

Public Agenda Briefing

Draft Agenda

Tuesday 14 November 2017



**city of
kalamunda**

Our Vision

**Connected Communities, Valuing Nature
and Creating our Future Together**

Core Values

- Service:** We deliver excellent service by actively engaging and listening to each other.
- Respect:** We trust and respect each other by valuing our differences, communicating openly and showing integrity in all we do.
- Diversity:** We challenge ourselves by keeping our minds open and looking for all possibilities and opportunities.
- Ethics:** We provide honest, open, equitable and responsive leadership by demonstrating high standards of ethical behaviour.

Aspirational Values

- Creativity:** We create and innovate to improve all we do.
- Courage:** We make brave decisions and take calculated risks to lead us to a bold and bright future.
- Prosperity:** We will ensure our District has a robust economy through a mixture of industrial, commercial, service and home based enterprises
- Harmony:** We will retain our natural assets in balance with our built environment

Our simple guiding principle will be to ensure everything we do will make Kalamunda socially, environmentally and economically sustainable.



www.kalamunda.wa.gov.au

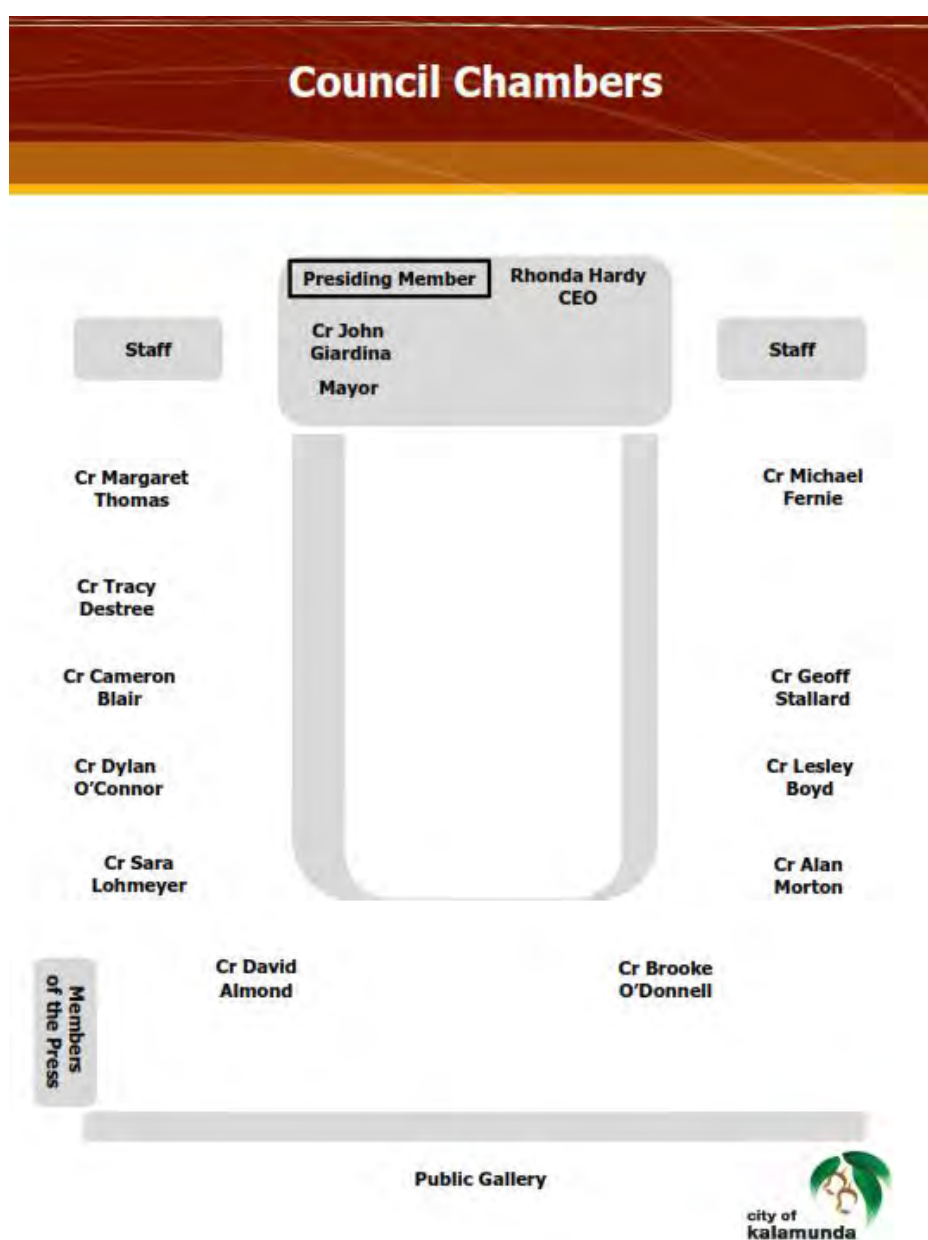
**city of
kalamunda**

INFORMATION FOR THE PUBLIC ATTENDING PUBLIC AGENDA BRIEFING

Agenda Briefing Forums will involve Elected Members, employees as determined by the Chief Executive Officer and external advisors (where appropriate) and will be open to the public. The Briefing Session will be held in the Council Chambers of the City of Kalamunda commencing at 6.30pm.

Agenda Briefing Forums will provide the opportunity for Elected Members to be equally informed and seek additional information on matters prior to the presentation of such matters to the next Ordinary Council Meeting for formal consideration and decision.

Council Chambers – Seating Layout



PROCEDURES FOR AGENDA BRIEFING FORUMS

The following procedures will apply to all Agenda Briefing Forums that are conducted by the City:

- a) Agenda Briefing Forums will be open to the public except for matters of a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995* (WA).
- b) Dates and times for Agenda Briefing Forums will be set more than one (1) week in advance where practicable, and appropriate notice given to the public.
- c) The Chief Executive Officer will ensure timely written notice and an agenda for each Agenda Briefing Forum will be provided to all Elected Members, members of the public and external advisors (where appropriate).
- d) Ordinarily, the Mayor is to be the Presiding Member at Agenda Briefing Forums. However, should Elected Members wish to rotate the role of Presiding Member for a particular meeting, those Elected Members present may select, by consensus, a Presiding Member for the relevant Agenda Briefing Forum from amongst themselves to preside at that Agenda Briefing Forum.
- e) Relevant employees of the City will be available to make a presentation or respond to questions on matters listed on the agenda for the Agenda Briefing Forum.
- f) All Elected Members will be given a fair and equal opportunity to participate in the Agenda Briefing Forum.
- g) The Presiding Member will ensure that time is made available to allow for all matters of relevance to be covered.
- h) Elected Members, employees and relevant consultants shall disclose their interests on any matters listed for the Agenda Briefing Forum. When disclosing an interest the following is required:
 - i. Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995*, the *Local Government (Rules of Conduct) Regulations 2007* and the **City's Code of Conduct**.
 - ii. Elected Members disclosing a financial interest will not participate in that part of the forum relating to the matter to which their interest applies and shall depart the room.
 - iii. Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered, however there is no legislative requirement to do so.
- i) Minutes shall be kept of all Agenda Briefing Forums. As no decisions are made at an Agenda Briefing Forum, the minutes need only be a general record of the items covered but shall record any disclosure of interests as declared by individuals. A copy of the minutes is to be attached to the following Ordinary Council Meeting for Council to review and confirm as being a true and accurate summary of the preceding forum.
- j) At any Agenda Briefing Forum, Elected Members may foreshadow a request to the Chief Executive Officer for the Chief Executive Officer to prepare a report on a matter they feel is appropriate to be raised and which is to be presented at a future Agenda Briefing Forum.

- k) Requests of this nature may not be accepted by the Chief Executive Officer at forums, but instead, Elected Members wishing to formalise such a foreshadowed request, shall submit a Notice of Motion to that effect to the Chief Executive Officer in accordance with the *City's Standing Orders Local Law 2015* (**City's Standing Orders**)

PROCEDURES FOR PUBLIC QUESTION TIME

Questions Asked Verbally

Members of the public are invited to ask questions at Agenda Briefing Forums.

- a) Questions asked at an Agenda Briefing Forum must relate to a matter contained on the agenda.
- b) A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and full address.
- c) Public question time will be limited to two (2) minutes per member of the public, with a limit of two (2) verbal questions per member of the public.
- d) Statements are not to precede the asking of a question during public question time. Statements should be made during public submissions.
- e) Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- f) Public question time will be allocated a minimum of 30 minutes. Public question time is declared closed following the expiration of the allocated 30 minute time period, or earlier if there are no further questions.
- g) The Presiding Member may extend public question time in intervals of 10 minutes, but the total time allocated for public question time is not to exceed 50 minutes in total.
- h) Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or to be defamatory to any particular Elected Member or City employee.
- i) The Presiding Member shall decide whether to:
- i. accept or reject any question and his/her decision shall be final;
 - ii. nominate a City employee to respond to the question (who make take such question on **notice in which case, provision of a response shall be in accordance with the City's Standing Orders**); or
 - iii. take a question on notice (in which case, a written response will be provided as soon as possible and included in the agenda of the next Ordinary Council Meeting).
- j) Where an Elected Member is of the opinion that a member of the public is:
- i. asking a question at an Agenda Briefing Forum that is not relevant to a matter listed on the agenda; or
 - ii. making a statement during public question time,
- they may bring it to the attention of the Presiding Member who will make a ruling.

- k) Questions and any responses will be summarised and included in the minutes of the meeting.
- l) It is not intended that question time should be used as a means to obtain information that **would not otherwise be made available if the information was sought from the City's records** under Section 5.94 of the *Local Government Act 1995* (WA) (LG Act) or the *Freedom of Information Act 1992* (FOI Act).
- m) Where the response to a question(s) would **require a substantial commitment of the City's** resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

Questions in Writing

- a) Questions must relate to a matter contained in the Agenda Briefing Forum agenda.
- b) The City will accept a maximum of five written questions per member of the public. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- c) Questions lodged by the close of business on the working day immediately prior to the scheduled Agenda Briefing Forum will be responded to, where possible, at the Agenda Briefing Forum. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- d) The Presiding Member shall decide to accept or reject any written question and his/her decision shall be final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- e) The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- f) Written questions unable to be responded to at the Agenda Briefing Forum will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Ordinary Council Meeting.
- g) A person who submits written questions may also ask questions at an Agenda Briefing Forum and questions asked verbally may be different to those submitted in writing.
- h) Questions and any response will be summarised and included in the minutes of the meeting.
- i) It is not intended that question time should be used as a means to obtain information that **would not be made available if it was sought from the City's records under Section 5.94 of LG Act** or the FOI Act.
- j) Where the **response to a question(s) would require a substantial commitment of the City's** resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

Questions of Clarification

Members of the public may ask questions of clarification at Agenda Briefing Forums.

- a) Questions of clarification asked at an Agenda Briefing Forum must relate to a matter contained on the agenda.
- b) Questions of clarification will be limited to two (2) minutes per member of the public, with a limit of two (2) verbal questions per member of the public.
- c) The period at which members of the public may ask questions of clarification must follow the presentation of reports.
- d) Statements are not to precede the asking of a question of clarification. Statements should be made during public submissions.
- e) The period for questions of clarification will be allocated a minimum of 15 minutes. This time is declared closed following the expiration of the allocated 15 minute time period, or earlier if there are no further questions. The Presiding Member may extend public question time in intervals of 5 minutes, but the total time allocated for public question time is not to exceed 30 minutes in total.
- f) Questions of clarification will otherwise be governed by the same requirements and procedures as set out above from 5.1(i) to 5.1(n).

Emergency Procedures

Please view the position of the Exits, Fire Extinguishers and Outdoor Assembly Area as displayed on the wall of Council Chambers.

In case of an emergency follow the instructions given by City Personnel.

We ask that you do not move your vehicle as this could potentially block access for emergency services vehicles.

Please remain at the assembly point until advised it is safe to leave.

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AGENDA

1.0 OFFICIAL OPENING

2.0 APOLOGIES AND LEAVE OF ABSENCE

3.0 DECLARATIONS OF INTERESTS

3.1 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*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 of the *Local Government Act 1995*.)

3.2 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.

4.0 ANNOUNCEMENTS BY THE MEMBER PRESIDING (WITHOUT DISCUSSION)

5.0 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 will be summarised.

6.0 PUBLIC SUBMISSIONS

7.0 DEPUTATIONS

8.0 REPORTS TO COUNCIL

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

8.1 CORPORATE & COMMUNITY SERVICES

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

8.1.1 Quarterly Progress Report Against KPIs – July-September 2017

Previous Items	N/A
Responsible Officer	Director Corporate & Community Services
Service Area	Corporate Services
File Reference	OR-CMA-009
Applicant	N/A
Owner	N/A
Attachment 1	Quarterly Progress Report Against KPIs – July-September 2017
Attachment 2	KPI Scorecard July-September 2017

EXECUTIVE SUMMARY

1. **The Quarterly Progress Report provides information on the City's progress** towards achieving its strategic goals.
2. It is recommended that Council receive the report.

BACKGROUND

3. Council resolved in June 2017 to select a number of key actions to be reported on each quarter to Council –

RESOLVED OCM 104/2017

That Council:

1. Adopts *Kalamunda Achieving: Corporate Business Plan 2017 to 2021* shown as Attachment 1.

2. Refers the Corporate Business Plan to the Chief Executive Officer's

Performance Review Committee for determination and recommendation of key performance actions and projects to be approved by the Council that will be reported to the Community through the Quarterly Progress Report.

As this process has not yet been completed, all 188 actions from the Corporate Business Plan have been reported for this quarter (Attachment 1).

4. **Each action is linked to Council's Strategic Plan, *Kalamunda Advancing 2027*,** adopted in June 2017. This ensures that each employee is working towards achieving the strategic direction of the Council.
5. The person responsible for an action or task is required to provide an update each month, giving an indication of how the action is progressing. Key Performance Indicators (KPIs) are also updated. This information is collated to provide an overview of how the organisation is performing.

DETAILS

6. **Priority Actions**
The Quarterly Progress Report for the period 1 July 2017 to 30 September 2017 is presented at (Attachment 1).
7. The report shows comments indicating the status of all actions and their current progress.
8. 181 of the 188 actions are currently at 90% or more of their target progress for the year to date.
9. **Key Performance Indicators**
Performance against the City's corporate KPIs is shown.
10. Of the nine KPIs, for the period 1 July 2017 - 30 September 2017,
 - Seven are at or exceeding their target.
 - One is within 10% of its target (Subdivision applications referred to the WAPC within Statutory Timeframes).
 - One is an annual KPI which will not be updated until 1 July 2018.

STATUTORY AND LEGAL CONSIDERATIONS

11. Nil.

POLICY CONSIDERATIONS

12. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

13. Managers and Directors have submitted the comments shown on the Quarterly Progress Report. A draft was provided for review and update prior to finalising the report.

External Referrals

14. **The report is presented to keep Council informed of the organisation's progress. The community is advised of the City's achievements and progress via the Annual Report.**

FINANCIAL CONSIDERATIONS

15. Financial progress is reported monthly via the Monthly Financial Statements and Management Reports.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

16. *Strategic Community Plan: Kalamunda Advancing 2027*

OBJECTIVE 4.1: To provide leadership through transparent governance.

Strategy 4.1.2 Build an effective and efficient service based organisation.

SUSTAINABILITY

Social Implications

17. Nil.

Economic Implications

18. Nil.

Environmental Implications

19. Nil.

RISK MANAGEMENT CONSIDERATIONS

20.	Risk: The City fails to carry out the actions set out in the Corporate Business Plan.		
	Likelihood	Consequence	Rating
	Unlikely	Moderate	Low
	Action/ Strategy		
	Regular reporting of action progress to CEO, Directors and Council to ensure that performance is monitored and managed.		
	Risk: KPIs are not met – standard of customer service declines.		
	Likelihood	Consequence	Rating
	Possible	Insignificant	Low
	Action/ Strategy		
	Regular reporting of KPI achievement to CEO, Directors and Council to ensure that performance is monitored and managed.		

OFFICER COMMENT

21. Nil.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Receives the Quarterly Progress Report Against KPIs for July–September 2017.

Moved:

Seconded:

Vote:

Attachment 1
Quarterly Progress Report Against KPIs – July-September 2017
Corporate Business Plan Report 2017-2018

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

Attachment 2
Quarterly Progress Report Against KPIs – July-September 2017
Council Scorecard 1 July to 30 September 2017

Scorecard Name	Date From	Date To		
* Council Scorecard	01-Jul-2017	30-Sep-2017		
LINKED ITEMS	UNIT	TARGET	ACTUAL	INDICATOR
** Customer Service				
COMMENTS: N/A				
* Response to customer requests within 5 working days (by directorate, measured monthly)	%	90.00	93.25	
COMMENTS: N/A				
* Response to incoming correspondence within 5 working days (by directorate, measured monthly)	%	90.00	92.92	
COMMENTS: N/A				
* Response to Councillor enquiries within 5 working days (by directorate, measured monthly)	%	95.00	100.00	
COMMENTS: N/A				
** Planning & Development				
* Building Permit/Certificates determined within statutory timeframe	%	95.00	100.00	
COMMENTS: All statutory approvals determined within statutory timeframes				
* Planning applications determined within statutory timeframe	%	95.00	96.00	
COMMENTS: 43 applications met the statutory timeframe				
* Subdivision applications referred to the WAPC within statutory timeframes	%	95.00	86.00	
COMMENTS: N/A				
** Compliance				
* Risk mitigation - number of identified risks not mitigated	#	N/A	N/A	Annually
COMMENTS: All identified risks are mitigated.				
* All Purchase Orders are compliant to the purchasing policy and legislation	%	100.00	100.00	
COMMENTS: N/A				
* All tenders compliant with regulations	%	100.00	100.00	
COMMENTS: N/A				
Overall Performance	%	100.00	101.03	

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

8.1.2 Kalamunda History Village Locomotive

Previous Items	OCM 57/2017
Responsible Officer	Director Corporate & Community Services
Service Area	Economic, Land & Property Services
File Reference	RL-01/056
Applicant	N/A
Owner	City of Kalamunda

EXECUTIVE SUMMARY

1. The purpose of this report is to consider approving the full remediation of the locomotive located at the Kalamunda History Village and also consider approving Expressions of Interest being invited to undertake the remediation.
2. At Ordinary Council Meeting on 27 April 2017 it was resolved that Council:
 1. *Approves Option 2; the remediation of the G118 Locomotive, the platform and tracks, subject to the submission of a priority application to Lotteries West to secure a significant amount of external funding to offset the total cost of ratepayer funds.*
 2. *Notes once external funding has been confirmed a report will be submitted to Council for consideration.*
3. Lotterywest has recently notified the City that it has been successful in its application for funding from the Heritage and Conservation Fund of up to \$180,000 towards a conservation plan update and the remediation, conservation and refurbishment of the locomotive, platform and railway station at Kalamunda History Village.
4. It is recommended that Council approves Expressions of Interest being invited from suitably experienced contractors for full remediation of the locomotive, platform and railway station at Kalamunda History Village.

BACKGROUND

5. In 1968, the Shire of Kalamunda (as it was then) purchased the G118 Locomotive (built in 1896) which was then placed on the Railway Reserve.
6. In 1971 the locomotive was moved to the Kalamunda Railway Station site **before the Kalamunda and Districts Historical Society's Museum (now Kalamunda History Village)** was officially opened in April 1971.
7. The Minister for Railways, the Honourable R.E. Bertram unveiled a plaque on the locomotive which commemorated its service on the Upper Darling Range Railway line.
8. The locomotive has become a historically significant symbol for the Kalamunda

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9. History Village, the City of Kalamunda and the Perth Hills.
On 24 October 2016 the presence of asbestos was confirmed on and surrounding the locomotive located at the Kalamunda History Village. The History Village was closed to the public with immediate effect.
 10. Licensed asbestos contractors effected urgent interim remedial work to make the site safe and the Kalamunda History Village re-opened to the public on 11 November 2016.
 11. The locomotive has remained encapsulated in plastic and frequent inspections are carried out to confirm the integrity of the wrapping. A more permanent remediation of the locomotive and surrounds remains a priority and a number of potential options were identified and presented at the Ordinary Council Meeting on 27 April 2017.
 12. The City currently has a 10 plus 10-year lease arrangement with the Kalamunda and Districts Historical Society and it is responsible for the management and operations of the Kalamunda History Village with the support of the City and its staff.
 13. The Kalamunda History Village attracts over 13,000 visitors each year. The majority are coordinated through the very popular school excursion program, welcoming over 100 schools from throughout the Perth metropolitan region.

DETAILS

14. The presence of asbestos came to light on 24 October 2016 following preparations for a re-painting of the locomotive.
15. The Kalamunda History Village was immediately closed with environmental consultants engaged to undertake an asbestos risk assessment including:
 - Collection of samples to submit for laboratory analysis
 - Recording, collating and reporting findings verbally and in writing; and
 - Appropriate recommendations to control and remediate the hazard.
16. On 25 October 2016, environmental consultants provided a report confirming the presence of friable asbestos within the submitted samples and recommending the control and remediation of the hazard. Based on the report, licenced asbestos contractors were engaged to apply a PVA (polyvinyl acetate) substance to ensure the site was made temporarily safe.
17. Air sample tests were also conducted throughout that week, and indicated results below the limit of detection.
18. Licensed asbestos contractors were then engaged to make the site safe by:
 - Removing contaminated material within the identified exclusion zone;
 - Environmentally cleaning the station building area; and
 - Fully encapsulating the locomotive in a durable plastic material.
19. Works were undertaken throughout the last week of October and Kalamunda History Village re-opened to the public and schools on 11 November 2016.

20. Consideration of options for a more permanent remediation of the locomotive **and immediate affected site were proposed for Council's consideration at Ordinary Council Meeting on 27 April 2017.**
21. Option 1 – Disposal
This option would deliver maximum remediation of the site.
- Option 2 – Asbestos Removal and Restoration
This option would deliver maximum remediation of the site.
- Option 3 – Encapsulation in Plastic Sheeting
This option would not deliver a permanent remediation of the locomotive or the site as the asbestos would not be completely removed.
- Option 4 – Sealed Viewing Enclosure
This option would not deliver a permanent remediation of the locomotive or the site as the asbestos would not be completely removed.
- Option 5 – Sealing with a Protective Coating
This option would not deliver a permanent remediation of the locomotive or the site as the asbestos would not be completely removed.
22. At Ordinary Council Meeting on 27 April 2017 it was resolved that Council:
1. *Approves Option 2; the remediation of the G118 Locomotive, the platform and tracks, subject to the submission of a priority application to Lotteries West to secure a significant amount of external funding to offset the total cost of ratepayer funds.*
 2. *Notes once external funding has been confirmed a report will be submitted to Council for consideration.*
23. Lotterywest has recently notified the City that it has been successful in its application for funding from the Heritage and Conservation Fund of up to \$180,000 towards a conservation plan update and the remediation, conservation and refurbishment of the locomotive and railway station at Kalamunda History Village.
24. Remediation of the locomotive and surrounding area is an extremely specialised project and it is therefore intended to seek Expressions of Interest from contractors for completing restoration work.

STATUTORY AND LEGAL CONSIDERATIONS

25. The Department of Environment Regulation has served the City with a notice of a classification of a known or suspected contaminated site under section 15 of the *Contaminated Sites Act 2003*. This requires a remediation plan for the contaminated site. Until all asbestos is removed, the History Village will remain a contaminated site.

26. The Code of Practice under *Occupational Safety and Health Regulations 1996* indicates at 11.1 Implementing the asbestos management plan:

The control measures required for identified and presumed Asbestos Containing Material (ACM) should be determined from the risk assessment and should follow the following principles:

- If the ACM are friable and not in a stable condition, and there is a risk to health from exposure, they should be removed by an asbestos removalist as soon as practicable.
- If the ACM are friable but are in a stable condition and are accessible, serious consideration should be given to their removal. If removal is not immediately practicable, short-term control measures, such as sealing and enclosure, may be able to be used until removal is possible, although some State and Territory OHS and authorities do not permit sealing or encapsulation of ACM.

The following excerpt is from the “How to Manage and Control Asbestos in the Workplace – Code of Practice” publication produced by Safe Work Australia in February 2016:

“If it is not reasonably practicable to remove asbestos, then other control measures must be implemented to ensure people are not exposed to airborne asbestos, including either enclosing or sealing the asbestos”.

POLICY CONSIDERATIONS

27. Policy No.: ART5 - Stirk Cottage and Kalamunda Museum – Management Agreements.

Objective: To ensure that any Agreement to manage the facilities takes account of the necessity to preserve and promote the history and heritage of the Kalamunda Districts for the benefit of its residents and for future generations.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

28. Relevant City Departments including Economic & Tourism Development, Public Relations, Procurement, Asset Delivery, Occupational Safety & Health and Environmental Health have been, and continue to be, consulted.

External Referrals

29. Kalamunda and Districts Historical Society, as the key stakeholder, has been informed of developments, remedial works already undertaken and the outcome of the Lotterywest funding application.

Consultation will continue regarding decisions affecting the locomotive’s future given the management agreements in place for the Kalamunda History Village.

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30. An Environmental Hygienist and Asbestos Removal Contractor were consulted and engaged for the initial remedial works undertaken.
 31. State Government agencies, and specifically the Department of Health and Worksafe were consulted, for the relevant approvals for the initial remedial works undertaken in the short-term.

FINANCIAL CONSIDERATIONS

32. Municipal funding of \$236,398.73 has been allocated towards this project in the City of Kalamunda 2017/18 budget.
33. Lotterywest has recently notified the City that it has been successful in its application for funding from the Heritage and Conservation Fund of up to \$180,000 towards a conservation plan update and the remediation, conservation and refurbishment of the locomotive and railway station at Kalamunda History Village.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

34. *Kalamunda Advancing: Strategic Community Plan to 2027*

OBJECTIVE 2.4: To ensure contaminated sites are safe and managed to ultimate use.
Strategy 2.4.1 Identify, examine and manage risk associated with contaminated sites.

SUSTAINABILITY

Social Implications

35. The locomotive is regarded by the community as a significant feature of the Kalamunda landscape. Any prospect of permanent loss of the locomotive has the potential to cause considerable concern amongst the community.

Economic Implications

36. The locomotive has been a major attraction for visitors to the Kalamunda History Village. The current encapsulation has impacted negatively on visitor experiences and may have impacted on revenue generated.

Environmental Implications

37. The Department of Environment Regulation has served the City with a notice of a classification of a known or suspected contaminated site under section 15 of the Contaminated Sites Act 2003. This requires a remediation plan for the contaminated site which assists the Kalamunda & Districts Historical Society in their day to day running.

RISK MANAGEMENT CONSIDERATIONS

38.	Risk: Insufficient budget to complete the remediation required		
	Likelihood:	Consequence	Rating
	Possible	Moderate	Medium
	Action/ Strategy		
	Ensure all proposed methodologies have been fully considered and assessed.		
	Risk: Permanent loss of locomotive		
	Likelihood:	Consequence	Rating
	Unlikely	Significant	Medium
	Action/ Strategy		
	Ensure that a solution ensuring full remediation is a feasible option.		
	Risk: Exposure to asbestos		
	Likelihood:	Consequence	Rating
	Unlikely	Significant	Medium
	Action/ Strategy		
	Ensure that methodologies deliver best practice compliance and a solution providing full remediation.		

