

# Ordinary Council Meeting

Minutes for Monday 22 August 2016

**UNCONFIRMED**



**shire of  
kalamunda**

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## INDEX

1.0	OFFICIAL OPENING.....	3
2.0	ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED .....	3
3.0	PUBLIC QUESTION TIME .....	4
4.0	PETITIONS/DEPUTATIONS .....	5
5.0	APPLICATIONS FOR LEAVE OF ABSENCE .....	6
6.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETING .....	6
7.0	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION .....	6
8.0	MATTERS FOR WHICH MEETING MAY BE CLOSED .....	6
9.0	DISCLOSURE OF INTERESTS.....	6
10.0	REPORTS TO COUNCIL .....	7
10.1	CORPORATE & COMMUNITY SERVICES COMMITTEE REPORT.....	8
10.1.1	ADOPTION OF CORPORATE & COMMUNITY SERVICES COMMITTEE REPORT.....	8
10.1.2	C&C 27 DEBTORS AND CREDITORS REPORT FOR THE PERIOD ENDED 31 JULY 2016 .....	8
10.1.3	C&C 28 RATES DEBTORS REPORT FOR THE PERIOD ENDED 31 JULY 2016 .....	8
10.1.4	C&C 29 APPLICATION FOR LEAVE – CHIEF EXECUTIVE OFFICER.....	9
10.1.5	C&C 30 KALAMUNDA AGED CARE ADVISORY COMMITTEE - RECOMMENDATIONS .....	9
10.1.6	C&C 31 CAMBRIDGE RESERVE FORRESTFIELD – POTENTIAL AGED CARE SITE .....	9
10.1.8	C&C 33 CONFIDENTIAL ITEM - ENTERPRISE BARGAINING AGREEMENT (ADMINISTRATION) 1 JANUARY 2016 – 31 DECEMBER 2018.....	10
10.1.7	C&C 32 KALAMUNDA SPORTING PRECINCT – OVAL LIGHTING PROJECT.....	11
10.2	DEVELOPMENT & INFRASTRUCTURE SERVICES COMMITTEE REPORT .....	18
10.2.1	ADOPTION OF DEVELOPMENT & INFRASTRUCTURE SERVICES COMMITTEE REPORT .....	18
10.2.2	D&I 47 PROPOSED LOCAL DEVELOPMENT PLAN – LOTS 5 AND 6 (280 AND 276) HALE ROAD, WATTLE GROVE.....	18
10.2.3	D&I 48 STATE AND AUSTRALIAN GOVERNMENT BLACK SPOT PROGRAMS SUBMISSIONS 2017/2018.....	19
10.2.4	D&I 49 BUSH FIRE ADVISORY COMMITTEE – TELECOMMUNICATIONS INFRASTRUCTURE RECOMMENDATION.....	20
10.2.5	D&I 50 CONFIDENTIAL ITEM – CONSIDERATION OF TENDERS – PROVISION OF CLEANING SERVICES IN VARIOUS COUNCIL BUILDINGS AND FACILITIES (RFT1610) .....	21
10.3	CHIEF EXECUTIVE OFFICER REPORTS .....	22
10.3.1	DRAFT MONTHLY FINANCIAL STATEMENTS TO 31 JULY 2016.....	22
10.3.2	COMMUNITY CARE QUARTERLY REPORT APRIL TO JUNE 2016.....	34
10.3.3	BIBBULMUN TRACK NORTHERN TERMINUS LINK PROJECT, RAILWAY ROAD, KALAMUNDA....	45
10.3.4	PROPOSED AMENDMENT TO CELL 7 FORRESTFIELD STRUCTURE PLAN – LOTS 9502 AND 3000, FORRESTFIELD.....	52
10.3.5	CONFIDENTIAL ITEM – EXTENSION AND WIDENING OF ASHBY CLOSE, FORRESTFIELD.....	67
11.0	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	69
12.0	QUESTIONS BY MEMBERS WITHOUT NOTICE .....	74
13.0	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN .....	74
14.0	URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION.....	75
15.0	MEETING CLOSED TO THE PUBLIC .....	75
10.3.5	CONFIDENTIAL ITEM - EXTENSION AND WIDENING OF ASHBY CLOSE, FORRESTFIELD.....	76
16.0	CLOSURE .....	77

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## MINUTES

### 1.0 OFFICIAL OPENING

1.1 The Presiding Member opened the meeting at 6.30pm and welcomed Councillors, Staff and Members of the Public Gallery.

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

#### 2.1 Attendance

##### Councillors

Andrew Waddell JP	(Shire President) (Presiding Member)	North West Ward
Sara Lohmeyer		North West Ward
Dylan O'Connor		North West Ward
Sue Bilich		North Ward
Simon Di Rosso		North Ward
Michael Fernie		South East Ward
John Giardina		South East Ward
Geoff Stallard		South East Ward
Allan Morton		South West Ward
Brooke O'Donnell		South West Ward

##### Members of Staff

Rhonda Hardy		Chief Executive Officer
Clayton Higham		A/Director Development Services
Rob Korenhof		A/Director Asset Services
Gary Ticehurst		Director Corporate Services
Rajesh Malde		Manager Financial Services
Sam Assad		Manager Asset Maintenance
Darrell Forrest		Manager Governance, Strategy & Legal Services
Andrew Fowler-Tutt		Manager Approval Services
Peter Varelis		Manager Strategic Planning
Darren Jones		Manager Community Development
Davina Sandhu		Manager People Services
Donna McPherson		Executive Research Officer to Chief Executive Officer
Nicole O'Neill		Public Relations Coordinator
Sara Slavin		Council Support Officer

**Members of the Public** 8

**Members of the Press** Nil

2.2 **Apologies** Nil.

#### 2.3 Leave of Absence Previously Approved

Tracy Destree		North Ward
Noreen Townsend		South West Ward

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### 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 Council. For the purposes of Minuting, these questions and answers are summarised.

#### 3.1 Stephen Price, Marangaroo

Proposed Storage and Hardstand at 584 Kalamunda Road, High Wycombe

Q1. What is the process of approval or not approving a development within the Shire of Kalamunda?

A1. A/Director Development Services responded the process of approval is the same here as it is in any other local authority this particular one is now before the State Administrative Tribunal going through a mediation process, and the Tribunal has adjourned and requested the Council to reconsider the matter. As part of that reconsideration the Shire has written to nearby owners as you have indicated and is requesting for comments. Those comments are going to be put together in a report to the Council, a Special Council Meeting is scheduled for next Monday evening at which time the Council will consider that matter.

Q2. Has this process been followed to date by the Shire?

A2. A/Director Development Services responded I think that probably describes that we followed a particular process.

Q3. If the proposal is rejected by the Shire, what options are available to the proponents?

A3. A/Director Development Services responded if it is rejected by the Council, the applicants then go back to the Tribunal and the applicants can then choose whether or not to live with that decision of the Council or to then seek to go to a full hearing of the Tribunal. That is something available to any applicant, if it is approved by the Council then that goes back to the Tribunal and orders are then issued on that basis.

Q4. If the proposal is approved what options are available to the local ratepayers, who oppose the approval?

A4. A/Director Development Services responded in terms of whether the residents have any say beyond that point, not as far as I am aware the only options available to them is to go to the Supreme Court, but that is only on a matter of law there is no third party appeal right in Western Australia.

The Shire Presidents advised that this matter has been before Council once before and we did reject it before, so we are only looking at it again because the State Administrative Tribunal has asked us to do so.

3.2 Peter Forrest, Kalamunda

Aldi Development / Environmental Advisory Committee

Q1. Why did Councillors decide not send this (refer to Mead Street, Central Road Development for Aldi) to the Committee for comment? Because it so obviously has significant environmental impact to the Community in removing 8 large healthy mature trees over a century old and at least two of them over 230 years old and are obviously heritage significance in the Kalamunda Town Centre. Further to that the effect of sealing the rest of the surface of the carpark it will no doubt threaten the viability of the remainder of trees.

A1. A/Director Development Services responded that time limit in which we are required to deal with applications. So to refer it to all those authorities or those bodies of Council is not always an option however, internally there would have been some discussions with the environmental people within the organisation, in terms of paving of the rest of the carpark that will be part of the ongoing process and the staff will ensure that the paving will be undertaken in a way it will not damage the remaining trees.

Q2. It was Councillors that set up the Environmental Advisory Committee, is the Council really interested in interactive feedback with the Community on environmental matters or is it basically likely to refer specific issues that come up in Council whether or not there is time available? Obviously the issue the Director mentioned there has been discussed for quite a while, the Committee was set up in March and there was plenty of time, in fact you will remember an issues like the Green Growth Plan I took an initiative to suggest it would be a good idea if Council responded to that and that was immediately put to the Committee and we set up a meeting you attended yourself and that was very helpful to both of us I think, to the Community and yourself. Community members of the Advisory Committee are concerned about and are looking into the future to see what is likely to happen.

A2. The Shire President reiterated that we do have strict timelines when we are dealing with development applications and sometimes that makes it difficult to run it through a Committee process, but to answer your question directly, we are committed to consulting not only with the sub-committees but Community generally on these issues but sometimes timeframes make that a little more difficult than we would otherwise like.

**4.0 PETITIONS/DEPUTATIONS**

4.1 A Deputation was received from Paul Curtis regarding item 10.1.7 C&C 32 Kalamunda Sporting Precinct – Oval Lighting Project.

Questions from several Councillors were clarified following this Deputation.

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**5.0 APPLICATIONS FOR LEAVE OF ABSENCE**

5.1 Nil.

**6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

6.1 RESOLVED OCM 136/2016

That the Minutes of the Ordinary Council Meeting held on 25 July 2016, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Geoff Stallard**

Seconded: **Cr John Giardina**

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

**7.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

Nil.

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

8.1 **C&C 33 CONFIDENTIAL REPORT - Bargaining Agreement (Administration) 1 January 2016 – 31 December 2018**  
(Attachment 1) (Attachment 2) Reason for Confidentiality – *Local Government Act 1995*. S5.23 (2) (a) - "A matter affecting an employee or employees".

8.2 **D&I 50 CONFIDENTIAL REPORT Consideration of Tenders – Provision of Cleaning Services in Various Council Buildings and Facilities (RFT1610)** (Attachment 1) (Attachment 2) 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."

8.3 **10.3.5 CONFIDENTIAL REPORT - Extension and Widening of Ashby Close, Forrestfield** (Attachment 1) (Attachment 2) (Attachment 3) provided 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." S5.23 (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. (Section 5.65 of the *Local Government Act 1995*.)

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- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)

9.1.1 Nil.

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 Item 10.3.4 Proposed Amendment to Cell 7 Forrestfield Structure Plan – Lots 9502 and 3000, Forrestfield

Pursuant to *Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007*, Clayton Higham A/Director Development Services declared an Interest Affecting Impartiality as he undertook some consultancy work for the Satterley Group in relation to this proposed Residential Estate.

**10.0 REPORTS TO COUNCIL**

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

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

**10.1 Corporate & Community Services Committee Report**

**10.1.1 Adoption of Corporate & Community Services Committee Report**

<b>Voting Requirements: Simple Majority</b>
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RESOLVED OCM 137/2016

That the recommendations C&C 27 to C&C 33 inclusive, contained in the Corporate & Community Services Committee Report of 8 August 2016, except withdrawn item C&C 32 be adopted by Council en bloc.

Moved: **Cr Sara Lohmeyer**

Seconded: **Cr Brooke O'Donnell**

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

**10.1.2 C&C 27 Debtors and Creditors Report for the Period Ended 31 July 2016**

RESOLVED EN BLOC OCM 137/2016

That Council:

1. Receives the list of payments made from the Municipal Accounts in July 2016 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.
2. Receives the list of payments made from the Trust Accounts in July 2016 as noted in point 13 above in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.
3. Receives the outstanding debtors and creditors (Attachment 2 and 3) reports for the month of July 2016.

**10.1.3 C&C 28 Rates Debtors Report for the Period Ended 31 July 2016**

RESOLVED EN BLOC OCM 137/2016

That Council:

1. Receives the rates debtors report for the period ended 31 July 2016 (Attachment 1).



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**10.1.4 C&C 29 Application for Leave – Chief Executive Officer**

RESOLVED EN BLOC OCM 137/2016

That Council:

1. Approves Chief Executive Officer, Rhonda Hardy, to have annual leave for the period Monday 29 August to Sunday 4 September 2016 inclusive.
2. Pursuant to section 5.36 of the *Local Government Act 1995* appoints the Director Corporate Services, Mr Gary Ticehurst, as Acting Chief Executive Officer for the period Monday 29 August to Sunday 4 September 2016 inclusive.

**10.1.5 C&C 30 Kalamunda Aged Care Advisory Committee - Recommendations**

RESOLVED EN BLOC OCM 137/2016

That Council:

1. Notes the Shire President, Chief Executive Officer and Acting Director of Planning met with the Minister for Planning and the acting Director General of Department of Planning and have requested the sites identified throughout the Shire be preserved for aged care accommodation and have provided a copy of the Kalamunda Aged Care Matrix.
2. Request the Chief Executive Officer write to reputable and established providers of residential aged care facilities outlining the opportunities being presented in the Shire of Kalamunda and seeking information as to how they would be encouraged to provide aged care accommodation, either through integrated aged care or hub and spoke models that encourage aging in place.

**10.1.6 C&C 31 Cambridge Reserve Forrestfield – Potential Aged Care Site**

RESOLVED EN BLOC OCM 137/2016

That Council:

1. Request the Chief Executive Officer formally approach the Department of Lands to ascertain their support for the excision of land from Reserves R34364, R31348 and R27559.

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**10.1.8 C&C 33 CONFIDENTIAL ITEM - Enterprise Bargaining Agreement (Administration) 1 January 2016 – 31 December 2018**

RESOLVED EN BLOC OCM 137/2016

That Council:

1. Notes and endorses the proposed Enterprise Bargaining Agreement (Administration) 2016 to 2018 as shown in (Attachment 1).

***For Separate Consideration***

*Item C&C32 was put up for separate consideration as Cr John Giardina and Cr Simon Di Rosso wished to make an amendment.*

**10.1.7 C&C 32 Kalamunda Sporting Precinct – Oval Lighting Project**

**COMMITTEE RECOMMENDATION TO COUNCIL (C&C 32/2016)**

That Council:

1. Includes the Kalamunda Sporting Precinct Lighting project in its state election funding advocacy program.
2. Agree, in the event the Shire's advocacy program is unsuccessful, the funding is listed for consideration in 2017/2018 budget deliberations and an application is submitted to the Community Sport and Recreation Facilities Fund (CSRFF).
3. Notes that the Kalamunda and Districts Junior Football Club are to contribute an amount of up to \$50,000 towards the Kalamunda Sporting Precinct Lighting project over two financial years.
4. Request the Chief Executive Officer to advise the Kalamunda and Districts Junior Football Club of Councils decision and seek their support to assist with the advocacy program.

