the Shire of Kalamunda.

Lot 4255 Lewis Road is owned freehold by the Shire of Kalamunda.

Land Disposition

The Shire also warrants without limitation or liability that prior to the finalisation of any lease for the site the Shire will need to undertake necessary actions pursuant to the *Local Government Act 1995*, particularly with regard to land transactions.

3 Environmental, Heritage and Cultural Issues

Environmental Issues

An endangered species of plant, waxy-leafed smoke bush (*Conospermum Undulatum*) identified on Lots 7 and 4255 Lewis Road will require the protection. An

independent botanical report prepared by Coterra Environment on the location of the plants is included as an attachment.

Archaeological and Ethnographic Issues

There are no archaeological and ethnographic issues that the Shire is aware of affecting the site.

Heritage and Cultural

There are no heritage and cultural issues that the Shire is aware of affecting the site.

4 Information Required

The Expression of Interest submission should provide the following:-

- Concept plans for the entire development that will include:
 - Development layout
 - Number of units/houses and their configuration
 - Access and parking
 - Public open space
- Interrelationship with surrounding facilities and natural features
- Construction time frame
- Funding arrangements
- Management processes
- The applicant's expectations with regard to purchase/lease of the site
- Details on the person, organisation or company making an Expression of Interest including information on previous experience relative to the Expression of Interest
- The person's, organisation's or company's capacity to fund, construct and operate the proposed development
- Any other matter of relevance.

5 Assessment Process

In reviewing the Expression of Interest provided, the following factors will be considered:

1. The design of the development and the desire to ensure that the end product is respected by the community
2. The nature of the proposal relative to the existing and future developments within the Lewis Road precinct
3. Cost implications to Council

4. The capacity of the person, organisation or company making the expression of interest to finance and develop the project as per the proposal.

Following the call for Expressions of Interest, the Shire of Kalamunda will engage and independent consultant to review all submissions received to prepare a report to Council for consideration. The Council will then determine the best course of action and at its sole discretion may or may not call tenders for the development.

6 Further Information and Contacts

Further information and site access for inspections can be obtained by contacting Steven McKay on 08 9257 9906 or by email Steve.Mckay@kalamunda.wa.gov.au

7 Flora and Fauna Reports

A copy of the Flora and Fauna Surveys undertaken by Coterra Environment are included with this document.

DISCLAIMER

Any expression, statement or opinion expressed or implied in this publication has been made in good faith and on the basis that the Council, its employees and agents are not liable for any loss whatsoever which may occur as a result of action been taken or not taken (as the case may be) in respect to the information contained within this document. Any investigations or studies undertaken in preparing the Expressions of Interest are the onus of the company making the response. Any due diligence undertaken is to be the responsibility of and completed at the expense of the person or company providing an Expression of Interest. The Shire of Kalamunda is under no obligation to proceed with any proposed venture or interest.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**47. Land Asset Rationalisation**

Previous Items	N/A
Responsible Officer	Director Corporate Services
Service Area	Property & Procurement
File Reference	MD-03/039, AN-02/021, CB-01/002 & BR-03/029
Applicant	N/A
Owner	N/A
Attachment 1	Property details – Page 150
Attachment 2	Hester Land Asset Assessment – Executive Summary - Under separate cover
<u>Reason for Confidentiality:</u> Local Government Act 1995 S5.23(2)(c) – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”	

PURPOSE

1. To consider the approval for the disposal of the five (5) freehold properties shown in Attachment 1, that are surplus to Shire of Kalamunda requirements.

BACKGROUND

2. In July 2010 the Shire of Kalamunda (the Shire) engaged the services of Hester Property Solutions (HPS) to undertake independent assessment of the Shire's property portfolio and to identify opportunities with respect to these properties.
3. The Shire's portfolio comprises approximately 85 freehold properties and 410 vested reserves. These properties are located across all areas of the Shire both in urban town site locations as well as being located in rural and special rural areas outside of the urban centres of the district.

DETAILS

4. Hester Property Solutions recommended that several freehold properties be sold to provide the initial seed funding required to deliver the broader outcomes of this project and the following have been selected.

- 39 Maida Vale Road, Maida Vale
- 21 Andrew Street, Kalamunda
- 2 Cabarita Road, Kalamunda
- 29 Barbigal Place, Lesmurdie
- 43 Boonooloo Road Kalamunda

Each of these properties are owned in freehold by the Shire, are zoned appropriately and other than the property at 39 Maida Vale Road, have not

been identified in the community facilities plan and are not used to provide any services to the community and therefore disposal will have no detrimental impact.

5. The vacant land at 39 Maida Vale Road has been set aside for a Community Centre, however the Community Facilities Plan has identified this site as too small to meet the needs of a Neighbourhood Community Centre in accordance with the planning standards.
6. Proposals for the disposal of these lots have been sought from eleven (11) local real estate agencies and 5 responses have been received which provide indicative values for each lot and costs to market and sell.

STATUTORY AND LEGAL IMPLICATIONS

7. The sale of :

- 39 Maida Vale Road, Maida Vale
- 21 Andrew Street, Kalamunda
- 2 Cabarita Road, Kalamunda
- 29 Barbigal Place, Lesmurdie
- 43 Boonooloo Road Kalamunda

Will be undertaken in accordance with Section 3.58 (3) of the *Local Government Act 1995*.

Should 39 Maida Vale Road, Maida Vale reach its expected sale price, then a business plan will be required to be prepared for the disposal in accordance with Section 3.59 of the *Local Government Act 1995*.

POLICY IMPLICATIONS

8. The Shire of Kalamunda does not have a Policy in regard to the Disposal of Land, however a Draft Policy has been prepared for review by the Executive Management Team, and this proposal meets the Policy requirements.

PUBLIC CONSULTATION/COMMUNICATION

9. Disposal of the properties under Section 3.58 of the *Local Government Act 1995* require that public notice of the proposed disposition-
 - i) Describing the property concerned; and
 - ii) Giving details of the proposed disposition; and
 - iii) Inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

And

It considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

Details of a proposed disposition that are required by subsection (3) (a)(ii) include –

- a. The names of all other parties concerned; and
- b. The consideration to be received by the local government for the disposition; and
- c. The market value of the disposition.

FINANCIAL IMPLICATIONS

- 10. The disposal of these properties has the potential to provide income in excess of 3 million dollars (\$3,000,000).
- 11. These funds will be transferred to the Community Facilities Reserve and used in accordance with the Asset Management Policy, the proposed Community Facilities Plan and strategic guidelines as appropriate.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

- 12. The sale of these properties will assist in meeting:

Goal 5 Outcome 5.4.2 – Explore all avenues of funding including borrowings and sale of assets.

Sustainability Implications

Social implications

- 13. Nil.

Economic Implications

- 14. The sale of these properties will provide funding for future property developments.

Environmental Implications

- 15. There are no environmental implications with the disposal of these lots.

OFFICER COMMENT

16. The disposal of these properties will provide funding for the purchase of a number of A20 Reserves identified in the Hester Property Solutions Report as surplus to the Shire of Kalamunda requirements.
17. Future development and sale of the land will provide funds for the Property Development Reserve Fund facilitating a framework for the long term financial stability of the Shire of Kalamunda.
18. The use of a number of local Real Estate Agents will ensure that the broader community is aware of the opportunity to purchase these properties in a competitive market.
19. Only one real estate agent identified 39 Maida Vale Road as a potential development site thus valuing this property above the other agents. This broadens the potential market and therefore potential sale price for this property with their expertise.

An additional confidential attachment was circulated to Councillors at the meeting.

OFFICER RECOMMENDATION (GS 47/2011)

1. That:
 - 39 Maida Vale Road Maida Vale
 - 21 Andrew Street, Kalamunda
 - 2 Cabarita Road, Kalamunda
 - 29 Barbical Place, Lesmurdie
 - 43 Boonooloo Road, Kalamunda

be disposed of in accordance with Sections 3.58 and 3.59 of the *Local Government Act 1995*.
2. That sworn valuations be obtained for each lot prior to being released for sale.
3. That no lot be sold for less than its sworn value unless authorised by Council resolution.
4. That the following properties be "Open Listed" with the five Real Estate Agents that responded to the requested marketing proposal:
 - 21 Andrew Street, Kalamunda
 - 2 Cabarita Road, Kalamunda
 - 29 Barbical Place, Lesmurdie
 - 43 Boonooloo Road, Kalamunda

5. That 39 Maida Vale Road be listed exclusively with the sole Real Estate Agent that identified this site as a development site.
6. That in accordance with Section 5.42 of the *Local Government Act 1995* - Delegation of some powers and duties to the CEO, the CEO be delegated the power to dispose of the properties.
7. That in accordance with Section 5.43 of the *Local Government Act 1995* – Limits on delegations to CEO, the limit be set at 5 million dollars (\$5,000,000).
8. That in accordance with Section 6.11 of the Local Government Act 1995 – Reserve Accounts, establish the following reserve account from the proceeds (2.5% of gross proceeds) of selling freehold land parcels and any crown reserves:
 - Environmental Reserve – to be used to fund environmental strategies, programs and projects.
9. Prior to the listing of the properties referred to in (4) above, the Chief Executive Officer cause the undertaking of an assessment of the vegetation on each of the properties with a view to ensuring that any significant vegetation identified is retained at development stage, where reasonably possible, by an appropriate means such as a building envelope. The Chief Executive Officer to request the Real Estate Agents to inform prospective purchasers of such requirements.