OFFICER COMMENT

- 39. Each of the five potential options presented to Council in April 2017 had advantages and disadvantages in terms of risk, regulation, cost, revenue implications and community impact. However, only Option 1, Disposal, and Option 2, Asbestos Removal and Restoration, are considered to deliver permanent solutions for full remediation.
- 40. Of the permanent measures, Option 2, Asbestos Removal and Restoration, was at face value likely to be the most expensive. Option 2 has however attracted significant funding from Lotterywest which **reduces the City's** contribution to a level not dissimilar to that of Option 1, Disposal, which in turn would be the one most likely to attract community and visitor concern.
- 41. The Kalamunda and District Historical Society is fully supportive of Option 2 to deliver full remediation to the locomotive and contaminated site.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Approves the full remediation of the G118 locomotive, platform and tracks at the Kalamunda History Village.
2. Approves the City proceeding with the Expressions of Interest from suitably qualified contractors to undertake the remediation of the locomotive, platform and tracks at the Kalamunda History Village.

Moved:

Seconded:

Vote:

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

8.1.3. Stirk Park Master Plan – Public Comment

Previous Items	OCM 75/2017
Responsible Officer	Director Corporate & Community Services
Service Area	Community Development
File Reference	PR-PLN-005
Applicant	City of Kalamunda
Owner	City of Kalamunda
Attachment 1	Public Comment Submission Table
Attachment 2	Stirk Park Master Plan

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the outcomes of the Community Consultation on the Draft Stirk Park Master Plan (the plan).
2. The Planning Group (TPG) & Emerge Associates were engaged in March 2016 to consult with the broader community in a design process to enhance the iconic and historical Stirk Park.
3. Since the Council resolution of May 2017, the community has been invited to provide final feedback on the plan over an 80 day public comment period which concluded 15 August 2017. This process included direct email invitation to a subscribed email database of over 400 residents, copies available at City Administration, Libraries, website and social media promotion.
4. It is recommended that Council adopt the final Stirk Park Master Plan and provide support for the commencement of more detailed scoping, consultation and detailed design for the following 1-3 year priorities:
 - Playground upgrade
 - Youth and Sport Precinct
 - Path Network upgrade

BACKGROUND

5. In May 2017, Council considered a report on the Draft Stirk Park Master Plan and resolved as follows:

*C&C 39 Stirk Park Master Plan
EN BLOC RESOLUTION OCM 75/2017
That Council:*

1. *Receives the draft Stirk Park Master Plan*
2. *Advertises the attached draft Stirk Park Master Plan for a period of 80 days, with results then presented to Council, prior to final adoptions of the Plan.*

6. The following is an extract from the City's 2010 Community Facilities Plan, indicating that Stirk Park should be maintained as a District Level Park:

"While Stirk Park has the capacity to function as a District level park, the standard and quality of the playground space is limited and appears to have been developed on an ad hoc basis, without an overall play concept in mind and is considered more consistent with some of the better equipped local parks in the Shire of Kalamunda.

The play space in Stirk Park is around 0.3 hectares in size, while as a District level park, the play space should be in order of one hectare. Continuing to provide a local level park experience at Stirk Park is considered a significant underutilisation of this valuable community asset.

As a District level park, Stirk Park should provide a major and unique play space and experience for all ages of children and young people and at this level should be custom designed, themed and well integrated with the other uses and functions required of a District level park. This recognises that a play space is only one element and function of a District level park."

DETAILS

7. Throughout the stakeholder engagement undertaken by TPG and Emerge Associates, the community connection to Stirk park has become apparent through the following core message:

While the park is in need of enhancement, the community has a genuine connection with this green, open, tranquil space that they continually use to relax, play and gather.

8. Following the final phase of a comprehensive, staged consultation process **with the community, TPG and Emerge Associates presented the final, 'draft'** design to Council in February 2017, which was then received by Council in May 2017 for a final period of public comment.

9. The final Master Plan has been broken down into three time period stages, with components and associated costs applied to each:

1. Priority Implementation (1-3 years)
2. Secondary Implementation (3-6 years)
3. Tertiary Implementation (6-10 years).

In addition, a prospective consideration to an upgrade and/or realignment of the Kalamunda Club area, inclusive of Bowling Greens has been noted as 10+ **years' option.**

STATUTORY AND LEGAL CONSIDERATIONS

10. *Local Government Act 1995* Section 3.18 (c) – *Effective Management of Local Government Services & Facilities.*

POLICY CONSIDERATIONS

11. The Cash-in-lieu Assessment Criteria Policy (FAC22) provides strategic **direction to Council's decision making on proposed cash in lieu projects** for which Stirk Park may be eligible, as it is regarded as a district level park.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

12. City Officers from various departments have been consulted throughout various stages of the Stirk Park Master Plan project, particularly with respect to the impacts of significant Asset Infrastructure projects in the Kalamunda Town Centre area.
13. The stormwater drainage study relative to the Kalamunda Town Centre and Stirk Park, inclusive of design and proposed works is coming to a conclusion.
14. The proposed works relative to this study currently have a budget allocation to enable implementation in the 2018/19 financial year and this will be an integral component of integration into the 1-3 year priority components of the plan.
15. The roundabout at the corner of Elizabeth Street and Kalamunda Road is also being redesigned and constructed from a traffic management perspective over the 2017/18 and 2018/19 financial years.
16. The timing and associated budget aligned to this roundabout may present an opportunity to link in the Entry Statement and roundabout upgraded referenced in the 1-3 year priorities of the plan.
17. Additionally, given the strong redevelopment focus in the initial 1-3 year priorities of the plan, some community feedback and internal discussion has highlighted the need to consider traffic flow and parking along Elizabeth Street.
18. Given the significant playground and youth space enhancements proposed on the Elizabeth Street frontage adjacent to Stirk Park and an increase in visitation, future consideration will need to be given to traffic and parking design along Elizabeth Street.

External Referrals

19. TPG and Emerge Associates undertook a significant amount of community consultation in two distinct phases from March 2016 to February 2017, initially enabling the development of two concept designs before the consolidation to a final Master Plan.
20. From this, 38 formal submissions were received during the 80 day public comment period. The Public Comment Submission Table (Attachment 1) reflects the formal submissions and associated staff comment applicable to

-
- each.
21. The large majority of submissions received are constructive in nature, 16 of which overtly praised the plan. Many provided further, more specific suggestions that can be put forth in isolated consultation processes relative to each component part of the plan when implemented.
22. For example, 19 submissions referenced design specifics relative to the playground and/or youth precinct, some referencing specific parks within the metropolitan region. This level of interest remains consistent with these components being regarded as the highest priority. Detailed designs for these elements will need to be determined through a more specific consultation phase, similar to what has occurred for other playground developments within the City.
23. Aside from the overall constructive nature of formal submissions and a dominant reference to the playground and youth precinct component, the next most prevalent reference (ten submissions) was in respect to themes of parking, traffic and pedestrian implications.
24. Other matters raised generally in a constructive manner related to the lake (including water quality), pathway networks, BBQ facilities, toilets, tree retention, memorial walk, memorial wall, future café, entry statement, lighting, Stirk Cottage, Headingly House, Amphitheatre, Kalamunda Club and dog area requests.
25. The comment in relation to not supporting the relocation of the War Memorial on Canning Road is in reference to the plan showing the opportunity for locating a memorial extending from the Memorial Walk. This opportunity has arisen through consultation with the RSL and is shown in the 6-10 year implementation phase. Further consultation regarding this proposal and location will need to be undertaken at the appropriate time.
26. In relation to comments from the Kalamunda RSL Sub-Branch about the proposed Memorial Wall, Officers have supported their request for a further extension of the grant funding until December 2018.

FINANCIAL CONSIDERATIONS

27. Implementation of components of the Stirk Park Master Plan will continue to be subject to annual budget deliberation processes and competing priorities.
28. An indicative figure of \$1 million over the next three years has been included in the 10 year Long Term Financial Plan towards the implementation of the Master Plan as follows

2017/18	\$100,000
2018/19	\$450,000
2019/20	\$450,000

29. The \$100,000 identified in 2017/18 is for the purpose of developing detailed design and documentation for the initial 1-3 year priority components. This will then be utilised to attract and source external funding.

30. It is intended that the ongoing implementation of the schedule of works be staged in a manner that will ensure maximum opportunity for Council to leverage external funding through such sources as:

- Lotterywest – ‘Community Spaces Outdoor’ Grant
- Department of Planning – Cash in Lieu Funding
- Department of Local Government, Sport, Culture & Industries – Community Sporting & Recreation Facilities Fund (CSRFF)
- Other – State/Federal Government Advocacy, Service Clubs, etc.
- Sponsorship or naming rights for playground

31. The initial 1-3 year priority components as shown in the Master Plan and estimate of probable costs are as follows:

Path network upgrade	\$251,700
Playground upgrade (includes modular toilet block facilities, excludes sewer works)	\$527,300
Amphitheatre upgrade (excludes car park and drainage infrastructure)	\$296,130
Entry statement	\$35,200
Youth and sport precinct	\$265,800
Roundabout upgrade	\$60,000
Total (excl. GST)	\$1,436,130
Note: Detailed design costs are not included in this total	

32. Following the latest round of public consultation, it is now proposed to obtain detailed designs for the following priority components:

Playground upgrade (includes modular toilet block facilities, excludes sewer works)	\$527,300
Youth and sport precinct	\$265,800
Path network upgrade	\$251,700
Total (excl. GST)	\$1,044,800
Note: Detailed design costs are not included in this total	

33. There were a number of comments received in relation to a future café on the site. This has been identified on the plan as part of a proposed redevelopment of **“Headingly House” community building on Headingly Road**. While the proposal is in the 6-10 year implementation timeframe, the design, location and potential for a future income stream for the City, will need further detailed investigation at the appropriate time.

Strategic Planning Alignment

34. *Kalamunda Advancing: Strategic Community Plan to 2027*

OBJECTIVE 1.9: To provide high quality community facilities to meet the needs of our current and our future community.

Strategy 1.9.1 Support and deliver a long term approach to community facilities planning.

SUSTAINABILITY

Social Implications

35. The undertaking of a study to provide strategic direction and guidance in the provision of recreation and social infrastructure at Stirk Park, will greatly assist in a long term approach to servicing the community with a suitable district level park.

Economic Implications

36. The enhancement of Stirk Park to a suitable district level park will attract increased usage and visitation locally and beyond, consequently providing spin off benefits to the local economy and businesses, particularly within the Kalamunda Town Centre.

Environmental Implications

37. Investigations are currently underway and coming to a conclusion with respect to drainage of the Kalamunda Town Centre which then has implications on drainage to and through Stirk Park.
38. Outcomes and recommendations of such drainage studies and investigations will certainly impact components of the Stirk Park Master Plan, specifically with respect to the drainage channels and the size and design of the lake.

RISK MANAGEMENT CONSIDERATIONS

- 39.
- | | | |
|--|-------------|--------|
| Risk: The Draft Master Plan design and priorities do not meet the needs of the community, including nearby residents. | | |
| Likelihood | Consequence | Rating |
| Unlikely | Significant | Medium |
| Action/ Strategy | | |
| A significant amount of community consultation has already been undertaken with respect to the needs of the community and this will again occur through the detailed design process. | | |

Risk: Project does not receive external funding support.		
Likelihood	Consequence	Rating
Unlikely	Significant	Medium
Action/ Strategy		
Each of the proposed stage one developments will include staged upgrade options in the event that external funding support is not successful.		

OFFICER COMMENT

40. The draft Stirk Park Master Plan design has endeavoured to prioritise and stage components based on the community consultation feedback.
41. The main outcomes for the community will be increased opportunities to participate in physical and social activities at an enhanced district level park.
42. In addition, local tourism and businesses within the Kalamunda Town Centre will benefit from the likely increased visitation to the park from outside of the City as a result of key, priority park enhancements such as the playground development.
43. The priority elements identified for implementation in the proposed 1-3 year timeframe were as follows:
 - Path network upgrade
 - Playground upgrade
 - Amphitheatre upgrade
 - Entry statement
 - Youth precinct
 - Roundabout upgrade.
44. Of the 38 submissions received, the large majority were constructively supportive, providing further detail relative to specific component parts of the conceptual Master Plan.
45. The most common components referenced were with regard to specifics of the design elements to be included in the playground and youth and sport precinct spaces, highlighting the importance of consultation processes for each of those component parts.
46. Parking, traffic flow and pedestrian access considerations was the next most common and then a wide range of references relative to lighting, BBQs, lake, water quality, vegetation, heritage elements, dog area requests, Kalamunda Club, Headingly House, Stirk Cottage, Amphitheatre, future café, memorial walk, memorial wall and toilet facilities.
47. It should be noted that subject to future available budget, external grants and funding aligned to the various component parts, each will have more specific consultation phases with consideration to residents, vegetation, drainage, infrastructure and overall community needs.

48. Component parts such as the playground upgrade and youth and sports precinct will require more specific community consultation phases, inclusive of a defined scope of works to enable design and implementation aligned to budgets. Compliance with all universal access regulations and requirements will be required as each component of the plan is designed.
49. During the design phase for the youth and sports precinct there is potential to substitute the Pump Track element with a Skate Park. The Kalamunda Skate Park is ageing and will soon be at a stage of needing replacement, therefore this will need to be taken into consideration in accordance with funding parameters.
50. The significant amount of public commentary relative to the playground upgrade and youth and sport precinct reaffirms these two elements as initial, key priorities within the 1-3 year timeframe.
51. Pedestrian access and flow is an integral element in the initial planning and implementation of 1-3 year priorities highlighted in the plan and should be encompassed as initial priorities along with the playground and youth and sport precinct.
52. The Amphitheatre upgrade has been deferred to stage two, so as to align the works with the proposed Sound Shell improvements. There is also potential to reduce the extent of new pathway developments in stage one if external funding opportunities are not successful.
53. The entry statement and roundabout upgrade however did not attract much attention in the final public comment phase and it is suggested that these elements be postponed.
54. In implementing the plan, it is therefore recommended that the first stage be to undertake detailed design and scoping with respect to the following elements of the listed 1-3 year priorities, as deemed by the community. Specifically:
 - Playground Upgrade
 - Youth and Sport Precinct
 - Path network upgrade
55. In summary, it is recommended that Council endorses the draft Stirk Park Master Plan as a conceptual, strategic tool guiding future developments with more detailed scoping, consultation and design to be applied to the implementation of the prioritised component parts.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Adopts the final Stirk Park Master Plan to be used as a conceptual, strategic tool guiding future developments with more detailed scoping, consultation and design to be applied to the implementation of the prioritised component

- parts.
2. Supports the commencement of more detailed scoping, consultation and detailed design for the following 1-3 year priorities:
- Playground Upgrade
 - Youth and Sport Precinct
 - Path network upgrade
3. Notes that the remaining stage two and three development proposals will be subject to sourcing external funding, annual budget deliberations and the competing priorities in the Long Term Financial Plan.

Moved:

Seconded:

Vote:

Attachment 1
Stirk Park Master Plan – Public Comment
Public Comment Submission Table

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

Attachment 2
Stirk Park Master Plan – Public Comment
Stirk Park Master Plan – March 2017

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

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

8.1.4 Draft Economic Development Strategy – Public Comment

Previous Items	OCM 128/2017
Responsible Officer	Director Corporate & Community Services
Service Area	Economic, Land & Property Services
File Reference	
Applicant	City of Kalamunda
Owner	City of Kalamunda
Attachment 1	Draft Economic Development Strategy
Attachment 2	Public Comment Table

EXECUTIVE SUMMARY

1. The purpose of this report is to consider public comments received following a Council resolution to advertise the Draft Strategy for a period of 40 days.
2. In November 2016, AEC Group Ltd was engaged to develop an Economic Development Strategy for the City of Kalamunda.
3. In July 2017, Council received the Draft Economic Development Strategy and requested it be advertised for public comment for a period of 40 days, with results then presented to Council, prior to final adoption of the Strategy.
4. It is recommended that Council adopts the Economic Development Strategy – City of Kalamunda July 2017.

BACKGROUND

5. **The City's previous Economic Development Strategy was developed in 2009,** with an action plan over a five year period.
6. The previous strategy had lapsed and the need for a contemporary Economic Development Strategy was identified and pursued.

DETAILS

7. The City recognises the important role The Draft Strategy plays in supporting and facilitating economic growth.
8. The Draft Strategy was prepared by AEC Group Ltd in consultation with the local businesses and the City of Kalamunda.
9. The Draft Strategy endeavours to provide a realistic, achievable, evidence-based plan of action with consideration to resourcing within the current local economic environment, responsive to challenges and opportunities to foster growth and investment.

10. The development of The Draft Strategy included the following key steps:
 1. Inception meeting, desktop review and establishment of project outputs.
 2. Socio-demographic, economic and tourism profile data gathering.
 3. Situational analysis of economic opportunities, including trends and strategic asset assessment.
 4. Stakeholder engagement through a variety of consultation.
 5. Strategy development, including a vision, goals, framework and five year activity program.
 6. Draft strategy development, presentation to Council and public comment period.

11. The Draft Strategy is designed to provide clear direction regarding five identified priorities to be implemented as the basis for a program of activities:
 - Industry expansion and attraction
 - Business capacity building
 - Tourism
 - Strong local identity
 - Create a welcoming environment

STATUTORY AND LEGAL CONSIDERATIONS

12. Local Government Act 1995 Section 5.56 Planning for the future:
 - (1) A local government is to plan for the future of the districts.
 - (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the districts.

13. This Strategy is an informing document to enable sustainable planning for the future.

POLICY CONSIDERATIONS

14. The proposed program of activities within The Draft Strategy suggests a **review of the City's Local Planning Scheme and regulatory approvals** processes.

15. Council Policy - *Appointment of Community Members to Advisory Committees and Reference Groups*

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

16. **In addition to the City's Economic, Land & Property Services, Councillors, the Executive Management Team, Planning Services and Community Development** were also consulted.

External Referrals

17. AEC Group with support from the City has undertaken a significant amount of consultation during the development of The Draft Strategy.

-
18. In formulating The Draft Strategy prior to a final public comment period, the following methods were employed to promote involvement in the community consultation component of the project:
 - Targeted Emails – informative and promotional communication was sent through a number of business network email databases.
 - Traditional Media – informative and promotional communication was provided via website, local newspaper advertisements, media releases and promotional flyers distributed to businesses.
 - Social Media – informative and promotional posts were provided via City and local business network Facebook pages.
 19. External engagement activities employed during the consultation phase, forming the considerable basis of the draft Strategy included:
 - Industry workshops for businesses including tourism providers
 - One-on-One interview with key stakeholders
 - Online Business survey – 40 completed surveys
 20. Following the resolution of the Ordinary Council Meeting on July 2017 a 40-day public comment period concluding 8 September 2017 was promoted to businesses and the broader community.
 21. In addition to the same methods initially employed to promote involvement, and in alignment with the above Council resolution, the City promoted the public comment opportunity at two business forums:
 - Business Breakfast Conversations on Wednesday 2 August 2017
 - Kalamunda Chamber of Commerce Business Breakfast on Wednesday 16 August 2017
 22. The City also conducted an evening business forum to promote The Draft Strategy and encourage comment from the business community:
 - Business network workshop on Tuesday 29 August 2017
 23. At the evening forum, City Officers provided a summary presentation of the project including stakeholder engagement and the five identified priorities to be implemented as the basis for a program of activities.
 24. Since the Council resolution of July 2017, over the 40-day public comment period, a total of four formal comments were received. The attached table reflects the formal submissions and associated staff comment applicable to each.
 25. The majority of submissions received were of a positive and constructive nature. Specific feedback is contained in Attachment 2.
 26. The following amendments have been made to the draft Strategy since it was endorsed for public comment in July 2017.
 27. Paragraph 3.2.3 - an additional sentence has been inserted to read: *'During consultation some tourism operators expressed the desire to ensure that the destination image is retained by preserving the smaller boutique attractions*
-

and services that are currently on offer.'

- 28. Paragraph 3.4 – the title has been amended to read: **'The Role of the City'**.
- 29. Paragraph 3.2.4 and 4.1 – Local buy has been amended to read: **'Buy local'**.

FINANCIAL CONSIDERATIONS

- 30. The Draft Strategy should provide a direction for the **City's advocacy program** and improve the ability to attract external investment.
- 31. A number of the activities referenced within The Draft Strategy program of activities will be subject to annual budget processes and competing priorities.
- 32. The successful implementation of The Draft Strategy will be subject to both the availability of operational budget and staffing resources.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

- 33. *Kalamunda Advancing: Strategic Community Plan to 2027*

OBJECTIVE 3.3: To **develop and enhance the City's economy**.

Strategy 3.3.1 Facilitate and support the success and growth of industry and businesses.

SUSTAINABILITY

Social Implications

- 34. The objective of facilitating, achieving and maintaining a vibrant prosperous community also supports the social outcomes referenced in The Draft Strategy.

Economic Implications

- 35. The outcomes of this project will provide strategic direction and guidance for economic development that should assist local businesses to flourish and prosper.
- 36. Additional employment and training opportunities and the enhancement of essential supporting infrastructures, will add to the sustainability of the local and regional economy.

Environmental Implications

- 37. Land use planning and development assessment criteria, in addition to controls of relevant State Government bodies, are designed to safeguard and provide a balance between growth and protection of the natural environment.

RISK MANAGEMENT CONSIDERATIONS

38.	Risk: The Draft Strategy fails to meet the needs of the City and local business community.		
	Likelihood:	Consequence	Rating
	Unlikely	Moderate	Low
	Action / Strategy		
	A significant amount of engagement and consultation has been undertaken with respect to the needs of the community by the Consultants and City Officers to ensure the Strategy is reflective of needs.		

Risk: The Draft Strategy may raise community and local business expectations regarding activities that may not all affordably be resourced.		
Likelihood:	Consequence	Rating
Possible	Moderate	Medium
Action / Strategy		
Ensure community and local business is informed as part of communications process that all activities are subject to resourcing.		

OFFICER COMMENT

39. The Draft Strategy has been prepared based on broad local stakeholder consultation and feedback, with the program of activities developed to address the key strategic priorities identified.
40. The program of activities sets targets and resourcing for each of the strategic priorities for the life of The Draft Strategy. However, these will need to be reviewed and prioritised on an annual basis to ensure they are relevant and adequately resourced.
41. The program of activities has been developed to address five identified strategic priorities:
- Industry expansion and attraction
 - New investment and jobs
 - Health and aged care
 - Agriculture
 - Business capacity building
 - Events and activities
 - Workforce development
 - Home based business support
 - Tourism
 - Product development
 - Destination marketing
 - Destination management
 - Strong local identity
 - Buy Local program
 - Community pride program
 - Township activation program
 - Create a welcoming environment
 - Provide supportive regulatory framework

- Develop business application guidelines
 - Establish internal decision making framework
42. Following the Council resolution of July 2017 for a 40-day public comment period, promotion has been undertaken with the local business community through a variety of mediums, including a public forum, encouraging review and public comment.
43. The minimal, yet constructive public comment received from the local business community provides some indication that the engaging community consultation process and consequent draft Strategy is reflective of needs and providing sound, actionable strategic priorities.
44. In implementing The Draft Strategy, officers will review and confirm the actions of year one with consideration to prioritisation and resourcing.
45. In line with the Strategy document regarding 3.6 performance measurement, the progress against the program of activities will be reported back to Council on a biannual basis using the usual Council Meeting cycle. The outcomes of these meetings will be communicated back to the business community and the broader community.
46. It is recommended that Council endorses The Draft Strategy as important strategic tool to guide and leverage economic development within the City of Kalamunda.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Adopts the Economic Development Strategy – City of Kalamunda July 2017.
2. Supports the commencement of prioritised, resourced actions aligned to the program of activities within the Economic Development Strategy – City of Kalamunda July 2017.

Moved:

Seconded:

Vote:

Attachment 1
Draft Economic Development Strategy – Public Comment
Economic Development Strategy 2017

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

Attachment 2
Draft Economic Development Strategy – Public Comment
Public Comment Table

	Comment	Staff Comment
1.	<p>Consultation workshop targeting tourism providers referenced the desire to develop their own identity, clearly different from Swan Valley or Margaret River and a strong desire to remain boutique. Otherwise intent and content of strategy looks to be correct.</p>	<p>Support for draft Strategy noted. Noted that some local tourism operators expressed a wish to retain unique and boutique identity in contrast to other popular destinations. Amendment made at 3.2.3 to reflect this.</p>
2.	<p>After reviewing the Economic Development Strategy, I'm glad to see an attempt to improve areas related to workforce development for youth and a continuation of the Youth Plan – however, as a recent high school graduate living in Kalamunda, I feel that the town could thrive through a further diversification of available employment sectors that can actively involve the area's youth population. While as a whole the areas of employment are diverse, there is likely a lack of diversity within these individual sectors. It may be useful to find areas within each sector that could be expanded, for instance, Kalamunda may benefit from businesses and programs that require I.T. knowledge and software comprehension that can assist other members of the community, especially considering that use and comprehension of technology is close to inevitable in modern society (therefore the industry is still expanding in many areas).</p> <p>In fact, a boost in service-based businesses revolving around agriculture, technology, aged care and maintenance in general could work in the same way, providing jobs for those individuals still in the workforce whilst strengthening community relations (between the younger and older residents) and assisting less capable members of the community.</p> <p>Another factor that might improve Kalamunda's workforce community involvement could be further engagement with the younger demographic online (in a contemporary fashion). A greater focus on spreading messages about training and events needs to be implemented through the internet. I feel as though many individuals may be missing job opportunities in their local area (resulting in them searching for work in other towns) as a result of there not being sufficient online notifications regarding available positions and traineeship openings.</p> <p>Thank you for your time, and I look forward to seeing your great ideas implemented through Kalamunda in the near future.</p>	<p>Support for the draft Strategy noted – Activities 1.3 and 2.1 in the program of activities contained in the draft Strategy address opportunities in Agriculture and Workforce Development.</p>
3.	<p>This report has been produced at great expense to the city's rate payers. Let's hope that it makes a difference</p>	<p>Noted – Activity 2.1 in the program of activities contained in the draft Strategy addresses greater</p>

	Comment	Staff Comment
	<p>to our long-term future within the city. I look forward to seeing how this development plan will be implemented by Council over the coming years.</p> <p>I also believe more open and transparent forums between local businesses and Council are the way forward. The more this happened the more engagement will increase. This should then help Council with their decisions. They are elected to serve our community. So, we need to also help them in making these decisions.</p>	<p>opportunities for business networking through workshops and other events.</p>
4.	<p>The Perth Observatory in Bickley has 120 years of history and offers a range of day and night activities and educational experiences for all ages. As managers of the site, the Perth Observatory Volunteer Group Inc. is keen to work with other groups in the area to enhance visitor experiences.</p> <p>We agree with the following points drawn from the report and seek facilitation from the City of Kalamunda in maximizing the benefits that these opportunities provide.</p> <ul style="list-style-type: none"> • Tourism provides a growing opportunity for development in the Perth Hills. • The region has the potential to provide a multi-experiential destination to attract more interstate and international visitors. • Kalamunda is strategically placed to be the focus for visitors to the region. • A strong local identity is needed to promote the unique environment and history of the area. • The different needs of international, interstate and metropolitan visitors need to be considered. Short term accommodation, as well as opportunities to sample local produce, and take part in a range of activities and unique experiences need to be enhanced and promoted. • Seniors with more time and resources provide a growing market for day excursions throughout the area. • More venues open after office hours would also stimulate the night time economy and give visitors a reason to stay overnight. • Venues with appropriate facilities for conferences and events would further increase the scope for more visitors to the area. • More collaboration and coordination between local businesses, venues and tourist operators would provide a wide variety of self-drive adventures and small group tour packages. <p>The City of Kalamunda is the vehicle by which many of</p>	<p>Support for Strategic Priority 3 - Tourism is noted.</p>

	Comment	Staff Comment
	these developments can be facilitated, coordinated and promoted, while ensuring that the unique character and environment of the Perth Hills is retained.	