Moved: **Cr Sara Lohmeyer**

Seconded: **Cr Allan Morton**

Vote:

*Cr John Giardina foreshadowed the following amendment with removal of point 5, a mover and seconder were found for the substantive motion and then the amendment was heard.*

### 10.1.7 C&C 32 Kalamunda Sporting Precinct – Oval Lighting Project

#### Voting Requirements: Simple Majority

#### AMENDMENT

That Council delete Points 1, 2 and 4 and renumber Point 3 to 6 and add the following Points 1 to 4 and 7:

1. Agrees to upgrade the existing sports floodlighting towers on Kostera Oval to meet the requirements of Australian Standard AS2560.2.3- 2007 Sports Lighting.
2. Increases the budget estimate by \$120,000 from \$816,400 to \$936,400 to allow for improved standard of lighting on Kostera Oval.
3. Include the full amount of \$936,400 for the Kalamunda Sporting Precinct Lighting Project in the Shire's State election funding advocacy program.
4. Request the Chief Executive Officer to advise the Kalamunda and Districts Junior Football Club of Council's decision to advocate for funding in the lead up to the State election and seek their support to the advocacy program.
5. Also submits a Community Sports Recreation Facilities Fund (CSRFF) Forward Planning grant application in September 2016 for one third funding of \$312,133 over two years.
6. Notes the Kalamunda and Districts Junior Football Club are to contribute an amount of up to \$50,000 towards the Kalamunda Sporting Precinct Lighting project over two financial years.
7. List for consideration in 2017/18 and 2018/19 budget deliberations the following amounts:

Shire of Kalamunda contribution	\$287,134
Kalamunda Junior Football club contribution	\$25,000
CSRFF	\$156,066
Total Amount for 2017/18	\$468,200
Shire of Kalamunda contribution	\$287,134
Kalamunda Junior Football club contribution	\$25,000
CSRFF	\$156,066
Total Amount for 2018/19	\$468,200
Total Project Costs estimated	\$936,400

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Moved: **Cr John Giardina**

Seconded: **Cr Geoff Stallard**

Vote:

*The amendment was accepted by the mover and seconder and became part of the substantive motion.*

*Cr Sara Lohmeyer was happy with this amendment with the removal of item 5.*

*Cr Simon Di Rosso's amendment was then heard. The amendment was not accepted by the mover of the substantive motion and therefore the amendment was voted on.*

### 10.1.7 C&C 32 Kalamunda Sporting Precinct – Oval Lighting Project

#### Voting Requirements: Simple Majority

##### AMENDMENT

That Council delete Points 1, 2 and 4 and renumber Point 3 to instead be 6 and add the following Points 1 to 5 and 7:

1. Agrees to upgrade the existing sports floodlighting towers on Kostera Oval to meet the requirements of Australian Standard AS2560.2.3- 2007 Sports Lighting.
2. Increases the budget estimate by \$120,000 from \$816,400 to \$936,400 to allow for improved standard of lighting on Kostera Oval.
3. Include the full amount of \$936,400 for the Kalamunda Sporting Precinct Lighting Project in the Shire's State election funding advocacy program.
4. Request the Chief Executive Officer to advise the Kalamunda and Districts Junior Football Club of Council's decision to advocate for funding in the lead up to the State election and seek their support to the advocacy program.
5. Also submits a Community Sports Recreation Facilities Fund (CSRFF) Forward Planning grant application in September 2016 for one third funding of \$312,133 over two years.
6. Notes the Kalamunda and Districts Junior Football Club are to contribute an amount of \$50,000 towards the Kalamunda Sporting Precinct Lighting project over two financial years.
7. List for consideration in 2017/18 and 2018/19 budget deliberations the following amounts:

Shire of Kalamunda contribution	\$287,134
Kalamunda Junior Football club contribution	\$25,000
CSRFF	\$156,066
Total Amount for 2017/18	\$468,200
Shire of Kalamunda contribution	\$287,134
Kalamunda Junior Football club contribution	\$25,000
CSRFF	\$156,066
Total Amount for 2018/19	\$468,200
Total Project Costs estimated	\$936,400

Moved: **Cr Simon Di Rosso**

Seconded: **Cr Sue Bilich**

Vote:

<b><u>For</u></b>	<b><u>Against</u></b>
<b>Cr Geoff Stallard Cr Simon Di Rosso Cr Sue Bilich</b>	<b>Cr Michael Fernie Cr John Giardina Cr Allan Morton Cr Brooke O'Donnell Cr Sara Lohmeyer Cr Dylan O'Connor Cr Andrew Waddell LOST (3/7)</b>

### 10.1.7 C&C 32 Kalamunda Sporting Precinct – Oval Lighting Project

<b>Voting Requirements: Simple Majority</b>
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RESOLVED OCM 138/2016

That Council:

1. Agrees to upgrade the existing sports floodlighting towers on Kostera Oval to meet the requirements of Australian Standard AS2560.2.3- 2007 Sports Lighting.
2. Increases the budget estimate by \$120,000 from \$816,400 to \$936,400 to allow for improved standard of lighting on Kostera Oval.
3. Include the full amount of \$936,400 for the Kalamunda Sporting Precinct Lighting Project in the Shire's State election funding advocacy program.
4. Request the Chief Executive Officer to advise the Kalamunda and Districts Junior Football Club of Council's decision to advocate for funding in the lead up to the State election and seek their support to the advocacy program.
5. Notes the Kalamunda and Districts Junior Football Club are to contribute an amount of up to \$50,000 towards the Kalamunda Sporting Precinct Lighting project over two financial years.
6. List for consideration in 2017/18 and 2018/19 budget deliberations the following amounts:

Shire of Kalamunda contribution	\$287,134
Kalamunda Junior Football club contribution	\$25,000
CSRFF	\$156,066
Total Amount for 2017/18	\$468,200
Shire of Kalamunda contribution	\$287,134
Kalamunda Junior Football club contribution	\$25,000
CSRFF	\$156,066
Total Amount for 2018/19	\$468,200
Total Project Costs estimated	\$936,400

Moved: **Cr Sara Lohmeyer**

Seconded: **Cr Allan Morton**

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

*Pursuant to Section 5.25 (1) (f) of the Local Government Act 1995 and Regulation 11 (da) of the Local Government (Administration) Regulations 1996, the reasons for the amendment to the D&I Committee Recommendation are:*

*The Kalamunda Junior Football club have made extensive representations to Council to have the project expanded so all the necessary works can be completed over two years.*



*Identified also has been the uneven distribution of lighting that will be addressed by applying the Australian standards to tower installation.*

*This approach will ensure that minimal deterioration to the new redeveloped ovals will occur and will also reduce the need for future reworks.*

*By including the Kostera oval floodlighting towers into the funding program the site will now be future proofed should the Australian sports oval lighting standards raise to a higher level enabling upgrades to illuminary's only at minimum cost.*

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

**10.2 Development & Infrastructure Services Committee Report**

**10.2.1 Adoption of Development & Infrastructure Services Committee Report**

<b>Voting Requirements: Simple Majority</b>
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RESOLVED OCM 139/2016

That recommendations D&I 47 to D&I 50 inclusive, contained in the Development & Infrastructure Services Committee Report of 8 August 2016, be adopted by Council en bloc.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Sara Lohmeyer**

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

**10.2.2 D&I 47 Proposed Local Development Plan – Lots 5 and 6 (280 and 276) Hale Road, Wattle Grove**

RESOLVED EN BLOC OCM 139/2016

That Council:

1. Forwards the proposed Local Development Plan for Lots 5 and 6 (278 and 280) Hale Road, Wattle Grove (Attachment 1) to the Western Australian Planning Commission for its consideration and comment.
2. Subject to the Western Australian Planning Commission considering the proposed Local Development Plan for Lots 5 and 6 (278 and 280) Hale Road, Wattle Grove (Attachment 1) is required for the purposes of orderly and proper planning, approves the Local Development Plan pursuant to Clause 51 (1) (a) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**10.2.3 D&I 48 State and Australian Government Black Spot Programs Submissions 2017/2018**

RESOLVED EN BLOC OCM 139/2016

That Council:

1. Endorses the submission of the following projects to Main Roads WA for grant funding consideration as part of the 2017/2018 State and National Government Black Spot Program:
  - Kalamunda Road/Newburn Road intersection – Provision of pre-deflection to the existing roundabout on Kalamunda Road approaches.
  - Kalamunda Road/Roe Highway intersection – Provision of overhead mast arms on Kalamunda Road approaches.
  - Canning Road, between Pomeroy Road to Welshpool Road – Provision of a sealed shoulder and short section of guard rail.
  - Mundaring Weir Road, between Fern Road to Shire boundary – Improvement of clear zones with removal of sections of vegetation.
  - Mundaring Weir Road, between Fern Road to Shire boundary – Provision of a sealed shoulder and improved delineation devices.
2. Requests the Chief Executive Officer to advise Main Roads WA of its endorsement of these projects.
3. Defers the Kalamunda Road/Newburn Road intersection upgrade works (Job No 3327) approved in the 2016/2017 Roadworks (Renewal) Program subject to the outcome of the submission for Black Spot funding towards this project and further subject to community consultation.

**10.2.4 D&I 49 Bush Fire Advisory Committee – Telecommunications Infrastructure Recommendation**

RESOLVED EN BLOC OCM 139/2016

That Council:

1. Resolves in-principal to support the installation of additional 'low-impact' telecommunications infrastructure throughout the Shire that will result in improving communications to the community and improve response to emergency situations.
2. Notes that some telecommunications facilities require development approval, and that due regard needs to be given to the objectives of the Local Planning Scheme No. 3, State Planning Policy 5.2 – Telecommunications Infrastructure, and Local Planning Policy P-DEV 52 – Telecommunications Infrastructure, when considering proposals for telecommunications infrastructure.

**10.2.5 D&I 50 CONFIDENTIAL ITEM – Consideration of Tenders – Provision of Cleaning Services in Various Council Buildings and Facilities (RFT1610)**

RESOLVED EN BLOC OCM 139/2016

That Council:

1. Accepts the recommendation of the Tender Evaluation Panel to appoint Spick and Span Commercial Property Maintenance Pty Ltd as the primary contractor for the Provision of Cleaning Services in Various Shire Buildings and Facilities (RFT1610) – North Zone for a period of two years in accordance with the Price Schedule in Confidential Attachment 2, with 4 x 6 month extensions at the sole discretion of the Principal.
2. Accepts the recommendation of the Tender Evaluation Panel to appoint Office Cleaning Experts Pty Ltd trading as OCE Corporate as the primary contractor for the Provision of Cleaning Services in Various Shire Buildings and Facilities (RFT1610) – Central Zone for a period of two years in accordance with the Price Schedule in Confidential Attachment 2, with 4 x 6 month extensions at the sole discretion of the Principal.
3. Accepts the recommendation of the Tender Evaluation Panel to appoint Menzies International (Aust) Pty Ltd as the primary contractor for the Provision of Cleaning Services in Various Shire Buildings and Facilities (RFT1610) – South Zone for a period of two years in accordance with the Price Schedule in Confidential Attachment 2, with 4 x 6 month extensions at the sole discretion of the Principal.

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## 10.3 CHIEF EXECUTIVE OFFICER REPORTS

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

### 10.3.1 Draft Monthly Financial Statements to 31 July 2016

Previous Items	N/A
Responsible Officer	Director Corporate and Community Services
Service Area	Finance
File Reference	FIR-SRR-006
Applicant	N/A
Owner	N/A
Attachment 1	Draft Statements of Financial Activity for the year ended 31 July 2016 incorporating the following: <ul style="list-style-type: none"><li>• Statement of Financial Activity (Nature or Type)</li><li>• Statement of Financial Activity (Statutory Reporting Program)</li><li>• Net Current Funding Position, note to financial statement</li></ul>

#### PURPOSE

1. To provide Council with statutory financial reports on the activity of the Shire of Kalamunda with comparison of the year's performance against the budget adopted on 20 June 2016.

#### BACKGROUND

2. The Statement of Financial Activity (Attachment 1), incorporating various sub-statements, has been prepared in accordance with the requirement of the *Local Government Act 1995*, Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.
3. The opening funds in the Statement of Financial Activity reflects the un-audited surplus brought forward from 2015/2016.
4. The budget column reflects the budget approved by Council at its meeting on 20 June 2016.
5. The draft report provided includes the un-audited opening surplus position and is subject to change as:
  - Capital projects are at a point of finalisation which can impact on asset categories and depreciation;
  - Audited results of Eastern Metropolitan Regional Council of which the Shire owns a substantial percentage of equity hasn't been finalised;
  - Audit adjustments are awaiting the final audit by the External Auditors, Grant Thornton. The main one being the agreed movements on revaluation on plant and equipment and infrastructure assets.

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## DETAILS

6. The *Local Government Act 1995* requires Council to adopt a percentage or value to be used in reporting variances against Budget. Council has adopted the reportable variances of 10% or \$50,000 whichever is greater.

## Financial Commentary

### Draft Statement of Financial Activity by Nature and Type for the year ended 31 July 2016

7. This Statement reveals a net result surplus of \$50,885,375 compared to budget for the same period of \$49,167,607. The majority of the variance of \$1,717,770 is in the areas of operating expenditure and the opening surplus position.

#### *Revenue*

8. Total Revenue excluding rates is over budget by \$348,861. This is made up as follows:
- Operating Grants, Subsidies and Contributions are over budget by \$195,354. The variances are primarily due to timing matters, and made up of the following:
    - \$130,306, HACC first quarter grant payments. This is a timing matter.
    - \$38,830 received as a contribution from developers towards the Smokebush High Wycombe Reserve.
  - Fees and Charges variance is over budget by \$235,615. This is mainly attributable to:
    - \$212,104 Refuse collection fees which relates to the 2015/16 waste fees issued with the rates generation.
  - Interest Income is under budget by \$79,852 which is attributed to a prepayment passed in 2015/16 and required to be reversed in the current year. While the RBA has lowered the cash rate in August 2016 by 25 basis points to 1.50% as predicted, it is believed that the rate cut was already factored in by the ADI's (Authorised Deposit taking Institutions). With rates monies coming through with the first instalment date set at 16 August 2016, all surplus funds will be locked in as quickly as possible to reduce the impact of the cash rate cut.
  - Other Revenue is under budget by \$2,256. This variance is within the reporting threshold.

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*Expenditure*

9. Total expenses is under budget with a variance of \$745,202. The significant variances within the individual categories are as follows:
- Employment Costs are under budget by \$307,795 which is primarily due to worker compensation costs which are yet to be costed in as the Shire awaits the invoice from LGIS.
  - Materials and Contracts is under budget by \$375,271 and is mainly attributed to timing matters.
  - Utilities are under budget by \$72,507 with Telephony costs the main reason for the variance. The Shire has recently renegotiated a new contract with Telstra which is expected to reduce costs. The first term Budget Review will provide an opportunity to revise this budget.
  - Depreciation, although a non-cash cost, is tracking slightly over budget, reporting a variance of \$22,832. This is within the reporting threshold.
  - Interest expense is under budget by \$339. This is a result of a timing difference between amounts accrued and the budget which is based on the debenture payments schedules.
  - Insurance expense is under budget by \$13,540. The variance is within the reporting threshold.
  - Other expenditure is over budget by \$4,998. These are attributable to a timing issue.
  - Loss on disposal of Asset is under budget by \$3,570. This is attributed to the sale of light fleet and plant currently being disposed as part of normal replacement programmes.