Following discussion “for properties the subject of this Report” was added at point 7 to the Officer Recommendation with the approval of the Mover (Cr Noreen Townsend) and Seconder (Cr Carol Everett).

COMMITTEE RECOMMENDATION TO COUNCIL (GS 47/2011)

1. That:
 - 39 Maida Vale Road Maida Vale
 - 21 Andrew Street, Kalamunda
 - 2 Cabarita Road, Kalamunda
 - 29 Barbical Place, Lesmurdie
 - 43 Boonooloo Road, Kalamunda

be disposed of in accordance with Sections 3.58 and 3.59 of the *Local Government Act 1995*.
2. That sworn valuations be obtained for each lot prior to being released for sale.

-
3. That no lot be sold for less than its sworn value unless authorised by Council resolution.
 4. That the following properties be "Open Listed" with the five Real Estate Agents that responded to the requested marketing proposal:
 - 21 Andrew Street, Kalamunda
 - 2 Cabarita Road, Kalamunda
 - 29 Barbical Place, Lesmurdie
 - 43 Boonooloo Road, Kalamunda
 5. That 39 Maida Vale Road be listed exclusively with the sole Real Estate Agent that identified this site as a development site.
 6. That in accordance with Section 5.42 of the *Local Government Act 1995* - Delegation of some powers and duties to the CEO, the CEO be delegated the power to dispose of the properties.
 7. That in accordance with Section 5.43 of the *Local Government Act 1995* – Limits on delegations to CEO, the limit be set at 5 million dollars (\$5,000,000) for properties the subject of this Report.
 8. That in accordance with Section 6.11 of the Local Government Act 1995 – Reserve Accounts, establish the following reserve account from the proceeds (2.5% of gross proceeds) of selling freehold land parcels and any crown reserves:
 - Environmental Reserve – to be used to fund environmental strategies, programs and projects.
 9. Prior to the listing of the properties referred to in (4) above, the Chief Executive Officer cause the undertaking of an assessment of the vegetation on each of the properties with a view to ensuring that any significant vegetation identified is retained at development stage, where reasonably possible, by an appropriate means such as a building envelope. The Chief Executive Officer to request the Real Estate Agents to inform prospective purchasers of such requirements.

Moved: Cr Noreen Townsend

Seconded: Cr Carol Everett

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

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**48. RFT 1106 – Civil Works - 29 Lot Subdivision – Lot 5 Welshpool Road East, Wattle Grove**

Previous Items

Responsible Officer Acting Director Corporate Services

Service Area Corporate Services

File Reference WAPC 042453 & WL-10/614

Applicant N/A

Owner N/A

Attachment 1 Confidential - Consultant Engineers Assessment Report – under separate cover

Reason for Confidentiality: Local Government Act 1995 S5.23(2)(c) – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”

Attachment 2 Business Plan Estimates Comparisons – Page 168

PURPOSE

1. To award the Tender for the Civil Works required to construct the 29 lot residential subdivision at Lot 5 Welshpool Road East, Wattle Grove

BACKGROUND

2. The Civil Works for the construction of the subdivision will exceed the prescribed amount in the Finance & General Regulations and accordingly tenders were advertised on 16 February 2011 and closed on 15 March 2011.

DETAILS

3. A total of nine (9) tender submissions were received, the details of which are summarised below and in Confidential Attachment 1 – Consultant Engineers Assessment Report.
4. Tender prices submitted ranged from \$996,893.28 to \$1,898,648.74 and the lowest four (4), being:
 - Scott Construction
 - Delta Civil
 - Wolfe Civil
 - Griffin Civil
 Jan Dvorak the consultant engineer engaged to manage the construction of the subdivision has scrutinised and assessed these tenders.
5. The assessment process revealed a number of discrepancies and errors within the Bill of Quantities provided as part of the Tender Request document. The details of these discrepancies and errors are detailed in Confidential Attachment 1 – Consultant Engineers Assessment Report.

STATUTORY AND LEGAL IMPLICATIONS

6. Section 3.57 of the *Local Government Act 1995*, requires the calling of tenders for expenditure over \$100,000 with an individual provider.

POLICY IMPLICATIONS

7. The tender process complies with the Shire of Kalamunda Purchasing Policy PUR1.

PUBLIC CONSULTATION/COMMUNICATION

8. There is no Public Consultation requirement as part of the tendering process.

FINANCIAL IMPLICATIONS

9. The tender process enables a wide range of contractors to make submissions, providing a greater choice in experience and price.

A Schedule of costs showing the Business Plan Estimate and the successful tenderers tender price is attached as Attachment 2.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

10. There are no Strategic Planning implications

Sustainability Implications

Social implications

11. There are no Social implications.

Economic Implications

12. There are no Economic Implications.

Environmental Implications

13. There are no Environmental implications.

OFFICER COMMENT

14. A thorough assessment of the lowest four (4) tenderers has been undertaken.

-
15. The Bill of quantities provided for a 10% allowance for contingencies (unforeseen expenses) was incorrectly calculated by 3 of the tenderers selected for assessment.
16. In order to provide a like for like comparison the assessment has been undertaken with contingencies being excluded.
17. The Tender prices from the 4 lowest tenderers, excluding GST and Contingencies are:
- | | |
|--------------------|----------------|
| Scott Construction | \$ 972,578.81 |
| Wolfe Civil | \$1,097,172.91 |
| Delta Civil | \$1,142,793.98 |
| Griffin Civil | \$1,292,603.22 |

Note: Scott Construction incorrectly transferred the amount of \$1,175.20 to the bill of quantities for Stormwater Drainage, whereas this figure should have been \$199,249.30. When adding this sum to the above total, Scott Construction became the third highest tenderer.

18. The Business Plan prepared for this development estimated that the Total Cost for Contract (Civil) Works at \$1,036,879.00 excluding contingencies and GST. Refer to Attachment 2.
19. Based on the overall criteria Wolf Civil are considered to be the preferred tenderer.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 48/2011)

1. That Wolfe Civil be awarded RFT 1106 – Civil Works - 29 Lot Subdivision – Lot 5 Welshpool Road East, Wattle Grove for the tendered sum of \$1,097,172.91 plus 10% contingencies of \$109,717.30 for a total tendered sum of \$1,206,890.21 excluding GST.

Moved: Cr Donald McKechnie

Seconded: Cr Noreen Townsend

Vote: **CARRIED UNANIMOUSLY (10/0)**

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**49. Land Asset Assessment – Acquisition of the First Five (5) A20 Reserves.**

Previous Items	N/A
Responsible Officer	Director Corporate Services
Service Area	Corporate Services
File Reference	Reserves 43471, 30540, 37699, 27721 & 27570
Applicant	N/A
Owner	N/A
Attachment 1	Aerial Photographs of each Reserve – Page 169
Confidential	Hester Land Asset Assessment – Executive Summary
Attachment 2	- under separate cover
	<u>Reason for Confidentiality:</u> Local Government Act 1995 S5.23(2)(c) – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”

PURPOSE

1. To obtain Council approval to undertake the negotiations for the purchase of the first five (5) A20 Reserves as detailed in the Asset Assessment Report.

BACKGROUND

2. In July 2010 the Shire of Kalamunda (the Shire) engaged the services of Hester Property Solutions (HPS) to undertake independent assessment of the Shire's property portfolio and to identify opportunities with respect to these properties.
3. At the Councillors Forum held on 31 January and presented by Andrew Smith and Peter Schifferli, Councillors were provided with a copy of the Final Report, and although this has not yet been formally adopted, it is considered appropriate that the negotiations for the purchase of the A20 Reserves proceed in a timely manner.
4. The Shire's portfolio comprises approximately 85 freehold properties and 410 vested reserves. These properties are located across all areas of the Shire both in urban town site locations as well as being located in rural and special rural areas outside of the urban centres of the district.

DETAILS

5. An inter-related report in regards to the Disposal of Freehold Land to fund the purchase of A20 Reserves is also included in the 11th April 2011 General Services Meeting Agenda.
6. HPS have advised that the State Government prefers to deal with these acquisitions in batches of five (5) and the following have been selected for the first batch of acquisitions.

- Reserve 43471 Cygnet Court – This is a small reserve that forms part of the area proposed for subdivision with Edney Road POS and without this portion of land, the subdivision would be difficult to develop.
- Reserve 33221 8A Sutton Road – This is a Reserve of 3522m² that has never been developed and is surrounded by rear and side boundary fences with a walkway along the North Western boundary. The fences along the walkway have barbed wire along the top of them and there is a high degree of graffiti on the fence panels.

This Reserve has been chosen as it will provide a great example of what can be achieved with the purchase and development of unnecessary reserves.

- Reserve 37699 Holly Way Kalamunda – This is a small residential size reserve within a fully developed residential area and provides limited benefit to the surrounding residents.

The Reserve is zoned Urban/Residential and this will provide an easy negotiation and once owned freehold, can then be sold off to provide funding for other land purchase negotiations and development funding.

- Reserve 27721 – Wordsworth Avenue Gooseberry Hill – This is a small residential size reserve within a fully developed residential area and provides limited benefit to the surrounding residents.

The Reserve is zoned Urban/Residential and this will provide an easy negotiation and once owned freehold, can then be sold off to provide funding for other land purchase negotiations and development funding.