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

8.1.5 CONFIDENTIAL ITEM – Acquisition of Portion of Lot 7 (No. 257)
Lesmurdie Road, Lesmurdie

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."*

Previous Items	Nil
Responsible Officer	Director Corporate & Community Services
Service Area	Economic, Land & Property Services
File Reference	LS-03/257
Applicant	Keith Outram
Owner	Keith Outram

Confidential Attachment 1	Letter from Owner of Lot 7 dated 24 March 2017
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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."*

Confidential Attachment 2	Plan 4209-01-02/A
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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."*

Confidential Attachment 3	Burgess Rawson Valuation Report for Portion of Lot 7 dated 19 September 2017
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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."*

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

8.1.6. Strategic Sport and Recreation Community Committee – Public Comment

Previous Items	OCM 163/2017
Responsible Officer	Director Corporate & Community Services
Service Area	Community Development
File Reference	
Applicant	
Owner	
Attachment 1	Amended Terms of Reference
Attachment 2	Public Comment Summary
Attachment 3	Nomination Package

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the outcomes of the community consultation on the draft Terms of Reference for the establishment of a Strategic Sport and Recreation Community Committee (SSRCC) to replace the existing Sport and Recreation Advisory Committees.
2. The opportunity for public comment was promoted widely through **advertising on the City's website**, in the local newspaper, emailed out to all sporting club contacts and provided via an online feedback form.

Meetings were also held with the Hartfield Park, Kostera Oval and Scott Reserve Advisory Committee along with two Community Forums.
3. It is recommended that Council:
 - receive the public comment
 - adopt the amended Terms of Reference
 - **endorse the removal of the word "community" from the title**
 - support the establishment of a SSRCC
 - abolish the existing Sport and Recreation Advisory Committees.

BACKGROUND

4. At the September OCM 163/2017 it was resolved that Council:
 1. *Support in principle the development of a Strategic Sport and Recreation Community Committee to replace the existing Sport and Recreation Advisory Committees.*
 2. *Request the CEO advertise the draft Terms of Reference for a period of 30 days including consultation with the following Sport and Recreation Advisory Committees:*
 - a. *Hartfield Park Advisory Committee*
 - b. *Scott Reserve Advisory Committee*
 - c. *Kostera Oval Advisory Committee*

3. Provide Terms of Reference to all clubs and invite representatives from each club to a forum held at Woodlupine Community Centre and City of Kalamunda Administration Centre with the purpose of providing information and assistance to the clubs of the proposed new structure. In addition explain how the capital grants program will work in conjunction with this group.

5. In accordance with this resolution the draft Terms of Reference were advertised for a period of 30 days closing on 3 November 2017.
6. A summary of the public comments, Advisory Committee and workshop feedback is included in (Attachment 1.)

DETAILS

7. Strategic Sport and Recreation Community Committee (SSRCC)
There has been little change to existing Council's Management and Advisory Committees for a number of years. It is timely to consider a review of the **types and structure of the Committees to ensure alignment with Council's** strategy and priorities, and to meet community expectations.
8. Some of the issues and perceptions around the existing process for capital funding of sport and recreation groups can be summarised as follows:
 - a. Lack of integration between Community Sporting & Recreation Facilities Fund (CSRFF) and budget processes.
 - b. Expectation that CSRFF projects will be funded prior to budget consideration.
 - c. Perception that funding is not always equitable.
9. The SSRCC is based around the principles of Participatory Budgeting, which is a process of democratic deliberation and decision-making, and a mechanism by which the community determines spending priorities, **investment and budget allocation decisions within the City's sport and recreation program.**
10. The proposed SSRCC will have two key focus areas:
 1. Provide a forum for independent consideration, assessment and ranking of new Capital Funding applications submitted from sporting **and recreational clubs through the City's Capital Grants EOI process.**
 2. Provide the City with an independent review and validation of the current sport and recreation projects included in the LTFFP. This will ensure that all future projects remain strongly aligned with the **communities' priorities and the City's funding parameters.**
11. There was general support from both the Advisory committees and other sporting clubs regarding the establishment of the SSRCC. Several key themes emerged throughout the public comment and feedback process:
 - The need for balanced representation particularly in relation to locality and sporting code.
 - How would the City select members should more than nine nominations be received.
 - The need for disclosure of interests, impartiality and transparency

- Comments were made with respect to ensuring that all knowledge is not lost after the completion of the proposed two year term with a suggestion that consideration be given to splitting of terms.
- How would the City ensure that the committee remains unbiased in the recommendations made to Council for funding.
- A query was received as to the inclusion of the word *Community* within the title of the proposed committee.

12. Advisory Committees

In regards to the proposed replacement of the current Advisory committees, the main comments received from committees were:

- a. Hartfield Park Advisory Committee – In regards to how operational matters would be dealt with, the user groups were not overly concerned with the proposal to replace the Advisory Committees.
The groups felt that the current system of liaising with a Recreation Services Officer worked well and would continue to do so.
- b. Kostera Oval Advisory Committee – The committee were also not overly concerned with the proposed replacement of the Advisory committees providing other measures were put into place to ensure that strong channels of communication remain.
The groups noted that seasonal handover meetings would need to include officers from the Parks and Environment team and would perhaps need to happen twice per season.
The Kalamunda Senior High School raised concern that perhaps reference was made within the Shared Licence Agreement between the City and The Department of Education, that communications be maintained via the Committee.
- c. Scott Reserve Advisory Committee – The user groups on this committee were steadfast in wanting to retain the Scott Reserve Advisory Committee as they felt that it was not strategic and the user groups needed the opportunity to discuss operational matters with each other and City Officers.

STATUTORY AND LEGAL CONSIDERATIONS

13. *Local Government Act 1995* -Part 5 Subdivision 2- Committees and their meetings.

POLICY CONSIDERATIONS

14. COMR 21 - Capital Grants Clubs and Community Groups.

Council Policy - Appointment of Community Members to Advisory Committees and Reference Groups. (*All nominations for the Strategic Sport and Recreation Community Committee will be assessed in accordance with this policy and criteria*).

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

15. Draft Terms of Reference were referred to Governance for further development and the following items were adjusted.
- a. 3.5 removed to ensure consistency with the Terms of Reference for other Committees of Council.
 - b. 4.2 **amended to read as "The first meeting is to be held following the closure of the Expression of Interest process."**

External Referrals

16. The opportunity for public comment was promoted widely through **advertising on the City's website, in the local newspaper**, emailed out to all sporting club contacts and provided via an online feedback form.
17. Meetings were held with Sport and Recreation Advisory Committees:
- 10 October 2017 - Hartfield Park Advisory Committee.
 - 12 October 2017 - Kostera Oval Advisory Committee.
 - 17 October 2017 - Scott Reserve Advisory Committee.
18. The following workshops were held:
- City of Kalamunda Administration Building - 19 October 2017.
 - Woodlupine Community Centre, Forrestfield – 26 October 2017.

FINANCIAL CONSIDERATIONS

19. Following a recommendation by the SSRCC, Council will consider and prioritise the Expression of Interest projects and endorse them as part of the annual budget and Long Term Financial Plan process.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

20. *Kalamunda Advancing: Strategic Community Plan to 2027*
- OBJECTIVE 1.2 To provide safe and healthy environments for the community to enjoy.
- OBJECTIVE 1.3 To support the active participation of local communities.
- OBJECTIVE 4.1 To provide leadership through transparent governance.
- OBJECTIVE 4.2 To proactively engage and partner for the benefit of the community.

SUSTAINABILITY

Social Implications

21. The formation of the SSRCC will provide strategic direction and guidance in regards to the development of facilities and reserve infrastructure in the City of Kalamunda and will greatly assist in a long term approach in regards to the provision of sporting facilities within the region.

Economic Implications

22. The formation of the SSRCC is expected to provide the community with an improved understanding of the economic costs and benefits associated with our sport and recreation services.

Environmental Implications

23. The formation of the SSRCC will allow for improved promotion of strategies for reducing energy consumption when considering facility development and upgrades including lighting projects across the City. This could include the potential of installing PV solar panels on the roof any new facilities and consideration of use of LED lighting where appropriate.

RISK MANAGEMENT CONSIDERATIONS

- 24.
- | | | |
|---|-------------|--------|
| Risk That a balanced representation is not achieved on the committee in terms of locality and sporting codes. | | |
| Likelihood | Consequence | Rating |
| Possible | Moderate | Medium |
| Action / Strategy | | |
| Membership of the SSRCC provides for a wide representation from all sporting clubs across the City. Council will be responsible for appointing the members. | | |
-
- | | | |
|--|-------------|--------|
| Risk: Bias or favoritism by committee members when recommending projects to Council for funding. | | |
| Likelihood | Consequence | Rating |
| Possible | Moderate | Medium |
| Action / Strategy | | |
| Staff develop a guide/matrix to assist with decision making and ranking of projects. | | |
-
- | | | |
|---|-------------|--------|
| Risk: Deterioration of working relationships with clubs following replacement of advisory committees. | | |
| Likelihood | Consequence | Rating |
| Unlikely | Moderate | Low |
| Action / Strategy | | |

Recreation Services Officer (Sport and Club Development) and other City Officers will continue to provide support to and maintain a regular and open communication with all sporting and recreation clubs.

OFFICER COMMENT

25. After analysing the feedback received, the key themes and issues that emerged during the consultation period were as follows:

SSRCC Membership

- The need for balanced representation particularly in relation to locality and sporting code
- How would the City select members should more than nine nominations be received
- The need for disclosure of interests, impartiality and transparency
- Comments were made with respect to ensuring that all knowledge is not lost after the completion of the proposed two year term with a suggestion that consideration be given to splitting of terms.
- How would the City ensure that the committee remains unbiased in the recommendations made to Council for funding.
- A query was received as to the inclusion of the word *Community* within the title of the proposed committee.

Officers have provided comment addressing each of these themes below.

26. Nominations will be assessed using a decision making matrix that will be based upon the Sport and Recreation feedback ensuring balanced representation in terms of locality, sporting code and relevant skills and experience the candidate would bring to the committee.
27. All committee members will be required to disclose any financial, proximity or impartiality interests that they may have in any matter to be discussed at the meeting as reflected in the amended Terms of Reference (Attachment 1).
28. The Local Government Act of 1995 section 5.11 provides for two year terms for members with retiring members able to renominate. This should allow for knowledge to be retained through the process of re-election.
29. A decision-making matrix/guide would be developed to guide and assist members to make unbiased decisions in regards to recommendations to Council for funding.
30. Another element that could be added to the SSRCC deliberation process, to enhance impartially and fairness, would be to have a suitably experienced

and independent facilitator that oversees the decision making process.

31. As the focus of the committee is around the sporting and recreational clubs, it is proposed that the word *community* be removed from the title to avoid any confusion that community groups are also part of the membership.

Advisory Committees

32. It should be noted that the Scott Reserve Advisory Committee are strongly opposed to the abolition of their Advisory Committee.
33. In the event that the Advisory committees are replaced, then all maintenance and other reserve or building issues would be reported and **handled through the City's Internal** Customer Support system and tracked to ensure completion. Any major renewal projects would be referred to the Asset Services team and considered in conjunction with the appropriate Asset Management Plan e.g. car parks, court re-surfacing, drainage etc.
34. **The City's Club and Sport Development Recreation Services Officer** and other City Officers will continue to provide support and maintain a regular and open communication with all sporting and recreation clubs to ensure there is not a deterioration of the relationships with clubs following the replacement of the existing sporting Advisory Committee structure.
35. A more detailed seasonal handover process for clubs based at reserves will be instigated, involving City Officers from Parks and Environment as well as the Recreation Services. Two onsite meetings will be held prior to the seasons start (October & February) and one mid-year, at which matters based around the grounds, bookings, funding and other club matters will be addressed. Property Services Officers will continue to host seasonal changeover meetings for clubs that share a leased facility at the appropriate time.
36. Reserve user groups will still be able to meet on a needs basis to discuss any operational issues or improvements being proposed. This informal collaboration may also need to include City Officers when events or other activities are proposed on a particular reserve.
37. Steering Committees or Working Groups comprising of the various sporting clubs and any other user groups, will need to be established when developing and implementing Master Plans or Major Projects on recreation reserves.
38. The retention of one or two formal Sport and Recreation Advisory Committees at the expense of other sporting clubs that are not included on these committees, may give the perception that these committees will have a stronger voice and greater influence when it comes to Council support for Capital Grant requests.
39. All 39 sporting and recreation clubs will be invited to a meeting in December where the process and objectives of the SSRCC and how they align with the **City's new Capital Grants process will be explained. At the meeting** nominations from all clubs will be invited.
40. At the September C&C 67/2017 comment was made that more detail and description be included in the Terms of Reference. Details explaining membership nomination, election and membership roles have been expanded on in the amended Terms of Reference (Attachment 1) and in a

Nomination Guide (Attachment 3) that will be available to all clubs.

Voting Requirements: Absolute Majority

OFFICER RECOMMENDATION

That Council:

1. Receive the public comment.
2. **Endorse the removal of the word "community" from the title of the new committee and amend the Terms of Reference accordingly.**
3. In accordance with Section 5.8 of the Local Government Act 1995, establishes the Strategic Sport and Recreation Community Committee.
4. Adopt the Amended Draft Terms of Reference for the Strategic Sports and Recreation Community Committee.
5. Abolish the existing Sport and Recreation Advisory Committees effective from 28th November 2017.

Moved:

Seconded:

Vote:

Attachment 1
Strategic Sport and Recreation Community Committee – Public Comment
Amended Terms of Reference

Strategic Sport and Recreation Community Committee
Terms of Reference

1. Name

The name of the Committee shall be the Strategic Sport and Recreation Community Committee.

2. Objectives

- 2.1 To assess and prioritise Expression of Interest applications submitted from sporting and recreation clubs toward any new or major upgrade projects received through the **City's Capital Grants program and to make recommendations to Council for funding.**

Note: Renewal projects based upon replacement of 'like for like' will not be considered by this committee.

- 2.2 **To review and validate sport and recreation projects identified in the City's ten year Long Term Financial Plan.**

3. Membership, Nominations, Elections

- 3.1 A total membership of up to nine members will be appointed by Council following a nomination process that is open to all sporting and recreation clubs.

- 3.2 The term of appointment shall be up to two years. Retiring members are eligible for re-nomination.

- 3.3 An assessment based on selection criteria will focus on relevant skills and experience in regard to sport and recreation development projects, with an aim to achieve a balance with respect to sporting codes and locality.

- 3.4 Community representatives will not be selected as representatives of their individual sport and recreation clubs or reserves.

- 3.5 Committee members will recommend projects that represent community aspirations **and are deliverable within the constraints of the Council's adopted Long Term Financial Plan.**

- 3.6 Two non-voting City Officers will provide support;

- Director Corporate and Community Services
- Director Asset Services
- Or their nominees will provide this support.

- 3.7 A City of Kalamunda staff member will act as Secretary for the Committee.

4. Meetings

- 4.1 **The Committee shall meet up to four times per financial year in line with the City's Capital Grants Policy and Procedure funding cycle.**

- 4.2 The first meeting is to be held following the closure of the Expression of Interest process.

- 4.3 A quorum shall consist of at least one half of the appointed members being present.

4.4 An agenda and notice of meeting will be distributed by Council at least seven days prior to each meeting.

4.5 Extraordinary meetings may be convened by the Secretary (City Officer) in accordance with Clause 4.3, following written requests from in excess of 50% of the current membership with voting rights.

5. Minutes

5.1 The Secretary shall keep minutes of all business transacted at all meetings and shall forward a copy of these minutes to members within ten days of each meeting.

5.2 The Minutes to be presented to Council as an attachment to the appropriate monthly Council Agenda, at the next round of Council meetings following the meeting of that Committee.

6. Voting

6.1 Each appointed member present shall have one vote, excluding staff.

6.2 All committee members will be required to disclose any financial, proximity, commercial or impartiality interests that they may have in any matter to be discussed at the meeting.

7. Relationship to Council

7.1 The minutes of the Committee will be presented to the next available Meeting of Council. A copy of the minutes will be circulated to Councillors with the Council Agenda.

Attachment 2
Strategic Sport and Recreation Community Committee
Public Comment Summary

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

Strategic Sport and Recreation Community Committee

Nomination Package



**city of
kalamunda**

Guide to Nomination



Role of Committee Members

- The Strategic Sport and Recreation Community Committee is a Committee of Council under the *Local Government Act 1995*. This means there are regulations around membership, the way voting takes place, the way minutes are recorded and reported.
- Members will:
 1. Consider, assess and rank new Capital Funding applications submitted from **sporting and recreational clubs through the City's Capital Grants Expression of Interest** process.
 2. Provide the City with an independent review and validation of the current sport and recreation projects included in the Long Term Financial Plan. Ensuring that all future projects remain strongly aligned with the **communities' priorities and the City's** funding parameters.
- Members will have a responsibility to:
 - Respect the views of others
 - Represent those outside of their clubs
 - Be willing to make compromises
 - Maintain an open mind
 - Commit sufficient time to the process
 - Choose the best-fit solution that meets the needs of all people with an interest or likely to be affected by the decisions made by the group
- City Officers will have a responsibility to:
 - Provide training and information
 - Provide technical advice and supporting material
 - Facilitate committee meetings
 - Collate the information and decisions made by the committee
 - **Communicate these decisions on the committee's behalf**
- City of Kalamunda Council have a responsibility to:
 - Consider the recommendations provided from the SSRCC
 - Implement recommendations where possible
 - Clearly communicate what is not possible
 - Set the overall budget allocation regarding funding

-
- The Strategic Sport and Recreation Community Committee environment should enable participants to speak openly and that their opinions are recognised and valuable.
 - The Committee is based around the principles of Participatory Budgeting, which is a process of democratic deliberation and decision-making by which the community determines spending priorities, investment and budget allocation decisions within the **City's sport and recreation Capital Grants Program**.
 - Participatory Budgeting involves:
 - a) Community members identifying spending priorities;
 - b) Community members developing specific funding proposals with guidance and support from City staff; and
 - c) The City implementing the priority proposals.
 - It is considered that Participatory Budgeting is focused on achieving the following outcomes:
 - a) A stronger alignment between services and community priorities
 - b) Greater understanding within the community of the range and nature of services
 - c) Shared ownership of the challenging decisions facing Council in aligning budget with community needs
 - d) Improved levels of trust between the City and the community
 - e) Increased transparency in decision making.
 - All committee members will be required to disclose any financial, proximity or impartiality interests that they may have in any matter to be discussed at the meeting.
 - It is important to know that members will be required to consider all projects in a fair and transparent manner.
 - Members will be making decisions that benefit the wider sporting community, not their individual club, sporting code, reserve or locality.

Selection Process

Selection will be carried out in alignment with the City's *"Appointment of Community Members to Advisory Committees and Reference Groups"* Council Policy.

All sporting & recreation clubs will be invited to submit a nomination before the deadline date. Late applications will not be considered.

The Chief Executive Officer will appoint a panel of 5 staff members to undertake the assessment of all applications received by the City. These application will be assessed against a multi-criteria selection matrix (see below).

Those community members with the highest aggregated scores will be recommended to Council for appointment.

Councillors will then review the staff recommendations as a confidential item at an Ordinary Council meeting and make a final decision on all appointments.

All nominations for the Strategic Sport and Recreation Community Committee will be assessed and their final score weighted against the following criteria:

No.	Criteria	Weighting
1	Knowledge and experience of the topics the Committee/Group will be required to provide advice on.	25%
2	Previous experience in participating on other committees, working groups or boards.	25%
3	The ability to allocate the necessary time to attend meetings and read documentation prior to the meeting.	25%
4	Whether the application addresses a knowledge/skills gap on the Committee/Group, with consideration given to the balance of the Committee/Group (ensuring broad community representation).	25%

Score	Assessment
21 – 25%	Excellent
16 – 20%	Great
11 – 15%	Satisfactory
6 – 10%	Poor
1 – 5%	Unsuitable

Further information can be obtained from the City of Kalamunda's Recreation Services Officer - Sport & Club Development, Fiona Stuart on on 9257 9839.

Strategic Sport and Recreation Community Committee Nomination Form



Contact Details	
First Name:	Last Name:
Current Address:	
Phone: Home:	Mobile:
Club Details	
What sporting and recreation club are you a member of?	
Do you have a role at the club?	
Selection Criteria	
1.	Please describe and provide examples of any relevant skills and experience with respect to sport and recreation infrastructure development projects. For example; experience with grant applications, needs or feasibility studies, strategic planning.
2.	Please list any previous experience in participating on other committees, working groups or boards.
3.	Please demonstrate your ability to allocate the necessary time to attend meetings and read documentation prior to the meeting.

Further information can be **obtained from the City of Kalamunda's Recreation Services Officer - Sport & Club Development, Fiona Stuart** on on 9257 9839.

8.2 DEVELOPMENT SERVICES

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

8.2.1 Proposed Initiation of Scheme Amendment 95 to Local Planning Scheme No.3 – Additional Use, Reception Centre, Lot 601 (782) Welshpool Road East, Wattle Grove

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Approval Services
File Reference	PG-LPS-003/097
Applicant	Altus Planning and Appeals
Owner	Rothway Homestays, K E Bennett
Attachment 1	Scheme Amendment Form 2A
Attachment 2	Applicant's Amendment Report
Attachment 3	Traffic Impact Statement Report
Attachment 4	Bushfire Management Plan Report
Attachment 5	Department of Fire and Emergency Services (DFES) Referral Notice.
Attachment 6	Site Photos

EXECUTIVE SUMMARY

1. The purpose of this report is to consider an application to amend the City of Kalamunda *Local Planning Scheme No.3 (The Scheme)* to include the **additional use "Reception Centre" at the above mentioned address.**
2. The application is accompanied by a Transport Impact Statement (TIS) in accordance with the Western Australian Planning Commission (WAPC) Transport Impact Assessment (TIA) Guidelines 2016 as well as a Bushfire Management Plan (BMP).
3. **The 'Reception Centre' would cater for small to medium-sized** garden weddings with a cut off time of 11:00pm except on Sundays where the cut-off time will be 9:00pm.
4. It has been reported by the applicant that the majority of events would attract approximately 50 guests with the provision for the maximum number of guests to be capped at 100.
5. It is recommended that the proposal scheme amendment be adopted by Council for the purpose of public advertising.

BACKGROUND

6. Land Details:

Land Area:	2.0057ha
Local Planning Scheme Zone:	Rural Composite
Metropolitan Regional Scheme Zone:	Rural

7. On the 20th August 2015 the City granted the land owner(s) with planning approval to operate a Bed and Breakfast at the subject site for a maximum of six (6) guests, in addition to any persons currently residing at the residence.
8. **The existing dwelling is identified in the City's Municipal Heritage Inventory 2015, as Place No 183 – formerly Taylors Home.** The residence and surrounding property were built for Fred Taylor and his family around 1927 who made a significant contribution to the local community. The building is listed as having a Management Category Level 4, which is the lowest conservation level category with little historic significance.

Locality Plan

9. **The existing dwelling is identified in the City's Municipal Heritage Inventory**



DETAILS

10. The applicant is seeking Council approval to initiate Scheme amendment 95 to Local Planning Scheme No.3 for the purpose of public advertising to allow for **an additional use of 'Reception Centre' on the subject site.**
11. In support of the request, the applicant has provided the following information:
 - A comprehensive planning report justifying the proposal, refer Attachment 2.
 - A Traffic Impact Statement Report, refer Attachment 3.
 - A Bushfire Management Plan Report, refer Attachment 4.
12. The Scheme amendment 95 will facilitate the use of reception centre on the site as follows:
 - **It is proposed that the 'Reception Centre' would have the ability to operate seven (7) days per week, on an as needs basis and that it would be seasonal, i.e. during the warmer, dryer months of the year, with approximately 15 events per year. At all other times it is proposed to continue to operate in accordance with its present approval for a Bed and Breakfast.**
 - It is proposed that **the 'Reception Centre' would cater for small to medium sized garden weddings, attracting approximately 50 guests with a**

maximum capacity of 100 guests. All events will have a cut off time of 11.00pm, except on Sundays when the cut off time will be 9.00am.

13. In support of the proposal, the applicant contends the following:

"The subject land would be an ideal location for and could accommodate a Reception Centre given the size and the layout of the land well as its direct (and full) access to Welshpool Road East. Furthermore, the nature, scale and frequency of the events are such that it will not have any adverse impacts on the surrounding area and in fact, the amendment would provide an incentive for the landowner to maintain his well-manicured and established garden setting, as well as the heritage listed dwelling, all of which is considered to have a positive impact on the amenity of the locality."

STATUTORY AND LEGAL CONSIDERATIONS

14. Should Council resolve to initiate the amendment it will be determined in accordance with the *Planning and Development Act 2005*. The proposal will ultimately be determined by the Minister for Planning. If the proposal proceeds **to the Minister's determination there is no Right of Review (appeal) irrespective of the Minister's decision.**
15. In the event that Council does not adopt the amendment for the purposes of advertising, the process ceases and there is no right of review (appeal) to the State Administrative Tribunal (SAT).

Planning and Development (Local Planning Schemes) Regulations 2015

16. In relation to the processing of Scheme amendments, the Regulations **distinguish 'complex', 'standard' and 'basic' types of amendments with** procedural requirements for each to streamline and simplify the amendment process, particularly in relation to advertising and processing timeframes.
17. Under the Regulations, the proposed Scheme Amendment is considered a **'standard amendment', for the following reasons:**
- a) The amendment would have minimal impact on land in the Scheme area that is not the subject of the amendment;
 - b) The amendment is not considered to result in significant environmental, social, economic or governance impacts on land in the Scheme area; and
 - c) The amendment is not considered to meet the definition of a **'complex' or 'basic' amendment under the Planning and Development (Local Planning Schemes) Regulations 2015.**

Metropolitan Region Scheme

18. The site is zoned Rural under the Metropolitan Region Scheme.

Local Planning Scheme No.3

19. The subject lot is currently zoned Rural Composite under the Scheme, which includes the following objectives under Part 4.2.2 (Rural Zones):
- *To provide for small semi-rural lots that can accommodate a limited range of rural and low scale commercial land uses in a manner that will not adversely affect the landscape and environmental qualities of the land and are appropriate to the area.*

20. The proposed additional uses are defined under the Scheme and Regulations as follows:

Use	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Definition	Local Planning Scheme No. 3 Definition
Reception Centre	Means premises used for hosted functions on formal or ceremonial occasions.	Means premises used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes.

21. This Scheme amendment proposes to enable the City to consider the use **'Reception Centre' as an 'A' use in the Rural Composite zone as an additional** use for this specific property. This would mean that the use is not permitted unless the City has granted planning approval after advertising the proposal pursuant to the Scheme.

POLICY CONSIDERATIONS

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (Western Australian Planning Commission)

22. The intent of State Planning Policy 3.7 (SPP 3.7) is to implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.
23. The requirements under SPP 3.7 apply in addition to the provisions or requirements of the Special Control Area relating to bushfire prone areas under the Scheme.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

24. *Environmental Health:* concerns have been raised regarding the location and potential upgrade of effluent disposals systems. It has been indicated that this can be dealt with by way of appropriate condition applied to any approval to commence development. In regard to noise association with the use of the Reception Centre, the applicant will be required to prepare a noise

management plan as part of any future development application associated with the reception centre use.

Asset Services : No concerns have been raised and any conditions can be applied to any approval to commence development. The following comments have been stated:

- *The proposal has a potential of 50 to 100 patrons of a function, creating 12 to 100 vehicle movements on and off the road network at the start and end of the function, being its 'peak hour'. This identifies the proposal as having a moderate impact.*
- *Normal operations will create a presumed less than 10 vehicle movements per hour, resulting in a low impact.*
- *Welshpool Road East carries high volume vehicle traffic, cycling traffic and in addition serves as a restricted access vehicle network.*
- *The crossover is closely aligned with an opening in the median on Welshpool Road East.*

The critical aspect will be ensuring that the up to 100 vehicles can safely exit the site and travel to the southwest, during peak hour traffic for the road.