*Capital Revenues*

*Non-operating Grants and Contributions*

10. The non-operating grant income is yet to be accounted for, with various programmes to be lodged with State and Federal agencies.
11. The capital contributions variance of \$2,372 relates to Forrestfield Industrial Area Stage 1 which is now managed by the Shire and funds are backed via a fully cash backed reserve. The variance reflects the new developer contributions received in relation to the amount budgeted at the beginning of the financial year.

*Capital Expenditures*

12. The total Capital Expenditure on Property, Plant and Equipment and Infrastructure Assets are under budget by \$31,776. The Shire's schedule of works for the upcoming year were started in July.



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*Rates revenues*

13. Rates generation is under budget with a variance of \$469,910. The rates revenue budgeted takes into account interim rates that are expected over the year and will be phased in accordingly for the remaining months. The situation should normalise in the later part of 2016/17 once interim rates have commenced. This will happen after the first instalment date of 16 August 2016.

Draft Statement of Financial Activity by Program for the year ended 31 July 2016

14. The overall result comments are as above and generally each Program is within the accepted budget except for Education and Welfare, Community Amenities and Other Property and Services. Major variances have been reported by Nature and Type under points 7 to 12 above.

Draft Statement of Net Current Funding Position as at 31 July 2016

15. The commentary on the net current funding position is based on comparison of the draft July 2016 actuals with July 2015 actuals.
16. Net Current Assets (Current Assets less Current Liabilities) show a positive result of \$61 million. The un-restricted cash position has a positive balance of \$14.3 million which is slightly lower than the previous year's balance of \$15.8 million. This is mainly attributed to the increase in restricted funds from \$5.7m to \$13.8m as the Shire has worked on improving its reserves position.
17. Trade and other receivables comprise rates and sundry debtors totalling \$46 million outstanding.
- The rates balance increased by \$3.2 million from last year which reflects increases in rates generation related to various factors including interim rates, back rates and the differential rate increases. The balance is anticipated to reduce significantly with the first instalment date on 16 August 2016.
18. Sundry debtors have decreased from \$526,421 to \$496,753, of which \$131,627 is made up of current debt due within 30 days. A total of \$283,740 remains outstanding over 90 days. The majority of this debt consists of an invoice which is overdue from the developers of the Forrestfield Industrial Area. These amounts are currently subject to recovery action.
19. Receivables Other represents \$15 million comprising mainly of:
- Emergency Service Levy receivables \$5,278,035; and
  - Waste charges receivables - \$8,868,991.

20. Provisions for annual and long service leave are generally higher having increased by \$269,637 to \$2.8 million when compared to the previous year. The reasons for the increase is due to more officers being above the seven year threshold at which point long service leave entitlements begin to fully accrue. The Shire aggressively pursues a leave management plan that will not adversely affect service delivery. The long term goal is to bring this liability down to a more manageable level and also ensure there are adequate cash backed reserves in place to support it.
21. Restricted Reserves have increased significantly from \$5.7 million to \$13.8 million when compared to July 2015. The increase is due to the following:
- Forrestfield Industrial Area Scheme Stage 1 has increased by \$2.6 million.
  - Long Service Leave and Nominated Employee Leave Provisions increased by \$1.1 to address the exposure mentioned in point 20 above.
  - Minor changes are also noted with the following reserves:
    - Asset Enhancement Reserve has increased by \$0.9 million.
    - EDP IT Equipment Reserve has increased by \$0.4 million.
    - Waste Reserve has increased by \$0.6 million to recognise surplus in operating income in 2014/15.
    - Local Government Elections Reserve has increased by \$0.1 million.
    - Land and Property Enhancement and Maintenance Reserve Has increased by \$0.2 million.
    - Home and Community Care Reserve has reduced \$0.5 million in line with the surplus as at 30 June 2014.

#### **STATUTORY AND LEGAL CONSIDERATIONS**

22. The *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* require presentation of a monthly financial activity statement.

#### **POLICY CONSIDERATIONS**

23. Nil.

#### **COMMUNITY ENGAGEMENT REQUIREMENTS**

24. Nil.

#### **FINANCIAL CONSIDERATIONS**

25. The Shire's financial position needs to be closely monitored to ensure it is operating sustainably and to allow for future capacity.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

26. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 6.8 – To ensure financial sustainability through the implementation of effective financial management, systems and plans.

Strategy 6.8.4 Provide effective financial services to support the Shire's Operations and to meet sustainability planning, reporting and accountability requirements.

## SUSTAINABILITY

### Social Implications

27. Nil.

### Economic Implications

28. Nil.

### Environmental Implications

29. Nil.

## RISK MANAGEMENT CONSIDERATIONS

30.

Risk	Likelihood	Consequence	Rating	Action / Strategy
Over-spending the budget	Possible	Major	High	<ul style="list-style-type: none"><li>• Monthly management reports are reviewed by the Shire.</li><li>• Weekly engineering reports on major projects and maintenance.</li></ul>
Non-compliance with Financial Regulations	Unlikely	Major	Medium	The financial report is scrutinised by the Shire to ensure that all statutory requirements are met.

## OFFICER COMMENT

31. The Shire's draft financial statements as at 31 July 2016 demonstrate the Shire has managed its budget and financial resources effectively.

<b>Voting Requirements: Simple Majority</b>
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RESOLVED OCM 140/2016

That Council:

1. Receives the draft Monthly Statutory Financial Statements for the year to 31 July 2016, which comprises:

- Statement of Financial Activity (Nature or Type).
- Statement of Financial Activity (Statutory Reporting Program).
- Net Current Funding Position, note to financial statement.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Sara Lohmeyer**

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

## Attachment 1

### STATEMENT OF FINANCIAL ACTIVITY BY NATURE OR TYPE FOR THE MONTH ENDED 31 JULY 2016

	31/07/2016	31/07/2016			
	YTD	YTD	Annual	Var. \$	Var. %
	Actual	Budget	Budget	(b)-(a)	(b)-
	(b)	(a)			(a)/(b)
	\$	\$	\$	\$	%
<b>Operating Revenues</b>					
Operating Grants and Subsidies	861,904	673,842	5,343,747	188,062	21.8%
Contributions, Reimbursements and Donations	72,181	64,889	4,707,698	7,292	10.1%
Fees and Charges	11,669,517	11,433,902	14,817,455	235,615	2.0%
Interest Earnings	542	80,394	1,189,756	(79,852)	(14732.8%)
Other Revenue	2,920	5,176	62,144	(2,256)	(77.3%)
Ex Gratia Rates Revenue	0	0	133,570	0	
<b>Total (Excluding Rates)</b>	<b>12,607,064</b>	<b>12,258,203</b>	<b>26,254,370</b>	<b>348,861</b>	
<b>Operating Expense</b>					
Employee Costs	(1,802,384)	(2,110,179)	(24,280,394)	307,795	17.1%
Materials and Contracts	(1,609,761)	(1,985,032)	(21,544,356)	375,271	23.3%
Utilities Charges	(131,876)	(204,383)	(2,457,698)	72,507	55.0%
Depreciation (Non-Current Assets)	(638,576)	(615,744)	(7,389,258)	(22,832)	(3.6%)
Interest Expenses	(32,121)	(32,460)	(389,523)	339	1.1%
Insurance Expenses	(322,932)	(336,472)	(593,914)	13,540	4.2%
Loss on Asset Disposal	0	(3,570)	(42,843)	3,570	100.0%
Other Expenditure	(33,157)	(28,169)	(531,043)	(4,988)	(15.0%)
<b>Total</b>	<b>(4,570,807)</b>	<b>(5,316,009)</b>	<b>(57,229,029)</b>	<b>745,202</b>	
<b>Operating activities excluded</b>					
Depreciation on asset disposals	638,576	615,744	7,389,258	22,832	3.6%
(Profit)/Loss on Asset Disposal	0	3,570	42,843	(3,570)	(100.0%)
EMRC Contribution (Non-cash)	0	0	(3,888,440)	0	
Deferred Loan (non-current) FUSC	0	0	(479)	0	
Movement in Provisions	(124,944)	0	673,003	(124,944)	100.0%
Pensioners Deferred Rates Movement	0	(32,000)	(32,000)	32,000	(100.0%)
<b>Total</b>	<b>513,632</b>	<b>587,314</b>	<b>4,184,185</b>	<b>(73,682)</b>	
<b>Net Operating (Ex. Rates)</b>	<b>8,549,889</b>	<b>7,529,508</b>	<b>(26,790,474)</b>	<b>1,020,381</b>	
<b>Investing Activities</b>					
Proceeds from Disposal of Assets	0	0	50,000	0	
Grants, Subsidies and Contributions	0	0	3,539,835	0	
Land Held for Resale	0	0	0	0	
Land Development Costs	0	0	0	0	
Land and Buildings New	(40,280)	(44,390)	(1,657,483)	4,110	(10.2%)
Land and Buildings Replacement	(3,114)	(3,609)	(2,857,021)	495	(15.9%)
Plant and Equipment New	0	0	(31,500)	0	
Plant and Equipment Replacement	0	0	(250,000)	0	
Furniture and Equipment	(1,107)	(2,249)	(466,150)	1,142	(103.2%)
Infrastructure Assets - Roads New	0	0	(1,554,795)	0	
Infrastructure Assets - Roads Renewal	(113,060)	(111,796)	(2,440,098)	(1,264)	1.1%
Infrastructure Assets - Drainage New	0	0	(1,484,738)	0	
Infrastructure Assets - Drainage Renewal	(731)	(2,911)	(104,805)	2,180	(298.0%)
Infrastructure Assets - Footpaths New	0	0	(334,212)	0	
Infrastructure Assets - Footpaths	0	0	(186,320)	0	

Renewal

**STATEMENT OF FINANCIAL ACTIVITY BY NATURE OR TYPE  
FOR THE MONTH ENDED 31 JULY 2016**

	31/07/2016	31/07/2016			
	YTD Actual (b) \$	YTD Budget (a) \$	Annual Budget \$	Var. \$ (b)-(a) \$	Var. % (b)- (a)/(b) %
Infrastructure Assets - Car Parks New	0	0	(1,109,165)	0	
Infrastructure Assets - Car Parks Renewal	0	0	(273,309)	0	
Infrastructure Assets - Parks and Ovals New	0	(7,000)	(2,508,702)	7,000	(100.0%)
Infrastructure Assets - Parks and Ovals Renewal	<u>(1,078)</u>	<u>(19,192)</u>	<u>(1,182,670)</u>	<u>18,114</u>	<u>(1680.5%)</u>
<b>Amounts attributable to investing activities</b>	<b><u>(159,371)</u></b>	<b><u>(191,147)</u></b>	<b><u>(12,851,132)</u></b>	<b><u>31,776</u></b>	
<b>Financing Activities</b>					
Repayment of Debentures	<b>(65,613)</b>	(52,480)	(629,779)	(13,133)	(20.0%)
Self-Supporting Loan Principal	<b>1,010</b>	6,023	72,302	(5,013)	(496.3%)
Overdraft Funding	<b>0</b>	0	0	0	
Proceeds from new debentures	<b>0</b>	0	500,000	0	
Capital (Developer) - Contributions	<b>597,628</b>	600,000	600,000	(2,372)	(0.4%)
Transfer from Reserves	<b>5,000,000</b>	5,000,000	7,747,580	0	0.0%
Transfer to Reserves	<b>(606,698)</b>	(607,935)	(2,899,268)	1,237	0.2%
<b>Amounts attributable to financing activities</b>	<b><u>4,926,327</u></b>	<b><u>4,945,608</u></b>	<b><u>5,390,835</u></b>	<b><u>(19,281)</u></b>	
<b>Total Net Operating + Capital</b>	<b><u>13,316,846</u></b>	<b><u>12,283,969</u></b>	<b><u>(34,250,768)</u></b>	<b><u>1,032,883</u></b>	
Rate Revenue	<b>33,131,495</b>	33,601,405	34,264,515	(469,910)	(1.4%)
Opening Funding Surplus(Deficit)	<b><u>4,437,034</u></b>	<u>3,282,233</u>	<u>3,282,233</u>	<u>1,154,801</u>	<u>26.0%</u>
<b>Closing Funding Surplus(Deficit)</b>	<b><u>50,885,375</u></b>	<b><u>49,167,607</u></b>	<b><u>3,295,979</u></b>	<b><u>1,717,770</u></b>	<u>3.4%</u>

**STATEMENT OF FINANCIAL ACTIVITY (STATUTORY REPORTING PROGRAM)  
FOR THE MONTH ENDED 31 JULY 2016**

	31/07/2016	31/07/2016			
	YTD Actual (b) \$	YTD Budget (a) \$	Annual Budget \$	Var. \$ (b)-(a) \$	Var. % (b)- (a)/(b) %
<b>Operating Revenues</b>					
Governance	0	9,524	114,298	(9,524)	(100.0%)
General Purpose Funding	111,057	126,842	7,958,748	(15,785)	(14.2%)
Law, Order and Public Safety	23,723	7,075	431,318	16,648	70.2%
Health	316,514	308,203	350,461	8,311	2.6%
Education and Welfare	861,592	717,089	3,422,196	144,503	16.8%
Community Amenities	10,922,838	10,679,869	11,277,230	242,969	2.2%
Recreation and Culture	112,977	127,845	1,701,532	(14,868)	(13.2%)
Transport	578	0	0	578	100.0%
Economic Services	223,765	243,807	543,121	(20,042)	(9.0%)
Other Property and Services	34,022	37,949	455,467	(3,927)	(11.5%)
<b>Total (Excluding Rates)</b>	<b>12,607,066</b>	<b>12,258,203</b>	<b>26,254,371</b>	<b>348,863</b>	
<b>Operating Expense</b>					
Governance	(275,720)	(333,754)	(3,408,045)	58,034	21.0%
General Purpose Funding	(98,838)	(100,356)	(826,514)	1,518	1.5%
Law, Order and Public Safety	(137,959)	(168,822)	(1,847,559)	30,863	22.4%
Health	(104,682)	(114,573)	(1,292,280)	9,891	9.4%
Education and Welfare	(332,524)	(330,711)	(3,906,182)	(1,813)	(0.5%)
Community Amenities	(1,214,176)	(1,237,596)	(14,444,780)	23,420	1.9%
Recreation and Culture	(1,283,540)	(1,573,235)	(18,294,746)	289,695	22.6%
Transport	(942,708)	(885,148)	(10,594,851)	(57,560)	(6.1%)
Economic Services	(93,125)	(99,484)	(1,122,265)	6,359	6.8%
Other Property and Services	(87,535)	(472,330)	(1,491,808)	384,795	439.6%
<b>Total</b>	<b>(4,570,807)</b>	<b>(5,316,009)</b>	<b>(57,229,030)</b>	<b>745,202</b>	
<b>Operating activities excluded</b>					
Depreciation on asset disposals	638,576	615,744	7,389,258	22,832	3.6%
(Profit)/Loss on Asset Disposal	0	3,570	42,843	(3,570)	(100.0%)
EMRC Contribution (Non-cash)	0	0	(3,888,440)	0	
Deferred Loan (non-current) FUSC	0	0	(479)	0	
Movement in Provisions	(124,944)	0	673,003	(124,944)	100.0%
Pensioners Deferred Rates Movement	0	(32,000)	(32,000)	32,000	100.0%
<b>Total</b>	<b>513,632</b>	<b>587,314</b>	<b>4,184,185</b>	<b>(73,682)</b>	
<b>Net Operating (Ex. Rates)</b>	<b>8,549,891</b>	<b>7,529,508</b>	<b>(26,790,474)</b>	<b>1,020,383</b>	
<b>Investing Activities</b>					
Proceeds from Disposal of Assets	0	0	50,000	0	
Non-operating grants, subsidies and contributions	0	0	3,539,835	0	
Land Held for Resale	0	0	0	0	
Land Development Costs	0	0	0	0	
Land and Buildings New	(40,280)	(44,390)	(1,657,483)	4,110	(10.2%)
Land and Buildings Replacement	(3,114)	(3,609)	(2,857,021)	495	(15.9%)
Plant and Equipment New	0	0	(31,500)	0	
Plant and Equipment Replacement	0	0	(250,000)	0	