- Reserve 27570 – Trafalgar Road Lesmurdie – This is a small residential size reserve within a fully developed residential area and provides limited benefit to the surrounding residents.

The Reserve is zoned Urban/Residential and this will provide an easy negotiation and once owned freehold, can then be sold off to provide funding for other land purchase negotiations and development funding.

STATUTORY AND LEGAL IMPLICATIONS

7. The State Government will consider allowing the Shire to acquire 20A reserves in freehold if the Shire deems these properties to be surplus to requirements and the overall public open space provision in the relevant cell is greater than the required 10% allocation.

POLICY IMPLICATIONS

8. The Shire of Kalamunda does not have a Policy in regards to the Acquisition of Land, however a Draft Policy has been prepared for review by the Executive Management Team, and this proposal meets the Policy requirements.

PUBLIC CONSULTATION/COMMUNICATION

9. The acquisition process does not have a Public Consultation component, however the disposal process of these parcels of land under Section 3.58 of the *Local Government Act 1995* requires advertising and assessment of submissions.

FINANCIAL IMPLICATIONS

10. Funds are available within 2010/2011 Budget to meet the costs of Hester Property Solutions to undertake the negotiation process for each of the acquisitions.
11. Funds will be required to be set aside in the 2011/2012 Budget to fund the 5% purchase cost of each reserve.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

12. The acquisition and then sale of these properties will assist in meeting: Goal 5 Outcome 5.4.2 – Explore all avenues of funding including borrowings and sale of assets.

Sustainability Implications

Social implications

13. There are no Social Implications.

Economic Implications

14. Will provide funding for future property acquisitions and developments.

Environmental Implications

15. There are no environmental implications.

OFFICER COMMENT

16. The acquisition process is in line with the recommendations of the Hester Property Solutions Report and meets the guide lines of the Shire of Kalamunda Land Asset Management Plan.

An additional confidential attachment was circulated to Councillors at the meeting.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 49/2010)

1. That Council approves the purchase of the A20 Reserves numbered R43471, R33221, R37699, R27721 & R27570 at 5% of the market value as valued by the Valuer Generals Office.
2. That the funding for the purchase of these reserves be included in the 2011/2012 Budget and that the funds be allocated from the Shire Land and Property Reserve Account.

Moved: Cr Donald McKechnie

Seconded: Cr Margaret Thomas

Vote: **CARRIED UNANIMOUSLY (10/0)**

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**50. Delegation to Chief Executive Officer –Rates in Exceptional Circumstances**

Previous Items	N/A
Responsible Officer	Acting Director Corporate Services
Service Area	Corporate
File Reference	
Applicant	N/A
Owner	N/A

PURPOSE

1. To consider delegating to the Chief Executive Office the authority to write off rates in exceptional circumstances.

BACKGROUND

2. Each year through the collection of rates the personal circumstances of rates payers which are beyond their control make it difficult for them to meet the obligation of payment to the Shire.

DETAILS

3. Council has the authority to provide and it is proposed to establish a process for ratepayers who are unable to meet their obligations in exceptional circumstances may apply to council for relief with respect to rates of up to \$500 on their current year rates. This would be delegated to the CEO.
4. The two situations in which this relief would be granted are
 - a. Financial hardship due to family illness.
 - b. Financial loss incurred as a result of devastation by natural disaster.
5. An assessment framework would be established and endorsed by the CEO by which applications would be assessed. The framework would define such key terms as family, illness, hardship and natural disaster.
6. This would not be applicable in the event of approved deferment of rates under the *Rates and Charges (Rebate and Deferments) Act 1992*.

STATUTORY AND LEGAL IMPLICATIONS

7. Pursuant to the *Local Government Act 1995* S6.12 (1) (c) and (2) a local government may write off debts (including rates).

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8. In accordance with S5.42 of the *Local Government Act 1995* a local government may delegate to the CEO the exercise of any of its powers other than those limited by legislation. (absolute majority required)

POLICY IMPLICATIONS

9. Nil.

PUBLIC CONSULTATION/COMMUNICATION

10. Nil.

FINANCIAL IMPLICATIONS

11. A proposed write-off is a one off up to a maximum of \$500 per assessment. A write-off proposal could not be extended to second or subsequent properties.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

12. Goal 1 – Community Development – A strong sense of community.

Sustainability Implications

Social implications

13. Demonstrates support for the community members who are facing exceptional circumstances.

Economic Implications

14. Nil.

Environmental Implications

15. Nil.

OFFICER COMMENT

16. At times ratepayers in difficult situations are in need of help towards paying their rates greater than extended payment plans which are currently offered.
17. By having in place a clearly defined framework whereby these applications may be assessed will ensure the delegation to the CEO will only be exercised in truly exceptional circumstances.

OFFICER RECOMMENDATION (GS 50/2010)

1. That Council delegate to the Chief Executive Officer the authority to write off rates for residents, who are experiencing exceptional circumstances through family illness or devastation by natural disaster, up to an amount of \$500.
2. That any application received is to be assessed by the use of an established framework and endorsed by the Chief Executive Officer.
3. That Chief Executive Officer report to Council, quarterly, on the exercise of the delegation.

The Chief Executive Officer suggested that Council may prefer to withdraw this item and consider each individual case on its merits.

MOTION

That item 50, Delegation to Chief Executive Officer – Rates in Exceptional Circumstances be withdrawn.

Moved: Cr Donald McKechnie

Seconded: Cr Maureen Robinson

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

51. Lot 7 (292) Sultana Road East, Forrestfield

CONFIDENTIAL ITEM - Provided under separate cover.

Reason for Confidentiality - *Local Government Act 1995* s.5.23 (2) (d) - legal advice obtained or which may be obtained by the local government and which relates to a matter to be discussed at the meeting.

This report was considered under Item 15

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**52. Application to Keep More Than Two Dogs – 121 Tanner Road, Carmel**

Previous Items	N/A
Responsible Officer	Director Community Development
Service Area	Community Development
File Reference	RA-ANC-011: ICS-27361
Applicant	Amanda Helen Slee – 121 Tanner Road, Carmel
Owner	Amanda Helen Slee

Attachment 1	Location Map – Page 174
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PURPOSE

1. To consider an application for an exemption under section 26(3) of the *Dog Act 1976* to keep more than two dogs.

BACKGROUND

2. The applicant at 121 Tanner Road, Carmel has recently applied to Council requesting permission to keep more than two dogs on her property.
3. Clause 3.2.(2) of the Shire of Kalamunda Dogs Local Law 2010 stipulates:
"The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the *Dog Act 1976*, 2 dogs over the age of 3 months and the young of those dogs under that age."

DETAILS

4. The applicant is requesting the approval to keep the following dogs at the above property.

	Breed	Sex	Sterilised	Colour	Name	Registration Number	Age	Local Authority
1.	Cocker Spaniel	M	YES	Brown/White	Frank	13-1165	10	Kalamunda
2.	Retriever	F	NO	Chocolate	Chino	13-1166	5	Kalamunda
3.	Kelpie X	F	NO	Brown/White	Woody	13-1423	12	Kalamunda
4.	Shitzu X	F	NO	Brindle	Annabelle	13-1424	1	Kalamunda

5. In considering the merit of the application, an inspection was undertaken by Ranger and Emergency Services to ensure the premises are appropriately sized so as to be capable of effectively and comfortably housing four dogs and to confirm that the fences and gates are compliant with the *Dog Act 1976*.
6. The property at 121 Tanner Road, Carmel is 15 acres and Zoned Rural Conservation.

STATUTORY AND LEGAL IMPLICATIONS

7. The application for exemption to the Shire's Dogs Local Law 2010 is made under Section 26(3) of the *Dog Act 1976*.
8. Clause 3.2 of the Local Law reads:
"3.2 Limitation on the number of dogs
This clause does not apply to premises which have been –
(a) licensed under part 4 as an approved kennel establishment; or
(b) granted an exemption under section 26(3) of the Dog Act, 2 dogs over the age of 3 months and the young of those dogs under that age."
9. If Council refuses to permit four dogs on this property, the applicant has the right to appeal the decision through the State Administrative Tribunal within 28 days of notification in writing by the Shire.

POLICY IMPLICATIONS

10. Nil.

PUBLIC CONSULTATION/COMMUNICATION

11. When applications are received by the Shire to keep more than two dogs, a Ranger will attend the properties immediately adjoining the applicant's property to ascertain if they have any objections. This process is undertaken by interview or, if the resident is not home at the time, a standard letter is left in their letterbox advising of the application.
12. There are four adjoining properties within the vicinity of the applicant's property that may be directly affected (Attachment 1). The occupants of these properties have been contacted by the attending Ranger, three properties have supported and one did not respond regarding the application.

FINANCIAL IMPLICATIONS

13. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS**Strategic Planning Implications**

14. Nil.

Sustainability Implications

Social Implications

15. Council needs to consider that having more than two dogs may create excessive dog barking noise that can interfere with the peace, comfort or convenience of neighbours within the immediate vicinity of the property concerned.

Economic Implications

16. Nil.

Environmental Implications

17. Nil.

OFFICER COMMENT

18. In considering this application for exemption, the following two options are available:
- (a) Council may grant an exemption pursuant to Section 26(3) of the *Dog Act 1976* subject to conditions; or
 - (b) Council may refuse permission to keep more than two dogs.
19. As part of the decision making process, Officers have not recorded any issues regarding the dogs kept at this property.
20. It is in the opinion of the inspecting Ranger that the property is appropriately sized and capable of effectively and comfortably housing four dogs. The Ranger can also confirm that the fences and gates are compliant with the *Dog Act 1976*.
21. It is recommended that the application to keep more than two dogs is supported and is noted that this approval may be varied or revoked should any dog complaints be received which are considered reasonable.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 52/2011)

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant an exemption to the applicant of 121 Tanner Road, Carmel to keep four dogs on this property.