This application needs to be assessed as having a Moderate Impact, and a Transport Impact Statement will be required. The Statement should include:

- 1. Management of traffic flows at the end of a function, to prevent or discourage queuing in the median of Welshpool Road East,*
- 2. Detail of the estimated numbers and types of vehicles for the types of functions proposed, and*
- 3. Evidence of sufficient parking space on the site, and not using the road verge for overflow parking.*

A Traffic Impact Statement (TIS) has been provided and forms Part of Attachment 3 to this report. Following receipt of the (TIS) Asset Services had the following additional comments:

The TIS is acceptable, however they have not addressed how a large number of vehicles exiting at the same time would be managed. Can you therefore see if a condition or advice can be included in the approval, to the effect:

- a) The applicant to ensure ongoing management procedures for the safety of exiting traffic at the end of each function, and to prevent or discourage queuing in the median of Welshpool Road East.*
- b) The applicant to apply a policy on responsible serving of alcohol and driver responsibility.*

In response to whether a slip lane is required to accommodate the proposal, Assets have advised the following:

'Where we determine that there may be traffic impacts from a development, we request a Traffic Impact Assessment. The TIA Guidelines identify the extent of detail that is needed. In this case due to the low vehicle numbers accessing the site, only a Traffic Impact Statement (TIS) was required. The TIA process includes the assessment of Safety issues. Should a safety issue be identified then we have the option to request a Road Safety Audit or other design improvements to address the safety issue(s).'

The TIS identified no safety issues, stating "Having regard to matters such as the subject land's direct and full access onto Welshpool Road East, the capacity of the road, the existence of a shared footpath running adjacent to the subject land, the proximity of public transport, and the nature, scale and frequency of the proposed use, it is considered that there are no immediate safety issues surrounding this development."

The site access for Number 782 includes a reasonable sized verge, and very good visibility for traffic well in advance of and beyond the crossover, and in this respect the TIS' statement is acceptable.

Although a Traffic Impact Statement has been provided, it has not identified a concern regarding the access of vehicles off Welshpool Road East: The entrance to the property needs to be assessed under the Austroads Guide to Road Design Part 4A. This Guide suggests that a short slip lane (auxiliary lane) of approximately 66 metres long will be required for vehicles entering the property. This matter does not need to be addressed with the Scheme amendment, and instead will be applied as a condition of development. The condition will be to ensure that a detailed Traffic Impact Assessment is completed that includes an assessment using the Austroads Guide to Road Design Part 4A.'

Section 3.6 of the applicant's Traffic Impact Statement notes that the subject land's crossover is a break in the median strip which allows access and egress movements in both directions.

The applicant has advised that in this location, given the minimal increase of vehicle movements into and out of the subject site, there is no road or access modification proposed from Welshpool Road East. Referral to the Department of Planning and Main Roads WA will form part of the assessment process during the advertising period, at which stage final determination on the requirement for a slip lane will be determined.

External Referrals

25. The *Planning Regulations (Local Planning Schemes) 2015* Clause 47 establishes the procedures relating to amendments to Local Planning Schemes. Should Council initiate the amendment it will be formally advertised with a consultation period of 42 days in a local newspaper for two consecutive weeks, a sign placed on the site and notices placed on the **City's website and social media pages**.
26. In accordance with SPP 3.7 the Bushfire Management Plan (BMP) was referred to the Department of Fire and Emergency Services (DFES) as the proposed land use is classified as a vulnerable land use. A response was provided on the 27th September 2017 and forms part of Attachment 4 to this report. DFES advise that the Bushfire Management Plan (BMP) has adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria can be achieved for the scheme amendment. It is anticipated that any proposed bushfire management requirements would be addressed as a condition of the additional use approval and would apply to any subsequent application to commence development.

DFES advise that further assessment will be required at subsequent stages (development approval) to ensure that no new structures are located in the BAL-40 or BAL-FZ risk areas.

FINANCIAL CONSIDERATIONS

27. Any costs associated with the preparation of the amendment document and undertaking public advertising will be met by the applicant.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

28. *Kalamunda Advancing: Strategic Community Plan to 2027*

OBJECTIVE 3.1 - To plan for strategic population growth.

Strategy 3.3.1 Plan for diverse and sustainable housing, community facilities and industrial development to meet social and changing focus and economic needs.

SUSTAINABILITY

Social Implications

29. By providing the ability to consider an **Additional Use for 'Reception Centre'** in the Rural Composite zone, the amendment may facilitate an additional gathering place for weddings and functions within the City, accessible to a wider community.

Economic Implications

30. The proposed Scheme amendment would allow the applicant to expand an existing tourism based use for which the City can consider in the Rural Composite zone. If an additional use for Reception Centre is approved in, this will facilitate additional employment opportunities and services to the locality.

Environmental Implications

31. Detailed considerations of proposals for the Reception Centre would be considered at the development application stage if the amendment is approved. In regard to noise, activities conducted in residential areas would be required to comply with the *Environmental Protection (Noise) Regulations 1997*.
32. A watercourse and associated easement is located to the rear of the site. All future development or effluent disposal systems will need to ensure appropriate clearances to the water course.

RISK MANAGEMENT CONSIDERATIONS

33.

Risk: The amendment may not be granted consent to advertise.		
Likelihood:	Consequence	Rating
Possible	Insignificant	Low
Action/ Strategy		
Ensure that Council is aware that the additional use for Reception Centre is appropriately classified as an 'A' use in the Rural Composite zone under the proposed amendment.		

34.

Risk: The proposed land use may have amenity impact on adjoining properties including traffic related impact.		
Likelihood:	Consequence	Rating
Possible	Significant	High
Action/ Strategy		
Ensure that Council is aware that if the proposed Scheme amendment is initiated by Council for advertising and untimely adopted by Council post advertising, and granted final approval by the Minister for Planning, the proposed use of Reception Centre will still require development approval from the City. If approved, the applicant will be required to provide a traffic management plan be prepared by a suitably qualified traffic engineers and that any measures required be implemented prior to the use becoming operational on this site		

OFFICER COMMENT

35. **Although 'Reception Centre' is a prohibited land use in the Rural Composite zone, it is considered the intensity and design of this land use is compatible with the zone. Accordingly, it is considered appropriate to enable the City the ability to consider the use and development of a Reception Centre based on the merits of a planning application.**
36. Amending the Scheme to allow Reception Centre as an additional use will enable consideration of the use under a development application only.
37. **If the amendment is initiated it will still be the City's prerogative to impose conditions on the Scheme amendment prior to adoption, and as the determining authority for the development application to impose conditions for the 'Reception Centre' where the development/use may result in an impact on the amenity of the surrounding area. This may include specific requirements regarding the location, car parking, and site requirements. (Setbacks and open space), building design, landscaping and hours of operation.**
38. It is considered that the proposed additional use is consistent with the tourism theme of land use currently being undertaken on this site. The permission to allow approximately 15 weddings per year, with a maximum of 100 patrons is not considered to be a significant deviation from the existing Bed and Breakfast use approved on site.

39. The applicant has provided a Traffic Impact Statement as part of their **application. Welshpool Road East is classified as an 'Other Regional Road'** (ORR) pursuant to the Metropolitan Region Scheme (MRS). In accordance with the Main Roads Western Australia (MRWA) road information mapping system, Welshpool Road **East is classified and a 'Distributor A' east of the Tonkin** Highway intersection. As stated by the applicant, the proposed land use for receptions, with likely 15 events per year with a cap of 100 people per event, it is considered that Welshpool Road East can sufficiently accommodate this proposal, and that no road or access modifications will be required.
- a) It is recommended that a Traffic Impact Assessment be completed and any required works be undertaken, with specific emphasis to Austroads Guide to Road Design Part 4A. This will form a recommended condition of the Additional Use Scheme Amendment, with fulfilment of this condition to be undertaken at Development Application stage.
 - b) It is noted that there are no significant trees along the verge adjacent to the subject site. There are however mature trees located in the central median strip of Welshpool Road East. As per advice from the **City's Engineers there may be a requirement for a deceleration slip lane**, however no significant trees would be compromised. Formal advice will be sought from the Department of Planning and Main Roads WA on this matter, and reported by to Council prior to adoption of the proposed amendment.
 - c) **Please note within the applicant's report (Attachment 2)** Photos 9-12, pages 5 and 6 which illustrate the existing access which is construction, no significant vegetation and an existing median strip break on Welshpool Road East.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Pursuant to Regulation 35 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to prepare Amendment No. 95 to Local Planning Scheme No. 3 (Attachment 1).
2. Considers Amendment 95 to Local Planning Scheme No.3 as a standard amendment under Regulation 35 (2) of the *Planning and development (Local Planning Schemes) Regulations 2015*, for the following reasons:
 - a. The amendment is consistent with the objectives in the Scheme for the Rural Composite zone.
 - b. The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
 - c. The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 - d. The amendment is not considered a complex or basic amendment.
3. Pursuant to section 81 of the *Planning and Development Act 2005*, refers the proposed amendment 95 to Local Planning Scheme No.3 to the

4. Environmental Protection Authority.
Subject to Sections 81 and 82 of the *Planning and Development Act 2005* advertises Amendment 95 to Local Planning Scheme No.3 in accordance with Regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Policy P-DEV 45-Public Notifications of Planning Proposals.

Moved:

Seconded:

Vote:

Attachment 1

Proposed Initiation of Scheme Amendment 95 to Local Planning Scheme No.3 –
Additional Use, Reception Centre, Lot 601 (782) Welshpool Road East, Wattle
Grove
Amendment 95 Document (Form 2A)

Form 2A Planning and Development (Local Planning Schemes) Regulations 2015

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

Shire of Kalamunda

Local Planning Scheme No. 3

Amendment No. 95

Resolved that the local government pursuant to section 72 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Deleting the existing ‘A 32’ additional uses and conditions from Schedule 2 and inserting the following additional uses and conditions in its place:

NO.	DESCRIPTION OF LAND	ADDITIONAL USE	CONDITIONS
A 56	782 Welshpool Road East Wattle Grove Lot 601	<ul style="list-style-type: none"> • Reception Centre 	<ol style="list-style-type: none"> a) The use is not permitted unless planning approval is granted by the Local Government (‘A’). b) The applicant / land owner shall provide and implement a Bushfire Management Plan. c) The applicant / land owner shall provide and implement a Traffic Management Plan

The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons

- a) The amendment would have minimal impact on land in the Scheme area that is not the subject of the amendment; and
- b) The amendment is not considered to result in significant environmental, social, economic or governance impacts on land in the Scheme area.
- c) The amendment is not considered to meet the definition of a ‘complex’ or ‘basic’ amendment under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Attachment 2

Proposed Initiation of Scheme Amendment 95 to Local Planning Scheme No.3 –
Additional Use, Reception Centre, Lot 601 (782) Welshpool Road East, Wattle
Grove

Applicant's Amendment Report

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

Attachment 3

Proposed Initiation of Scheme Amendment 95 to Local Planning Scheme No.3 –
Additional Use, Reception Centre, Lot 601 (782) Welshpool Road East, Wattle
Grove

Transport Impact Statement

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

Attachment 4

Proposed Initiation of Scheme Amendment 95 to Local Planning Scheme No.3 –
Additional Use, Reception Centre, Lot 601 (782) Welshpool Road East, Wattle
Grove

Bushfire Management Plan

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

Attachment 5

Department of Fire & Emergency Services
(DFES) Referral Notice.

DFES
advisory
services



Our Ref: D02517
Your Ref: PG-LPS-003/097

Shire of Kalamunda
2 Railway Road
KALAMUNDA WA 6076
Ross.jutras-minett@kalamunda.wa.gov.au

Dear Ross

PROPOSED SCHEME AMENDMENT NO 97 TO LOCAL PLANNING SCHEME NO 3 – LOT 601 (782) WELSHPOOL ROAD EAST, WATTLE GROVE

I refer to a letter received by the Department of Fire and Emergency Services (DFES) dated 11 July 2017, regarding the above scheme amendment, and the Bushfire Management Plan (BMP), revision 1, dated 13 April 2017 prepared by Smith Consulting.

DFES provide the following comments with regard to *State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)* and the *Guidelines for Planning in Bushfire Prone Areas (Guidelines)*.

Assessment

1. Policy measure 6.3 c) Compliance with the Bushfire Protection Criteria

Element	Assessment	Action
Location	A1.1 – Comment The BAL assessment states that the potential bushfire impacts to the built structures on the site are BAL-12.5 or below. This is sufficient for demonstrating compliance to this element.	However further assessment will be required at subsequent planning stages (development approval) to ensure no new structures are located in BAL-40 or BAL-FZ.

Recommendation – supported compliant application

DFES advises that the BMP has adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria can be achieved for the scheme amendment.

Should you require further information, please contact me on telephone number 9482 1761.

Yours sincerely

Sandeep Shankar
LAND USE PLANNING OFFICER

27 September 2017

Attachment 6 – Site Photographs

Proposed Initiation of Scheme Amendment 95 to Local Planning Scheme No.3 –
Additional Use, Reception Centre, Lot 601 (782) Welshpool Road East, Wattle
Grove
Reception Centre



Photo 1 Front entrance



Photo 2 Verge Facing South West



**Photo 3 Existing Median Break
Welshpool Rd East**



**Photo 4 Site Entrance Facing North
East**



Photo 5 Entrance to site 782 Welshpool Rd East, Wattle Grove.

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

8.2.2 Draft Planning Policy P-DEV 56 – Family Day Care and Child Care Premises

Previous Items	OCM 125/2017
Responsible Officer	Director Development Services
Service Area	Approval Services
File Reference	OR-CMA-16
Attachment 1	Draft Local Planning Policy P-DEV 56 – Family Day Care and Child Care Premises
Attachment 2	Planning Bulletin 72/2009 – Child Care Centres

EXECUTIVE SUMMARY

1. The purpose of this report is to consider final adoption of draft Local Planning Policy P-DEV 56 – Family Day Care and Child Care Premises (the Policy).
2. The Policy has been written for the purpose of providing guidance relating to the location, appropriateness, and scale of Family Day Care and Child Care Premises.
3. The Policy was advertised to the community in line with the requirements of P-DEV 45 (Public Notification of Planning Proposals). No responses were received.
4. It is recommended that Council adopts the Policy.

BACKGROUND

5. The City periodically reviews, revokes, and adds new policies for the purpose of ensuring consistency and transparency in decision-making and to ensure Council has a clear and defensible position.
6. Family Day Care and Child Care Premises are business related activities that are typically located in residential areas. This has given rise to community concern regarding the intensification of the use and amenity impacts arising, principally from the number of children attending the premises and resulting traffic numbers impacting on the local road network. The proposed policy seeks to address such concerns through development and operational criteria.
7. The Council resolved on 24 July 2017 (OCM 125/2017) to adopt the Policy for the purposes of public advertising. The advertising period has now closed and the Policy is now ready for consideration for final adoption by Council.

DETAILS

8. The primary objectives of the proposed Policy are:
 - a) Specify local provisions which supplement the requirements of Local Planning Scheme No.3;
 - b) Provide for the establishment of Family Day Care and Child Care premises in appropriate locations;

- c) Ensure that the operation of Family Day Care and Child Care premises do not impact on the amenity of the local area; and
 - d) Provide policy guidelines in terms of development standards suitable for the City of Kalamunda for all Family Day Care and Child Care premises development within the Local Government boundaries.
9. The policy statement introduces the following criteria an applicant will need to address:
- a) Locational criteria – specifying requirements for appropriate locations for Family Day Care and Child Care premises.
 - b) Siting criteria – identification of sites where for Family Day Care and Child Care premises would not be supported, including minimum distances between existing and proposed new facilities.
 - c) Design criteria – specifically built form and streetscape, parking and traffic assessment, landscaping, signage.
 - d) Operational criteria – hours of operation, maximum number of Children, food preparation and outdoor play areas.
 - e) Noise management – As part of the application for a Child Care premises a Noise Management Plan and Acoustic Impact Assessment shall be prepared by a suitably qualified professional, submitted to, and approved by the City of Kalamunda prior to any approval being granted.
 - f) Bushfire Management – compliance with SPP 3.7 as both activities are **classified as 'Vulnerable Land Use'**.

STATUTORY AND LEGAL CONSIDERATIONS

- 10. Local Planning Policies are created under Clause 3 (1) of the *Planning and Development (Local Planning Scheme) Regulations 2015* (the Regulations).
- 11. As per *the Regulations* and the **City of Kalamunda's Local Planning Scheme No. 3**, planning policies are required to be approved for advertising and then adopted by Council at the conclusion of the advertising period.
- 12. A Local Planning Policy does not bind the City in its application of discretion but must be given due regard. If a planning policy is inconsistent with the regulations and scheme provisions the regulations and scheme prevail.

POLICY CONSIDERATIONS

- 13. The Policy follows the adopted Council templates with some small modifications for improved structure, legibility and clarity.
- 14. The Policy references aspects of the Western Australian Planning Commission Planning Bulletin 72/2009 (Child Care Centres) (refer Attachment 2) and gives regard to its objectives, as follows:
 - a) Location of the Child Care Centre;
 - b) Minimisation of the impact of the Child Care Centre on the surrounding area (particularly residential areas);
 - c) Minimisation of the impact that the surrounding area may have on the Child Care Centre; and
 - d) Consideration of the health and safety of the children under care.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

15. Health Services requested as part of the application for a child care premises a Noise Management Plan and Acoustic Impact Assessment which shall be prepared by a suitably qualified professional, submitted to, and approved by the City of Kalamunda prior to any approval being granted. The documents should demonstrate either compliance with the *Environmental Protection (Noise) Regulations 1997* or design/specification measures that will be incorporated to reach compliance. This has been included under clause 8 of the Policy.

External Referrals

16. Following approval by Council the Policy was advertised in accordance with the provisions of Local Planning Policy P-DEV 45 – Public Notification of Planning Proposals. As part of this process a notice was placed in the local newspaper for two consecutive weeks, and a notification was placed on the City website and Facebook page.
17. The submission period as part of the public notification was 28 days from the date that the notification was first published in the local newspaper. During this time no responses were received.

FINANCIAL CONSIDERATIONS

18. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

19. *Kalamunda Advancing: Strategic Community Plan to 2027*

OBJECTIVE 3.3: To develop and enhance the City's **economy**.

Strategy 3.3.1 Facilitate and support the success and growth of industry and businesses.

SUSTAINABILITY

Social Implications

20. If the Policy is adopted the City will have greater certainty when assessing applications for child care premises and family day cares.
21. Additionally, the community will have access to more clarity and transparency in how the City and Council makes decisions, leading to improved outcomes and reduced timeframes.

Economic Implications

22. Nil.

Environmental Implications

23. Nil.

RISK MANAGEMENT CONSIDERATIONS

24.	Risk: The policy is not adopted resulting in a lack of guidance regarding the applicable development applications for child care premises and family day care facilities.												
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Likelihood:</td> <td style="width: 33%;">Consequence</td> <td style="width: 33%;">Rating</td> </tr> <tr> <td>Unlikely</td> <td>Moderate</td> <td>Low</td> </tr> <tr> <td colspan="3">Action/ Strategy</td> </tr> <tr> <td colspan="3">Demonstrate the importance of having sound and robust planning policies to support the Scheme when assessing development applications.</td> </tr> </table>	Likelihood:	Consequence	Rating	Unlikely	Moderate	Low	Action/ Strategy			Demonstrate the importance of having sound and robust planning policies to support the Scheme when assessing development applications.		
Likelihood:	Consequence	Rating											
Unlikely	Moderate	Low											
Action/ Strategy													
Demonstrate the importance of having sound and robust planning policies to support the Scheme when assessing development applications.													
	Risk: The policy does not achieve stated objectives.												
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Likelihood:</td> <td style="width: 33%;">Consequence</td> <td style="width: 33%;">Rating</td> </tr> <tr> <td>Unlikely</td> <td>Moderate</td> <td>Low</td> </tr> <tr> <td colspan="3">Action/ Strategy</td> </tr> <tr> <td colspan="3">Ensure the policy is drafted with clear objectives, is advertised and public comments are taken into consideration.</td> </tr> </table>	Likelihood:	Consequence	Rating	Unlikely	Moderate	Low	Action/ Strategy			Ensure the policy is drafted with clear objectives, is advertised and public comments are taken into consideration.		
Likelihood:	Consequence	Rating											
Unlikely	Moderate	Low											
Action/ Strategy													
Ensure the policy is drafted with clear objectives, is advertised and public comments are taken into consideration.													

OFFICER COMMENT

- 25. The Policy will provide guidance for the establishment and operation of child care premises and family day centres within the City. The Policy will outline correct siting, traffic management, operational hours and additional assessment criteria for both City officers and applicants.
- 26. The Policy references the objectives of Planning Bulletin 72/2009 (Child Care Centres) and gives due regard to the requirements of the Western Australian Planning Commission.
- 27. In the last few years the City has noted an increase in the number of development applications for both Child Care premises and Family Day Care in residential areas. The Policy will provide guidance relating to the development and locational criteria for both land uses in zones where they can be considered for approval, with an emphasis on ensuring that potential amenity impacts, traffic safety and parking are appropriately managed for the benefit of surrounding residents.

28. A key element of the policy is the introduction of siting criteria which establishes a minimum separation distance between land uses. For example, Child Care premises in residential areas cannot be located within 300m of an existing centre. The separation distance has been determined having regard to the prevailing lot size in residential zone. Noting that child care premises are a discretionary use in a residential zone, the use of siting criteria to address the cumulative effect of the land use is considered a reasonable approach for the City to take.
29. The Policy will require applicants to address specific criteria as identified in point 9 of the report and provide justification for any variations sought. In turn this will provide guidance and certainty to the community in respect to the location, scale and siting of Family Day Care and Child Care Premises in context of the proposed location, zoning and the requirements of the Scheme. Importantly, the Policy will assist, Council, City and applicants alike in their assessment of such proposals.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Pursuant to Clause 3 (1) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, adopt the following Local Planning Policy as detailed in Attachment 1:
 - P-DEV 56 – Family Day Care and Child Care Premises.

Moved:

Seconded:

Vote:

Attachment 1
 Draft Local Planning Policy DEV-56 - Family Day Care and Child Care Premises

Planning Policy P-DEV 56 - Family Day Care and Child Care Premises

Management Procedure

Relevant Delegation

Draft Policy

Adopted

Next Review
 Date

Purpose

1. Background and Introduction

The provision of family day care and child care premises is necessary for the residents of the City of Kalamunda. These centres are to be established in appropriate locations and not unduly impact upon the amenity of the area.

This policy is to provide guidance relating to the development and location for both family day care and child care premises within zones that permit those uses.

2. Application of Policy

This policy applies throughout the City of Kalamunda.

3. Statutory Authority / Legal Status

This Policy has been prepared under and in accordance with Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (The Regulations) and Part 7 of the Residential Design Codes of Western Australia (R-Codes)

(a) Relationship to Local Planning Scheme No.3

This policy is a planning policy prepared, advertised and adopted pursuant to Part 2 of Local Planning Scheme No.3. (The Scheme) The policy augments and is to be read in conjunction with the provisions of the Scheme relating to development.

If there is a conflict between this local planning policy and the Scheme, then the Scheme shall prevail.

(b) Relationship to other state planning/ development control policies.

This policy has due regard to, and should be read in conjunction with state planning policies. Of particular relevance to this policy are:

- i. State Planning Policy 1 – State Planning Framework.
- ii. State Planning Policy 3.1 – Residential Design Codes.
- iii. State Planning Policy 3.7 – Planning in Bushfire Prone Areas

- iv. State Planning Policy - Liveable Neighbourhoods
- v. State Planning Policy 2.2 – Residential Subdivision
- vi. Planning Bulletin 72/2009 – Child Care Centres

(c) Relationship to other local planning policies

This policy has due regard to, and should be read in conjunction with other City of Kalamunda local planning policies. Of particular relevance to this policy are:

- i. Local Planning Policy P Dev 14, Earthworks
- ii. Local Planning Policy P Dev 45, Public notification of planning proposals.
- iii. Local Planning Policy P Dev 28, Reflective material in cladding or roofing, Guidelines for assessment.

Please note that all Child Care and Family Day Care Centres are required to obtain all the necessary permits and licences from the Child Care Services Board as required under the *Child Care Services Act 2007*, *Child Care Services (Child Care) Regulations 2006* and the *Education and Care Services National Regulations 2012* and associated National Law. All centres will be required to operate within the standards of the above regulations.

4. Policy Objectives

The primary objectives of this policy are to:

- a) Specify local provisions which supplement the requirements of Local Planning Scheme No.3;
- b) Provide for the establishment of Family Day Cares and Child Care Premises in appropriate locations;
- c) Ensure that the operation of Family Day Cares and Child Care Premises do not impact on the amenity of the local area; and
- d) Provide policy guidelines in terms of development standards suitable for the City of Kalamunda for all Family Day Care and Child Care Premises development within the Local Government boundaries.

5. Policy Measures

- a) The operative Local Planning Scheme provides for the assessment of applications for development or use within the City.
- b) **The use classification 'Child Care Premises' is a land use that is generally an 'P', 'A', or 'D' land use within some of the City's zones. 'Family Day Care' is a use that is generally a 'P' or 'D' land use within the majority of the City's zones. Land uses within 'P' categories are permitted land uses, while those within 'D' or 'A' categories are not permitted unless the Local Government has exercised discretion by granting approval. 'A' land uses are required to be the subject of public consultation.**
- c) Clause 4.5 of the Scheme provides the ability for landowners to apply for **additional uses. 'Child Care Premises' is an 'X' land use within Rural and**

Industrial zoned land and land zoned Private Clubs and Institutions, **which means that it is prohibited within that zone. 'Family Day Care' is an 'X' use within Industrial and** Service Station zones.

d) Additional Use

- i. The Scheme provides an ability for an applicant to apply for a Local Planning Scheme Amendment for an Additional Use which then provides the City with the ability to assess that particular use on its own merits.
- ii. *An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land.*

e) Incidental Use

- i. The Scheme provides an ability for an applicant to apply for a land use as an incidental use to a use that is already operating on a site or will commence operation. It is defined as follows under the Scheme:
- ii. **"incidental use"** means a use of premises which is ancillary and subordinate to the predominant or primary use.
- iii. Some examples of when a child care premise may be considered as an appropriate incidental use are:
 - As an attachment to a place of worship and operating only during periods of activity;
 - As an extension of a large commercial development, operating only when the commercial development is open (e.g. child care within an IKEA); and
 - As a crèche within a gym or other fitness centre.
- iv. Some examples of when a child care premises would not be considered as an appropriate incidental use are:
 - On an operating industrial site or in tandem with a building on that site;
 - As an attachment to a place of worship and operating at all times; and
 - As an additional development on residential zoned land where a pre-existing residential development already exists (i.e. construction of a secondary structure in addition to the dwelling. Family day cares would be expected to operate within the existing dwelling).

Policy Statement

1. Location Criteria

The following criteria will be assessed in relation to the appropriate locations for family day care centres and child care centres:

- Accessibility to Public Transport

- Avoidance of location on Arterial Roads and suitability from a traffic engineering point of view
- Avoidance of clustering with other non-residential land uses, unless abutting a commercial zone.
- Distribution between existing centres
- Walking distance to appropriate commercial, recreation or community nodes and education facilities
- Sufficient size and dimension to accommodate the development without affecting the amenity of the area

a) Family Day Care

Where an application is seeking approval as a discretionary land use the following shall be considered in determining whether a Family Day Care is an appropriate use:

- i. Family day care is encouraged to locate in close proximity to opportunities for access to public transport, preferably within residential areas, close to schools or educational establishments and with access to public open space within 400m walking distance.

b) Child Care Premises

- i. Centres are encouraged to locate near commercial, community, educational establishments, district centre, and public recreational areas, nearby to roads that have the demonstrated capacity to accommodate any potential additional traffic generated by the centre, or within walking distance to public transport routes.