**STATEMENT OF FINANCIAL ACTIVITY (STATUTORY REPORTING PROGRAM)  
FOR THE MONTH ENDED 31 JULY 2016**

	31/07/2016	31/07/2016			
	YTD Actual (b)	YTD Budget (a)	Annual Budget	Var. \$ (b)-(a)	Var. % (b)- (a)/(b)
	\$	\$	\$	\$	%
Furniture and Equipment	(1,107)	(2,249)	(466,150)	1,142	(103.2%)
Infrastructure Assets - Roads New	0	0	(1,554,795)	0	
Infrastructure Assets - Roads Renewal	(113,060)	(111,796)	(2,440,098)	(1,264)	1.1%
Infrastructure Assets - Drainage New	0	0	(1,484,738)	0	
Infrastructure Assets - Drainage Renewal	(731)	(2,911)	(104,805)	2,180	(298.0%)
Infrastructure Assets - Footpaths New	0	0	(334,212)	0	
Infrastructure Assets - Footpaths Renewal	0	0	(186,320)	0	
Infrastructure Assets - Car Parks New	0	0	(1,109,165)	0	
Infrastructure Assets - Car Parks Renewal	0	0	(273,309)	0	
Infrastructure Assets - Parks and Ovals New	0	(7,000)	(2,508,702)	7,000	(100.0%)
Infrastructure Assets - Parks and Ovals Renewal	(1,078)	(19,192)	(1,182,670)	18,114	(1680.5%)
<b>Amounts attributable to investing activities</b>	<b>(159,371)</b>	<b>(191,147)</b>	<b>(12,851,132)</b>	<b>31,776</b>	
<b>Financing Activities</b>					
Self-Supporting Loan Principal Income	1,010	6,023	72,302	(5,013)	(496.3%)
Proceeds from new debentures		0	500,000	0	
Capital (Developer) - Contributions	597,628	600,000	600,000	(2,372)	(0.4%)
Transfer from Reserves	5,000,000	5,000,000	7,747,580	0	0.0%
Capital Contributions and Grants Owing	0	0	0	0	
Repayment of Debentures	(65,613)	(52,480)	(629,779)	(13,133)	(20.0%)
Overdraft Funds (Repayment)	0	0	0	0	
Transfer to Reserves	(606,698)	(607,935)	(2,899,268)	1,237	0.2%
<b>Amounts attributable to financing activities</b>	<b>4,926,327</b>	<b>4,945,608</b>	<b>5,390,835</b>	<b>(19,281)</b>	
<b>Total Net Operating + Capital</b>	<b>13,316,846</b>	<b>12,283,969</b>	<b>(34,250,769)</b>	<b>1,032,879</b>	
Rate Revenue	33,131,495	33,601,405	34,264,515	(469,910)	(1.4%)
Opening Funding Surplus(Deficit)	4,437,034	3,282,233	3,282,233	1,154,801	26.0%
<b>Closing Funding Surplus(Deficit)</b>	<b>50,885,375</b>	<b>49,167,607</b>	<b>3,295,979</b>	<b>1,717,770</b>	3.4%



**NOTES TO AND FORMING PART OF THE FINANCIAL REPORT  
FOR THE MONTH ENDED 31 JULY 2016**

**NET CURRENT FUNDING POSITION**

Positive=Surplus (Negative=Deficit)

	<b>31/07/2016</b>	<b>31/07/2015</b>
	<b>\$</b>	<b>\$</b>
<b>Current Assets</b>		
Cash and Cash Equivalents (Unrestricted)	14,293,832	15,821,143
Cash and Cash Equivalents - Reserves (Restricted)	13,767,085	5,653,077
Receivables - Rates	30,538,798	27,289,802
Receivables - Sundry	496,753	526,421
Receivables -Other	15,038,573	13,925,606
Inventories	152,876	89,746
<b>(*exclude loan receivable)</b>	<b>74,287,917</b>	<b>63,305,795</b>
<b>Less: Current Liabilities</b>		
Payables	(9,635,457)	(10,070,892)
Provisions	(2,867,669)	(2,598,032)
<b>(*exclude loan payable)</b>	<b>(12,503,126)</b>	<b>(12,668,923)</b>
<b>Net Current Asset Position</b>	<b>61,784,791</b>	<b>50,636,871</b>
<b>Add:</b>		
Provision for Long Service Leave	1,311,590	1,116,174
Provision for Annual Leave	1,556,079	1,481,858
<b>Less:</b>		
Cash and Cash Equivalents - Reserves (Restricted)	<b>(13,767,085)</b>	<b>(5,653,077)</b>
<b>Net Current Funding Position</b>	<b>50,885,375</b>	<b>47,581,826</b>

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

### **10.3.2 Community Care Quarterly Report April to June 2016**

Previous Items	
Responsible Officer	Director Corporate and Community Services
Service Area	Community Care
File Reference	CO-SPC-022
Applicant	N/A
Owner	N/A
Attachment 1	Volumes Report – Monthly Volumes by Category
Attachment 2	Community Care Financials
Attachment 3	Meals on Wheels Financials
Attachment 4	HACC Service Delivery Comparisons for three financial years

#### **PURPOSE**

1. To endorse the Community Care Quarterly Report – April to June 2016.

#### **BACKGROUND**

2. The quarterly report is prepared in accordance with the approved Kalamunda Achieving: Corporate Business Plan 2014 – 2018. The basis of which is:

*"That Community Care produce a quarterly progress report".*

#### **DETAILS**

##### **HACC SERVICE DELIVERY**

3. Referrals for Home and Community Care (HACC) support are received from the Regional Assessment Service. Community Care do not screen for eligibility nor assess potential consumers for services and as such is dependent on these referrals to maintain and increase service levels.
4. Inception of the *Assessment Framework in 2011* has resulted in increased compliance with eligibility criteria and people receiving services based on assessed need and not just an eligibility status, meaning a person with an ongoing functional disability may be eligible for HACC support but with the provision of the correct assistive equipment may continue to support themselves independently without formalised support.
5. The Volumes Report (Attachment 1) shows how Community Care is performing in relation to its contracted service provision levels for the HACC program for the period of April, May and June 2016.
6. The HACC Contract contains service groups that cluster, where appropriate, like service types together. Service Group 1 includes the following service types: domestic assistance, personal care, social support, respite and other food services.

- 
7. Service Group 1 was contracted to provide hours of support against the service types listed in paragraph 6. This allows the service types to be adjusted to meet the needs of eligible consumers regardless of the contracted number of hours against each service type.
  8. Because of this service grouping, a service type such as domestic assistance can achieve higher than 100% of service delivery, providing other service types are not also achieving 100%. The hours are used in a flexible manner to address need.
  9. During this quarter Community Care was contracted to provide 6285 hours across service group 1 to eligible community members. A total of 4438 hours were provided (71%). This is a 3% increase from last quarter.

#### **Domestic Assistance (Service Group 1)**

10. During this quarter Community Care was contracted to provide 2928 hours to eligible community members. A total of 3268 hours were provided (112%). This is a 5% increase from last quarter.
11. Impacts on these hours included 514 hours that were not provided due to public holidays or consumers exercising their right of choice and cancelling services to attend to other commitments. Had these hours been delivered domestic assistance would have achieved 129% which is accommodated by the flexible delivery model assigned to Service Group 1 as described in paragraph 7.

#### **Respite (Service Group 1)**

12. During this quarter Community Care was contracted to provide 450 hours to eligible community members. A total of 98 hours were provided (22%). This is a 2% decrease from last quarter.
13. Impacts on these hours included 28 hours that were not provided due to public holidays or consumers exercising their right of choice and cancelling services to attend to other commitments. Had these hours been delivered domestic assistance would have achieved 28%

#### **Other Food Services (Service Group 1)**

14. During this quarter Community Care was contracted to provide 96 hours to eligible community members. A total of 43 hours were provided (45%). This is an 11% increase from last quarter.
15. Impacts on these hours included two hours that were not provided due to public holidays or consumers exercising their right of choice and cancelling services to attend to other commitments. Had these hours been delivered domestic assistance would have achieved 47%.

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### **Social Support (Service Group 1)**

16. During this quarter Community Care was contracted to provide 1875 hours to eligible community members. A total of 661 hours were provided (35%). This is a 3% decrease from last quarter.
17. Impacts on these hours included 108 hours that were not provided due to public holidays or consumers exercising their right of choice and cancelling services to attend to other commitments. Had these hours been provided Social Support would have achieved 41%

### **Personal Care (Service Group 1)**

18. During this quarter Community Care was contracted to provide 936 hours to eligible community members. A total of 368 hours were provided (40%). This is a 7% increase from last quarter.
19. Impacts on these hours included 47 hours that were not provided due to public holidays or consumers exercising their right of choice and cancelling services to attend to other commitments. Had these hours been provided Personal Care would have achieved 44%

### **Centre Based Day Care (Service Group 4)**

20. During this quarter Community Care was contracted to provide 9981 hours to eligible community members. A total of 6960 hours were provided (70%). This is a 6% decrease from last quarter.
21. Impacts on these hours included 3012 hours that were not provided due to public holidays or consumers exercising their right of choice and cancelling services to attend to other commitments. Had these hours been provided Centre Based Day Care would have achieved 100%

### **Meals on Wheels (Service Group 6)**

22. During this quarter Community Care was contracted to provide 1503 meals to eligible community members. A total of 1261 meals were provided (84%). This is a 4% increase from last quarter.
23. Impacts included 58 meals that were not provided due to public holidays or consumers exercising their right of choice and cancelling services to attend to other commitments. Had these hours been provided Meals on Wheels would have achieved 88%

### **Transport (Service Group 7)**

24. During this quarter Community Care was contracted to provide 6813 one way trips to eligible community members. A total of 3,765 one way trips were provided (56%). This is a 1% decrease from last quarter.

25. Impacts included 1285 one way trips that were not provided due to public holidays or consumers exercising their right of choice and cancelling services to attend to other commitments. Had these hours been provided Transport would have achieved 74%

### **Consumer Support Information and Advocacy (Service Group 9)**

26. During this quarter Community Care was contracted to provide 645 hours to eligible community members. A total of 193 hours were provided (30%).

### **Home Maintenance (Service Group 10)**

27. During this quarter Community Care was contracted to provide 1791 hours to eligible community members. A total of 1318 hours were provided (74%). This is a 2% increase from last quarter.
28. Impacts on these hours included 160 hours that were not provided due to public holidays or consumers exercising their right of choice and cancelling services to attend to other commitments. Had these hours been provided Home Maintenance would have achieved 82%

### **Ceased HACC Services**

29. During this quarter Community Care had 47 consumers exit the HACC program. The feedback from consumers and/or family as to why the services were ceasing were:
- The consumer has moved to a higher level of community care support or residential care – 17 responses;
  - The consumer is now self-managing – 15 responses;
  - The consumer has passed away – 10 responses; and
  - The consumer has relocated out of the service area – five responses.

### **COMMUNITY VISITORS SCHEME**

30. During this quarter Community Care was contracted to provide 270 visits to eligible residents in approved Commonwealth Funded residential facilities. A total of 237 visits were provided (88%). This is a 13% increase from last quarter.
31. Impacts on these visits included volunteer movement and residents passing away and receipt of volunteer records within the reporting period.

### **HOME CARE PACKAGES LEVEL 2**

32. During this quarter Community Care was contracted to provide 20 packages to eligible community members. A total of 17 packages were provided (83%).
33. Referrals for packages come from the Aged Care Assessment Team (ACAT). Community Care do not screen for eligibility nor assess potential consumers for services and as such, we are dependent on these referrals to maintain and increase service levels.

34. Home Care Package service provision will be reviewed to determine the impact of the February 2017 reforms.

## **STATUTORY AND LEGAL CONSIDERATIONS**

35. Nil.

## **POLICY CONSIDERATIONS**

36. Nil.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

37. Nil.

## **FINANCIAL CONSIDERATIONS**

38. The Community Care HACC program has an operating surplus for 15/16 of \$53,436.
39. The Meals on Wheels HACC program has an operating deficit for 15/16 of \$5,821.

## **STRATEGIC COMMUNITY PLAN**

### **Strategic Planning Alignment**

40. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 1.1 – To be a community that cares for its aged and frail and those less fortunate.

Strategy 1.1.2 – Continue to deliver relevant and effective programs to our elderly so that they can feel socially connected and supported from within the community.

## **SUSTAINABILITY**

### **Social Implications**

41. *Shire of Kalamunda Aged Accommodation Strategy 2008:*

6.1 A strong desire to “age in place” is now the well-established preference for older people and is a key theme that underlies Commonwealth and State Government policy and programs. This encompasses being able to continue to live in the familiar surroundings of the home and local environment as independently as possible, and with support services if required.

### **Economic Implications**

42. Nil.

**Environmental Implications**

43. Nil.

**RISK MANAGEMENT CONSIDERATIONS**

44.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Seniors in the Shire are not supported.	Unlikely	Major	Medium	<ul style="list-style-type: none"> <li>• Continue to promote services and programs as a Shire core business.</li> <li>• Continue to work in partnership with other local providers.</li> <li>• Continue to attend Networking Meetings.</li> <li>• Ensure staffing levels are retained at a level that facilitates ongoing service provision.</li> <li>• Progress the development of Marketing and Communication Plan.</li> <li>• Progress the development of the Positive Ageing Plan.</li> <li>• Commence consultation and engagement opportunities to determine what is working well and not working well and develop an action plan to address identified opportunities for improvement.</li> </ul>

**OFFICER COMMENT**

45. Community Care continues to work closely with National Disability Insurance Scheme (NDIS) to transition HACC people under the age of 65 who have successfully explored NDIS eligibility to an NDIS support plan.

46. The Draft Positive Ageing Plan has been tabled at the Kalamunda Aged Care Advisory Committee for comment.

47. WA Department of Health – HACC Program have advised the outcome of the 2015-2016 Growth Funding Application. The Shire of Kalamunda successfully obtained \$64,063 growth funding and \$20,000 non-recurrent funding for a HACC Needs Analysis Project.