Moved: Cr Maureen Robinson

Seconded: Cr Noreen Townsend

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

This item was considered first in the order of business.

Cr Donald McKechnie declared a financial interest in this item as he is a paid up member of Kalamunda Men's Shed. He left the Chambers at 6.35pm and returned at 6.48pm and was not present for the vote.

53. Kalamunda Men's Shed Inc. Relocation Proposal

Previous Items	Nil
Responsible Officer	Director Community Development
Service Area	Community Development
File Reference	CO-LOS-015
Applicant	N/A
Owner	N/A

PURPOSE

1. To consider supporting the request from the Kalamunda Men's Shed Inc. to re-locate from Canning Road, Kalamunda to the vacant Lesmurdie Scout Hall on Falls Road, Lesmurdie.

BACKGROUND

2. The Kalamunda Men's Shed Inc. was formed in February 2009 and opened for business in August 2009 at the old Police Vehicle Licensing/Inspection Shed and Office on Canning Road.
3. Following the opening of the Kalamunda Men's Shed in August 2009, a part-time Shed Boss was appointed by the Shire to support operations.
4. Since the establishment of the Kalamunda Men's Shed Inc. membership numbers have continued to be strong with a current membership of 90.

DETAILS

5. Since the original 5 year, plus 5 years tenancy agreement there have been a number of developments that have now affected the short-term future of the current Kalamunda Men's Shed Inc. venue.
6. Specifically, as a result of the WA Police Service vacating the Police Station, the Shire is looking to source a new tenant to occupy the premises and the proposed development may be incompatible with Kalamunda Men's Shed Inc. operations.
7. In addition, the Kalamunda Men's Shed Inc. operations have progressed to a stage where they need to expand to cater for existing members and further accommodate growth. The prospect of a new neighbouring tenant being incompatible and the limitations for expansion at the existing site has

-
- heightened the need to re-locate.
8. The Lesmurdie Scout Hall has not been utilised for a number of years. The Kalamunda Men's Shed Inc has recently been presented with a proposal through contact with the Scout Association to consider it as an alternative site.
9. The Kalamunda Men's Shed Inc. seeks approval to occupy the Lesmurdie Scout Hall for a period of five years, with an option to renew for a further five years. During the initial transition phase the Kalamunda Men's Shed Inc. will continue to use the existing home on Canning Road as a base and operating facility.
10. The main hall of the Lesmurdie Scout Hall is approximately three times the size of the existing Kalamunda Men's Shed Inc. In addition, there are storage and meeting rooms, a kitchen, garage and room for further expansion on site.
11. The Lesmurdie Scout Hall requires remedial works to ensure that it is both safe and fit for the purpose of reoccupation. Shire Officers have undertaken a preliminary building assessment of the Lesmurdie Scout Hall. Following this site visit, a list of required works with cost estimates for compliance and to be fit for purpose has been developed.
12. Initially, the total cost estimate for all of the required works to the Lesmurdie Scout Hall was estimated at \$207,600, however, following a further review and considering the context of the building's use, only \$75,300 of the estimated total was considered essential for safety, compliance and fit for purpose requirements.
13. Costs for these remedial works require confirmation from relevant professional contractors to establish accurate associated costs for a proposed relocation.
14. In addition, the Kalamunda Men's Shed Inc. has identified preliminary works, estimated to the value of \$12,000 (i.e. including telecommunication services, re-erection of patio, partition wall and new roller door) considered necessary either prior to or soon after occupancy. Consequently, the total estimated cost of the initial works, comprising estimates of \$75,300 and \$12,000, in addition to a 10% contingency is approximately \$96,000.

STATUTORY AND LEGAL IMPLICATIONS

15. Currently there are no obligations under the Building Code, given that the type of occupancy has not significantly changed. However, given the building has not been maintained for a period of time, there is an obligation for the Shire to make the building safe prior to occupancy.

POLICY IMPLICATIONS

16. Nil.

PUBLIC CONSULTATION/COMMUNICATION

17. Community consultation, including a period of public comment will be required with the neighbouring residents. The purpose is to determine the resident's views on the proposed Kalamunda Men's Shed Inc. relocation to the Lesmurdie Scout Hall.

FINANCIAL IMPLICATIONS

18. The Kalamunda Men's Shed Inc. is yet to provide specific details of the proposed financial contributions for the relocation proposal and required works to the Lesmurdie Scout Hall facility.
19. Should Council provide its support for the relocation, then the Kalamunda Men's Shed Inc. will obtain detailed quotes, further investigate funding sources and confirm the required financial support from each party.
20. The Kalamunda Men's Shed Inc. intend to develop a cost plan in association with Council Officers and seek funds from Lotterywest, Government Departments, local Banks and Service Clubs.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS**Strategic Planning Implications**

21. Strategic Plan 2009 – 2014
- Goal 1 Community Development – A strong sense of community
A place where people want to work, live and visit, meeting a diverse range of community needs.
- 1.1 Enhanced quality of life for the aged and disabled
To ensure all people can enjoy a standard of life comparable to that of all others in the Shire.

Sustainability ImplicationsSocial implications

22. The Kalamunda Men's Shed Inc. provides an interactive medium for men to be creative, productive, social and supportive of one another within a community group and workshop environment.

Economic Implications

23. Nil.

Environmental Implications

24. The proposed relocation of the Kalamunda Men's Shed Inc. to the Lesmurdie Scout Hall is predominantly a refurbishment that will have minimal impact upon the environment.

OFFICER COMMENT

25. The Lesmurdie Scout Hall requires remedial works to ensure that it is both safe and fit for the purpose of a proposed relocation of the Kalamunda Men's Shed Inc. Estimated costs for the remedial works to the value of \$96,000 require confirmation to establish accurate costs for a proposed relocation.
26. The Kalamunda Men's Shed Inc. will need to provide more definite details on the funding support they are seeking from Council and other external providers.
27. To enable the Kalamunda Men's Shed Inc. to progress the relocation proposal with some confidence, inclusive of sourcing external funding and clarifying level of financial support, it is recommended that the relocation to the Lesmurdie Scout Hall is supported by Council.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 53/2011)

1. That Council supports the relocation of the Kalamunda Men's Shed to the Lesmurdie Scout Hall.
2. That consultation with nearby residents be undertaken.
3. That Council supports the allocation of up to \$96,000 in the 2011/12 budget for remedial work to the Lesmurdie Scout Hall.
4. That the Kalamunda Men's Shed Inc. actively seek external funding sources to offset the costs of the remedial works.

Moved: Cr Geoff Stallard

Seconded: Cr Frank Lindsey

Vote: **CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY (9/0)**

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**54. Works Programme – Pickering Brook Road and Canning Road intersection**

Previous Items	N/A
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	CN-01/GEN
Applicant	N/A
Owner	N/A

PURPOSE

1. To consider the scope of works being changed on the Canning Road and Pickering Brook Road intersection, with additional funds to be transferred from the savings of the Dundas Road / Maida Vale Road project.

BACKGROUND

2. Canning Road is used as a through road from Brookton Highway, by heavy vehicles up to 27.5m in length (Network 4 vehicles), to cart grain to the Commercial Bulk Handling Terminal on Abernethy Road. Due to the number of accidents occurring at the intersection, the intersection was identified as a State Black Spot location.
3. The Shire investigated the intersection and prepared a submission to be considered for funding for the 2010/11 financial year.
4. The proposal in the submission was to change the priority of Canning Road over Pickering Brook Road, with Pickering Brook Road giving way to traffic travelling on Canning Road from south to west and east.
5. The project was approved for funding for the 2010/11 financial year with the total cost of the project to be \$34,500, with State Black Spot funding of \$23,000 and balance of \$11,500 was approved through Municipal resources.
6. The Shire has already claimed 40% of the allocated funding from Main Roads Western Australia as the project was about to commence.

DETAILS

7. When the project commenced construction, ratepayers and Councillors met with staff to discuss the proposed design. Pickering Brook residents opposed the modification which was to change the priority of travel to give way control on Pickering Brook Road.

-
8. The residents preferred installation of a left turn merging lane onto Canning Road, to allow the trucks travelling from the south of the intersection, heading towards Welshpool Road, to have uninterrupted traffic flow without the need to stop at the intersection.
 9. The cost of this option is estimated to exceed \$500,000. This is due to a requirement to relocate a Telstra manhole and for land resumption, required to design the left turn merging lane, to accommodate Network 4 vehicles movement. This option is considered cost prohibitive at this point in time.
 10. The residents also indicated in the discussion that the majority of rear end collisions were occurring due to the intersection being on an incline. Trucks stopping on the intersection to give way to traffic are rolling backwards when taking off and hitting stationary vehicles behind them. Accordingly it was agreed that a more cost effective way to treat the intersection would be to reconstruct the intersection with changed levels.
 11. The revised application for funding was submitted to Main Roads WA during March 2011, seeking approval for additional funding and the revised scope of project. The Shire's revised proposal and additional funding was approved on the condition that the project is completed within the current financial year (2010/11).
 12. The revised cost of the project to modify the level of road is \$85,000. With \$56,667 to be funded through the State Black Spot Programme and the balance \$28,333 to be funded through Municipal resources.