2. Siting Criteria

The site area of the subject lot needs to be adequate for the provision of onsite car parking, pedestrian access, setbacks, play areas, and landscaping.

a) Inappropriate Sites

Although the land use may be permitted under the provisions of the Local Planning Scheme, Child Care Premises will generally not be supported in the following locations due to potential conflicts with residential amenity, traffic, safety, and parking access:

Child Care Premises

- i. At the end of Cul-de-sacs;
- ii. In Residential zoned land, within 300m of another Child Care Premises;
- iii. Within Rural zoned land, within 800m of another Child Care Premises;
- iv. Sites with sole vehicular access from a longer or undedicated Right of Way, under-width street or laneway;
- v. Sites located on, or at intersection to, Primary or District distributor roads;
- vi. Sole access abuts traffic lights, roundabout, or traffic calming device;
- vii. Rear battle-axe and strata sites; and
- viii. Multiple dwellings.

Family Day Care

- i. Sites with sole vehicular access from a longer or undedicated Right of Way, under-width street or laneway;
- ii. Sites located on, or at intersection to, Primary or District distributor roads;
- iii. Sole access abuts traffic lights, roundabout, or traffic calming device;
- iv. Sites with swimming pools, unless demonstrated compliance with AS1926; and
- v. Sites adjacent to industrial areas.

b) Minimum Lot Size and Site Coverage

- i. **In accordance with 'Planning Bulletin 72/2009 – Child Care Centres'** published by the Western Australian Planning Commission (WAPC) child care premises will not be considered on sites in residential areas that are less than 1000sqm. Family day care centres will not be considered on sites that are less than 500sqm in size.

This provision is established to ensure that appropriate outdoor play spaces can be provided.

- ii. A maximum of 50% site coverage of roofed structures on site is permitted on lots which contain either a family day care or child care premises to ensure that appropriate outdoor play spaces can be provided in accordance with the *Child Care Services Act 2007* and Education and Care Services National Regulations.

3. Design Criteria

3.1. Built Form and Streetscape

- a) In relation to built form and streetscape, all childcare centres should be of a **"residential scale", with height, form and setback being sympathetic** to the local character of the streetscape. This should take into account adjoining buildings and prevailing existing setbacks, as well as the relevant setbacks as noted in the Residential Design Codes or City of Kalamunda Local Planning Scheme No.3.
- b) Development must be sited to avoid overshadowing, overlooking and buildings built to the boundary.
- c) The design must cater for the existing level of residential amenity and minimize the potential for nuisance in terms of:
 - i. Visual impact; and
 - ii. Noise associated with operation of the child care facility and car park.

Generally, play areas will be located behind the front building setback line and away from noise sensitive areas such as adjacent to neighbouring property bedrooms or primary outdoor living areas.

3.2. Parking and Traffic Assessment

Parking areas should preferably be designed to allow traffic to move easily within the area so that the risk of congestion is minimised. Vehicles will be required to enter and exit the site in forward gear. All parking related to the Family Day Care or Child Care Premises will be contained on the subject site.

Parking bays for child care premises shall be provided in accordance with the **requirements as laid out in the Scheme's 'Table 3 – Parking Requirements (Child Care Centre/Day Care)', as follows:**

"1 bay per staff member, plus 1 bay for every 10 children allowed under the approval."

- a) In addition to this, applications for new Child Care Premises and those that propose to increase the numbers within existing premises by more than 10 additional children must be accompanied by a Traffic Impact Assessment Study prepared by a suitably qualified traffic engineer. The study must address the following:
 - i. Site description including naming of roads and nearest intersections;
 - ii. Adjoining land uses;
 - iii. Existing traffic conditions or Structure Plan indications (where applicable);
 - iv. Traffic flows, daily and peak hour flows, number of heavy vehicles;
 - v. Speed as measured at the 85th percentile;
 - vi. Trip generation;
 - vii. Queuing at intersections and entry/egress to parking facilities;
 - viii. Road safety for all road users, including pedestrian and cyclists;
 - ix. Crash history;
 - x. Parking provisions and requirements, pick-up and drop-off facilities;
 - xi. Public transport routes;
 - xii. Dual use path locations surrounding the site, internal pedestrian pathways, suitable crossing locations for pedestrians and provisions of pram ramps; and
 - xiii. Other matters considered necessary having regard to the pertinent characteristics of the site.

Proposals will not be supported if the form, function, and safety of the surrounding road network is deemed to be compromised.

Proposals for family day care centres are to include the provision of a drop-off bay located on the subject property and able to allow for forward in, forward out, movement. This bay is to be appropriately constructed to the satisfaction of the City and is not to be located on the verge or public road.

3.3. Landscaping

3.3.1. Verges

Under no circumstances will approval be granted to fully pave and seal the verge area. In all instances the verge is required to be suitably landscaped and maintained at all times, to the satisfaction of the City. This will serve the dual purpose of preserving the amenity of the area and ensuring that patrons of the site do not park on the verge.

3.3.2. Child Care Premises within Residential Areas

Within residential areas the primary street frontage and corner truncation, where applicable, shall be appropriately landscaped and reticulated to a distance of three (3) metres into the property to assist in preserving the character of the residential area. Outside of residential areas, landscaping is to be provided in line with the provisions of the Local Planning Scheme No.3.

A landscaping plan will be required to be submitted for approval to the City's **satisfaction for** any new or redeveloped site for child care premises and where any additional car parking is proposed.

3.4. Signage

a) Family Day Care

The day care will display a sign no greater than 0.2sqm in size.

b) Child Care Premises

All signage **associated with the child care premises is to be compliant with the City's P-DEV 42 – Signage on Private Property.**

4. Operational Criteria

4.1. Hours of Operation

a) Family Day Care

Unless otherwise approved by Council, with due regard on residential amenity, the hours of operation of Family Day Cares shall be between 7:00am and 6:00pm on weekdays and 8:00am and 6:00pm on Saturdays. Family Day Care will not be permitted to operate on Sundays and Public Holidays.

b) Child Care Premises

Hours of operation for Child Care Premises shall be restricted to Monday to Friday between 6.00am and 7.00pm and Saturday between 8.00am and 4.00pm, unless otherwise approved by Council.

5. Maximum Number of Children

a) Family Day Care

The maximum number of children permitted shall be in accordance with the *Education and Care Services National Regulations 2012* (as amended).

b) Child Care Premises

In accordance with the *Education and Care Services National Regulations 2012* the number of children present at the child care premises must not exceed the maximum number of children specified in the licence or permit to operate. The proposed number of children will be considered having regard to the locational criteria identified in Clause 1 of the Policy.

6. Preparation of Food

Prior to commencement of operation the applicant must book a food premises inspection **with the City's Health Services Department. The premises must meet all requirements and** pass the inspection without requiring any corrective actions before it will be allowed to trade. In addition to this the applicant will be required to submit an Application for Registration of Food Business in line with the provisions of the *Food Act 2008*. This application, must be accompanied with the appropriate registration fee, and a complainant food safety plan must be provided a minimum of two weeks prior to commencement of operation.

7. Outdoor Play Areas

Any proposed outdoor play area shall be setback a minimum of 1 metre from lot boundaries to ensure that the potential for noise impact upon surrounding properties is minimised. Play areas may be required to be separated from the boundary by a physical barrier.

Outdoor play areas are to be provided with adequate shading, to the satisfaction of the City of Kalamunda. This may include shade sails, patio areas or dense vegetation.

8. Noise Management

As part of the application for a child care premises a Noise Management Plan and Acoustic Impact Assessment shall be prepared by a suitably qualified professional, submitted to, and approved by the City of Kalamunda prior to any approval being granted. The documents should demonstrate either compliance with the *Environmental Protection (Noise) Regulations 1997* or design/specification measures that will be incorporated to reach compliance.

9. Bushfire Management Plans

In accordance with the provisions of State Planning Policy 3.7 (SPP3.7) – *Planning in Bushfire Prone Areas* a Child Care Premises or Family Day Care is considered to be a **'Vulnerable Land Use'**. For this reason, any application made to commence operation of either of these uses within a bushfire prone area shall be accompanied by a Bushfire Management Plan prepared by a suitably qualified Bushfire Management Consultant and submitted to the City of Kalamunda as part of the application to commence development.

The elements required of any such Bushfire Management Plan shall be implemented and any ongoing maintenance required or updates to that plan shall be adhered to. Please note that this report will be referred to the Department of Fire and Emergency Services for their review and approval prior to any approval being granted by the City.

The City will not support the development of vulnerable land uses in bushfire prone areas where it cannot be demonstrated by the applicant that the use will not compromise the safety of the occupants of that particular use.

10. Matters to be Considered

The following matters will be given consideration in the assessment of applications for child care premises and family day care development:

- a) Any relevant matters set out in Clause 67 of the Regulations and the objectives of the zone;
- b) The impact of the proposed development on the amenity and character of residential or non-residential areas, as viewed from a street, public space, or neighbouring property;
- c) Preservation of all significant trees and other vegetation;
- d) Whether the development application will still achieve a desired streetscape where a variation is applied;
- e) The preservation of areas of useable on-site open space;
- f) Any special limitation on the development of the land by virtue of its size, shape, or environmental/geographical feature;
- g) Whether support for the development application will set an undesirable precedent for similar sized surrounding lots; and
- h) Comments received from affected adjacent property owners/occupiers.

11. Public Consultation

Advertising of a proposal for a child care premises or family day care will occur if the **proposal is located in a zone where the use is classified as a "D" or "A" use in accordance** with Table 1 of Local Planning Scheme No. 3. The application shall be assessed as a standard application in accordance with Local Planning Policy P-DEV 45 - Public Notification of Planning Proposals.

12. Variations to the Policy

Any variation to development requirements will require the applicant to provide additional justification demonstrating how the proposal will not adversely affect adjoining property owners, the streetscape or the amenity of the locality, with particular reference to Clause 10 – **'Matters to be Considered' of this policy. The City may undertake consultation with adjoining affected property owners/occupiers during assessment.**

Definitions

Family Day Care

A Family Day Care is defined as the following under LPS No.3:

"family day care" has the same meaning given to the term in the *Community Services (Child Care) Regulations 1988*;

The *Community Services (Child Care) Regulations 1988* define the use as being:

"family day care" means a child care service provided to a child in a private dwelling in a family or domestic environment;"

The Regulations also stipulate – ***"child care service"*** does not include an outside school hours care service as defined in the *Community Services (Outside School Hours Care) Regulations 2002*.

The *Community Services (Outside School Hours Care) Regulations 2002* stipulate ***"outside school hours care service"*** as meaning ***"a child care service provided outside school hours for children of school age, except such a service that is provided solely for the purposes of –***

- (a) A child's participation in religious instruction or sporting, educational, recreational or cultural events, or activities; or*
- (b) A child's membership of a non-profit community organisation."*

Child Care Premises

A Child Care Premises is defined as the following under LPS No.3:

"child care premises" has the same meaning given to the term in the *Community Services (Child Care) Regulations 1988*;

The *Community Services (Child Care) Regulations 1988* define the use as being:

"child care premises" means premises specified in a licence or permit as premises in which a child care service may be provided;

Attachment 2

Draft Local Planning Policy DEV-56 - Family Day Care and Child Care Premises

Planning Bulletin



Western
Australian
Planning
Commission

Planning Bulletin 72/2009 Child Care Centres

72/2009



August 2009

1 Purpose

This planning bulletin outlines the revised child care centre guidelines and aims to:

- differentiate between child care related activities operating in existing residential area, such as family day care that takes place in dwellings, and non-residential child care activities;
- outline a consistent policy approach to planning for child care centres; and
- advise of planning considerations in relation to the location and development of child care centres.

The bulletin has been prepared in consultation with the Department for Child Protection, Department for Communities, Department of Health (DOH), Department of Environment and Conservation (DEC) and local government.

The bulletin supersedes *Planning Bulletin 72 Child Care Centres* (June 2005) and the planning guidelines included in it.

2 Background

The community and local government have raised issues relating to the location and development of child care centres, including centre-based care, family day care, outside school hours care, vocational care and occasional care. A need has been identified for a consistent planning approach, with particular regard to location, site characteristics, environmental suitability, design, traffic, access, noise and health impacts, and safety issues, which could provide guidance when considering proposals for child care centres.

A number of recent decisions by the State Administrative Tribunal have highlighted the lack of policy or shortcomings of existing local policies on child care centres.

The child care centre guidelines have been revised as a result of submissions received following the release of planning bulletin 72 in June 2005. During the public advertising period a total of 19 submissions were received. While these submissions were generally supportive, further refinements and improvements were identified and have been incorporated, where appropriate. The planning bulletin is intended to provide a guidance document for decision-makers, developers and the community for use when planning for child care centres.

Site contamination

The commencement of the *Contaminated Sites Act 2003* on 1 December 2006 has created new statutory obligations for land users and has highlighted the importance of preventing the development of child care services on land that is unsuitable for this use because of soil and groundwater contamination at or near the site.

The *Contaminated Sites Act 2003*, which is administered by the DEC, requires that known or suspected contaminates sites are reported to DEC by:

- an owner or occupier of a site;
- a person who caused or contributed to the contamination of a site; or
- an auditor engaged to investigate and report on site contamination in accordance with the *Contaminated Sites Act 2003*.

Any party considering development of a child care service must obtain and consider any information DEC has about the contamination status of a given site. It should be emphasised that the absence of a report to DEC is no guarantee that a site is uncontaminated. In summary, proposals for the development of a child care service must:

- exercise duty of care to ensure that the site is suitable for use as a child care service;
- seek and consider any information held by DEC about the contamination status of the site; and
- seek and consider any other information about the contamination status of the site, irrespective of whether or not it has been reported to DEC under the *Contamination Sites Act 2003*.

Further information about the *Contaminated Sites Act 2003* can be obtained from DEC on 1300 762 982.

Supply and demand for child care services

The ever-increasing demand for child care centres and the strong focus on their appropriate distribution and location is closely linked to demographic change. In the past 30 years, the population of the state has almost doubled to about two million and is expected to rise to approximately three million by 2031, while households also are becoming more diverse. There is a trend for both parents to work due to economic pressures, which creates a greater demand for child care services. Consequently, the availability of child care centres in close proximity to the workplace is becoming more important.

The rising demand for child care services means that these businesses are becoming larger and have a potentially greater impact. Larger child care centres also tend to have a greater catchment area which may, in some cases, lead to overprovision of facilities. Oversupply in some areas may result in increased vacancy levels that may affect the viability and quality of the services provided.

There is increasing evidence of an oversupply of child care services in many outer urban areas across the Perth metropolitan region, but

in areas of high land value (where the need for these facilities is often greater), such as in or around the central business district, there has been minimal development of new child care centres.

Child care centres provide a much needed community function, but many are operated as a commercial venture, with market forces influencing the location and availability of the service. While the Western Australian Planning Commission (WAPC) strongly supports the provision of necessary facilities, it is important to emphasise that the need for a service does not justify development in inappropriate locations.

Planning for child care centres

Broadly, child care centre activities are located in residential areas; however, there is a growing trend for these services to be located elsewhere.

Typically, where child care centre activities appear in local planning schemes, the use is listed as discretionary under a particular zoning category and, consequently, requires planning approval. Local government in exercising discretion may require proposals to be advertised and external advice may be sought in relation to specialised matters such as noise or pollution.

The *Child Care Services Act 2007* contains regulations that address matters such as staffing, equipment, indoor and outdoor space requirements, shade, fencing, and health and safety. In addition, many local governments have policies dealing with the development of child care centres, which address a range of matters such as building design, setbacks and car parking ratios specific to each locality.

The Federal Government also has regulations relating to the operation of child care centres and services through the requirements in its child care accreditation system. While this system mainly focuses on service delivery, it does outline additional requirements with regard to child health, environmental health and child safety.

3 Policy guidance

The following section provides policy provisions to guide local governments in the preparation of scheme provisions and local policies on child care centres.

3.1 Introduction

This policy focuses on matters pertaining to the proper location, considerations and standards that should apply to the development of child care centres. A child care centre is defined as premises used for the daily or occasional care of children in accordance with the regulations for child care under the *Child Care Services Act 2007*. Child care centres are non-residential land uses providing an educational and community support function mainly in residential and employment areas.

The purpose of the policy is to provide guidance to decision-makers, developers and the community for use when planning for child care centres. It is acknowledged that development requirements in the city and inner urban areas are quite different to those in outer suburban areas, and the guidelines should be administered accordingly.

3.2 Objectives

The objectives of this policy are to:

- a) locate child care centres appropriately in relation to their surrounding service area;
- b) minimise the impact a child care centre has on its surrounds, in particular on the amenity of existing residential areas;
- c) minimise the impact the surrounds may have on a child care centre; and
- d) consider the health and safety of children attending the child care centre within the confines of the planning system.

3.3 Location of child care centres

The appropriate location of a child care centre is crucial in meeting the needs of children and their families. It also is crucial in limiting the impact a child care centre may have on surrounding activities and vice versa.

This may be achieved by locating child care centres on sites that are:

- a) distributed strategically to provide the maximum benefit to the community it serves;
- b) within easy walking distance or part of appropriate commercial, recreation or community nodes and education facilities;

- c) located in areas where adjoining uses are compatible with a child care centre (includes considering all permissible uses under the zoning of adjoining properties);
- d) serviced by public transport (where available);
- e) considered suitable from a traffic engineering/safety point of view; and
- f) of sufficient size and dimension to accommodate the development without affecting the amenity of the area.

Child care centres generally would not be suitable where:

- g) soil contamination exceeds the levels regarded by DEC and DOH as suitable for standard residential land uses with accessible soils as published in guideline *Assessment Levels for Soil, Sediment and Water* Department of Environment, November 2003);
- h) groundwater is to be abstracted for the irrigation of gardens and play area within the child care centre and groundwater contamination exceeds 10 x Australian drinking water criteria in accordance with the *Contaminated Sites Reporting Guideline for chemicals in groundwater* (DOH 2006);
- i) the service provided by the centre will have a demonstrable, adverse impact on the existing or planned level of child care centre services enjoyed by the local community;
- j) access is from a major road or in close proximity to a major intersection where there may be safety concerns;
- k) access is from a local access street which may impact on the amenity of the area due to traffic and parking;
- l) the current use or any permissible use under the zoning of the adjoining premises produces unacceptable levels of noise, fumes or emissions or poses a potential hazard by reason of activities or materials stored on-site;
- m) noise produced by roads, railways and aircraft are likely to have an adverse impact on the site; and/or

- n) the site is in a heavy industry area or in the buffer area of a heavy industry area.

3.4 Site characteristics

Sites selected for child care centres should be of sufficient size and suitable shape to accommodate the development, including all buildings and structures, parking for staff and parents, outdoor play areas and landscaping, as determined by the relevant local planning scheme or local policy and applicable regulations. As a general rule sites in a residential area should be of regular shape and greater than 1000 sqm.

The topography of the site and surrounds should also be considered as steep slopes may affect access to the facility, noise transfer and methods of noise mitigation.

Sites selected for child care centres should also be assessed to determine their potential for soil and groundwater contamination. Section 6 of the DEC's *Contaminated Sites and the Land Use Planning Process* (April 2006) guideline sets out a useful methodology to assist local governments in carrying out such assessments.

The licence to operate a child care centre, issued under the regulations (*Child Care Services Act 2007*) limits the number of children the centre can accommodate.

3.5 Design of centres

The visual appearance of the child care centre, including any signage, building design, colour, scale, shape and form, should be in accordance with the local government local planning scheme or relevant local policy and applicable regulations. In the absence of any specific provisions, the visual appearance of the development should reflect the character of the area, enhance its amenity and be considered appropriate for regular use by children.

Parking areas should be located in front of the building. If this is not possible they should be clearly visible and easily accessible from the entry to the site. As a general rule, the minimum parking requirement for a child care centre, including staff parking, will be one space per five children. The number of parking bays may be varied by the local government given the specific provisions of the local planning scheme or

relevant local policy and any unique circumstances relating to the proposed development, such as reciprocal parking arrangements, available public transport and street parking. Vehicles will be required to enter and exit the site in a forward gear, and there may be additional requirements resulting from a traffic impact assessment.

Outdoor play areas should be in a safe location on the site, and away from any adjoining noise-sensitive premises, such as dwellings and nursing homes.

Landscaping should be provided in accordance with the relevant local planning scheme or relevant local policy or applicable regulations. In the absence of any such provisions, landscaping will be required along the street frontage of the development to a standard equal to that required or provided for on adjacent properties. Landscaping should not include potentially hazardous heights, landscape fittings, and potentially toxic plants.

3.6 Traffic impacts

A traffic impact statement/assessment should be required for the development of a child care centre.

This statement/assessment should address:

- a) the site characteristics and surrounding area;
- b) the proposal and its expected trip generation;
- c) parking requirements, including the design of parking areas, and any pick-up and drop-off facilities;
- d) existing traffic conditions and any future changes expected to the traffic conditions;
- e) current road safety conditions, including a crash history in the locality; and
- f) the expected impact of the proposed development on the existing and future traffic conditions.

A child care centre should be approved only if it can be demonstrated that it will have a minimal impact on the functionality and amenity of an area and will not create or exacerbate any unsafe conditions for children and families using the centre, or for pedestrians or road users.

3.7 Noise impacts

A noise impact assessment may be required for the development of a child care centre.

The objectives should be to limit the noise impact of the child care centre on adjacent properties, and also limit any noise impact from external sources on the child care centre. This may be achieved either by physical separation, design and layout of the centre or by implementing noise-mitigation measures, such as acoustic treatments to buildings.

As a general rule, the hours of operation of a child care centre should be limited to between the hours of 7 am and 7 pm weekdays and on Saturdays, unless otherwise agreed to with the local government.

Although each application will need to be assessed on its merits, the following basic principles apply:

- a) Where a child care centre is located adjacent to a noise-sensitive use, such as houses, retirement villages and nursing homes, the noise-generating activities of the child care centre, such as the outdoor play areas, parking areas and any plant and equipment, are to be located away from the noise-sensitive use.
- b) Where, due to design limitations or safety considerations, noise-generating activities such as outdoor play areas are located close to noise-sensitive uses, appropriate noise mitigation is to be undertaken.
- c) As there is now a considerable body of research that demonstrates the negative impact of inappropriate noise on child development, the design and construction of buildings may include noise-mitigation measures to reduce impact from external sources and to achieve accepted indoor noise limits.

3.8 Need for child care centres

Legal decisions have discounted the requirement for an applicant to prove the need for commercial facility, for example through market surveys, as part of the planning approval process. However, if there is a demonstrable impact on the amenity of an area or the level of service enjoyed by a community, then this is a relevant local planning consideration.

Accordingly, the WAPC is of the view that, although a proponent does not have to demonstrate there is sufficient demand for the activity, there may be a need to show that the development will not have an adverse impact on the amenity of the area or the level of service to the community by similar existing or approved facilities.

In such instances, and depending on the scale of the proposal, the applicant may be asked to provide further information in regard to the level of existing services in the locality, proximity to other centres, population catchments for the new centre and the number of primary schools and kindergartens in the locality, in relation to the development of a new facility.

3.9 Consultation

Appropriate consultation should be undertaken to consider the likely impact a child care centre may have on the amenity of an existing residential area. A minimum requirement should be for the local government or the applicant to advise adjoining neighbours in writing and display public advertisements on the site, in accordance with the public notification procedures of the local government.

Where the location of a child care centre was predetermined in a structure plan, or similar wide-ranging site assessment completed prior to any residential development in the vicinity, comprehensive consultation on a planning application may not be necessary.

3.10 Implementation

This policy provides guidance to decision-making authorities on the location and development of the child care centres.

Development of a child care centre usually requires planning approval from the local government, or in some cases the WAPC, and a licence from the Department for Communities, pursuant to the relevant regulations for child care under the *Child Care Services Act 2007*. The regulations address a wide range of issues including indoor and outdoor space requirements, shade, fencing, some internal structural requirements and environmental health needs.

Local governments have local planning schemes or relevant local policies that address a variety of other planning matters, such as the appearance of buildings, parking requirements and the provision

of landscaping, and should be contacted for further information.

3.11 Application requirements

In addition to completion of the mandatory application form and fees, applications for child care centres should be accompanied by:

- a) a written statement outlining the number of children proposed, age group breakdown, days and hours of operation and staff requirement;
- b) a location plan depicting surrounding lots and road layout;
- c) a site contour survey plan prepared by a licensed land surveyor, indicating the location of the proposed building and existing buildings and structures on adjacent sites;
- d) a detailed site plan to a scale sufficient to identify clearly the boundaries and all proposed structures, external play areas; landscaping, refuse storage area, car parking, pedestrian and vehicle access ways, crossover/s and kerb locations, verge width and associated road infrastructure (eg light poles, traffic islands) for the full road reserve width for all roads abutting the application site;
- e) floor plans and elevations to all sides of the proposed building to a minimum scale of 1:100, or such other scale as required by the decision-making authority;
- f) a traffic impact statement/assessment, if required by the decision-making authority;
- g) a noise impact assessment, if required by the decision-making authority;
- h) a signage strategy;
- i) if the site has been used for a potentially contaminating activity the information listed in section 6 of DEC's *Contaminated Sites and Land Use Planning Process* (available on the DEC website at www.dec.wa.gov.au); and
- j) any additional information relevant to the assessment of the application.

3.12 Review

If a planning application for a child care centre is refused or an applicant is aggrieved by any of the conditions of an approval, there is a right of review of the decision by the State Administrative Tribunal, in accordance with the relevant

legislation. Such applications for review must be lodged with the tribunal within the prescribed time and in accordance with the rules and regulations of the tribunal.

Applicants considering making such an application for review should consult the tribunal and, if necessary, a legal practitioner or other appropriate professional in relation to commencement and conduct of a review.

4 Comment and further information

Further information, any enquiries or correspondence on this planning bulletin should be directed to:

Director
Policy Development and
Coordination
Department of Planning
Albert Facey House
469 Wellington Street
Perth WA 6000

quoting file reference
WAPC/09/0014

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

8.2.3 Draft Planning Policy P-DEV 54 – Dual Density Design Guidelines

Previous Items	OCM 99/2017
Responsible Officer	Director Development Services
Service Area	Approval Services
File Reference	OR-CMA-016
Attachment 1	Scheme Amendment 82, Schedule of Modifications
Attachment 2	Community Information -Frequently Asked Questions.
Attachment 3	Dual Density Design Guidelines Survey
Attachment 4	Community Engagement Survey Feedback
Attachment 5	Community Engagement & Submitters Table
Attachment 6	Draft Local Planning Policy P-DEV 54 – Dual Density Design Guidelines, Policy Document
Attachment 7	Draft Local Planning Policy P-DEV 54 – Dual Density Design Guidelines, Explanatory Information
Attachment 8	Draft Local Planning Policy P-DEV 54 – Dual Density Design Guidelines, Assessment Matrix
Attachment 9	Appendix 5 Recommended Plant List

EXECUTIVE SUMMARY

1. The purpose of this report is to consider final adoption of draft Local Planning Policy P-DEV 54 – Dual Density Design Guidelines (the Policy).
2. The Policy has been written for the purposes of providing guidance relating to the future development and subdivision relating to Dual Density Coded areas which form part of Scheme Amendment 82 to Local Planning Scheme No.3 (the Scheme).
3. The Policy was advertised from 12 July 2017 until 22 August 2017 in **accordance with the requirements of Council's Policy P-Dev. 45** Public Notification of Planning Proposals. The Policy and associated community information sessions were advertised in the local newspaper, guidance signs were used to further notify the community of the location and times of the information sessions, and the public was requested to complete a questionnaire relating to the themes associated with the Dual Density Design Guidelines. At the conclusion of the advertising period, the City received 106 responses.