<b>Voting Requirements: Simple Majority</b>
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RESOLVED OCM 141/2016

That Council:

1. Receives the Community Care Quarterly Report – April to June 2016.

Moved: **Cr Sara Lohmeyer**

Seconded: **Cr Brooke O'Donnell**

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



**Attachment 1**

**Community Care 15/16  
Monthly Hours Worked By Category**

OUTPUT DELIVERABLES		SERVICE VOLUME			July	Aug	Sept	MDS	Oct	Nov	Dec	MDS	Jan	Feb	Mar	MDS	Apr	May	Jun	MDS	ACTUAL	Contracted	% Met	Variance		
		P.A	P. Mth	Ave 13/14																					Ave 14/15	Ave 15/16
Service Group 1																										
DOMESTIC ASSISTANCE	1231	11,709	976	915	1,090	1,129	1,193	1,108	1,124	81	1,113	1,124	1,149	94	946	1,095	1,088	84	1,047	1,136	1,085	85	13,550	11,709	115.73%	1,841
SOCIAL SUPPORT	1222	7,501	625	224	266	259	276	264	279	21	288	267	294	17	236	235	241	15	211	208	242	15	3,108	7,501	41.43%	-4,393
PERSONAL CARE	1232	3,748	312	92	85	119	109	109	135	7	145	122	107	8	102	107	101	3	124	131	113	9	1,429	3,748	38.13%	-2,319
DFS	1234	386	32	7	7	12	4	4	8	2	13	16	14	2	8	11	14	2	19	12	12	2	140	386	36.20%	-246
RESPIRE	1224	1,800	150	23	35	45	40	49	61	1	69	51	69	2	46	31	29	1	28	30	40	0	544	1,800	30.24%	-1,256
TOTAL SERVICE GROUP 1																					18,771	25,144	74.65%	-6,373		
Service Group 3																										
CSIA	1227	2,574	215	94	89	71	57	77	57	70	55	54	55	53	55	50	48	47	60	71	66	56	931	2,574	36.16%	-1,643
Service Group 4																										
CNTR BASED DAY CARE	1221	39,921	3,327	2,499	2,743	2,613	3,048	2,706	2,784	-6	2,880	2,758	2,680		2,560	2,538	2,445		2,334	2,388	2,238	0	31,353	39,921	78.54%	-8,568
Service Group 10																										
HOME MAINTENANCE	1230	7,166	597	431	511	464	493	450	459	36	483	460	458	39	399	456	441	36	420	448	450	35	5,562	7,166	77.62%	-1,604
Service Group 7																										
TRANSPORT(occasions)	1229	17,981	1,498	439	459	479	530	453	485	0	473	442	415		379	526	542		479	527	496	1	5,747	17,981	31.96%	-12,234
TRANSPORT(CBDC)	1233	9,280	773	803	875	847	975	865	899	-2	931	895	872	-5	832	830	810		761	768	734		10,165	9,280	109.54%	885
TOTAL SERVICE GROUP 7																					15,912	27,261	58.37%	-11,349		
TOTAL		102,066	8,506	5,526	6,159	7,608	6,724	6,085	6,289	208	6,447	6,189	6,113	210	5,562	5,878	5,758	188	5,483	5,719	5,475	203	72,529	102,066	71.06%	-35,910

OUTPUT DELIVERABLES		SERVICE VOLUME			July	Aug	Sept	MDS	Oct	Nov	Dec	MDS	Jan	Feb	Mar	MDS	Apr	May	Jun	MDS	ACTUAL	Contracted	Met	Variance		
		Total	P. Mth	Ave 13/14																					Ave 14/15	Ave 15/16
Service Group 6																										
MEALS ON WHEELS		6,009	501	410	449	381	420	309	326	0	344	325	380	0	395	392	419	0	418	414	429	2	4,573	6,009	76%	-1,436

**Attachment 2**

**Home and Community Care Service 2015/2016**

<b>INCOME AND EXPENDITURE</b>	<b>Budget 2015/16</b>	<b>Actuals 2015/16</b>
<b>Recurrent Income and Expenditure</b>		
<b>Income</b>		
Fees - Adult Day Care Attendance	(42,877)	(40,535)
Fees - Adult Day Care Transport	(26,880)	(25,172)
Fees - In Home Respite	(4,102)	(3,772)
Fees - Social Support	(24,890)	(23,362)
Fees - Transport / Shoppers Bus	(32,494)	(34,218)
Fees - Personal Care	(10,932)	(11,016)
Fees - Domestic Assistance	(105,880)	(104,932)
Fees - Gardening	(45,208)	(43,048)
Fees - Other Food Services	(816)	(1,106)
Fees - Meals / Activities Adult Day Care	(70,950)	(68,215)
Brokerage	(14,468)	(27,608)
Government Grants Including non-recurrent funding 16/17	(2,877,000)	(2,896,999)
<b>Total Recurrent Income</b>	<b>(3,256,497)</b>	<b>(3,279,984)</b>
<b>Expenses</b>		
Salaries and Wages and on costs	2,359,186	2,309,004
Leave Accruals	189,603	209,834
Workers Compensation	46,432	47,211
Contractors	86,914	82,256
Accommodation Expenses	127,792	120,597
Motor Vehicle Expenses	49,389	47,999
Fringe Benefits Tax	7,129	7,684
Insurance	2,318	969
Printing and Stationery	4,015	2,638
Subscriptions	5,220	5,424
Purchases - Consumables / Materials	31,856	16,688
Purchases - Sundry	28,267	17,779
Deprecation	72,165	70,778
Audit	3,718	2,941
Management Fee - Administration and Accounting	88,598	95,625
Management Fee - Human Resources	32,445	36,352
Management Fee - Information Technology	36,032	37,302
Meal Expenses - Clients	70,950	67,859
Brokerage	12,987	4,753
<b>Total Recurrent Expenditure</b>	<b>3,255,016</b>	<b>3,183,693</b>
<b>Adjustments as at 30/06/2016</b>		
Grant received in advance - non-recurrent funding - Project 16/17		20,000
Deduct Net Brokerage Fees - Non-HACC Income	1,481	22,855
<b>Net Recurrent Income/Expenses</b>	<b>(0)</b>	<b>(53,436)</b>

**Attachment 3**

**Meals on Wheels 15/16**

Income / Expenditure Description	Annual Budget 2015/16	Annual Actuals 2015/16
<b>Recurrent Income and Expenditure</b>		
<b>Income</b>		
Fees - Brokerage	(380)	(358)
Fees - MOW's	(53,200)	(53,832)
Government Grants - State Operating	(13,174)	(13,174)
<b>Total Recurrent Income</b>	<b>(66,754)</b>	<b>(67,364)</b>
<b>Expenses</b>		
Shire Service Fees	8,887	9,707
Volunteer Reimbursements (Delivery / Fuel)	8,400	7,455
Purchases - Consumables	56,100	55,004
Purchases - Sundry	2,000	1,019
<b>Total Recurrent Expenses</b>	<b>75,387</b>	<b>73,185</b>
<b>Net Recurrent Income/Expenses</b>	<b>8,633</b>	<b>5,821</b>

## Attachment 4

### HACC Service Delivery Comparisons

*Based on actual volume provided and the percentage (%) of actual volume compared with maximum funded volume in the HACC Contract.*

Support Type	2013-2014		2014-2015		2015-2016	
	Actual Volume	% of Contract	Actual Volume	% of Contract	Actual Volume	% of Contract
Domestic Assistance	10,974 hours	95.45%	13,077 hours	111.67%	13,550 hours	115.73%
Respite	1,800 hours	15.57%	418 hours	23.21%	544 hours	30.24%
Other Food Services	79 hours	20.34%	79 hours	20.40%	140 hours	36.20%
Social Support	2,687 hours	35.82%	3,193 hours	42.58%	3,108 hours	41.43%
Personal Care	1,106 hours	29.5%	1,021 hours	27.25%	1,429 hours	38.13%
Centre Based Day Care	29,986 hours	75.12%	32,913 hours	82.44%	31,353 hours	78.54%
Meals on Wheels	4,925 meals	50%	5,388 meals	90%	4,573 meals	76%
Transport	14,906 one way trips	54.67%	16,007 one way trips	58.71%	15,912 one way trips	58.37%
Home Maintenance	5,170 hours	72.15%	6,136 hours	85.63%	5,562 hours	77.62%

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

**10.3.3 Bibbulmun Track Northern Terminus Link Project, Railway Road, Kalamunda**

Previous Items	N/A
Responsible Officer	Director Asset Services
Service Area	Asset Services
File Reference	FI-FAG-066
Applicant	N/A
Owner	N/A

Attachment 1                      Concept Plans (5 sheets)

**PURPOSE**

1. To consider endorsement of the concept design plans of the Bibbulmun Track Northern Terminus Link Project (the Project) to facilitate detailed design and implementation.

**BACKGROUND**

2. In August 2015 the Shire prepared and submitted the Project to Tourism WA for \$196,500 of Grant funds towards a total estimated cost of \$393,000 at that time. Funding is provided through the Federal Government driven Tourism Demand–Driver Infrastructure Program that has been devolved to State Governments and Territories to administer.
3. The Project is focussed on the tourism potential of the Kalamunda region by improving the Terminus site and the associated Railway Road streetscape via a walk trail from the Bibbulmun Track Northern Terminus to the Zig Zag Cultural Centre, connecting visitors to the unique natural environment, rural history and culture in the Kalamunda district.
4. This walk trail follows the existing Kalamunda Railway Heritage Trail path on Railway Road and will create a connection between the Bibbulmun Track Northern Terminus and the Zig Zag Cultural Centre.
5. The Project is aimed at influencing regional tourism while ensuring community engagement across many sectors in relation to important heritage factors in the Kalamunda district.

**DETAILS**

6. The Project provides an upgraded pathway with seating, shade, way-finding information points while using local materials in the surfaces, signage and seating. This to be achieved by a series of indigenous and nature inspired interpretive art ideas, seating and landscaped nodes, along with various pavement surface treatments enhancing the journey, directly drawing reference to the important history of the area.

7. A concept design for the upgrade of the existing Bibbulmun Track Northern Terminus along with an informative walk trail to connect to the ZigZag Cultural Centre has been prepared (Shire Drawing Nos: 4128-01-01/0, 4128-01-02/0, 4128-01-03/0, 4128-01-04/0 and 4128-01-05/0), refer Attachment 1.
8. The concept design has been estimated and costs are within budget, with a Request for Quotation to be forwarded to consultants for the preparation of construction drawings and associated supporting documentation pending the outcome of Council's consideration of the plans.
9. The proposed walk trail materials and colours are intended to represent different experiences that the Bibbulmun Track presents, such as limestone of the Great Southern, a jarrah boardwalk indicative of the forests of the South West and granite material and colours representing the outcrops of the Darling Scarp.
10. The Project incorporates bespoke street furniture that will involve a degree of artistic influence in combination with a 'local' flavour subject to availability of artistic pieces suitable for purchase within the budget allocated to the Project.
11. In order to comply with Tourism WA's funding and acquittal processes, a timeline has been established to ensure this project is completed in accordance with its requirements.

#### **STATUTORY AND LEGAL CONSIDERATIONS**

12. To fulfil Tourism WA grant funding requirements for the Project, with construction to be completed by 30 June 2017.

#### **POLICY CONSIDERATIONS**

13. Nil.

#### **COMMUNITY ENGAGEMENT REQUIREMENTS**

14. Representatives from the Department of Parks and Wildlife and the Bibbulmun Foundation were consulted as part of the concept design development process. Both organisations have endorsed the concept design plans as presented.
15. The next stage of engagement will involve direct liaison with stakeholders located immediately adjacent to the site of the proposed works as well as dissemination of information to the broader community.
16. The Project will also be further developed with assistance from a specialist consultant able to provide liaison and guidance on Aboriginal heritage and art matters in relation to the Bibbulmun Track.

## FINANCIAL CONSIDERATIONS

17. The longer term benefit to the local economy has been assessed using REMPLAN economic impact modelling and was incorporated into the Tourism WA funding application.
18. Cost contribution to the Project is noted as follows:

Organisation	Contributions ex GST
Shire of Kalamunda	\$203,500
Tourism WA	\$196,500
<b>Total Project Cost</b>	<b>\$400,000</b>

19. The Tourism WA funding is conditional on a \$ for \$ contribution by the Shire with the overall budget allocated by the Shire for the Project being \$400,000 (i.e. \$10,000 during 2015/2016 in order to commence development of the concept design, with the remaining \$390,000 allocated for 2016/2017).

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

20. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 2.1 - To stimulate active participation of the broader community in artistic practice through Collaborative cultural development.

Strategy 2.1.1 Ensure the Zig Zag Cultural Centre is a focal point for community cultural development to grow and thrive.

OBJECTIVE 2.3 - To encourage and facilitate healthy lifestyles through regular participation in recreational and leisure oriented activities.

Strategy 2.3.3 Plan for the improvement and expansion of the existing shared pathways network to ensure a high quality and consistent network is provided for walking, cycling and recreational hiking.

OBJECTIVE 5.4 – To be recognised as an excellent tourism destination with high levels of patronage.

Strategy 5.4.3 Continue to support and develop the ZigZag Cultural Centre as a key attractor for visitors to the Shire.

Strategy 5.4.6 Work closely with Tourism WA and the region's local authorities and to leverage opportunities to expand the

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Shire tourism product.

## **SUSTAINABILITY**

### **Social Implications**

21. Enhancement of the existing facilities at the Bibbulmun Track Northern Terminus to be able to provide a high quality shade structure, seating and signage, connecting this facility with the Zig Zag Cultural Centre.
22. Provision of an enhanced link to the Bibbulmun Trail to encourage community involvement and understanding.

### **Economic Implications**

23. The Project will contribute directly towards the local economy through goods and services procured.
24. The Project is anticipated to increase the opportunities available to the local community visitors and tourists by activating Railway Road impacted by the Project with features that will encourage interaction between the Bibbulmun Track Northern Terminus and the Zig Zag Cultural Centre.
25. The increased patronage of this area is likely to have a flow-on effect into the local community and businesses as a direct result of the increased visitation and activity in the Town Centre.
26. The Project has secured grant income of \$196,500 into the Kalamunda district.

### **Environmental Implications**

27. The Project supports local biodiversity by using native species in all landscaped areas that relate to the Bibbulmun Track.
28. Improvement to the Bibbulmun Track Northern Terminus facilities should give opportunity to providing increased awareness of the Bibbulmun Track and the diverse natural environments that this track passes through.
29. Improvement to the Bibbulmun Track Northern Terminus facilities and connection with the Zig Zag Cultural Centre will increase opportunities to share the information to a wider range of the community regarding the biodiversity within the Kalamunda district.



## RISK MANAGEMENT CONSIDERATIONS

30.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Cost overruns	Unlikely	Major	Medium	Design to be fully costed prior to commencing Construction procurement
Not completing the project within the designated timeframes.	Unlikely	Major	Medium	Regular timeline review to ensure agreed targets are achieved.