STATUTORY AND LEGAL IMPLICATIONS

13. Nil.

POLICY IMPLICATIONS

14. Nil.

PUBLIC CONSULTATION/COMMUNICATION

15. An onsite meeting was held with Pickering Brook Residents and Ward Councillors where residents objected to the proposed treatment of the intersection. This meeting was followed up with a meeting with nominated residents to discuss alternative options.

FINANCIAL IMPLICATIONS

16. The total cost of the original proposal was \$34,500 (job number 3215), with \$23,000 being received from the State Black Spot funding, and \$11,500 being funded through Municipal sources.

17. With the project now costing \$85,000, State Black Spot funding is providing \$56,667 of these funds, with the Shire needing to provide \$28,333.
18. In March 2011, Council approved the withdrawal of the Dundas Road / Maida Vale Road project, which was budgeted to cost \$45,600. The additional \$16,833 could come from the savings of this project not going ahead.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

19. Nil

Sustainability Implications

Social implications

20. Nil.

Economic Implications

21. Nil.

Environmental Implications

22. Nil.

OFFICER COMMENT

23. The revised proposal to upgrade the section of Canning Road to a flatter gradient at the intersection is expected to alleviate the concerns raised by the truck drivers negotiating this intersection.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 54/2011)

1. That Council approve the scope of works to be changed.
2. That the \$16,833 municipal funds difference be transferred from the Dundas Road / Maida Vale Road project, already withdrawn from 2010/11 work programme.

Moved: Cr Carol Everett

Seconded: Cr Maureen Robinson

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

55. Adoption of Revised Asset Management Policy

Previous Items	N/A
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	HU-PAA-013
Applicant	N/A
Owner	N/A

Attachment 1 Revised Asset Management Policy – Page 175

PURPOSE

1. To consider the adoption of an Asset Management Policy (ENG 15) as shown at (Attachment 1), to set the necessary guidelines for the implementation of consistent and sustainable asset management processes.
2. At Council's Ordinary Council meeting on 21 March 2011 it was resolved;

"That Council defers the adoption of the Asset Management Policy (ENG 15) until April 2011."
3. The Policy has been revised since the deferral. The report item is therefore resubmitted, along with the revised Policy, shown at (Attachment 1)

BACKGROUND

4. The Shire of Kalamunda is responsible for the creation, provision, maintenance and management of infrastructure assets, this includes roads, buildings, footpaths, car parks, stormwater drainage, parks and reserves.
5. Both Federal and State Governments have placed great emphasis on asset management in their policy statements including Local Government reform. It is anticipated that funding from both these governments will be linked to the asset management practices of individual local governments.
6. In order to provide an adequate level of service it is important that the assets are managed in a professional manner for the whole of their life. An Asset Management Policy, together with an Asset Management Strategy, will provide a framework for asset management and improve accountability, risk management, service centred delivery and financial efficiency of all infrastructure assets.

DETAILS

7. The Policy will provide strategic direction and guidance to the Shire of Kalamunda, its employees and contractors, with regards to the provision of consistent and sustainable asset management processes.
8. The Policy has been prepared in accordance with National Asset Management Framework.

STATUTORY AND LEGAL IMPLICATIONS

9.
 - Australian Accounting Standards
 - *Local Government Act 1995*
 - *Occupational Health & Safety Act 2000*
 - *Protection of the Environment Operations Act 1997*
 - *Disability Discrimination Act 1992*

POLICY IMPLICATIONS

10. The proposed Policy will provide guidance to Council and its employees to manage its assets and to provide a sustainable level of service.

PUBLIC CONSULTATION/COMMUNICATION

11. Nil.

FINANCIAL IMPLICATIONS

12. All capital and operational expenditure, as well as the maintenance budgets, will be derived by the implementation of an Asset Management Policy.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS**Strategic Planning Implications**

13. This Policy will assist in achieving the following strategic outcomes:
 - Outcome 2.1: Improved asset management to meet community needs today and in the future.
 - Outcome 2.3: Long term viability of infrastructure and facilities.

Sustainability Implications

14. This Policy will assist the Shire to manage infrastructure assets for present and future needs in a sustainable manner.

Social implications

15. Nil.

Economic Implications

16. Nil.

Environmental Implications

17. Nil.

OFFICER COMMENT

18. There is no existing policy, strategy or formal procedure within the Shire of Kalamunda for the ongoing management of infrastructure assets. Accordingly, the proposed Policy will assist with the future management of all asset categories for the Shire of Kalamunda both now and in the future.

OFFICER RECOMMENDATION (GS 55/2011)

1. That Council adopts the Asset Management Policy (ENG 15), as shown at (Attachment 1).

Moved: Cr Margaret Thomas

Seconded: Cr Carol Everett

Vote: For
Cr Carol Everett
Cr Frank Lindsey
Cr Geoff Stallard
Cr Noreen Townsend
Cr Justin Whitten
Cr Dylan O'Connor
Cr Donald McKechnie
Cr Margaret Thomas
Cr Allan Morton

Against
Cr Maureen Robinson

CARRIED (9/1)

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

This item was considered second in the order of business.

56. Lilian Road, Maida Vale - Proposed Footpath

Previous Items	N/A
Responsible Officer	Director Engineering Services
Service Area	Engineering Services
File Reference	EG-CMP-007
Applicant	N/A
Owner	N/A

Attachment 1 Location Map Proposed Footpath – Page 178

PURPOSE

1. To consider letters of objection and support, regarding the construction of a footpath in Lilian Road, Maida Vale tabled at General Services Committee 14 February 2011.

BACKGROUND

2. Common letters received, signed by nine residents in total, have been tabled at the February 2011 General Services Committee Meeting.

DETAILS

3. The objections list the following concerns:
 - Removal of natural vegetation from the verge, in particular Christmas and Grass Trees;
 - Trail bike and skate board riders use the road and believe this would encourage them to use the path also;
 - A footpath will lessen the space for cars to park who are attending the Church; and
 - Traffic speeds.
4. The project to construct a 1.5 km concrete path in Lilian Road, Maida Vale, from Hawtin Road through to Norwood Road is included in the 2010/11 Works Programme. The location of the path is shown at Attachment 1.
5. Priority for the construction of new paths is determined based upon criteria which take into account vehicular traffic in the street, proximity to bus stops, schools and shops, recreational use and the residential density of the area.

6. Pedestrians utilise Lilian Road to access Hawtin Road and Kalamunda Road, which is also a route to other amenities.

STATUTORY AND LEGAL IMPLICATIONS

7. Nil.

POLICY IMPLICATIONS

8. Nil.

PUBLIC CONSULTATION/COMMUNICATION

9. A notice to construct the path in Lilian Road was sent to the residents of Lilian Road.
10. There are a total of thirty five properties in Lilian Road. Objections to the construction of the footpath were received from nine residents, who are requesting the path construction be removed from the Works Programme.
11. Four residents wrote in support of the construction.

FINANCIAL IMPLICATIONS

12. \$80,600 has been included in the 2010/11 Budget for this project.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

13. Progressive development of an efficient path network will assist the Shire to achieve its outcomes under Goal 2 of the Strategic Plan '*An integrated built environment*'.

Sustainability Implications

Social implications

14. The path provides a safe route for pedestrians to access local amenities.

Economic Implications

15. Nil.

Environmental Implications

16. Encourages residents to walk rather than drive.

OFFICER COMMENT

17. Lilian Road forms a strategic link providing a connection between the pedestrian generator (businesses at the intersection of Kalamunda and Hawtin Roads) and the residential area to the south east of the intersection.
18. Various points raised in the objection letters have been considered, however, the path will provide more advantages than disadvantages. These include the safety of pedestrians, particularly children of a young age. Every effort will be made to minimise the impact on Christmas and Grass Trees in the area.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 56/2011)

1. That a footpath on Lilian Road, from Norwood Road to Hawtin Road, Maida Vale, be constructed, as provided in the 2010/11 Works Programme.

Moved: Cr Donald McKechnie

Seconded: Cr Noreen Townsend

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

57. Proposed Schedule of Committee and Council Meetings for the Period June 2011 to May 2012

Previous Items	N/A
Responsible Officer	Chief Executive Officer
Service Area	CEO's Office
File Reference	OR-MTG-006
Applicant	N/A
Owner	N/A
Attachment 1	Proposed Schedule of Committee and Council Meetings for the period June 2011 to May 2012 – Page 179

PURPOSE

1. To endorse the proposed schedule of Committee and Council meetings for the period June 2011 to May 2012.

BACKGROUND

2. It is a requirement of Regulation 12 of the *Local Government (Administration) Regulations 1996* that local public notice be given annually of Committee and Council meetings for the next 12 months.
3. Council has previously agreed the schedule of Ordinary Meetings be as follows:

Planning Services Committee – first Monday of the month
General Services Committee – second Monday of the month
Ordinary Council Meeting – third Monday of the month
4. Committee and Council Meetings are held at 6.30pm in the Council Chambers of the Shire of Kalamunda, 2 Railway Road, Kalamunda.
5. Council policy determines that scheduled meeting dates which fall on a Public Holiday will move to the next available day.