4. The officer recommendation is for Council to adopt the Policy with minor modifications.

BACKGROUND

5. In June 2016, Council resolved to approve Scheme Amendment 82 to the Scheme, to introduce dual density codes to the existing urban areas of Forrestfield, High Wycombe, Maida Vale and Kalamunda. The intent of the dual density code under the amendment is to reward high quality development under criteria with higher amenity outcomes associated with the higher density.
6. Scheme amendment 82 is currently with the WA Planning Commission (WAPC) and was tabled at the Statutory Planning Committee on 9 September 2017 with a recommendation to approve the amendment and for the WAPC to refer the amendment to the Minister for Planning for final approval. The WAPC originally agreed in consultation with the City to defer consideration of the amendment to the 31 August 2017 to allow for the proposed Policy to be adopted by Council. There is now a sense of urgency for the Policy to be adopted prior to the Ministers final approval of Scheme Amendment 82 to ensure that once it has been finalised there is an appropriate operational local planning policy approved by Council in which applications for subdivision referrals and development applications can be determined by the City.
7. 19th October 2017 the City received correspondence from the Western Australian Planning Commission (WAPC) with notification from the Minister for Planning requesting minor modifications to Scheme Amendment 82. Please see attachment 1 which outlines the schedule of modifications in accordance with the Section 87 (1) of the Planning and Development Act 2005 (the Act)
8. The City periodically reviews, revokes, and adds new policies for the purpose of ensuring consistency and transparency in decision-making and to ensure Council has a clear and defensible position.
9. Council resolved on the 26th June 2017 (OCM 99/2017) to adopt the Policy for public advertising. The advertising period has now closed and the draft policy is now ready for consideration by Council for final adoption.

DETAILS

10. The Policy will complement the proposed Scheme 82 provisions to create dual density coded zones within the City. The Policy outlines the process by which an applicant would apply to be able to develop a property at the higher density code, as well as the conditions that the applicant would have to meet to allow such development to take place.
11. The objectives of the Policy include:
 - a) Providing policy guidelines in terms of development standards suitable for the City of Kalamunda for all residential development within the Scheme area (dual density coded areas).
 - b) Promoting the development of a sustainable community which is environmentally sustainable and utilises best practise measures

- relating to energy efficiency and water sensitive urban design.
- c) To create functional and liveable neighbourhoods which accommodate a diverse community and range of household types.
 - d) To create safe neighbourhoods where anti-social behaviour is discouraged through the use of best practice CPTED (Crime Prevention through Environmental Design) principles.
 - e) To encourage new developments to incorporate best practise urban design principles which enhance the built environment and create attractive and functional neighbourhoods.

12. The Policy will address the following key elements:
- Streetscape and Urban Design.
 - Dwelling Diversity.
 - Adjoining Property Applications, Joint Access and Reciprocal Rights of Carriageway.
 - Retention of Dwellings.
 - Dwelling Orientation and Bulk and Scale of Buildings.
 - Stormwater Drainage.
 - Tree Retention, preservation and Landscaping.
 - Utilities and Facilities.
 - Vehicle Access and Parking.
 - Sustainable Design Principles.
 - Street Walls and Front Fencing.
 - Plot Ratio Variance.
 - Additional requirements for R25/60 zoned properties fronting Hale Road Forrestfield and Kalamunda Road High Wycombe.
13. The policy will provide development controls and criteria for applicants who are applying for a development and subdivision approval with the intent to develop property at higher dual density coding. The policy will allow for consistency in the decision making process while imposing conditions that will ensure that the built form is developed to a standard that is deemed to be appropriate for the City.

STATUTORY AND LEGAL CONSIDERATIONS

14. Local Planning Policies are created under Clause 3 (1) of the *Planning and Development (Local Planning Scheme) Regulations 2015* (the Regulations).
15. A Local Planning Policy does not bind the City in its application of discretion but must be given due regard. If a planning policy is inconsistent with the regulations and scheme provisions the regulations and scheme prevail.

POLICY CONSIDERATIONS

16. The Policy follows the adopted Council templates with some small modifications for improved structure, legibility and clarity.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

17. **The Policy was previously circulated to the City's Assets, Health, Building and Environment departments for comment.** No objections or comments to the proposed draft policy were received.

External Referrals

18. The Policy was advertised in accordance with the provisions of Local Planning Policy P-DEV 45 – Public Notification of Planning Proposals.

As part of this process a notice was placed in the local newspaper for two consecutive weeks, and a notification was placed on the City website. For a period of 28 days.

In addition, the City undertook three Community Engagement sessions:

Venue	Date
KPAC Agricultural Hall	19/07/2017
High Wycombe Recreation Centre	27/07/2017
Woodlupine Community Centre	3/08/2017

The community information sessions were operated by the City's Approval Services staff and were principally 'drop in session' in nature with detailed information boards being displayed around the room and the community encouraged to ask questions and seek clarification. (See Attachment 6 Frequently Asked Questions Brochure) which was distributed to attendees.

19. A survey was distributed at the community information sessions as well as forming part of the online advertising for the Policy see Attachment 7. The City received 106 responses to this survey including 102 online and 4 hard copy submissions. The detail of the responses are summarised in Attachment 4 and 5 Community Engagement & Submitters Table.

The general feedback is summarised as follows:

- Forrestfield residents comprised the highest frequency, with 42% of the residents responding.
- Predominance of respondents (67%) strongly disagree or disagree with the provisions requiring 1,000m² minimum lot size.
- More than half of respondents (54%) strongly agree or agree to the dwelling diversity exemption for lots less than 1,000m²
- Provisions for reciprocal rights of carriageway and applicants jointly applying to meet the 1,000m², a high degree of respondents were neutral (35%) and (44%) either agreed or strongly agreed to this question.
- A strong support was shown for the option to retain and upgrade existing dwellings versus previous provisions to require

demolition. (69%) of respondents either agreed or strongly agreed to this provision.

- Respondents were predominantly neutral to policy measures regarding dwelling orientation and legibility (46%)
- There was a strong support for provisions regarding the orientation of dwellings, access and dwellings addressing the street and public open space with (62%) of respondents either agreeing or strongly agreeing to this provision.
- There was a strong support for provisions regarding the stormwater management provisions with (62%) of respondents either agreeing or strongly agreeing to this provision.
- There was relative support for provisions regarding the requirement to retaining trees and provisions for landscaping with (55%) of respondents either agreeing or strongly agreeing to this provision.
- There was a strong support for provisions regarding the screening of utilities and facilities with (73%) of respondents either agreeing or strongly agreeing to this provision.
- There was some support for provisions regarding the numbers of crossovers and screening of car parking bays with (48%) of respondents either agreeing or strongly agreeing to this provision.
- Respondents were predominantly neutral to the provisions regarding the fencing and wall standards proposed with (46%) of respondents. 37% of respondents either agreed or strongly agreed to this provision.
- There was some support for provisions regarding sustainable design principles with (46%) of respondents either agreeing or strongly agreeing to this provision.
- Respondents were predominantly neutral to the provisions regarding building and design requirements for properties fronting Hale and Kalamunda Road standards proposed with (67%) of respondents remaining neutral. This is likely to due to the provisions only affecting a small number of properties in the amendment area.
- Respondents were predominantly neutral to the provisions regarding multiple dwelling requirements with (54%) of respondents remaining neutral.
- **When asked what respondents' intentions were for the future of their property, more than half (55%) stated that they intended to develop their property themselves.**

FINANCIAL CONSIDERATIONS

20. All costs associated with the advertising of the proposed Policy are provided for in the Approval Services Budget.

21. The City will receive increased rates from infill subdivision and development occurring as a result of the dual density provisions.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

22. *Kalamunda Advancing: Strategic Community Plan to 2027*

OBJECTIVE 3.1 – To plan for sustainable population growth.

STRATEGY 3.1.1 Plan for diverse and sustainable housing, community facilities and industrial development to meet changing social and economic needs.

SUSTAINABILITY

Social Implications

- 23. If the Policy is adopted the City and community will have greater certainty when assessing how properties will be developed and subdivided to an acceptable standard.
- 24. Additionally, the community will have access to clarity and transparency in how the City and Council makes decisions, leading to improved outcomes and reduced timeframes.
- 25. Furthermore, if the Policy is adopted, housing diversity and overall achievements of dwelling targets in line with State planning policies including Perth and Peel 3.5 million will be encouraged. A diversity in housing choices will provide a positive social impact as the policy provisions will facilitate the redevelopment of tired and ageing housing stock.

Economic Implications

- 26. The adoption of this Policy, once Scheme Amendment 82 has been approved by the Minister for Planning, will facilitate the ability for land owners to develop and subdivide their properties at a higher density code, subject to compliance with the provisions of this Policy. The economic impact for the City will be an increase in development applications, an increase in local employment within the construction industry, and higher levels of population and rateable properties over time.

Environmental Implications

- 27. The adoption of this Policy will result in an increased amount of development within the housing opportunity areas as identified by the Local Housing Strategy. The introduced provisions for tree preservation, planting of verge trees, provision of water tanks and solar panels associated with the Policy provisions will seek to improve and offset any potential environmental impacts relating to increases in housing density throughout the City.

RISK MANAGEMENT CONSIDERATIONS

28.	Risk: The policy is not adopted resulting in a lack of guidance regarding the applicable Scheme amendment 82 provisions.		
	Likelihood:	Consequence	Rating
	Unlikely	Moderate	Low
	Action/ Strategy		
	Demonstrate the importance of having sound and robust planning policies to support the Scheme when assessing development/subdivision applications.		

Risk: The policy is not adopted prior to the adoption of Scheme amendment 82. Applicants may then be able to apply for subdivision to the WAPC and development to the City without an adopted policy to provide guidance or control for application determinations		
Likelihood:	Consequence	Rating
Possible	Significant	High
Action/ Strategy		
Demonstrate the importance of having sound and robust planning policies to support the Scheme when assessing development/subdivision applications.		

OFFICER COMMENT

29. The proposed policy recommends development standards that are well above the requirements of many other local governments. Without detailed design guidelines there is a risk that infill development within the City will result in poor quality built form outcomes which result in adverse amenity impacts.
30. The policy will support the proposed Scheme Amendment 82 provisions and provide guidance for future development within dual density coded areas of **the City. Having such guidance will assist both the City’s officers responsible** for assessing development and subdivision applications as well as provide detailed guidance and provisions for residents of the City who wish to apply to develop in these areas. This follows the ongoing discussions with the Western Australian Planning Commission (WAPC) in regards to Scheme Amendment 82 which is currently before the Minister for Planning for final determination.
31. The City received correspondence from the WAPC on the 19th October 2017 notifying the City that the Minister for Planning has requested minor modifications to Scheme Amendment 82 which is in accordance with section 87 (2) (b) of the Planning and Development Act 2005 and that the amendment be resubmitted under section 87(1) of the Act. The modifications are minor in nature and modifications to the Scheme amendment are reflected within the Dual Density Design Guidelines. The Minister has also requested three exclusions and requested that the maps be amended by;
- a) Deleting the areas south-west of Walbeck Road (proposed to be recoded to R20)
 - b) Deleting the area bounded by Williams Street and Dixon Road Kalamunda (proposed to be recoded R30/40; and
 - c) Replacing the proposed R20 coded areas in Kalamunda with dual density code R10/20

Although no explanation has been given to the requested modifications it is assumed that the properties in the two mentioned areas were of a higher bushfire prone risk and therefore deemed not to be appropriate for a higher density.

The Minister has also requested that the Dual Density Code be applied to the proposed R20 Coded area to the west of the Kalamunda Town Centre. The impact of this is that the Dual Density Guidelines will therefore be applicable to those properties whereas previously proposed to be assessed solely as Residential R20 properties.

32. Through consultation with the City, the WAPC have modified Scheme Amendment 82 from its original format as approved by Council in June 2016. The modifications are described below:

- o The removal of a number of criteria that development and subdivision must satisfy when the higher density code is applied for, namely
- o The existing building to be demolished.
- o Stormwater drainage demonstrating compliance with the R Codes.
- o At least half of the buildings assessed at R40 being multi-storey
- o Dwelling design to be orientated to address the public street.
- o Landscaping elements to enhance the development and streetscape.
- o Limiting vehicle access to the site, including the number of crossovers.
- o Provision of on-street parking.
- o The removal of the requirement for development to be constructed to plate height for the purpose of subdivision applications at the higher density code.

The rewording and inclusion of criteria the development must satisfy when considering development applications for dual coded areas. In such cases the lower density code will apply unless;

- o The parent lot is at least 1000m² in areas; or
- o The parent lot is has two or more frontages to a public road; or
- o The parent lot is the only lot between two lots with two or more frontages to a public road; or
- o The parent lot is the only lot between two lots where one or both of the adjoining lots have been developed at the higher dual density code; or
- o The development is designed to accommodate a mixture of dwelling types and shall include two or more types of dwelling as defined by the R-Codes and at least one dwelling in the development is two storeys; and
- o The development is designed with the due regard for any relevant Local Planning Policy or Design Guidelines for dual coded areas; and
- o The development can be serviced by reticulated sewerage in accordance with the Government Sewerage Policy.

The inclusion of new wording specifically for subdivision applications that the City will recommend the lower density be applied unless:

- o The parent lot is at least 1000m² in areas; or
- o The parent lot is has two or more frontages to a public road; or
- o The parent lot is the only lot between two lots with two or more frontages to a public road; or
- o The parent lot is the only lot between two lots where one or both of the adjoining lots have been developed at the higher dual density code; or

- o The development is designed to accommodate a mixture of dwelling types and shall include two or more types of dwelling as defined by the R-Codes and at least one dwelling in the development is two storeys; and
- o The development is designed with the due regard for any relevant Local Planning Policy or Design Guidelines for dual coded areas; and
- o The development can be serviced by reticulated sewerage in accordance with the Government Sewerage Policy.

In relation to aged and dependent persons dwellings or single bedroom dwellings in accordance with the R-Codes within the dual density coded areas depicted on the Scheme Map, the additional density bonus under the R Codes shall not be permitted at the higher density code unless the higher of the dual coding is R60.

The inclusion of the modified wording into the Scheme Amendment has been reflected in the proposed policy.

The City has included a clause within the Dual Density Design Guidelines which will recommend to the WAPC as part of subdivision referral for subdivision at the higher dual density coding, that a restrictive covenant be placed on title, requiring that any subsequent development on those lots comply with the requirements of the Dual Density Design Guidelines.

33. The community feedback provided during the public advertising period was generally positive with general support to the principles relating to the Dual Density Guidelines. It is acknowledged that the majority of respondents disagreed with the minimum 1,000m² lot size requirement for development. However, it should be noted that exemptions to this requirement have been introduced where the minimum lot size cannot be achieved. The community sought feedback regarding the status of Scheme amendment 82, in which this Policy has been formulated to accord with the final provisions as specified by **the WAPC. Following this feedback the City's officers have sought to develop a robust Policy which provides clarity and guidance whilst ensuring that the built form outcomes which will result from the Scheme amendment 82 will accord with the City's strategic values as well as providing both social and environmental benefits to the community.**
34. Following feedback from the community, only minor modifications to the Policy have been sought from the draft policy document which was previously endorsed by Council for public advertising in June 2017 (OCM 99/2017) Minor editing has been undertaken as well as the following changes:

Clause 8.2 Dwelling Diversity, Grouped Dwellings have been divided into two storey grouped dwellings and single storey grouped dwellings.

The reason for this change is to provide for the opportunity for example R20/R30 dual coded properties to develop or subdivide their properties at less than 1,000m², subject to compliance with the Dwelling Diversity Clause whereby at least one dwelling is required to be two storey and a mixture of housing types.

The advertised version of the Policy did not classify single storey and two

storey grouped dwellings separately. The impact of which could have had the impact of restricting options for those who wish to retain an existing dwelling and build only one dwelling beside or behind that dwelling. This revision now rectifies this anomaly whereby a two storey and single storey grouped dwelling will be classified as different dwelling types and can satisfy the requirement for dwelling diversity.

35. Clause 14.0 Sustainable Design Principles.

The requirement for 3000ltr water tanks for lots 300m² or greater. A further provision has now been added to require a water tank to also be provided in multiple dwelling development scenarios at a ratio of 1 tank per 4 multiple dwellings.

The reason for the change is to accommodate the need for water tanks for buildings with more than one dwelling (multiple dwellings) whereby this scenario was not considered in the draft policy.

36. Clause 16.0 Multiple dwellings.

This section of the policy has been modified following advice provided by the WAPC that they did not support the restriction on plot ratio provisions to 400m from activity centres. The WAPC stated the requirement would be overly restrictive and recommend its removal from this section of Scheme amendment 82.

Due to this recommended modification to Scheme amendment 82, the Policy has also been modified to reflect the deletion of this requirement. Clause 16 relates to a plot ratio method of calculating density as well as a plot ratio variance provision, which will allow incentive based development outcomes, subject to the provision of additional on-site amenities and full compliance with the requirements of the Policy and the deemed to comply provisions of the R Codes.

37. Appendix 10 of the Policy has been removed as it replicates the same information contained in the adopted Planning Policy P-Dev. 61, Retention and Upgrade of Grouped dwellings, where it references the **Dual Density Guidelines in the Policy document's appendices.**

38. Noting the provision of Clause 7.3.1 of the R Codes, the Policy will be referred to the WAPC for final approval.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Pursuant to Clause 4 (3) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, adopt the following policy with minor modification:
P-DEV 54 – Dual Density Design Guidelines

2. Refers the adopted policy to the Western Australian Planning Commission for endorsement.

Moved:

Seconded:

Vote:

Attachment 1

Draft Planning Policy P-DEV 54 – Dual Density Design Guidelines Corporate **Draft**
Local Planning Policy P-DEV 54 – Dual Density Design Guidelines, Policy Document

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

Attachment 2

Local Planning Policy DEV 54 – Dual Density Design Guidelines
Draft Local Planning Policy DEV 54 – Dual Density Design Guidelines Explanatory
Information

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

Attachment 3

Local Planning Policy DEV 54 – Dual Density Design Guidelines
Assessment Matrix

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

Attachment 4

Local Planning Policy DEV 54 – Dual Density Design Guidelines
Community Engagement Survey Feedback

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

Attachment 5

Local Planning Policy DEV 54 – Dual Density Design Guidelines
Submission Table September 2017

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

Attachment 6
Local Planning Policy DEV 54 – Dual Density Design Guidelines
Frequently Asked Questions

Draft Local Planning Policy P DEV 54 – Dual Density Code Design Guidelines Frequently Asked Questions

1. What are the Residential Design Codes (R Codes)

The Residential Design Codes (R Codes) form part of State Government Planning Policy 3.1 (SPP3.1) which regulates residential development throughout Western Australia. The R Codes are intended to cover all requirements for planning control purposes and to minimise the need for councils to introduce separate planning policies or variations to these requirements. The R Codes were amended and adopted on the 23rd October 2015.

The physical construction requirements, energy efficiency and the internal arrangement of residential buildings are governed by the Building Codes of Australia (BCA) which are separate to the R Codes.

To understand the development potential of your property a reference to an R Code will be made and that reference will be found on the Shire of Kalamunda's Local Planning Scheme No.3 Map. For example, an R20 density Code means approximately 20 dwellings per hectare. There are correlating land area requirements contained in Table's 1 and 4 of the R Codes which determine minimum and average lot sizes as well as plot ratio calculations for multiple dwelling apartment developments.

Where there are matters requiring a local approach providing more guidance to planning controls, the R Code can be complemented through the preparation of a local policy.

2. What is Dual Density / Dual Coding?

Dual Density or Dual Coding as it is sometimes known is a technique used to accommodate infill housing where a transition from low to medium or high density is required. The intention of the dual density is to encourage by means of additional requirements, development at the higher density subject to certain conditions being met.

In this instance the Shire requires an existing dwelling(s) to be substantially upgraded, as well as encouraging joint developments with neighbours

www.kalamunda.wa.gov.au/DualDensity



for land owners who do not achieve two frontages to a public street, a lot between two corner lots or provides for more than one dwelling type where the site is below 1000m² in land area.

The Shire also specifies energy efficiency standards to be increased as well as design and siting criteria to be met in order to achieve the higher of the dual density codes allocated to that particular lot.

The desired outcomes of the increased density within the Shire of Kalamunda are:

- Mitigate haphazard and disjointed streetscape outcomes perpetuated by multiple narrow lot battle-axe style subdivisions.
- Increase the quality of the built form outcomes within the Shire by requiring a higher standard of compliance for all new residential re-development and associated subdivision.
- Promote better urban design and safety and crime prevention.
- Encourage adequate frontages to accommodate vehicle access-ways and side setbacks.
- Minimise the number of crossovers and access points.

When assessing applications for planning approval or subdivision referrals to the Commission where a dual density coding applies, the lower R Code density number is the deemed to comply standard unless Council approves residential development at the higher R Code density where it complies with the Dual Density Design Guidelines Policy.



**city of
kalamunda**

Dual Density Design Guidelines Survey

The City of Kalamunda has developed a Draft Local Planning Policy for the implementation of the Dual Density Codes proposed as a mechanism to increase housing density in specific areas in the City of Kalamunda, in line with the objectives of the Local Housing Strategy.

In June 2016 The Shire adopted Scheme Amendment #82 following extensive community consultation and forwarded the amendment to the Western Australia Planning Commission (WAPC) for determination. Through many months of discussion the WAPC requested changes to the amendment, and requested that the Shire progress its accompanying Dual Density Design Guidelines. There have been a number of changes relating to the overall requirement to achieve the higher dual density code and these are addressed in the Draft Policy.

New provisions as part of the Local Planning Policy for Dual Density Coded Areas, previously not stipulated in the Scheme Amendment Text:

1. Provisions for the retention of dwellings.
2. Provisions providing guidance regarding adjoining sites and reciprocal rights of carriageway.
3. Dwelling Design and Scale.
4. Dwelling Orientation and Legibility.
5. Tree retention and preservation – *moved from the scheme text into the policy.*
6. Screening of utilities and essential services.
7. Vehicle Access and Parking, specified setbacks introduced for carports and garages – *moved from the scheme text into the policy.*
8. Street walls and fencing
9. Sustainability requirements including :
 - a) Non-reflective / Dark coloured roof
 - b) Requirement for solar panels
 - c) Requirement for water tank where lots created are greater than 300m²
 - d) One star in excess of the current energy efficiency requirement of the Building Codes of Australia for Class 1A buildings.
10. Additional Requirements for noise attenuation and traffic management for sites that are located on Kalamunda Road / Hale Road with a higher dual density Code of R60.
11. Introduction of Plot Ratio Variance where a development proposed includes Multiple Dwellings and is located within 400m of an Activity Centre.

The City of Kalamunda encourages landowners to read the policy provide comment via this survey. *The policy, along with further information, is available on the [City of Kalamunda website](#).*

Please return this survey by 5pm on the 14 August 2017.

By Email: enquiries@kalamunda.wa.gov.au

By Post: City of Kalamunda, PO Box 42, Kalamunda 6926

Dual Density Design Guidelines Survey

1. Where is your property?

Forrestfield

High Wycombe / Maida Vale

Kalamunda

Other _____

2. Minimum lot size

The requirements of the policy include the requirement that the minimum lot size for re-development at the higher dual coding is over 1,000m² in land area. Do you agree or disagree with this initiative?

Exemptions apply: Lots with more than one street frontage, lots in between two lots with two street frontages, achieving dwelling diversity.

1	2	3	4	5
Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree

Please tell us why you gave this answer:

3. Dwelling Diversity Exemption

A new exemption has been proposed to be introduced which allow lots that are less than 1,000m² may be developed at the higher Dual Density Coding. The provision can be achieved if more than one dwelling type is achieved and if one of the dwellings in the development is two storey. Do you agree or disagree with this initiative?

1	2	3	4	5
Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree

Please tell us why you gave this answer:

4. Reciprocal Rights of Carriageway

The City is prepared to consider development of two (2) or more adjacent lots forming one site by utilising reciprocal rights of access to meet the minimum 1,000m² site area. Do you agree or disagree with this initiative?

1	2	3	4	5
Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree

Please tell us why you gave this answer:

Attachment 8
Local Planning Policy DEV 54 – Dual Density Design Guidelines
Recommended Plant List

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

Attachment 9
Local Planning Policy DEV 54 – Dual Density Design Guidelines
Schedule of Modifications

Planning and Development Act 2005

City of Kalamunda

Local Planning Scheme No. 3, Amendment No. 82

Schedule of Modifications

1. Deleting resolution 1.
2. Replacing resolution 2 with the following:
 2. Inserting the following clause:

5.24 Dual Density Coded Areas

5.24.1 In considering development applications for land within the dual coded areas depicted on the Scheme Map, the local government will apply the lower density unless:

- (a) The parent lot is at least 1000 square metres in area; or
- (b) The parent lot has two or more frontages to a public road; or
- (c) The parent lot is the only lot between two lots with two or more frontages to a public road; or
- (d) The parent lot is the only lot between two lots where one or both of the adjoining lots have been developed at the higher dual density code; or
- (e) The development is designed to accommodate a mixture of dwelling types and shall include two or more types of dwelling as defined by the R-Codes and at least one dwelling in the development is 2 storeys; and
- (f) The development is designed with due regard for any relevant Local Planning Policy or Design Guidelines for dual coded areas; and
- (g) The development can be serviced by reticulated sewerage in accordance with the Government Sewerage Policy.

5.24.2 In considering subdivision applications for land within the dual coded areas depicted on the Scheme Map, the local government will recommend that the lower density be applied unless:

- (a) The parent lot is at least 1000 square metres in area; or
- (b) The parent lot has two or more frontages to a public road; or
- (c) The parent lot is the only lot between two lots with two or more frontages to a public road; or
- (d) The parent lot is the only lot between two lots where one or both of the adjoining lots have been developed at the higher dual density code; or
- (e) It is demonstrated that the subdivision is designed to facilitate future development which can accommodate a mixture of dwelling types and shall include two or more types of dwelling as defined by the R-Codes and at least one dwelling in the development is 2 storeys; and

- (f) The subdivision is designed with due regard for any relevant Local Planning Policy or Design Guidelines for dual coded areas; and
- (g) The subdivision can be serviced with reticulated sewerage in accordance with the Government Sewerage Policy.

5.24.3 In considering development applications for Aged or Dependent Persons' dwellings or Single Bedroom Dwellings within the dual coded areas depicted on the Scheme Map, the additional density bonus under the Residential Design Codes shall not be permitted at the higher density code unless the higher of the dual coding is R60.

3. Modifying the Kalamunda amendment maps by:

- a. deleting the areas south-west of Walbeck Road (proposed to be recoded to R20);
- b. deleting the area bounded by Williams Street and Dixon Road (proposed to be recoded to R30/40; and
- c. replacing the proposed R20 coded areas in Kalamunda with dual density code R10/20.

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

8.2.4 Nominations for the City of Kalamunda Design Advisory Committee

Previous Items	OCM 60/2017 OCM 46/2017
Responsible Officer	Director Development Services
Service Area	Approval Services
File Reference	OR-CMA-16
Attachment 1	Local Planning Policy P-DEV 60 – Design Advisory Committee's

EXECUTIVE SUMMARY

1. The purpose of this report is to advise Council for their information and noting of the proposed nominations to the Design Advisory Committee (DAC) and adopt an hourly fee for members.
2. During the expression of interest period, a total of seventeen nominations were received by the City of Kalamunda for membership of the DAC.
3. A total of seven (7) members have been nominated to make up the membership of the DAC, which comprises five (5) sitting members, and two (2) alternate members. All seven (7) members are considered to have an appropriate level of expertise and experience.
4. It is recommended that Council note the 7 DAC members and adopt an hourly rate of \$200 per hour for DAC members.