## OFFICER COMMENT

31. The development of the concept plans for the Project support the key links to tourism, streetscapes and local art that in turn contributes to a raised awareness of the unique environmental, historical and cultural influences of the Bibbulmun Track. This will be reflected through the proposed use of natural materials, interpretive art ideas, and functional street furniture.
32. Bespoke street furniture is to be included in the Project along with artistic input into selection.
33. Engagement of a specialist consultant is proposed to provide suitable liaison and guidance on Aboriginal heritage and art matters.
34. Grant obligations have been identified and scheduled in a timeline to ensure completion of the Project during 2016/2017 along with acquittal of grant funding in accordance with conditions stipulated.

**Voting Requirements Simple Majority**

**RESOLVED OCM 142/2016**

That Council:

1. Notes endorsement by the Department of Parks and Wildlife and the Bibbulmun Foundation of the concept design plans for the Bibbulmun Track Northern Terminus Link Project.
2. Endorses the concept design plans (Shire Drawing Nos: 4128-01-01/0, 4128-01-02/0, 4128-01-03/0, 4128-01-04/0 and 4128-01-05/0) for the Bibbulmun Track Northern Terminus Link Project as attached (Attachment 1) for the purpose of detailed design suitable for implementation of the project through the tender process.
3. Endorses direct liaison with stakeholders located immediately adjacent to the site of the proposed works as well as dissemination of information to the broader community during the detailed design phase of the Bibbulmun Track Northern Terminus Link Project.
4. Endorses the engagement of a specialist consultant able to provide liaison and guidance on Aboriginal heritage and art matters in relation to the Bibbulmun Track during the detailed design phase of the Bibbulmun Track Northern Terminus Link Project.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Sue Bilich**

Vote:

<b><u>For</u></b>	<b><u>Against</u></b>
<b>Cr Michael Fernie Cr John Giardina Cr Geoff Stallard Cr Allan Morton Cr Brooke O'Donnell Cr Andrew Waddell Cr Sara Lohmeyer Cr Simon Di Rosso Cr Sue Bilich CARRIED (9/1)</b>	<b>Cr Dylan O'Connor</b>

**Attachment 1**

Bibbulmun Track Northern Terminus Link Project, Railway Road, Kalamunda

**Concept Plans**

[Click HERE to go directly to the document](#)

**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**  
*A/Director Development Services, Clayton Higham disclosed an interest affecting impartiality.*

**10.3.4 Proposed Amendment to Cell 7 Forrestfield Structure Plan – Lots 9502 and 3000, Forrestfield**

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	PG-DEV-046
Applicant	Rowe Group
Owner	Satterley
Attachment 1	Proposed Amended Structure Plan Map
Attachment 2	Existing Cell 7 Forrestfield Structure Plan
Attachment 3	Proposed Stage 1B Subdivision
Attachment 4	Indicative R60 Dwelling Typology
Attachment 5	Submission Table

**PURPOSE**

1. To consider a request to amend the Cell 7 Forrestfield Structure Plan relating to a portion of Lots 9502 and 3000, Forrestfield. Refer to (Attachment 1).

**BACKGROUND**

2. The Cell 7 Forrestfield Structure Plan was first adopted in 1994. The subject site is identified under the Structure Plan for predominantly residential development with an R20 density code and a grid pattern road and block layout. A copy of the adopted Cell 7 Forrestfield Structure Plan as it relates to the amendment area is included as (Attachment 2).
3. A 57 lot subdivision application (referred to as Stage 1) was considered and approved by the Western Australian Planning Commission (WAPC) for a portion of the subject lots to the north-west of the structure plan amendment area. This subdivision is generally aligned with the existing Cell 7 Forrestfield Structure Plan.
4. A pending 36 lot subdivision application was also lodged in relation to the subject site (referred to as Stage 1B). Given that the lot configuration and density proposed by the subdivision application aligns with, and is contingent on, the subject structure plan amendment being approved, the subdivision application has been deferred by the WAPC pending the outcome of this structure plan amendment. Refer to (Attachment 3)

5. **Land Details:**

Land Area:	1.9351 ha
Local Planning Scheme Zone	Urban Development
Metropolitan Regional Scheme Zone:	Urban
Structure Plan density:	Residential R20

## Locality Plan

6.



## DETAILS

7.

The proposed structure plan amendment comprises the following key elements:

- Residential density coding and lot configuration as follows:
  - R20 – Six (6) lots ranging between 423m<sup>2</sup> and 450m<sup>2</sup> in area (total 2,682m<sup>2</sup>) located on the south-west portion of the site adjoining the existing R20 lots on Mandon Street.
  - R30 – 16 lots ranging between 260m<sup>2</sup> and 345m<sup>2</sup> in area (total 4,603m<sup>2</sup>) in the northern portion of the site.
  - R60 – 14 lots ranging between 150m<sup>2</sup> and 262m<sup>2</sup> in area (total 2,503m<sup>2</sup>) located adjacent to the proposed public open space and Crumpet Creek Reserve.
- Road layout comprising 16m, 15m, 13.2m and 6m wide road reserves, connecting with the surrounding constructed road network, namely Gala Way and Mandon Street.
- 6,584m<sup>2</sup> of public open space adjacent to Crumpet Creek Reserve.

8.

The applicant submits the following comments summarising the proposed structure plan amendment:

*"This application seeks to amend the existing Forrestfield U7 ODP to incorporate areas of R30 and R60 density coding whilst also providing for the minor reconfiguration of the area of POS adjacent to Crumpet Creek."*

*The area subject of this ODP Amendment is located internally to the broader Stage 1 area and responds to current market demands in providing a greater diversity in lot product adjacent to an area of high POS amenity.*

*The inclusion of R30 and R60 density codings will assist the development in meeting the current density requirements of Liveable Neighbourhoods and Directions 2031, whilst offering diversity in housing choice to the locality."*

## **STATUTORY AND LEGAL CONSIDERATIONS**

### **Local Planning Scheme No. 3**

9. The subject site is zoned 'Urban Development' under the Local Planning Scheme No. 3 (Scheme). The objectives of the Urban Development zone are as follows:
- To provide orderly and proper planning through the preparation and adoption of a Structure Plan setting the overall design principles for the area.
  - To permit the development of land for residential purposes and for commercial and other uses normally associated with residential development.

### ***Planning and Development (Local Planning Schemes) Regulations 2015***

10. Under the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), the Shire is required to take the following actions:
1. Determine the level of information required to be provided with the structure plan amendment;
  2. Assess the structure plan against appropriate planning principles;
  3. Advertise the structure plan;
  4. Consider submissions received during advertising; and
  5. Prepare a report and recommendation on the proposed structure plan amendment, and provide it to the WAPC for a decision.
11. Under the Regulations, the WAPC after considering the structure plan amendment and report may:
- a) approve the structure plan; or
  - b) require the Shire or the applicant to -
    - i) modify the plan in the manner specified by the WAPC; and
    - ii) resubmit the modified plan to the WAPC for approval.
- or
- c) refuse to approve the structure plan.
12. Given the Shire is not the determining authority for this proposed structure plan amendment, there is no right of appeal/review with the State Administrative Tribunal (SAT) in respect to Councils recommendation. However, the applicant may apply to the SAT for a review, in accordance with Part 14 of the *Planning and Development Act 2005*, in the event that the WAPC decides to not approve the structure plan.

13. In the event that the structure plan amendment is approved, the Shire is required to have 'due regard' to, but is not bound by, the structure plan when making a decision in respect to development application or recommendation on a subdivision application.

## **POLICY CONSIDERATIONS**

### **Directions 2031 and Beyond**

14. *Directions 2031 and Beyond* requires all local governments to help reduce urban sprawl.

### **Liveable Neighbourhoods**

15. Liveable Neighbourhoods is a Western Australian Government sustainable cities initiative. It addresses both strategic and operational aspects of structure planning and subdivision development in a code framework.
16. The WAPC's Liveable Neighbourhoods Policy is an integrated planning and assessment policy to assist with the design and assessment of structure and subdivision plans to guide urban development within metropolitan and regional Western Australia.
17. Liveable Neighbourhoods encourages higher density housing in close proximity to activity centres, public open space, commercial facilities and public transport routes.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

18. The proposal was advertised in accordance with the Regulations, which included letters to surrounding property owners, and notice of the structure plan amendment being published on the Shire's website and in a newspaper circulating the district.
19. During advertising, the Shire received one (1) objection and one (1) non-objection. The concerns raised in the objection are summarised as follows:
- The width of the lots proposed in subdivision stage 1B;
  - The density proposed;
  - Environmental and safety impacts of the Crumpet Creek crossing;
  - Traffic increases and safety; and
  - Damage to surrounding properties during subdivision and building works.

These concerns are discussed in detail in the officer comment section of this report.

## **FINANCIAL CONSIDERATIONS**

20. In accordance with Regulations 48 and 49 of the *Planning and Development Regulations 2009*, any costs associated with advertising and assessment of the structure plan amendment is to be borne by the applicant.

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## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

21. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 4.3 – To ensure the Shire’s development is in accord with the Shire’s statutory and legislative obligations and accepted urban design planning standards.

Strategy 4.3.2 – Undertake efficient monitoring and compliance of building developments within the Shire.

## SUSTAINABILITY

### Social Implications

22. The amendment would facilitate the development of a greater diversity of lot sizes and housing typologies which in turn will provide greater housing choice, affordability, and a potential broader demographic.

### Economic Implications

23. Nil.

### Environmental Implications

24. It is noted that several mature trees exist in the centre of the subject site that will likely need to be removed during subdivision given the substantial earthworks required to prepare the land for residential development.
25. It should be noted that the existing Cell 7 Forrestfield Structure Plan pattern and layout (dating back to 1994) block would also result in the removal of these trees, and that the proposed structure plan amendment does not change this outcome.
26. Crumpet Creek is a significant environmental feature in the Cell 7 Forrestfield Structure Plan area. The environmental condition of the existing creek line varies from degraded to good in some areas. As part of future subdivision works, Crumpet Creek will be required to undergo restoration works to minimise ongoing risks of erosion to the creek banks and revegetation to improve the environmental and aesthetic qualities of the creek and proposed adjacent public open space.



## RISK MANAGEMENT CONSIDERATIONS

27.

Risk	Likelihood	Consequence	Rating	Action/Strategy
The proposed R60 density is higher than what is normally appropriate based on the distance from the site to an activity center and public transport.	Likely	Minor	High	Ensure Council is aware that the proposed R60 density is appropriately located adjacent to the Crumpet Creek Reserve and will deliver a diverse range of housing options for people in the Forrestfield Area.

## OFFICER COMMENT

28.

In regard to density, the proposed structure plan amendment area incorporates R20 (27%), R30 (47%), and R60 (26%). A majority of the net developable area is proposed at the R30 density with a range of lot sizes between 260m<sup>2</sup> and 345m<sup>2</sup> in area. An average density of between R20 and R30 is considered to be in line with contemporary approaches for new urban areas to achieve an average of 22 dwellings per site hectare. Accordingly, no objections is raised to this density increase.

29.

In respect to justification for the R60 coded area on the proposed structure plan amendment, applicant submits as follows:

- The proposal addresses *Perth and Peel @3.5m* (Draft) by addressing and achieving infill density targets, and facilitating the provision of town houses that are affordable and provide for diversity and choice.
- The proposal addresses *Directions 2031 and Beyond* by providing increased residential development within close proximity to Perth Airport and adjacent employment areas.
- The proposal addresses Liveable Neighbourhoods by achieving an urban density of 27 dwellings per site hectare and 16 dwellings per urban hectare.
- The proposal addresses the Shire's Local Housing Strategy by introducing diversity of housing types to an area with an oversupply of larger dwellings with fewer occupants.

- 
30. One objective of Liveable Neighbourhoods encourages higher densities such as R60 to be located in close proximity to activity centres, public transport infrastructure and public open spaces. In this respect, the applicant notes that the site is 640m from the local centre at the intersection of Berkshire Road and Apricot Street, a short walk from the Berkshire Road bus service, and in close proximity to the Darling Range Sports College and Hillside Christian School.
31. While it is acknowledged that the R60 density would ordinarily be located within 400m of an activity centre (e.g. Forrestfield District Centre or Edinburgh Road Neighbourhood Centre), it is considered that there is merit in facilitating higher densities adjacent to the Crumpet Creek Reserve, to encourage diversity in housing typologies, from an urban design and housing choice and affordability perspective. In this regard, the applicant proposes a townhouse dwelling typology (Attachment 4) that includes two storey dwellings on narrow lots oriented towards Crumpet Creek with rear laneway access.
32. In the event that the R60 density is reduced to below R60, it would likely discourage the aforementioned town-house style of development which is currently proposed, and result in a single storey product with greater site cover.
33. In regard to public open space, the structure plan amendment incorporates 6,584m<sup>2</sup>, which is 11.55% of the entire of Stage 1 and 1B, and achieves the minimum 10% for public open space provision.
34. In respect to the road layout proposed in the structure plan amendment, the roads appropriately align with the surrounding network without resulting in further modifications to the Cell 7 Forrestfield Structure Plan. Furthermore, the road reserve widths proposed are considered appropriate based on the requirements of Liveable Neighbourhoods.
35. In respect to the concerns raised during advertising, the following is noted:

**Lot width and integration with surrounding lots**

While it is noted that the lot widths are less than the pattern of the surrounding lot configuration, the proposed lot widths for Stage 1B are considered to be appropriate for the lot sizes for each respective density.

**Dwelling Density**

As noted above, while the R60 coded residential lots are greater than what would ordinarily be allowed, there is considered to be merit in the inclusion of higher densities around key public open space locations, and to incorporate diverse housing choices in the Forrestfield area, particularly given the wider Forrestfield area is predominantly developed with low density single storey dwellings.

**Environmental and safety impacts of the Crumpet Creek crossing**

It is noted that the road crossing over Crumpet Creek is not included in this proposed structure plan amendment. However, the road crossing is currently identified on the Cell 7 Forrestfield Structure Plan and will need to be constructed when subdivision occurs in the area of the subject site to the south of Crumpet Creek Reserve. In regard to safety and environmental impacts associated with this crossing, appropriate consideration will be given to these matters at the subdivision application stage.

**Traffic increases and safety**

While it is noted that the road network will need to accommodate traffic associated with the new lots being created, it is not considered that the structure plan amendment will in itself markedly increase traffic to the area. In regard to safety, roads will need to be appropriately designed to accommodate safe pedestrian, cycling and vehicle movements.

**Damage to surrounding properties during subdivision and building works**

It is not expected that subdivision and building works in the subject area would cause undue damage to surrounding properties. Furthermore, the structure plan amendment is not in itself considered to increase risk of damage to surrounding residential properties.

36. In summary, while the R60 density does exceed the density that is ordinarily considered appropriate in the context of the subject site, the proposed structure plan amendment is considered to have merit in that it provides a diverse range of housing opportunities, meets density targets under Liveable Neighbourhoods and concentrates the R60 density adjacent to the Crumpet Creek Reserve. Accordingly, the structure plan amendment is supported.