DETAILS

6. Nil.

STATUTORY AND LEGAL IMPLICATIONS

7. There are no statutory and legal implications.

POLICY IMPLICATIONS

8. Nil.

PUBLIC CONSULTATION/COMMUNICATION

9. Nil.

FINANCIAL IMPLICATIONS

10. There are no financial implications arising from the endorsement of this proposed schedule.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

11. Nil.

Sustainability Implications

Social implications

12. Nil.

Economic Implications

13. Nil.

Environmental Implications

14. Nil.

OFFICER COMMENT

15. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 57/2011)

1. That Council endorse the schedule of Committee and Council meetings for the period June 2011 to May 2012 as detailed in (Attachment 1).

Moved: Cr Noreen Townsend

Seconded: Cr Maureen Robinson

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

58. Contract for the Provision of Blue and White Collar Contract Labour T11/12

Previous Items	N/A
Responsible Officer	Chief Executive Officer
Service Area	Office of Chief Executive Officer
File Reference	
Applicant	N/A
Owner	N/A

Attachment 1 Confidential Attachment 1 – Evaluation of Tender
- under separate cover

Reason for Confidentiality – Local Government Act 1995: s. 5.23 (e) (ii), "A matter that if disclosed, would reveal information that has a commercial value to a person".

PURPOSE

1. To consider the awarding the Contract for the Provision of Blue and White Collar Contract Labour – T11/12, for a period of two years with an option for a further 12 month extension.

BACKGROUND

2. Tenders have previously been called for the provision of Contract Labour and the expenditure on contract labour resulted in an audit query in the 2007/2008 financial year.

DETAILS

3. Fourteen companies submitted Tenders for this contract with some companies being able to provide both blue and white collar employees and some only blue or white collar employees (refer to attachment 1).
4. The respondents were required to provide a % mark-up rate to the employee hourly rate that would apply to each position. (Shire of Kalamunda to provide an hourly rate of pay in relation to each position to be filled).
5. The mark-up rate included Superannuation, Workers Compensation, and Public Liability Insurance, payroll Tax, Administration and Profit Margin. By using this method the Shire of Kalamunda will have flexibility in nominating an hourly rate for any positions and have control over what the total cost will be.
6. Mark-up Rates were requested for Ordinary Time, Time and One Half and Double Time to cover ordinary hours of work and overtime when applicable.

-
7. The tender specifications also ensure that the providers are aware of their requirements for the provision of basic safety clothing and equipment for their employees and also that all licences and certificates are current and that all Blue Collar contract staff have completed the Worksafe Safety Awareness Training Course.
8. A summary of the evaluation of respondents (Blue and White Collar) is shown below;

Placer Management Group – White Collar only

Small Organisation however experience in recruiting for Local Government. With a mark-up of 40%.

FlexiStaff

Are current providers to the Shire of Kalamunda and have a good knowledge of Local Government employment requirements. Blue collar mark-up is 36.5% and white collar mark-up is 33.5%. FlexiStaff have worked with Kalamunda for the last ten years.

DFP Recruitment Services

Have a good knowledge of Local Government employee requirements and have a mark-up of 36% for white collar and 38.5% for blue collar.

RecruitWest

Relevant experience in small regional local governments with a mark-up of 33% in both Blue collar and White Collar.

SkillHire WA

Have previously supplied Shire of Kalamunda with contract staff. Both blue collar and white collar mark-up is 40%

Staff Link Pty Ltd

Are currently providing for the Shire of Kalamunda and have been providing for the Shire of Kalamunda for the past five years. Mark up of 42% in blue collar and 49% in white collar.

Labour Force

Have good experience in Civil/industrial works but provide no previous experience in the provision of contract labour to local government.

Total Recruitment Group/Bluestone Recruitment

National company however no local government contract labour placement experience. Blue collar mark-up of 36.74% and white collar mark-up of 31.25%.

Integrity Staffing

Privately owned WA company with WA State Government experience. Mark up of 37% for both blue collar and white collar candidates.

LO-GO Appointments

Have good local government knowledge and experience and are currently providing the Shire of Kalamunda with a variety of contract employees for both parks and engineering. Mark-up rate is 36.65% in both blue collar and white collar.

Alliance Recruitment – White Collar only

Large ASX company with relevant experience in Local Government in White Collar only at a mark-up rate of 40%

Hays

Large international company. Is a current provider to the Shire of Kalamunda; however their percentage mark-up rate for blue collar 41.5% and white collar is 50%

Ecojobs - Blue Collar only

Are a not for profit organisation with a successful record in environmental projects. They have some previous local government history which is mainly project based and they have previously provided services to the Shire of Kalamunda. Mark up of 59%, Blue Collar only.

Mineworks Group Labour Hire Pty Ltd – Blue Collar only

Fairly new company however there is no evidence of Local Government experience. Mark up of 40.5% in Blue Collar only.

STATUTORY AND LEGAL IMPLICATIONS

9. The awarding of this tender will allow the Shire of Kalamunda to meet its statutory obligations for expenditure over \$100,000.00 with an individual provider.

POLICY IMPLICATIONS

10. Nil.

PUBLIC CONSULTATION/COMMUNICATION

11. Nil.

FINANCIAL IMPLICATIONS

12. The awarding of this tender will provide significant savings.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS**Strategic Planning Implications**

13. Nil.

Sustainability Implications

Social implications

14. Nil.

Economic Implications

15. Nil.

Environmental Implications

16. Nil.

OFFICER COMMENT

- 17.

OFFICER RECOMMENDATION (GS 58/2011)

1. That Council the Provision of Blue Collar Contract Labour be awarded to a panel of contractors consisting of the following:
 1. Flexi Staff – with a mark-up of 33.50%.
 2. LO-GO Appointments – with a mark-up of 36.65%.
 3. Staff Link Pty Ltd – with a mark-up of 49%.
 4. DFP Recruitment Services – with a mark-up of 36%.
2. That the Provision of White Collar Contract Labour be awarded to a panel of providers consisting of the following:
 1. LO-GO Appointments – with a mark-up of 36.65%.
 2. Staff Link Pty Ltd – with a mark-up of 49%.
 3. DFP Recruitment Services – with a mark-up of 36%.
 4. Placer Management Group – with a mark-up of 40%.

For a period of 1/1/11 – 31/12/2013 with a further option for a 12 month extension.

The CEO believed that additional information should be included in the report and therefore requested that Committee consider deferring this item until next month.

MOTION

That item 58, Contract for the Provision of Blue and White Collar Contract Labour T11/12, be deferred to the May 2011 General Services Meeting.

Moved: Cr Carol Everett

Seconded: Cr Maureen Robinson

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

59 Shire of Kalamunda Communications Plan

Previous Items	N/A
Responsible Officer	Chief Executive Officer
Service Area	Office of Chief Executive Officer
File Reference	OR-CIM-007
Applicant	N/A
Owner	N/A
Attachment 1	Communications Plan – Page 181
Attachment 2	Style Guide – Page 233
Attachment 3	Media Contact List – P 267

PURPOSE

1. To consider the proposed Shire of Kalamunda Communications Plan.

BACKGROUND

2. The Shire of Kalamunda has a positive reputation and strong stakeholder relations. However, there is a need to ensure that the Corporate Branding and Identity is maintained and that all communications follow relevant procedures and protocols.
3. The Shire of Kalamunda may be very efficient and effective in the delivery of local government services, but if key stakeholders do not perceive this to be the case, then these stakeholders have the capacity to significantly impact the image and operations of the Shire.
4. Considerable time has been spent by relevant staff on the development of the Communications Plan.

DETAILS

5. The Shire of Kalamunda Communications Plan is a comprehensive communication strategy that begins with a background of the Shire of Kalamunda, and provides an overview of all communication practices required. It is through collectively strong public relations and customer relations practices, combined with media management and a strong corporate brand encompassing all print and electronic mediums, that the Shire of Kalamunda will be seen as a professional and reputable entity.
6. Specific strategies relating to corporate branding, stakeholder relations, customer relations, public relations, media relations, advertising, online communication and crisis communication are then identified. It is necessary to embark on new communication mediums, such as social networking sites, in order to further reach relevant target markets and increase the Shire's presence with its stakeholders.

-
7. The Plan discusses implementation and review, before providing an overview of the Key Recommendations and Conclusion. The implementation of the Key recommendations is pivotal to the success of the Shire of Kalamunda's communication plan and its subsequent stakeholder relations.

STATUTORY AND LEGAL IMPLICATIONS

8. Nil.

POLICY IMPLICATIONS

9. Nil.

PUBLIC CONSULTATION/COMMUNICATION

10. Once endorsed by Council the Communications Plan will enable a clear guideline, and examples of best practice for public consultation and communication activities.

FINANCIAL IMPLICATIONS

11. One of the key objectives of the Shire of Kalamunda Communications Plan is to maintain current communication costs, therefore resulting in minimal financial implications.
12. Funds to support communications activities resulting from the plan would be sought via the annual budget process.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

13. Nil.

Sustainability Implications

Social implications

14. The communications plan has the opportunity to further strengthen community ties and to positively impact on society's perception of the Shire of Kalamunda, enabling enhanced service delivery and an increase in community participation rates, as well as a better educated public.