BACKGROUND

5. In November 2016, Council resolved (OCM 60/2016) to approve Scheme amendment 84 to Local Planning Scheme No.3 (the Scheme) to introduce provisions **with the aim to establish DAC's.**
6. In July 2017, Council resolved (OCM 46/2017) to adopt Local Planning Policy P-DEV 60 Design Advisory Committees. The intent of the policy is to **compliment the adopted Scheme amendment 84 provisions to create DAC's, in** order to guide the types of applications and matters to be considered by the DAC in more detail. The policy outlines the process for advertising, recruiting and operating the DAC, as well as stating expectations of the DAC itself.

DETAILS

7. The DAC panel will be established comprising a total of seven (7) members, five (5) of which are appointed to sit on the DAC, and two (2) deputy members have been selected as standby members in the event that any of the five (5) sitting members are unavailable. Each of the DAC panel members are community representatives and/or technical experts. From the panel a Chair, Deputy Chair will be appointed.
8. A total of seventeen (17) nominations to the DAC were received by the City. **Each of the nominee's applications were** reviewed and assessed against the nominated selection criteria. From the section process the following nominees

have been selected:

Sitting Members:

Chris Melsom

- **30 years' experience in planning, architecture and Urban design** in Western Australia and internationally.
- Qualified and registered Town Planner and Architect.
- Demonstrated experience in contemporary architectural design and urban design.
- Demonstrated expertise in design review, design critique and the provision of advice on design quality issues.

Carmel Van Ruth

- **20 years' experience as a qualified Architect.**
- Currently working as a Senior Architect for the Office of the Government Architect.
- Past Chair and current member of the City of Vincent Design Advisory Committee.
- Extensive experience in the development and review of design review documents, i.e. Design WA suite of policies.

David Barr

- **14 years' experience in Architecture and Planning.**
- Qualified and registered Architect,
- Extensive experience in the development and review of design documents, i.e. Design WA.
- Contemporary experience in large residential development.

Jurg Hunziker

- **30 years' experience in Architecture both local and international.**
- Qualified and registered Architect.
- Extensive experience in design reviews and membership of design review committees.
- Contemporary experience in numerous complex design and construction projects.

Ross Montgomery

- **25 years' experience as Town Planner in a variety of government and non-government organisations.**
- Qualified and certified Town Planner and Landscape Architect.
- Past member of the City of Perth Design Advisory Committee.
- Contemporary experience in urban design planning projects.

The following two (2) alternate members have been selected:

Patrick Beale

- **40 years' experience in architecture** and urban design, both locally and internationally.
- Extensive experience in research and academia, more recently at University of Western Australia.
- Specialises in timber design and construction.

Ian Molyneux

- Architectural qualifications, Registered Architect (non-practising).
- Extensive past experience dating back to 1965.
- Variety of positions of employment and fields of expertise, exposure to diverse range of residential, commercial and industrial projects.
- Extensive experience in heritage conservation.

STATUTORY AND LEGAL CONSIDERATIONS

9. Clause 10.3 – Advisory Committees of the Scheme details provisions pertaining **to the establishment of DAC's.**

POLICY CONSIDERATIONS

10. Local Planning Policy P-DEV 60 **establishes provisions pertaining DAC's as follows:**
- Appointment and Termination of Membership and selection criteria requirements
 - Operational Funding and Remuneration
 - Code of Conduct
 - Attendance and Quorum

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

11. Nil

External Referrals

12. Nil

FINANCIAL CONSIDERATIONS

13. **In regard to recommended remuneration for sitting members, the City's** Officers sought advice from the Office of the Government Architect, who provided information on other existing Local Government DAC sitting fees, and recommended a range of \$200 to \$250 per hour (ex. GST). Based on the information received, it is recommended that the City establishes a sitting fee of \$200 plus GST (totalling \$220), which represents an average of the sitting fees of other Local Government DACs.
14. Costs associated with the operation of the DAC will be allocated through the quarterly budget process. The sitting fee for each of the five (5) members is recommended to be \$200.00 per hour plus GST (totalling \$220). It is anticipated that each DAC will operate for a maximum of three (3) hours. The DAC is proposed to meet on an adhoc basis, with a maximum meeting of one per month. The sitting fee will be reviewed in conjunction with the annual **review of the City's schedule of fees and charges.**

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

15. *Kalamunda Advancing: Strategic Community Plan to 2027*

OBJECTIVE 3.1: To plan for sustainable population growth.

Strategy 3.1.1 Plan for diverse housing, facilities and industry to meet changing social and economic needs.

SUSTAINABILITY

Social Implications

16. The appointment of suitably qualified and experienced committee members will enable the appropriate level of design advice and review to development proposal of significance to the City and community.

Economic Implications

17. The appointment of suitably qualified and experienced committee members will give greater certainty to developers, City staff and the elected members that proposals are of a high design quality.

Environmental Implications

18. The nominated committee members have a wide range of skill sets that can be applied to both the built form design in terms of sustainability, and also from a landscape perspective.

RISK MANAGEMENT CONSIDERATIONS

19.

Risk: The nominated committee members do not have necessary technical skills and experience to be an effective member of the DAC.		
Likelihood:	Consequence	Rating
Rare	Major	High
Action/ Strategy		
The selection criteria applied will ensure members appointed will have the necessary credentials to ensure the DAC is an effective committee.		

Risk: Council does not support the DAC		
Likelihood:	Consequence	Rating
Rare	Major	High
Action/ Strategy		
Ensure Council is aware, that Scheme amendment 84 and Local Planning Policy P- DEV 60 were adopted by Council to establish and guide how DAC's would operate.		

OFFICER COMMENT

20. The nominated seven (7) members to the DAC, have demonstrated they have the relevant contemporary experience and expertise in Architecture and Planning to give fair, reasoned and non-biased advice on all matters referred to the DAC.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Notes that the following nominees are appointed to the City of Kalamunda Design Advisory Committee:

Sitting Members:

- Chris Melsom
- Carmel Van Ruth
- David Barr
- Jurg Hunziker
- Ross Montgomery

Alternate Members:

- Patrick Beale
- Ian Molyneux

2. Adopts the sitting fee of \$200 plus GST per hour for DAC members.

Moved:

Seconded:

Vote:

Attachment 1
Nominations for the City of Kalamunda Design Advisory Committee
Planning Policy P-DEV-60 – Design Advisory Committees

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

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

8.2.5 Proposed Home Business (Vibrosauna) – Lot 773 (71) Pavetta Crescent, Forrestfield

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Approval Services
File Reference	PV-01/071
Applicant	Susan Dawn Thomas
Owner	Susan Dawn Thomas

Attachment 1	Initial Applicant Submission
Attachment 2	Site Plan
Attachment 3	Floor Plan
Attachment 4	Submitters Table
Attachment 5	Confidential Submitters Map

Reason for Confidentiality: *Local Government Act 1995 S5.23 (2) (b) – "the Personal Affairs of any person."*

EXECUTIVE SUMMARY

1. The purpose of this report is to consider a development application for a proposed Home Business (Vibration Sauna Bed) at Lot 773 (71) Pavetta Crescent, Forrestfield.
2. The applicant is anticipating a maximum of one (1) person at any given time, six (6) persons per day on weekdays and four (4) persons per day on a Saturday.
3. **The application was advertised in accordance with the City's P-DEV 45 (Public Notification of Planning Proposals).** Over the course of the advertising a total of one (1) objection and six (6) non-objections to the proposal were received. The single objection raised concerns regarding noise and security related issues.
4. It is recommended to approve the application of the home business, subject to appropriate conditions.

BACKGROUND

5. Land Details:

Land Area:	716m2
Local Planning Scheme Zone:	R20
Metropolitan Region Scheme Zone:	Urban



DETAILS

6. The applicant is seeking approval to operate a home business from the subject property. As part of the home business the applicant intends to provide the vibrating **massage and dry heat bed "vibrosauna" to clients. The purpose of the vibrosauna is to relieve pain and lose weight simultaneously.** The machine is operated by the client, please refer to Attachment 1 for further details.
7. The home business is proposed to operate from Monday to Saturday, between the hours of 10am-7pm (weekdays) and 9am-1pm (Saturday). A maximum of six (6) persons per day on weekdays and four (4) persons per day on a Saturday.
8. The home business will be conducted from a bedroom inside the existing dwelling where the machine will be located. The room is approximately 12 square metres in size. Refer to Attachments 2 and 3 for plans.

STATUTORY AND LEGAL CONSIDERATIONS

Local Planning Scheme No. 3

9. Clause 4.2.1 (Objectives of the Zones – Residential) of Local Planning Scheme No.9 (the Scheme) states that the objectives of the Residential zone are as follows:
 - To provide primarily for single residential development whilst allowing for a range of densities in order to encourage a wide choice of housing types within the Shire.
 - To give consideration to grouped dwelling developments if the site is near amenities and can be integrated into the single residential environment.
 - To facilitate a range of accommodation styles and densities to cater for all community groups inclusive of the elderly, young people in transition and the handicapped. Such accommodation is supported where it is appropriately situated in proximity to other services and facilities.
 - To encourage the retention of remnant vegetation.
10. Under the Scheme a home business is defined as follows:

“home business” means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which-

- a) Does not employ more than 2 people **not members of the occupier’s** household;
- b) Will not cause injury to or adversely affect the amenity of the neighbourhood;
- c) Does not occupy an area greater than 50 square metres;
- d) Does not involve the retail sale, display or hire of goods of any nature;
- e) In relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight, and; and
- f) Does not involve the use of an essential service of greater capacity than **normally required in the zone”**

11. **Under the Scheme, ‘Home Business’ is a ‘A’ use, meaning the use is not** permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4 of the Scheme.

Planning and Development (Local Planning Schemes) Regulations 2015

12. In considering an application for development approval, Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) requires that Council give due regard to a number of matters, including:
 - a) The compatibility of the development within its settings;
 - b) Amenity of the locality;
 - c) The amount of traffic to be generated by the proposed development, particularly in relation to the capacity of the road system and effect upon traffic flow and safety; and
 - d) Any relevant submissions received on the application.

POLICY CONSIDERATIONS

13. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

14. **The proposal was referred to the City’s Environmental Health department for** their assessment and comment. The Environmental Health department reviewed the proposal and determined that they had no concerns regarding the proposal and therefore no conditions are required.

External Referrals

15. The proposal was advertised for a period of 14 days in accordance with the **City's P-DEV 45** (Public Notification of Planning Proposals). As part of the advertising letters were sent to surrounding neighbours inviting comment. Over the course of the advertising a total of one (1) objection and six (6) non-objections to the proposal were received. Refer to Attachment 4.
16. The following concerns were raised as part of the objection:
 - Noise
 - Security
17. The concerns raised are addressed in the officer comment section of this report.

FINANCIAL CONSIDERATIONS

18. Nil

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

19. Kalamunda Advancing: Strategic Community Plan to 2027

OBJECTIVE 3.1: To plan for sustainable population growth.
Strategy 3.1.1 Plan for diverse housing, facilities and industry to meet changing social and economic needs.

SUSTAINABILITY

Social Implications

20. An increase in the number of persons visiting the site may have an impact upon the amenity of the surrounding properties.
21. The proposed vibrosauna provides an opportunity for people in the community to relieve ongoing muscular pain and improve their physical health.

Economic Implications

22. Nil.

Environmental Implications

23. Nil.

RISK MANAGEMENT CONSIDERATIONS

24.	Risk: The amenity of the area is unduly affected.		
	Likelihood:	Consequence	Rating
	Unlikely	Moderate	Low
	Action/ Strategy		
	Ensure that conditions are imposed stipulating maximum number of patrons to attend the site at any one time and that all parking is to be contained on site.		

OFFICER COMMENT

25. The proposal is compliant with the requirements of a Home Business under the Scheme. The very nature of this type of land use activity, being of a small scale, and maximum one patron at any given time and maximum six (6) persons per day, and also the activity being relatively benign, suggests that amenity impacts to the surrounding residential areas from people and vehicles attending the site are unlikely.
26. Concerns raised regarding noise and security are noted. However given that the machine itself makes very little to no noise and only one person will be attending site at any given time, these concerns are addressed.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Approves the application for a Home Business (Vibrosauna) at Lot 773 (71) Pavetta Crescent, Forrestfield subject to the following conditions:
 - a) The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
 - b) **The activity is to comply with the Council’s definition of a Home Business** as set out under Local Planning Scheme No.3.
 - c) Patrons are to attend the site by appointment only.
 - d) Approved hours of operation are to be Monday to Friday between 10am and 6pm, and between 9am and 1pm on Saturday.
 - e) A maximum of six (6) persons per day on weekdays and four (4) persons per day on Saturday shall attend the site.
 - f) All parking is to be contained to the existing driveway on the property.

Moved:

Seconded:

Vote:

Attachment 1

Proposed Home Business (Vibrosauna) – Lot 773 (71) Pavetta Crescent, Forrestfield
Initial Applicant Submission

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

Attachment 4
 Proposed Home Business (Vibrosauna) – Lot 773 (71) Pavetta Crescent, Forrestfield
 Submitters List

Nature of Submission	Submitter Number	Justification	Officer Comment
No Objection	1	Nil	Noted
Objection	2	Noise and Security Risk	Noted, however given the machine makes little to no noise and only one person will be attending the site at any given time, amenity impacts are unlikely.
Comment	3	As long as parking is undertaken as stipulated, no problems/objections to proposal.	Parking to be conditioned to state, "All parking is to be contained to the existing driveway on the property."
No Objection	4	Nil	Noted
No Objection	5	Nil	Noted
No Objection	6	Nil	Noted
No Objection	7	Nil	Noted

Confidential Attachment 5
Proposed Home Business (Vibrosauna) – Lot 773 (71) Pavetta Crescent,
Forrestfield
Submitters Map

Provided under separate cover

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

8.2.6 Proposed Telecommunications Monopole and Infrastructure – Lot 22 (120) Wittenoom Road, High Wycombe

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Approval Services
File Reference	WT-05/120
Applicant	Servicestream
Owner	High Wycombe Land Pty Ltd

Attachment 1	Site Plan
Attachment 2	Elevation Plan
Attachment 3	Site Photos
Attachment 4	Summary of Drop in Session
Attachment 5	Submitters Table
Attachment 6	Coverage Gap Map
Attachment 7	Alternative Locations Considered
Attachment 8	Confidential Submitters Map

Reason for Confidentiality:
*Local Government Act
1995 S5.23 (2) (b) – "the
personal affairs of any
person."*

EXECUTIVE SUMMARY

1. The purpose of this report is to consider a development application for a proposed telecommunications monopole and associated infrastructure at Lot 22 (120) Wittenoom Road, High Wycombe (the Site).
2. The applicant is proposing to replace an existing 10m high light pole with a new 25m high light pole with aerial attachments and associated infrastructure. The location of the proposed telecommunications infrastructure comprises part of the Wittenoom Road Shopping Centre.
3. **The application was advertised in accordance with the City's P-DEV 45** (Public Notification of Planning Proposals). Over the course of the advertising a total of two (2) objections and five (5) non-objection to the proposal were received. Perth Airport was also contacted to provide comment and raised no objection to the proposal.
4. It is recommended to approve the application for the telecommunications infrastructure, subject to appropriate conditions.

BACKGROUND

5. Land Details:

Land Area:	2.07ha
------------	--------

Local Planning Scheme Zone:	Commercial
Metropolitan Regional Scheme Zone:	Urban



DETAILS

6. The applicant is seeking approval to replace an existing 10m high light pole at the Lot 22 (120) Wittenoom Road High Wycombe with the following development (Refer Attachments 1 and 2):
 - One new 25m high monopole with attached telecommunications infrastructure, including three (3) panel antennas within a turret; and
 - Associated ground based support infrastructure.
7. The monopole will be located at the northern portion of the lot, as indicated on the above locality plan. The site currently comprises an existing shopping centre and associated parking located on the site. The surrounding area to the north and west is predominantly industrial/commercial, with residential development located to the south-east, refer Attachment 3. A child care centre is located adjacent to the site at 130 Wittenoom Road.
8. The applicant states as part of documents included that the telecommunications monopole is required to comply with the *Industry Code on the Deployment of Mobile Telephone Network Infrastructure* (the Codes), and that the company that would operate the telecommunications tower has chosen the proposed site in accordance with the Codes, and the design of the structure is in line with the Codes.

STATUTORY AND LEGAL CONSIDERATIONS

Local Planning Scheme No. 3

9. Under the Scheme telecommunications infrastructure is defined as follows:

"telecommunications infrastructure" means any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use, on or in connection with a telecommunications **network**

10. Under the provisions of the Local Planning Scheme No. 3 (The Scheme) the **subject site is zoned 'Commercial'**. **'Telecommunications Infrastructure'** is a **'D'** use, meaning the use is not permitted unless the local government has exercised its discretion by granting planning approval.

11. Clause 4.2.3 (Objectives of the Zones – Commercial) of Local Planning Scheme No. 3 (the Scheme) states that the objectives of the Commercial zone are as follows:

- *To serve the needs of a localised area in providing for local shopping facilities, businesses, professional, civic, cultural, medical and other health related services.*
- *To ensure that development is designed to be compatible with nearby uses and zones particularly Residential zones.*

12. **'Table 2 – Site Requirements' of the Scheme outlines development requirements for proposals within the Commercial zone as follows:**

LPS3 Table 2 Requirement (Commercial Zone)	Requirement	Proposed	Complies Yes/No
Setback Front (Wittencoom Road)	15m	120m (minimum)	Yes
Setback Minor Street (Dundas Road)	3m	30m to nearest point	Yes
Side Setback (East)	0m	N/A (Covered by Minor Street)	Yes
Side Setback (West)	0m	N/A	Yes
Setback Rear	0m	N/A	Yes
Site Coverage	60%	<60%	Yes
Plot Ratio	0.6	N/A	N/A
Landscaping Strip	3m	Existing Strip	Yes

		Remains	
--	--	---------	--

Planning and Development (Local Planning Schemes) Regulations 2015

13. In considering an application for development approval, Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) requires that Council give due regard to a number of matters, including:
- The compatibility of the development within its settings;
 - Amenity of the locality;
 - The amount of traffic to be generated by the proposed development, particularly in relation to the capacity of the road system and effect upon traffic flow and safety; and
 - Any relevant submissions received on the application.

POLICY CONSIDERATIONS

State Planning Policy 5.2 – Telecommunications Infrastructure

14. State Planning Policy 5.2 – Telecommunications Infrastructure (SPP 5.2) aims to balance the need for effective telecommunications services and effective roll-out of networks, with the community interest in protecting the visual character of local areas. Using a set of land use planning policy measures, the policy intends to provide clear guidance pertaining to the siting, location and design of telecommunications infrastructure.
15. In respect to Electromagnetic Emissions (EME), SPP 5.2 states as follows:
"The use of mobile telephones has raised public concern about possible health issues associated with exposure to electromagnetic emissions. However, telecommunications carriers must comply with the Australian Communications and Media Authority (ACMA) Radio communications Licence Conditions (Apparatus Licence) Determination 2003. These licence conditions make mandatory the limits in the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Radiofrequency (RF) Standard which sets limits for human exposure to RF electromagnetic fields from all sources, including telecommunications infrastructure. ARPANSA is the primary Commonwealth agency responsible for protecting the health and safety of people and the environment from the harmful effects of radiation.

*Measurement surveys undertaken by ARPANSA demonstrate that environmental radiofrequency levels near base stations for the mobile telephone network are extremely low. The ARPANSA surveys reported that typical exposures to radiofrequency fields were well below one per cent of the **Standard's public exposure limits. It concluded that "given the very low levels recorded and the relatively low power of these types of transmitters, it is unlikely that the radiofrequency radiation from base stations would cause any adverse health effects, based on current medical research".***

*Standards set by ARPANSA incorporate substantial safety margins to address human health and safety matters; therefore it is not within the scope of this **Policy to address health and safety matters. Based on ARPANSA's findings, setback distances for telecommunications infrastructure are not to be set out***

in local planning schemes or local planning policies to address health or safety standards for human exposure to electromagnetic emissions.”

16. In reference to the visual impact and siting of the telecommunications infrastructure, State Planning Policy 5.2 contains several planning principles to be considered, which are detailed as follows:
- Located where the facility will not be prominently visible from significant viewing locations, such as scenic routes, lookouts, and recreation centres;
 - Located so as to avoid detracting from a significant view of a landmark, streetscape, vista or panorama, whether viewed from public or private land;
 - Not be located on sites where environmental, cultural heritage, social and visual landscape values may be compromised;
 - Display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape;
 - Located where it will facilitate continuous network coverage and/or improved telecommunications services to the community; and
 - Facilities should be co-located whenever possible.

Local Planning Policy P-DEV 52 – Telecommunications Infrastructure

17. The objectives of P-DEV 52 are as follows:

"The City recognises the importance of telecommunications infrastructure to provide an appropriate level of telecommunication coverage for the local community. The City also recognises that some telecommunications infrastructure, particularly mobile telephone towers, can be visually obtrusive. This policy supports low-impact facilities, and opposes other telecommunications infrastructure that would have a significant adverse visual impact."

18. P-DEV 52 recognises that the City is not in a position to consider the alleged public health impacts of telecommunications infrastructure when determining an application for development approval. National and international health authorities have determined that these facilities do not have major health impacts.
19. In considering an application for development approval, in particular the visual impact of the facility, P-DEV52 recommends that regard be given to the provisions of the Scheme and SPP 5.2. In this respect, development approval may be refused where the City is of the opinion that the proposed facility would have a significant adverse visual impact.

Alternatively, the City may grant development approval conditional upon appropriate modifications to minimise the adverse visual impact.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

20. The proposal was referred to internal departments who were invited to comment on the proposal or request that the proposal be referred to them for **formal assessment. No concerns were raised by the City's Building, Health, Environment or Assets departments**, and so the application was not formally referred internally.

External Referrals

21. **The proposal was advertised in accordance with the City's Local Planning Policy P-DEV 45 (Public Notification of Planning Proposals) for a period of 28 days.** As part of the advertising, letters were sent to surrounding neighbours to a radius of 800m inviting comment. A sign was also erected on site for the duration of the advertising period, as well as notification and plans of the proposal being **displayed on the City's website and social media platforms.**

The applicant also organised a community drop-in session as part of the proposal, where members of the public were invited to attend and ask questions or comment on the proposal. A summary of the evening has been provided as Attachment 4.

22. In addition to this, and due to the proximity of the airport, the City referred the proposal to Perth Airport for their assessment and comment. Perth Airport returned no objection to the proposal.
23. During the advertising period a total of seven (7) responses were received, comprising of five (5) non-objections and two (2) objections, refer Attachment 5.
24. The following key concerns were raised as part of the objection:
- a) The proposal is too close to housing and schools in the area and would be better suited in an industrial area.
 - b) The phone tower will release carcinogens and is not safe to live near.
 - c) The phone tower should be closer to the airport.
25. The concerns raised are addressed in the officer comment section of this report.

FINANCIAL CONSIDERATIONS

26. In the event that Council resolves to refuse the application, it is anticipated that the proponent will appeal the decision to the State Administrative Tribunal. Notwithstanding Council has its own legal counsel, there may be costs incurred in the City engaging expert planning witnesses, which could be in the vicinity of \$20,000.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

27. *Kalamunda Advancing: Strategic Community Plan to 2027*

OBJECTIVE 3.1: To plan for sustainable population growth.

Strategy 3.1.1 Plan for diverse housing, facilities and industry to meet changing social and economic needs.

SUSTAINABILITY

Social Implications

28. An increase in mobile phone coverage within the area will assist the local community in this regard.
29. The presence of the mobile phone tower may make individuals who believe that they are hazardous to the health of the community uncomfortable with being in the area, and may lead to complaints to the City.

Economic Implications

30. The proposal would facilitate improved wireless network coverage to the High Wycombe area and surrounds, which will support business, emergency services and the community generally. Refer Attachment 6 regarding current gaps in the network coverage of the area.

Environmental Implications

31. Nil.

RISK MANAGEMENT CONSIDERATIONS

32.

Risk: The visual amenity of the area is unduly affected.		
Likelihood	Consequence	Rating
Unlikely	Moderate	Low
Action/ Strategy		
Ensure that the facility is appropriately located and designed so as to minimise undue impacts on visual amenity.		

OFFICER COMMENT

33. In regard to the concerns raised during the advertising period, the following is noted:

Potential health issues resulting in exposure to EME:

As noted above, the City of Kalamunda is not technically able to consider the alleged health impacts of the telecommunications infrastructure when determining an application for development approval.

Other locations would be more appropriate:

As part of the site selection process a number of different locations were assessed by the applicant. These alternate locations and the reasons that they were not selected for the monopole can be noted in Attachment 7.

Proximity of the telecommunication infrastructure to Schools and Housing:

The telecommunication infrastructure is located in the north west portion of the site, approximately 722m to the south west of the Matthew Gibney School in High Wycombe, approximately 150m to the west of residential houses situated on Wittenoom Road and approximately 143m to the existing child care premises on Wittenoom Road. The positioning of the telecommunications infrastructure has been chosen to maximise continuous network coverage for the local community, and to provide maximum separation to the aforementioned land uses.

34. From a planning perspective, the proposal is considered to be compliant with the provisions of *Local Planning Scheme No. 3* and associated *Local Planning Policy P-DEV 52 (Telecommunications Infrastructure)* and *State Planning Policy 5.2 (Telecommunications Infrastructure)*. With respect to the potential visual amenity impact of the proposal, the proposed monopole replaces an existing 10m high light pole and will be located in an area of the commercial centre adjacent to an existing industrial/commercial development well removed from residential development on Wittenoom Road. Moreover, the proposed monopole has been designed to blend in with existing light poles in the commercial area. The visual impact of the proposal is considered to comply with SPP 5.2 policy measures and the objectives of *Local Planning Policy P-DEV 52*.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Approves the development application for a Telecommunications Monopole and associated Infrastructure at Lot 22 (120) Wittenoom Road, High Wycombe, subject to the following conditions:
 - a. The development shall be carried out only in accordance with the terms of this approval, and any approved plan.
 - b. The building materials shall be of a colour that matches with the

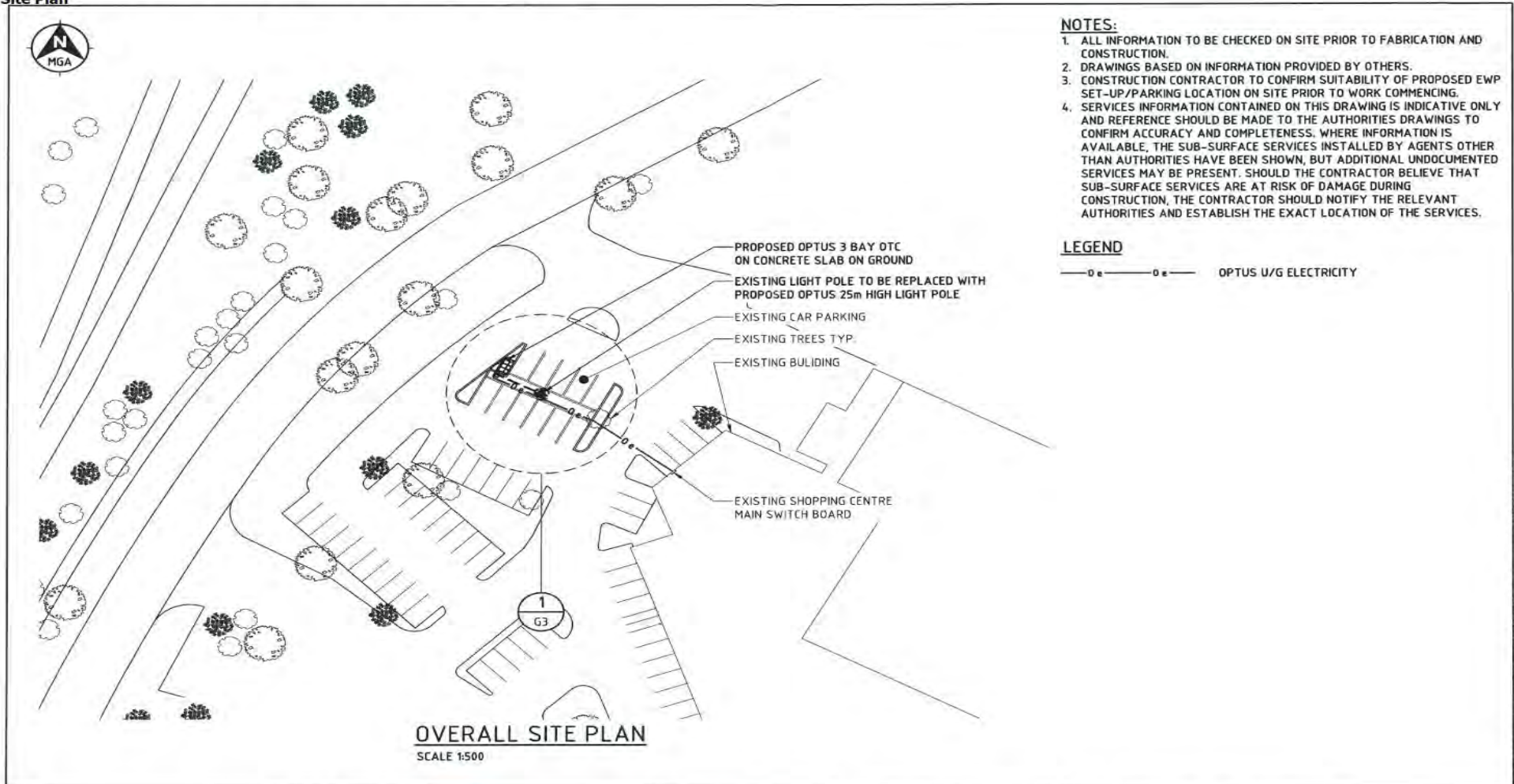
- surrounding and existing light poles.
- c. No building materials, rubbish or any other matter shall remain on the site after construction of the development is completed to the satisfaction of the City of Kalamunda.