**Voting Requirements: Simple Majority**

**RESOLVED OCM 143/2016**

That Council:

1. Pursuant to Clause 20 (1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, forwards the proposed amendment to the Cell 7 Forrestfield Structure Plan for a portion of Lots 9502 and 3000, Forrestfield (Attachment 1) to the Western Australian Planning Commission for determination.
2. Pursuant to Clause 20 (2) (e) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommends that the Western Australian Planning Commission approves the proposed amendment to the Cell 7 Forrestfield Structure Plan for a portion of Lots 9502 and 3000, Forrestfield (Attachment 1).

Moved: **Cr Sara Lohmeyer**

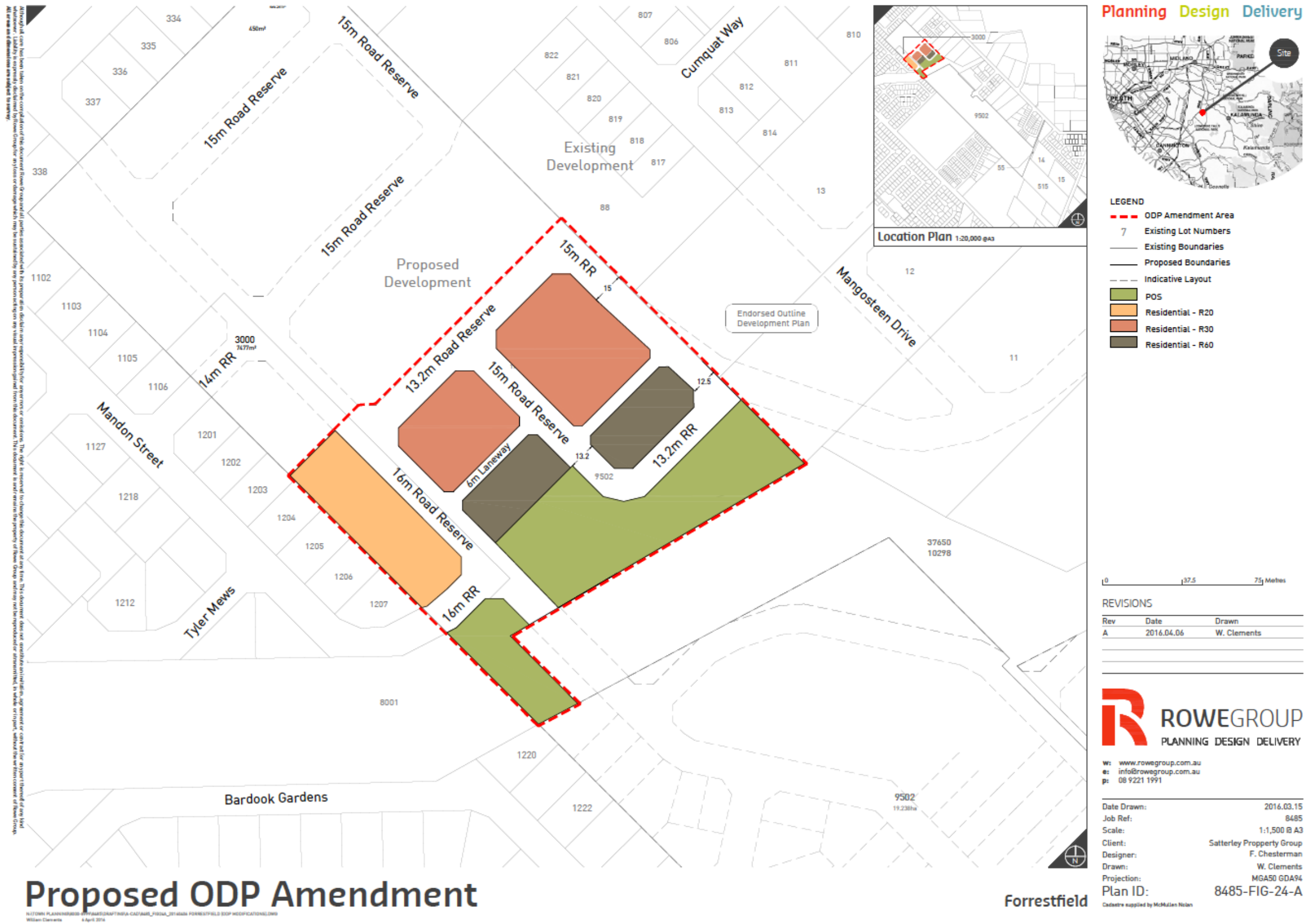
Seconded: **Cr Geoff Stallard**

Vote:

<b>For</b>	<b>Against</b>
<b>Cr Michael Fernie Cr John Giardina Cr Geoff Stallard Cr Andrew Waddell Cr Dylan O'Connor Cr Sara Lohmeyer Cr Simon Di Rosso Cr Sue Bilich CARRIED (8/2)</b>	<b>Cr Allan Morton Cr Brooke O'Donnell</b>

**Attachment 1**

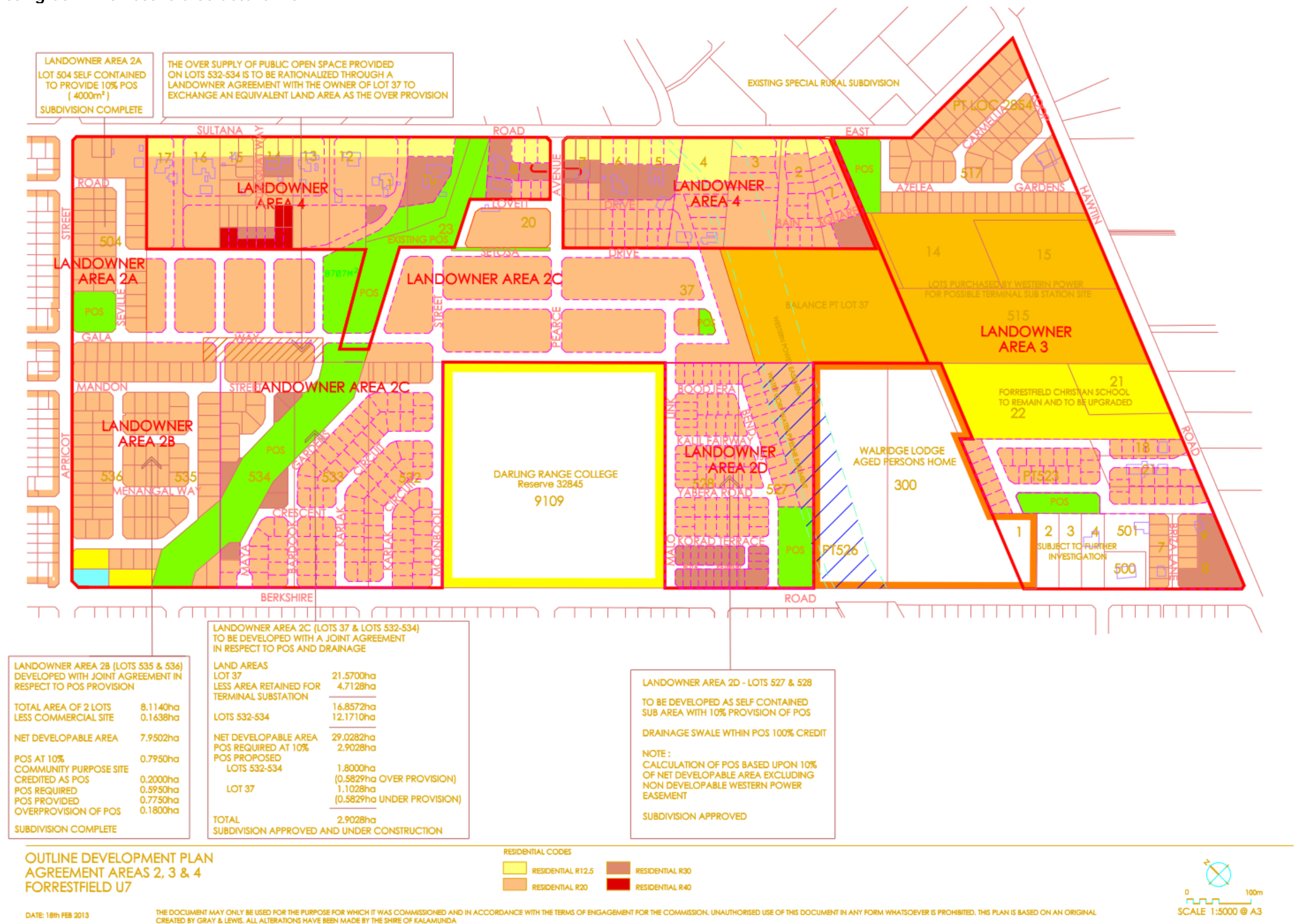
**Proposed Amendment to Cell 7 Forrestdfield Structure Plan – Lots 9502 and 3000, Forrestdfield  
Proposed Amended Structure Plan Map**



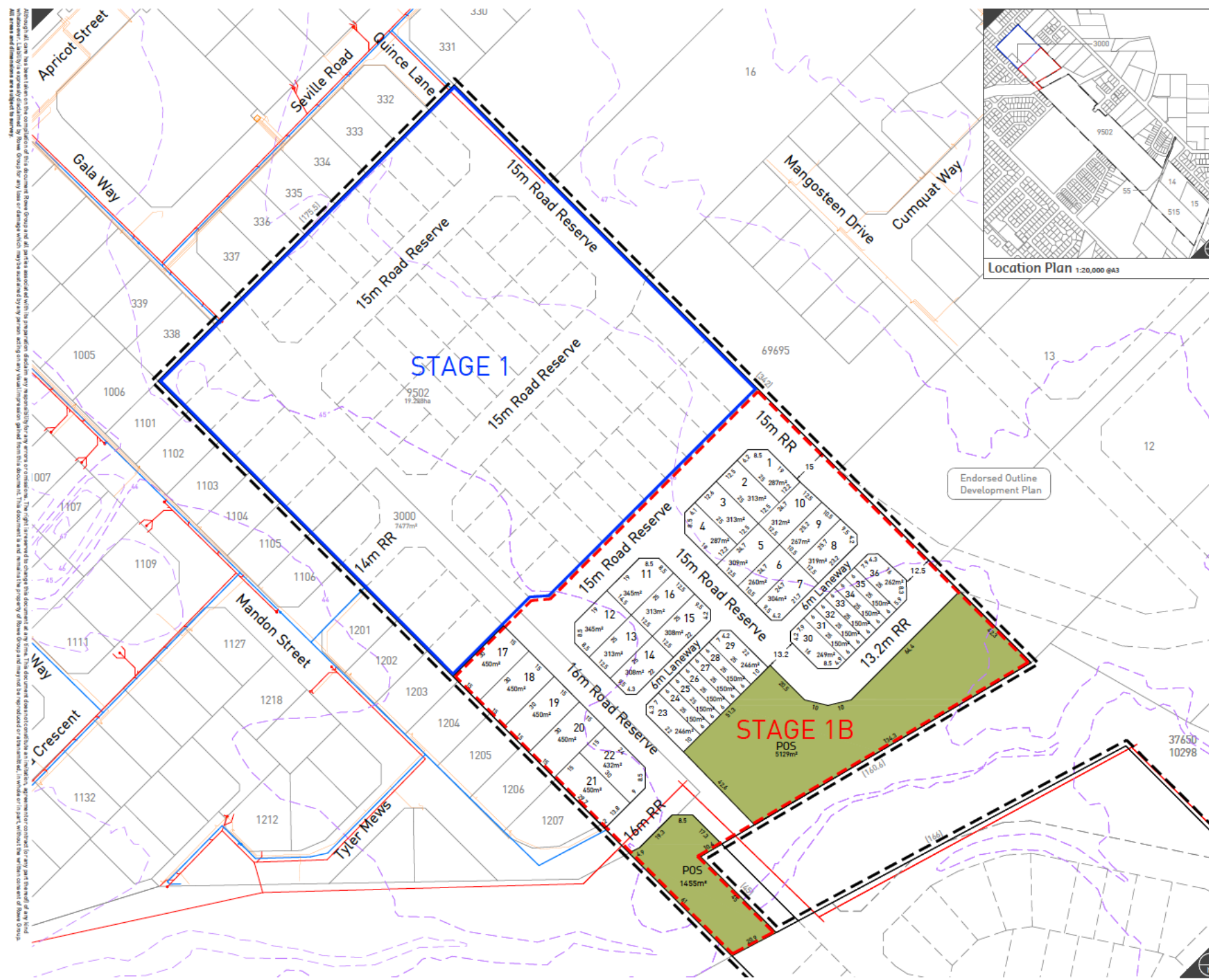
**Attachment 2**

Proposed Amendment to Cell 7 Forreestfield Structure Plan – Lots 9502 and 3000, Forreestfield

**Existing Cell 7 Forreestfield Structure Plan**



**Attachment 3**  
Proposed Amendment to Cell 7 Forrestfield Structure Plan – Lots 9502 and 3000, Forrestfield  
**Proposed Stage 1B Subdivision**



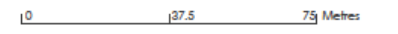
**Planning Design Delivery**



- LEGEND**
- Parent Lot Boundary
  - Stage 1 Subdivision Boundary
  - Stage 1B Subdivision Boundary
  - - - Contours
  - 7 Existing Lot Numbers
  - 7 Proposed Lot Numbers
  - Existing Boundaries
  - Proposed Boundaries
  - Indicative Layout
  - Water
  - Sewer
  - Power

**Lot Summary**

No. of Lots	36
Total Area of Lots	1.0086ha
Average Area of Lots	280.18m <sup>2</sup>
Minimum Lot Area	150m <sup>2</sup>
Maximum Lot Area	450m <sup>2</sup>



**REVISIONS**

Rev	Date	Drawn
A	2016.04.01	W. Clements
B	2016.04.04	M. Sullivan
C	2016.04.04	M. Sullivan



w: www.rowegroup.com.au  
e: info@rowegroup.com.au  
p: 08 9221 1991

Date Drawn: 2016.04.01  
Job Ref: 8485  
Scale: 1:1,500 @ A3  
Client: Satterley Property Group  
Designer: F. Chesterman  
Drawn: W. Clements  
Projection: MGA50 GDA94  
Plan ID: 8485-SUB-10-C  
Cadastral supplied by McMillan Nolan

**Stage 1B Subdivision Application Plan**

Lots 9502 & 3000 on Deposited Plan 400892  
Forrestfield

W:\110701\PLANNING\DESIGN\APP\CD\CD\STAGE1B\CD\CD\STAGE1B\_APPLICATION - OPT3.DWG  
Matt Sullivan 5 April 2016

**Attachment 4**

Proposed Amendment to Cell 7 Forrestfield Structure Plan – Lots 9502 and 3000, Forrestfield  
**Indicative R60 Dwelling Typology**





**Attachment 5**

Proposed Amendment to Cell 7 Forreestfield Structure Plan – Lots 9502 and 3000, Forreestfield