Economic Implications

15. Nil.

Environmental Implications

16. Nil.

OFFICER COMMENT

17. The Shire of Kalamunda has a positive reputation and strong stakeholder relations. However, there is a need to ensure that the Corporate Branding and Identity is maintained and that all communications follow relevant procedures and protocols.
18. It is through collectively strong customer relations practices, combined with media management and a strong corporate brand encompassing all print and electronic mediums, that the Shire of Kalamunda will be seen as a professional and reputable entity.
19. The implementation of the Key recommendations (as discussed above) is pivotal to the success of the Shire of Kalamunda's communication plan and its subsequent stakeholder relations.
20. It is necessary to embark on new communication mediums, such as social networking sites, in order to further reach relevant target markets and increase the Shire's presence with its stakeholders.
21. Crisis management practices outlined have been developed in order to deal with such situations should they occur. A strong Public Relations Strategy and clear communications within the organisation can divert potential crises to the point in which a situation that could potentially damage the reputation of the organisation can be turned into a positive outcome.
22. Continued review of print and electronic based publication is required in order to ensure that messages are clear and concise, that the Shire's organisational values are upheld and that the Corporate Brand is maintained and strengthened.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 59/2011)

1. That Council adopt the Shire of Kalamunda Communications Plan, as a guiding document, that will be reviewed annually, to assist communication with stakeholders, promotion of services and initiatives, Shire of Kalamunda branding and reputation management.

Moved: Cr Carol Everett

Seconded: Cr Margaret Thomas

Vote: **CARRIED UNANIMOUSLY (10/0)**

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

**This item was considered at point 14.0 of this Agenda URGENT BUSINESS
APPROVED BY THE PERSON PRESIDING OR BY DECISION**

Cr Margaret Thomas left the Chambers at 8.15 pm and returned at 8.17 pm, and was present for the vote on this item.

60. Awarding of Tender – Demolition of Various Building within the Shire of Kalamunda

Previous Items	N/A
Responsible Officer	Acting/Director Engineering Services
Service Area	Engineering Services
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Tender Demolition Price Schedule
Attachment 2	Tender Evaluation

PURPOSE

1. To consider awarding the Tender for the demolition and removal of various Shire buildings.

BACKGROUND

2. As a result of three separate requirements, a number of residential, operational and specific purpose building assets have been identified as requiring demolition.
3. Two residential houses, 512 and 514 Kalamunda Road High Wycombe, were purchased for the specific purpose of demolition and undertaking of the extension of Newburn Road.
4. Two operational buildings, the Engineering Office and the Building Maintenance Office at the Operations Centre, have been identified for replacement and removal.
5. Three residential properties, 420 Canning Road Walliston, 10 Hartfield Road Forrestfield and 29B Lewis Road Forrestfield are existing Shire assets which have reached the end of their useful life, and have been assessed and recommended as no longer required.

DETAILS

6. The Tender is to be awarded to a sole Contractor. Each building to be listed as a separable portion and priced as individual units, thus allowing demolition to occur as a staged implementation.

7. Three submissions were received from PondPlan Excavating, All Earth Group and Brajkovich Demolition and Salvaging Pty Ltd. Refer to (Attachment 1) for price schedule and (Attachment 2) for Tender evaluation documents.

STATUTORY AND LEGAL IMPLICATIONS

8. Section 3.58 of the *Local Government Act 1995*, Disposal of Property

(1) In this section –

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole of any part of the interest of a local government in property, but does not include money.

POLICY IMPLICATIONS

9. Nil.

PUBLIC CONSULTATION/COMMUNICATION

10. Advice provided to the public on the proposed new road layout to alleviate the traffic issues associated with the High Wycombe Shopping Centre.

FINANCIAL IMPLICATIONS

11. Funds budgeted for demolition works are:

- 512 Kalamunda Road – 3182 4019 8520 (\$11,800)
- 514 Kalamunda Rd – 3182 4019 8520 (\$11,800)
- Engineering Office (Operations Centre) – 4608 4019 8520 (\$9,800)
- Building Maintenance Office (Operations Centre) – 4608 4019 8520 (\$4,800)

12. The remaining demolition works required are:

- 420 Canning Road Walliston – 350711 (\$15,800)
- 29B Lewis Road Forrestfield – 350711 (\$12,800)
- 10 Hartfield Road, Forrestfield – 350711 (\$10,800)

Which are being funded from the revised building maintenance budget with any shortfall to be funded from the Land and Property Reserve.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

13. Nil.

Sustainability Implications

Social implications

14. Nil.

Economic Implications

15. Nil.

Environmental Implications

16. Nil.

OFFICER COMMENT

17. Whilst all of the listed Shire buildings have reached the end of their useful life, funding was only provided in the 2010/11 Budget for the two buildings within the Operations Centre and on Kalamunda Road.
18. Following an assessment of the submissions shown at (Attachment 2), including price, ability to undertake the work, skills of key personnel and the company resources, it was determined that the most advantageous submission was that of Brajkovich Demolitions and Salvage Pty Ltd.
19. It is therefore recommended that the Tender be awarded to Brajkovich Demolitions and Salvage Pty Ltd. Direction to be given to undertake the demolition works to the two residential properties at 512 and 514 Kalamunda Road, and the two offices within the Operations Centre, commencing immediately.
20. Further, it is recommended that the remaining listed properties (420 Canning Road, 29B Lewis Road and 10 Hartfield Road) be funded from the revised building maintenance budget with any shortfall to be funded from the Land and Property Reserve.

COMMITTEE RECOMMENDATION TO COUNCIL (GS 60/2011)

1. That the Tender for the demolition of various buildings be awarded to Brajkovich Demolitions and Salvage Pty Ltd.
2. That following separable portions be authorised to commence immediately, and funded from allocated funds:
 - 512 Kalamunda Road High Wycombe for the Tendered price of \$11,800 (ex GST).
 - 514 Kalamunda Road High Wycombe for the Tendered price of \$11,800 (ex GST).
 - Engineering Office (Operations Centre) for the Tendered price of \$9,800 (ex GST).
 - Building Maintenance Office (Operations Centre) for the Tendered price of \$4,800 (ex GST).
3. That following separable portions be authorised to commence immediately, and funded from the revised building maintenance budget with any shortfall to be funded from the Land and Property Reserve :
 - 420 Canning Road, Walliston for the Tendered price of \$15,800.
 - 29B Lewis Road, Forrestfield for the Tendered price of \$12,800.
 - 10 Hartfield Road, Forrestfield for the Tendered price of \$10,800.
4. Pursuant to Section 3.58 of the *Local Government Act 1995*, approve of the disposal of all of these properties.

Moved: Cr Carol Everett

Seconded: Cr Frank Lindsey

Vote: **CARRIED UNANIMOUSLY (10/0)**

ATTACHMENT 1

TENDER DEMOLITION PRICE SCHEDULE

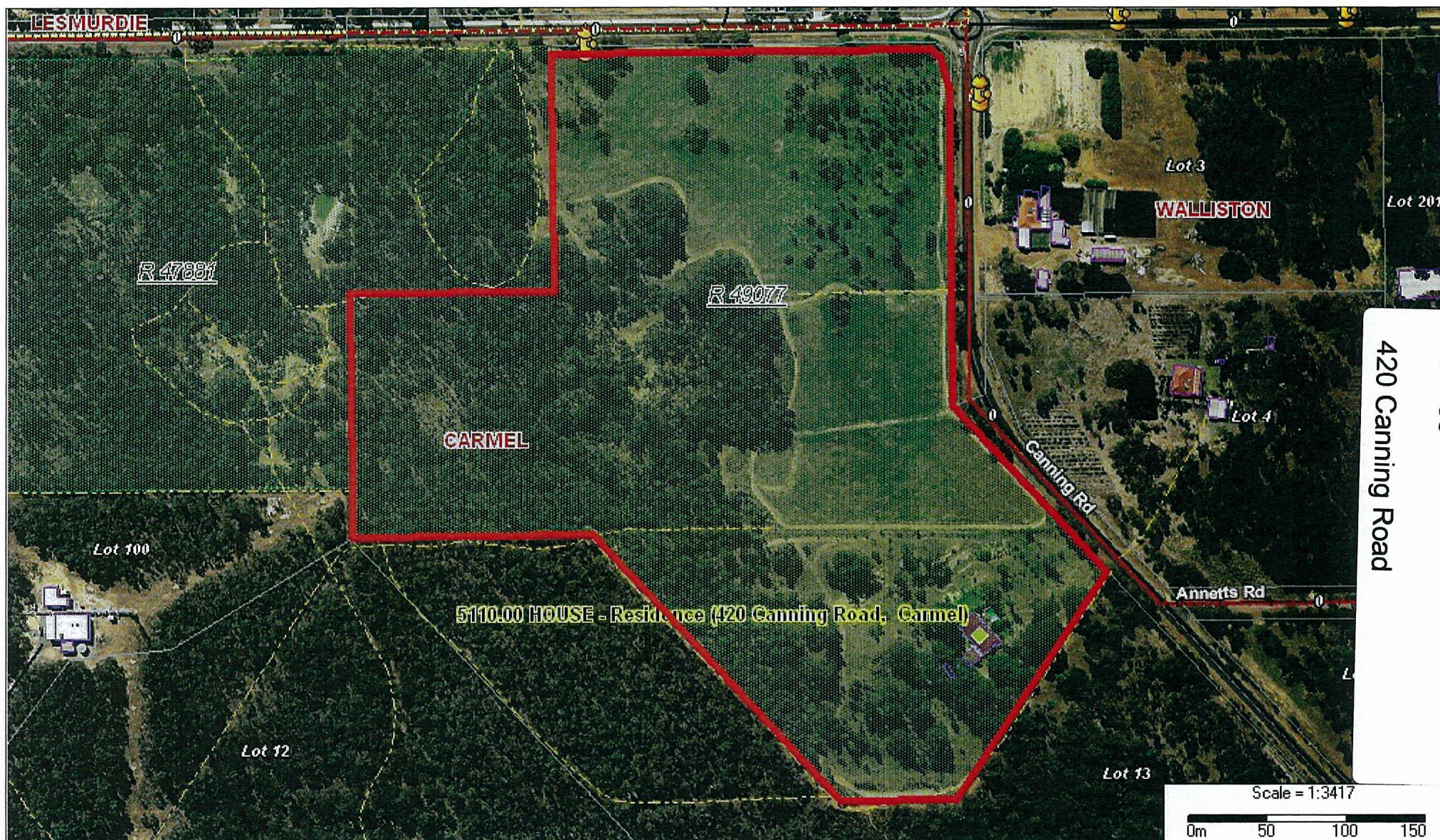
Column1	PondPlan Excavating	All Earth Group	Bradkovich Demolition
	\$	\$	\$
House 420 Canning Rd	14000	32900	15800
House 29B Lewis Rd	15000	18800	12800
House 10 Hartfield Rd	14000	16500	10800
House 512 Kalamunda Rd	14000	21700	11800
House 514 Kalamunda Rd	14000	22000	11800
Depot Engineering Office	14000	24000	9800
Depot Building Maintenance Office	13000	14600	4800
	98000	150500	77600

ATTACHMENT 2

TENDER EVALUATION *Score based on 1-5*

Description of Qualitative Criteria	PondPlan Excavating	All Earth Group	Brajkovich Demolition
(a) Demonstrated experience in completing similar projects	5	5	5
(b) Skills and experience of key personnel. <ul style="list-style-type: none"> Demonstrated technical experience delivering services Demonstrated technical experience delivering services to Local Government or a similar authority. 	5	5	5
(c) Tenderer's resources. <ul style="list-style-type: none"> Staff and financial resources. 	5	5	5
(d) A demonstrated understanding of the required tasks. <ul style="list-style-type: none"> Ability to understand and carry out work efficiently 	5	5	5
TENDERED PRICE:	\$98000	\$150500	\$77600

All Tenderers submitted Tenders proving ability to undertake works in a professional manner with the demonstrated expertise and experience. The Tender comes down to price with Brajkovich Demolition situated the best position of the Shire. Their more competitive figure is mainly due to their ability to recycle materials recovered during the demolition process.



Disclaimer : The Shire of Kalamunda accepts no responsibility for the accuracy of this image or the results of any actions taken when using this image. Map produced on 11 April 2011. Map is not to scale. Based on information provided by and with the permission of the Western Australian Land Information Authority (2007).



420 Canning Road

Item 60

11 April 2011

GSC

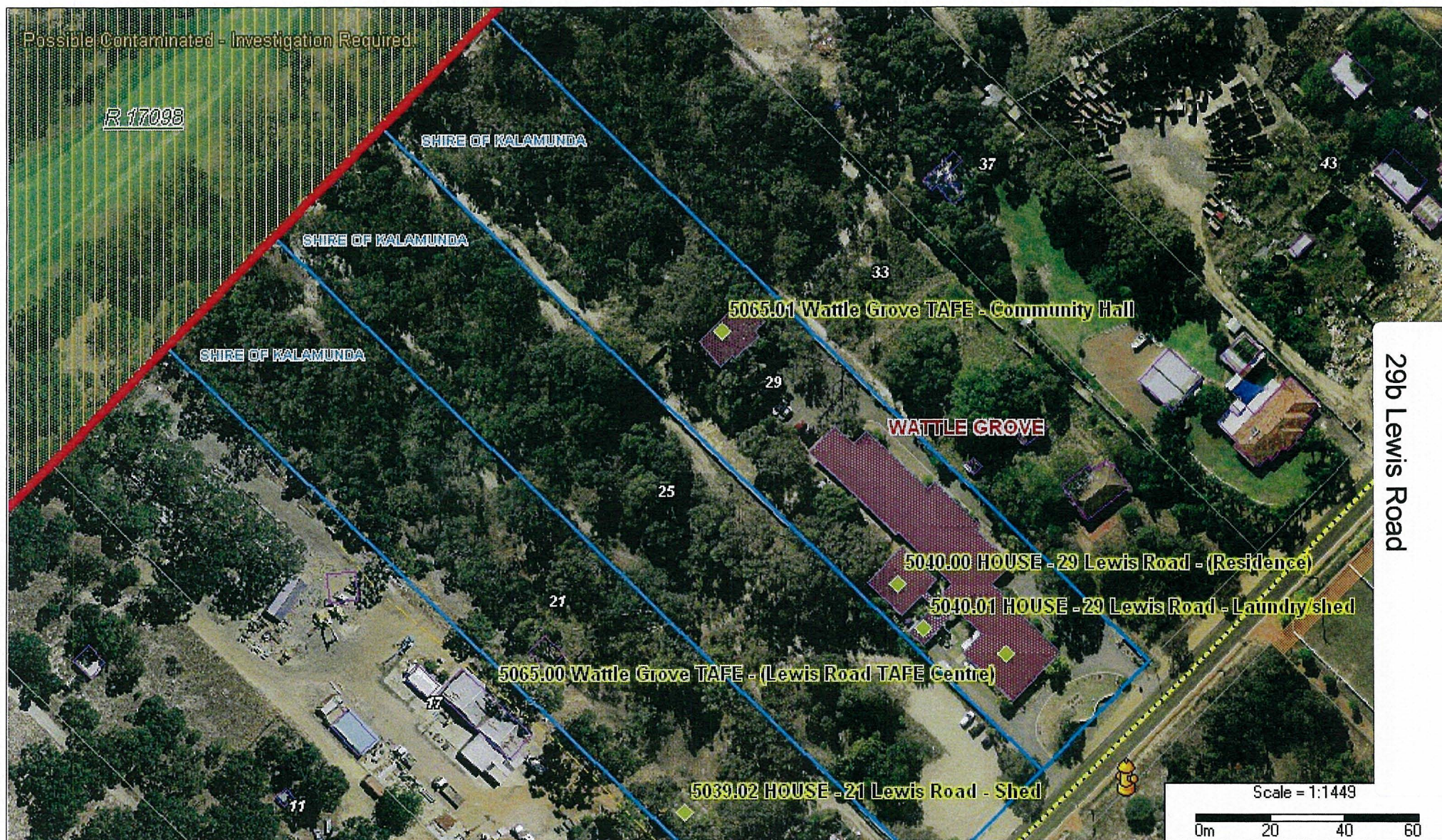
10 Hartfield Road



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29b Lewis Road



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11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Nil.

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

12.1 Cr Noreen Townsend – Graffiti clean up

Why has the graffiti on fences and buildings abutting Shire property not being removed as I understood that this was to be included in the new graffiti crew's scope of works?

Taken on notice, the CEO will speak with the Director of Engineering Services and ensure this is done prior to the end of the Financial Year.

12.2 Cr Everett – Graffiti clean up

As the Shire needs to keep ahead of the Graffiti vandals why are lamp posts not being cleaned?

Manager Operations noted these are not Shire Property and therefore have not been cleaned, however, Engineering Services are aware of the situation and are working with other agencies to find a solution.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 Nil.

14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

14.1 That Report, Item 60 - Awarding of Tender – Demolition of Various Building within the Shire of Kalamunda be accepted by Councillors for consideration.

15.0 MEETING CLOSED TO THE PUBLIC**MOTION**

1. That the meeting be closed to the public to deal with Item 51, Lot 7 (292) Sultana Road East Forrestfield. The meeting is closed pursuant to section s.5.23(2)(d) of the *Local Government Act 1995*, "Legal advice obtained or which may be obtained by the local government and which relates to a matter to be discussed at the meeting."

Moved: Cr Margaret Thomas

Seconded: Cr Maureen Robinson

Vote: **CARRIED UNANIMOUSLY (10/0)**

15.1 **Lot 7 (292) Sultana Road East, Forrestfield**

COMMITTEE RECOMMENDATION TO COUNCIL GS 51/2011

1. That an offer of \$25,000 in relation to the disputed public open space valuation at Lot 7 (292) Sultana Road East, Forrestfield be accepted in full and final settlement.
2. In the event that the offer is withdrawn then the matter proceeds to arbitration immediately.
3. That Council note the legal expenditure incurred to date and the possible future costs involved should the matter proceed to arbitration.
4. That an offer be conditional on the acceptance of a non-disclosure agreement.

Moved: Cr Justin Whitten

Seconded: Cr Noreen Townsend

Vote: **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY**

MOTION

1. That the meeting reopen to the public after dealing with Item 51, Lot 7 (292) Sultana Road East Forrestfield. The meeting is closed pursuant to section s.5.23(2)(d) of the *Local Government Act 1995*, "Legal advice obtained or which may be obtained by the local government and which relates to a matter to be discussed at the meeting."

Moved: Cr Donald McKechnie

Seconded: Cr Carol Everett

Vote: **CARRIED UNANIMOUSLY (10/0)**

16.0 CLOSURE

There being no further business, the Chairman declared the meeting closed at 8.25 pm.

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

Signed: _____
Chairman

Dated this _____ day of _____ 2011