**Submission Table**

Details	Comment	Staff Comment
<p>1. B &amp; C Jones 35 Mandon Street FORRESTFIELD WA 6058</p>	<p>Objection</p> <p>a) Request for lots to be the same width as surrounding lots to avoid having more than one rear neighbour.</p> <p>b) 150m<sup>2</sup> lots are not appropriate for this area.</p> <p>c) Gala Way crossing Crumpet Creek will have an environmental impact and will be a danger with children who use the park.</p> <p>d) Mandon Street would not be the safest option and request alternative access to</p>	<p>a) While it is noted that the lot widths are less than the pattern of the surrounding lot configuration, the proposed lot widths for Stage 1B are considered to be appropriate for the lot sizes for each respective density. There is no requirement to align lot boundaries with an adjoining lot pattern.</p> <p>b) While R60 coded residential lots are greater than what would ordinarily be allowed, there is considered to be merit in the inclusion of higher densities around key public open space locations, and to incorporate diverse housing choices in the Forreestfield area, particularly given the wider Forreestfield area is predominantly developed with low density single storey dwellings.</p> <p>c) It is noted that the road crossing over Crumpet Creek is not included in this proposed structure plan amendment. However, the road crossing is currently identified on the Cell 7 Forreestfield Structure Plan and will need to be constructed when subdivision occurs in the area of the subject site to the south of Crumpet Creek Reserve. In regard to safety and environmental impacts associated with this crossing, appropriate consideration will be given to these matters at the subdivision application stage.</p>

		<p>the site.</p> <p>e) Request a full property inspection due to damage that will likely occur during construction.</p>	<p>d) Access to the site via Mandon Street is already envisaged through the Cell 7 Forrestfield Structure Plan; the proposed amendment does not change this outcome. While it is noted that the road network will need to accommodate traffic associated with the new lots being created, it is not considered that the structure plan amendment will in itself markedly increase traffic to the area. In regard to safety, roads will need to be appropriately designed to accommodate safe pedestrian, cycling and vehicle movements.</p> <p>e) It is not expected that subdivision and building works in the subject area would cause undue damage to surrounding properties. Furthermore, the structure plan amendment is not in itself considered to increase risk of damage to surrounding residential properties.</p>
2.	R Pollard 256 Sultana Road East FORRESTFIELD WA 6058	Non-objection	Noted

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

**10.3.5 CONFIDENTIAL ITEM – Extension and Widening of Ashby Close, Forrestfield**

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.” S5.23 (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.”*

Previous Items	N/A
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	
Applicant	N/A
Owner	Various
Confidential Attachment 1 <u>Reason for Confidentiality</u> <i>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.” S5.23 (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.”</i>	Forrestfield / High Wycombe Industrial Area – Stage One: Local Structure Plan
Confidential Attachment 2 <u>Reason for Confidentiality</u> <i>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.” S5.23 (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.”</i>	L4 Ashby Close, Forrestfield Valuations
Confidential Attachment 3 <u>Reason for Confidentiality</u> <i>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.” S5.23 (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.”</i>	Revised Ashby Close Alignment

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**This report item was circulated to all Councillors under separate cover and discussed under Point 15 of this Agenda.**

<b>Voting Requirements: Simple Majority</b>
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RESOLVED OCM 147/2016

That Council:

1. Endorse a modification to the alignment of Ashby Close, Forrestfield to avoid impacts to the existing single house on Lot 4 Ashby Close, Forrestfield, with a consequential increase in the road reservation requirements on Lot 3 Ashby Close, Forrestfield and a decrease in the road reservation requirements on Lot 4 Ashby Close, Forrestfield.
2. Authorises the withdrawal from negotiations for the whole purchase of Lot 4 Ashby Close, Forrestfield.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Sara Lohmeyer**

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

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## 11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### 11.1 Cr Sue Bilich - Amendment to the 2016/17 Schedule of Fees and Charges

#### Rationale

The \$15 administration fee for rebate processing that was charged to pensioners in the 2016-17 rates notices has caused considerable unrest and upset amongst our pensioners.

With over 6000 pensioners residing within our Shire, this fee has placed an extra burden on our community's most vulnerable members.

I believe it is most unfortunate that this charge managed to get through the process of Council's budget review.

It has been brought to our attention by the community and it is now incumbent upon us as Councillors that are listening to the community to rectify what appears to be very wrong very quickly.

To restore goodwill and to maintain the positive relationships we have with our pensioners I call on my fellow Councillors to delete the fee and refund our pensioners.

Therefore I present this motion to immediately turn this around.

#### Officer Comment

The Council has the ability to reverse any decision it may make.

With regards to the background and details to the charge the Shire introduced a rebate administration fee following its service review in March 2016. Council has requested service reviews be undertaken to identify improvements and efficiencies that can be acted upon.

As part of the 2016/17 budget deliberations Council adopted the fee of \$15 to offset rebate administration processing. The fee was intended to shift the cost from all ratepayers to those who gain the benefit of the rebates.

The \$15 fee was applied to a concession card rebate holder, either a state or commonwealth senior, pensioner, department of veteran's affairs and a state concession card who is accessing the following possible rebates or concessions:

- Rates Rebate – State Government
- Waste Concession – Shire rebate. The rebate is applicable to eligible full pensioners as a discount (under S6.47 of the Local Government Act 1995) towards the cost of providing waste services.

There are approximately 6,000 properties that access the above rebates and this equates to approximately 15,500 applications across all rebates that require specialized processing. The Shire provides a service to the rebate card holders by:-

- Previewing their application for the state government rebate and also the Shire bin concession (where applicable);
- Storing and maintaining the information in our rates module;
- Lodging the applications with Office of State Revenue (OSR) in the required format;
- Receipting the funds from OSR into the individual accounts;
- Reconciling the funds received to the lodgements and the rates database;
- Following up with the rebate cardholder and the OSR for rejected claims, correcting the information by checking with Centrelink and the rebate cardholder and then re-lodging the claim;
- Updating for changes to the eligibility – liaising with Centrelink and Water Corporation
- Receipting the revised claims
- Ensuring that appropriate oversight is provided to the above operations and that internal and external audit requirements in addition to the 3 yearly Office of State Revenue (OSR) audit are met.

No contribution is received from OSR to assist in paying for the resources required to provide the above service as stipulated by the Rates and Charges (Rebates and Deferments) Act 1992. Whereas on the contrary Local Government is required to administer the emergency service levy on behalf of the State Government and Local Government receives an administration fee in recognition of the administrative burden. An approximate amount of \$45,000 is received from Department of Fire and Emergency Services (DFES) in relation to the overall administration of ESL.

The cost to administer rebates is a cost burden that is currently shared amongst all ratepayers whether or not they received any rebates. It was viewed to be more equitable if those that benefit from a rebate pay the cost of its processing.

Discussions were held with the Office of State Revenue (OSR) to ascertain whether there was any provision that precluded the Shire from raising the \$15 charge under the Rates and Charges (Rebates and Deferments) Act 1992. The advice received from the OSR in writing, was that under that Act, there was nothing to prevent the Shire imposing the fee.

The Department of Local Government and Communities has been approached by seniors and Pensioners who have questioned the legality of the charges. The Department of Local Government and Communities is of the view that it does not meet the criteria set out in section 6.16 of the Local Government Act 1995. The Shire is currently seeking its own advice as to legalities.

*Cr Andrew Waddell put forward an amendment to include the words "or credit" after the word refund. The mover accepted this amendment and therefore it formed part of the substantive motion.*

**Voting Requirements: - Absolute Majority**

RESOLVED OCM 144/2016

**MOTION**

That Council:

1. Deletes the charge "Administration fee for Rebate Process \$15" from the 2016/17 Schedule of Fees and Charges, effective immediately.
2. Request the Chief Executive Officer to arrange for the refund **or credit** of all monies paid under this charge.

Moved: **Cr Sue Bilich**

Seconded: **Cr Andrew Waddell**

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

**11.2 Cr Michael Fernie - Register of Contaminated Sites**

Rationale

The purpose of the documents is to provide the community with readily available information of each site. The community has the right to make an informed decision on purchasing or residing near such sites and can determine within their own processes what level of risk they consider acceptable.

Officer Comment

Staff absolutely agree in principle to making as much information as possible available in the most accessible way.

Nevertheless there will be a degree of investigation worked required, which will clarify if it is possible to achieve all the desired outcomes.

The Department of Environment Regulation (DER) administer the *Contaminated Sites Act 2003* and classify sites. This information is kept on the DER Contaminated Sites Database.

The DER have a range of classifications and these include;

'remediated for restricted use'

'contaminated remediation required'

'contaminated - restricted use'

'possibly contaminated - investigation required'  
'decontaminated'  
'not contaminated – unrestricted use'  
'report not substantiated'

Information in the case of the classifications 'remediated for restricted use', 'contaminated remediation required' and 'contaminated - restricted use' is available to the public via the DER database. If detailed information is required then a Form 2 is required to be submitted to the DER seeking such information.

In the case of other classifications, including 'possibly contaminated - investigation required' or where the classification has not actually occurred, the information is not publicly available and a Form 2 is needed to be submitted to the DER seeking information.

In the case of former Shire landfill sites they are all, with the exception of Ledger Road Reserve, classified as 'possibly contaminated - investigation required'. There are a number of other classified sites within the Shire that relate to commercial/industrial land uses that the Shire has no jurisdiction over. These include service stations and railway land and are either owned privately or by Government.

The Shire IntraMap system has a contaminated sites layer that shows all classified sites based on information from the DER. Consideration could be given to making such a layer publicly available and potentially linking to the DER database. Before undertaking this there is a need to consider any legal ramifications. It could be investigated as to whether individual site details could then be linked to this system.

Consideration could also be given to investigating including information that advises property purchasers of contaminated sites located in close proximity to the property in question in the orders and requisitions process.

#### History of site

Noted that the Shire, while has access to some information, would not be in a position to provide the full history of all classified sites.

#### Classification of Site with supporting explanation

The classification of all sites can be provided, however with some sites the only explanation would be in the form of the information provided to the Shire by the DER.

#### Actions to date

Actions on all Shire controlled site can be provided. The Shire would have limited information on other sites, aside from that information as provided by the DER.

#### Further actions

In the case of Shire sites the DER may, and from time to time do, request actions at specific sites to address particular concerns. These requests may occur without notice.



*Cr Dylan O'Connor asked if there any understanding of the cost involved in doing any analysis of individual sites, such as desktop analysis, or site inspections do we have any idea at this early stage?*

*A/Director Development Services responded that there is no real understanding yet of the cost, although at this stage I think what we can do is put together information that exists in a number of locations and utilize that. I imagine we would have the layer that we currently have internally which is the contaminated sites layer in our geographic system, if that could be made public and then a link from each of those sites to whatever information is available whether it be with us or with the DER.*

<b>Voting Requirements: Simple Majority</b>
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RESOLVED OCM 145/2016

**MOTION**

That Council:

1. Request that the Chief Executive present a report to Council with costs and possible legal impediments of:
  - (1) Establishing a register of all contaminated sites located within the Shire.
  - (2) Linking this register to the Department of Environment Regulation register.
  - (3) Providing public access to a mapping system that links to the Department of Environment Regulation register.
  - (4) Providing a link to the mapping system that provides details of the available history and actions undertaken of each site. Outline the classification with explanatory notes.
  - (5) Including information in the orders and requisitions requests that provided details of contaminated sites located within a specified distance.
  - (6) Updates to be provided to council should any site be subject to any kind of development/ work.
  - (7) Documents are to be reviewed and updated every twelve months.

Moved: **Cr Michael Fernie**

Seconded: **Cr Geoff Stallard**

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

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**12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE**

12.1 Nil.

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

13.1 Debtors and Creditors Report for Period Ended 30 June 2016

Q1. A Councillor queried if the payment (EFT-49759) regarding the MC for the Emergency Services Dinner 2016 and Morning Music is a two part charge?

A1. The \$6,200 covers two invoices, the first for \$1,200 relating to a Morning Melodies show which takes place at the Kalamunda Performing Arts Centre. The second for \$5000 is relating to organising/hiring entertainment, choreographing etc for the Emergency Services Dinner.

Q2. A Councillor requested further information regarding the payment for purchase of a scooter (EFT-50141).

A2. This purchase was facilitated through a client home care package budget where the client has purchased the gopher using his package budget, as per funding guidelines.

Q3. A Councillor queried a payment for Kalamunda High School (EFT-49722) for the recoup of water consumption of water invoices for establishing of Kostera Oval and sort clarification as to if the Shire recoups those costs from the Water Authority for establishment of the new oval?

A3. There is no capacity for the Shire to recoup the costs from the Water Corporation.

13.2 Cr Geoff Stallard – Asbestos Register

Q. Does the Shire have a register or a list of the all the sites in Kalamunda that belong to the Shire or under Shire control that are contaminated with asbestos?

A. With regard to Shire buildings, there is an asbestos register which is reviewed annually, and was last reviewed in 2015/2016. The register will also be reviewed in 2016/2017. With regard to contaminated sites, these are listed in the DER contaminated sites register. It is likely that the majority, if not all, Shire contaminated sites (former landfill sites) contain asbestos cement material. The Shire notified the DER of all former landfills that were known prior to classification as contaminated sites.

13.3 Cr Tracy Destree –Asbestos Register

Q. Could we also seek clarification on the last time the register was updated and audited?

A. Refer to answer to Cr Geoff Stallard' s question.

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

14.1 Nil.

**15.0 MEETING CLOSED TO THE PUBLIC**

15.1 **Meeting be Closed to the Public**

RESOLVED OCM 146/2016

**MOTION**

That the meeting be closed to the public to discuss confidential Item 10.3.5 (Provided under separate cover).

Moved: **Cr Sara Lohmeyer**

Seconded: **Cr Allan Morton**

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

*The meeting be closed at 7.22pm. All members of the public left the gallery, all staff remained in the Chambers.*

*Cr Simon Di Rosso and Cr Sue Bilich left the Chambers at 7.23pm.*

*Cr Simon Di Rosso returned to the Chambers at 7.24pm.*

*Cr Sue Bilich returned to the Chambers at 7.25pm.*

*Both Councillors were present for the vote.*

15.2      **10.3.5      CONFIDENTIAL ITEM - Extension and Widening of Ashby Close, Forrestfield**

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.” S5.23 (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.”*

<b>Voting Requirements: Simple Majority</b>
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RESOLVED OCM 147/2016

That Council:

1.            Endorse a modification to the alignment of Ashby Close, Forrestfield to avoid impacts to the existing single house on Lot 4 Ashby Close, Forrestfield, with a consequential increase in the road reservation requirements on Lot 3 Ashby Close, Forrestfield and a decrease in the road reservation requirements on Lot 4 Ashby Close, Forrestfield.
2.            Authorises the withdrawal from negotiations for the whole purchase of Lot 4 Ashby Close, Forrestfield.

Moved:        **Cr Dylan O'Connor**

Seconded:    **Cr Sara Lohmeyer**

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

15.3      **Meeting Reopen to Public**

RESOLVED OCM 148/2016

**MOTION**

That the meeting reopened to the public following consideration of confidential item 10.3.5 (provided under separate cover).

Moved:        **Cr Brooke O'Donnell**

Seconded:    **Cr Sara Lohmeyer**

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

*The meeting was reopened to the public at 7.26pm, no members of the public returned to the meeting. The Presiding Member read the resolution.*

**16.0 CLOSURE**

16.1 There being no further business, the Presiding Member declared the meeting closed at 7.27pm.

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

Signed: \_\_\_\_\_  
Presiding Member

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2016