Moved:

Seconded:

Vote:

Attachment 1
 Proposed Telecommunications Monopole - Lot 22 (120) Wittenoom Road, High Wycombe
Site Plan



- NOTES:**
1. ALL INFORMATION TO BE CHECKED ON SITE PRIOR TO FABRICATION AND CONSTRUCTION.
 2. DRAWINGS BASED ON INFORMATION PROVIDED BY OTHERS.
 3. CONSTRUCTION CONTRACTOR TO CONFIRM SUITABILITY OF PROPOSED EWP SET-UP/PARKING LOCATION ON SITE PRIOR TO WORK COMMENCING.
 4. SERVICES INFORMATION CONTAINED ON THIS DRAWING IS INDICATIVE ONLY AND REFERENCE SHOULD BE MADE TO THE AUTHORITIES DRAWINGS TO CONFIRM ACCURACY AND COMPLETENESS. WHERE INFORMATION IS AVAILABLE, THE SUB-SURFACE SERVICES INSTALLED BY AGENTS OTHER THAN AUTHORITIES HAVE BEEN SHOWN, BUT ADDITIONAL UNDOCUMENTED SERVICES MAY BE PRESENT. SHOULD THE CONTRACTOR BELIEVE THAT SUB-SURFACE SERVICES ARE AT RISK OF DAMAGE DURING CONSTRUCTION, THE CONTRACTOR SHOULD NOTIFY THE RELEVANT AUTHORITIES AND ESTABLISH THE EXACT LOCATION OF THE SERVICES.

LEGEND

— 0 e — 0 e — OPTUS U/G ELECTRICITY

Rev	Date	Revision Details	Consultant	CAD	Designer	Verifier	Approver

servicestream
 MOBILE COMMUNICATIONS
 Level 3, 3-9 Tattersall Drive, Riverside WA 6103
 T +618 9355 7540 | F +618 9355 5388 | www.servicestream.com.au

Client:

Project:
 MOBILE NETWORK AUSTRALIA
 SITE No:- P0638
 HIGH WYCOMBE WEST
 120 WITTENOOM ROAD

Drawing Title:
OVERALL SITE PLAN

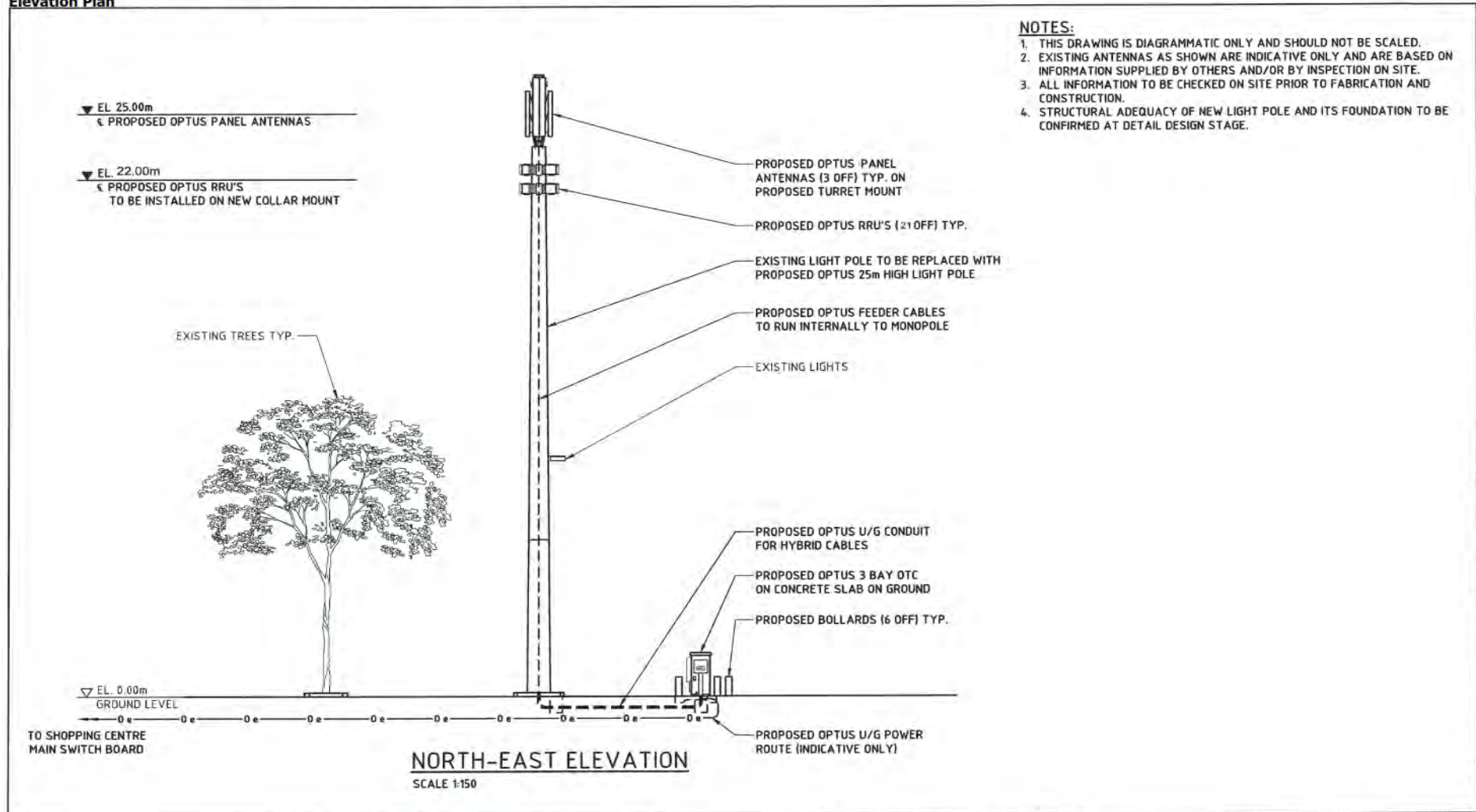
Drawing Status:
NOT FOR CONSTRUCTION

Drawing No:
P0638-G2

Revision:
01

CAD FILE: D:\SERVICE STREAM\PROJECTS\Service Stream\OPTUS\WA High Wycombe - P0638\0638-NFC.dwg
 Plot By: Jovan Date: 04-04-17 12:08 PM

Attachment 2
 Proposed Telecommunications Monopole - Lot 22 (120) Wittenoom Road, High Wycombe
Elevation Plan



<table border="1"> <tr> <td>01</td> <td>05.04.17</td> <td>NOT FOR CONSTRUCTION (PROJECT DESCRIPTION)</td> <td>SSHC</td> <td>JH</td> <td>NH</td> <td>NH</td> <td>DP</td> </tr> <tr> <td>Rev:</td> <td>Date:</td> <td>Revision/Change:</td> <td>Prepared:</td> <td>Checked:</td> <td>Drawn:</td> <td>Verified:</td> <td>Approved:</td> </tr> </table>		01	05.04.17	NOT FOR CONSTRUCTION (PROJECT DESCRIPTION)	SSHC	JH	NH	NH	DP	Rev:	Date:	Revision/Change:	Prepared:	Checked:	Drawn:	Verified:	Approved:	<p>service stream HIGHLY COMMUNICATIONS Level 3, 7-9 Tassal Drive, Riverside WA 6023 T: +61 8 9355 7888 (F: +61 8 9355 5166) www.servicestream.com.au</p>	Client: 	Project: MOBILE NETWORK AUSTRALIA SITE No:- P0638 HIGH WYCOMBE WEST 120 WITTENOOM ROAD	Drawing Title: SITE ELEVATION	Drawing Status: NOT FOR CONSTRUCTION	Drawing No: P0638-G4	Revision: 01
01	05.04.17	NOT FOR CONSTRUCTION (PROJECT DESCRIPTION)	SSHC	JH	NH	NH	DP																	
Rev:	Date:	Revision/Change:	Prepared:	Checked:	Drawn:	Verified:	Approved:																	

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 Plot by: jowar Date: 14/11/2017 10:41 AM

Attachment 3

**Proposed Telecommunications Monopole – Lot 22 (120) Wittenoom Road, High Wycombe
Site Photos**



Subject Pole at Site



View from the proposed site to the south



Adjacent tavern



Child Care Centre to the south



Residential development to the south



Commercial/residential to the north



View to the south with subject pole in right side of photo

Attachment 4
Proposed Telecommunications Monopole and Infrastructure – Lot 22 (120)
Wittenoom Road, High Wycombe
Summary of Drip-In Session

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

Submitters Map
Proposed Telecommunication Monopole - Lot 22 (120) Wittenoom Road, High Wycombe
Alternate Locations Considered



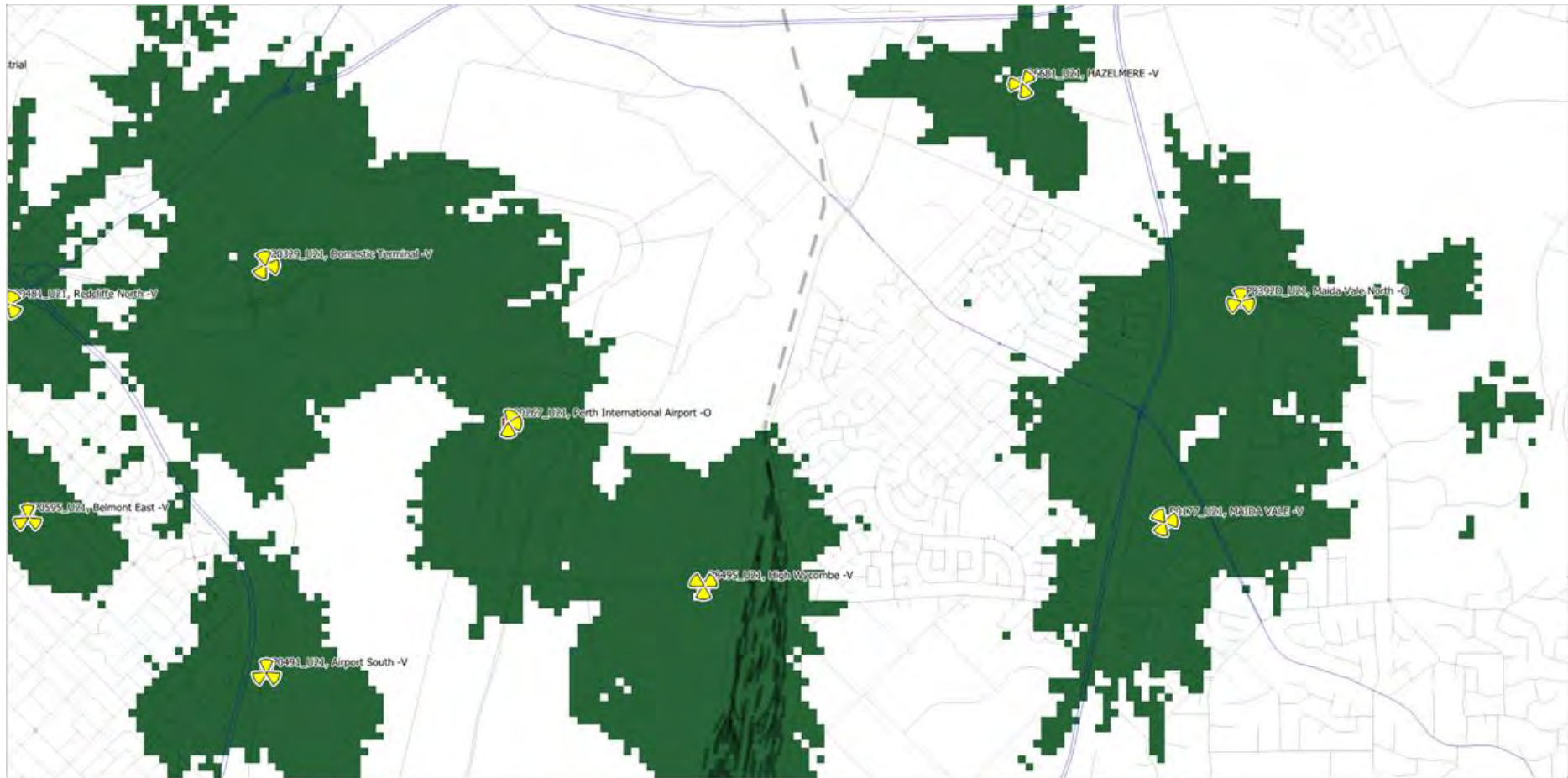
Coverage Gap Map
 Proposed Telecommunications Monopole – Lot 22 (120) Wittenoom Road, High Wycombe
 Submission Table

Nature of Submission	Submitter Number	Applicant's Justification	Officer Comment
No Objection – No Comment	6	Nil.	Noted.
Objection – No Comment	7	Nil.	Noted.
No Objection Person controlling the work site is to ensure no person, plant or material enters the danger zone of overhead power lines	1	Nil.	Noted.
Objection The proposal is too close to housing in the area, as well as a school that is located within High Wycombe. Ideally, the proposal should be located within an industrial area.	2	The applicant has provided a map and report (Attachment 4) that outlines alternate locations considered and the reasons why they were discounted.	Under the provisions of the Scheme a telecommunications monopole can be considered in the area. The monopole is proposed to be located at the far north of the site, which is quite a distance from housing and educational establishments.
Objection The phone tower will release carcinogens and is not safe to live around	2	The applicant has provided an EME report detailing the operating power and emissions of the monopole.	The tower is required to adhere to mandatory radiofrequency standards that will reduce the potential impact of the energy that the monopole will radiate.

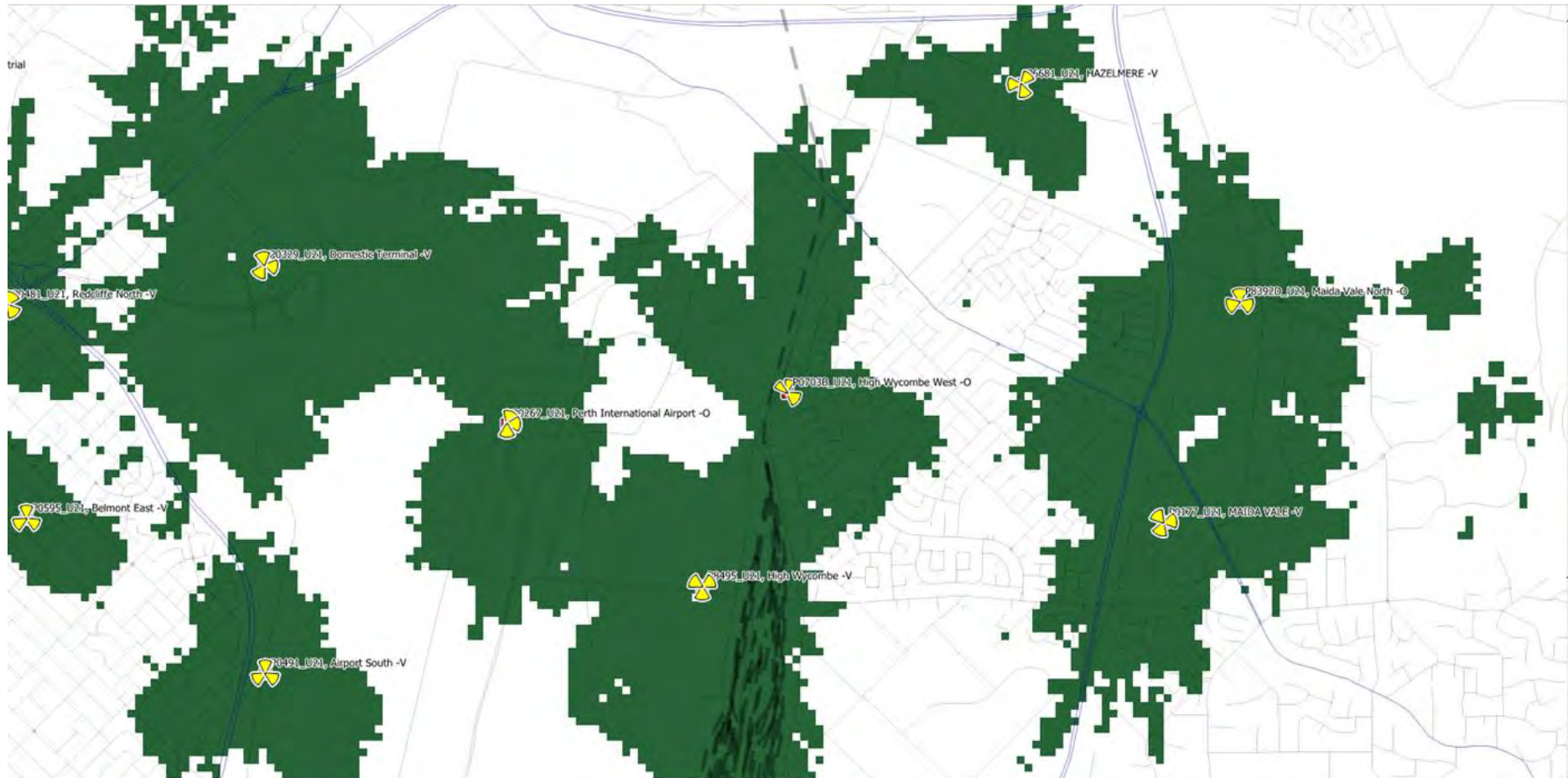
Objection Phone tower should be closer to the airport	2	The applicant has determined that locating the phone tower closer to the airport would result in interference with plane technology and as such would not be safe.	It is considered that locating a phone tower in proximity to the airport may result in interference with flight control.
No Objection Tower will improve mobile coverage in the area	3	Nil.	Noted.
No Objection There are no health concerns related to the proposal, but locating it in a commercial precinct will minimise any perceived risk	3	Nil.	Noted.
No Objection It is a good idea as the signal coverage in the area is ineffective	4, 5	Nil.	Noted.

Alternative Locations Considered
Proposed Telecommunications Monopole – Lot 22 (120) Wittenoom Road, High Wycombe
Coverage Gap Map

Footprint without Candidate (Showing Concrete Buster reception):



Footprint with the Proposed Candidate (Showing Concrete Buster reception):



Disclaimer: Above coverage maps only intend to use for Development application purpose.

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

3.2.7	Proposed Restaurant – Lot 44 (101) Union Road, Carmel
Previous Items	Nil.
Responsible Officer	Director Development Services
Service Area	Approval Services
File Reference	UN-01/101 & DA16/0060
Applicant	Anthony Sclanders
Owner	Rodney Sclanders, Maxinne Sclanders and Anthony Sclanders
Attachment 1	Development Plans
Attachment 2	Site Photographs
Attachment 3	Applicant's Water Management Plan
Attachment 4	Applicant's Bushfire Management and Evacuation Plan
Attachment 5	Submission Table
Attachment 6	Confidential Attachment – Submitters Map
	<i>Reason for confidentiality:</i>
	<i>Local Government Act 1995 S5.23 (2) (b) – "the personal affairs of any person;"</i>

EXECUTIVE SUMMARY

1. The purpose of this report is to consider a planning application for alterations to, and the use of, the existing building in the south-east portion of Lot 44 (101) Union Road, Carmel (the subject site), for use as a restaurant with a maximum seating capacity of 50 people.
2. During advertising of the proposal, the City received three (3) non-objections, one (1) comment, and six (6) objections to the proposal. The objections raised the following key planning concerns:
 - a) Increases of traffic down Union Road;
 - b) Noise impacts from the proposal; and
 - c) Environmental impacts on Helena Pipehead resulting from increases in effluent disposal at the site.

A full summary of submissions is provided in Attachment 5.
3. In summary, the proposal is considered to be a positive initiative to facilitate additional tourism activity in the area and represents a relatively small scale restaurant use that is unlikely to significantly affect the amenity of the area and surrounding properties.
4. Issues surrounding bushfire risk and impacts on the environmental values of the area are considered to be addressed by the applicant, and through recommended conditions of planning approval.
5. It is recommended that the application be approved subject to appropriate conditions.

BACKGROUND

6. Land Details:

Land Area:	8.81 hectares (88,127m ²)
Local Planning Scheme Zone:	Rural Agriculture
Metropolitan Regional Scheme Zone:	Rural

7. Locality Plan



8. The subject site is approximately 8.8 hectares in size and contains a dwelling, caretakers dwelling and outbuildings, including the building the subject of this report in the south east portion of the site adjacent to Union Road.
9. The frontage to Union Road is approximately 200m wide with the building that is the subject of this application located in a central location of the frontage. Approximately half of the site (the south-eastern half) is used for a vineyard and open paddocks, the north eastern half comprises bushland.
10. This site is located on a minor tributary of the Piesse Gully with a single creek line/drain traversing the site. The surrounding area is characterised as a mixture of larger rural landholdings varying in size, and smaller residential lots of approximately 2,000m². The adjoining site to the south at 60 Carmel Road East is currently used as a winery and cellar door.
11. In March 1991, planning approval was granted to clear two (2) hectares of orchards to establish a winery at the subject site, which allowed for wine **tasting and sale of wine for off site consumption**. The City's records indicate that wine tastings have historically been carried out from the existing stone winery building in the south-east portion of the site (refer Attachment 2),

which is the same building that is proposed to be converted into a restaurant as part of this application.

DETAILS

12. The following summarises the key aspects of the proposal:
- Alterations to, and the use of, an existing 142.6m² building in the south-east portion of the site, which has previously been used for cellar door tasting and sales;
 - The proposed restaurant would incorporate a maximum of five (5) employees and a seating capacity of 50 people at any given time;
 - The restaurant is proposed to serve tea/coffee, cakes and light snacks, in addition to the existing cellar door activities occurring on site;
 - Hours of operation are proposed to be 9:00am to 5:00pm, Friday to Sunday (including public holidays); and
 - Upgrades to the site including a commercial kitchen, car parking and toilet facilities.
13. In support of the proposal, the applicant submitted the following justification (in part):

"My intention is to only be open during the day and operate as a tearoom serving tea, cakes, coffee and light snacks. We have an internationally recognised chef on board and intend to make everything onsite and bring something different and of the highest quality to the area."

STATUTORY AND LEGAL CONSIDERATIONS

Local Planning Scheme No. 3

14. Under the Scheme, the proposal is considered to fall within the Restaurant use class, which is defined as follows:
- "Restaurant means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons and the term shall include a licensed restaurant."*
15. **Restaurant is classified as an 'A' (advertise) use in the Rural Agriculture zone,** which means that the use is not permitted unless planning approval is granted after advertising the proposal.
16. Clause 4.2.2 (Objectives of the Zones – Rural) of the Scheme states that the objectives of the Rural Agriculture zone are to:
- To protect and maintain the hills horticultural industry.
 - To ensure the conservation of soil and water resources important to the wellbeing of the horticulture industry.
 - Ensure that land uses, activities and land management practices are consistent with natural resources conservation and are compatible with public water supply objectives.
 - To limit the amount of subdivision supported to that which complies with the subdivisional land use and development requirements of the zone.
 - To conserve the physical and visual environment of the area.

- Encourage the reduction of bush fire hazard.

Planning and Development (Local Planning Schemes) regulations 2015

17. In considering an application for development approval, Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) requires that Council give due regard to a number of matters, including:
- a) Any approved State planning policy;
 - b) Any local planning policy for the Scheme area;
 - c) the compatibility of the development within its setting;
 - d) amenity of the locality;
 - e) The likely effect of the development on the natural environment or water resources;
 - f) The suitability of the land for the development taking into account the possible risk of bushfire;
 - g) The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
 - h) The history of the site where the development is to be located;
 - i) The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
 - j) Any submissions received on the application;
 - k) The comments or submissions received from any authority consulted; and
 - l) Any other planning considerations.
18. If Council refuses the development application, or imposes conditions that are not acceptable to the applicant, there is a Right of Review (appeal) to the State Administrative Tribunal.

POLICY CONSIDERATIONS

State Planning Policy 2.7 – Public Drinking Water Source Policy (Western Australian Planning Commission)

19. The key objective of State Planning Policy 2.7 (SPP 2.7) is to ensure that land use and development within the Public Drinking Water Source Area (PDWSA) is compatible with the protection and long-term management of water resources for public drinking water supply.
20. Under SPP 2.7, the subject site is located within a Priority 2 PDWSA, which is declared over land where low-risk development already exists. This classification is defined to ensure that there is no increased risk of pollution to the water source as a result of land use or development.

Water Quality Protection Note – Land Use Compatibility in Public Drinking Water Source Areas (Department of Water and Environmental Regulation)

21. The Department **of Water's (now known as the Department of Water and Environmental Regulation)** Water Quality Protection Note – Land Use Compatibility in PDWSA provides advice on the acceptability of land uses and activities within PDWSA areas.
22. This policy stipulates that a Priority 2 PDWSA is managed to ensure that there is no increased risk of water source contamination, and that these areas are to include low risk land development.
23. Restaurants are listed as incompatible within P2 PDWSA areas. However, an exception has been made for the Middle Helena Catchment in the **acknowledgement of the City's objective to promote tourism in the area. The** exception is subject to limitations on the scale of proposed developments and the implementation of best management practices, particularly with respect to on-site wastewater disposal system, use of grease traps and appropriate stormwater management.
24. Given the additional requirements that apply within a PDWSA, the applicant lodged a water management plan to support the proposal (Attachment 3).
25. The City referred the application to the Department of Water during assessment, a full summary of the response is provided below in the External Referral section of the report.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (Western Australian Planning Commission)

26. The subject site falls within a Bushfire Prone Area, which means the proposed development is required to comply with State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7). The intent SPP 3.7 and the associated Guidelines for Planning in Bushfire Prone Areas, is to implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.
27. The application was referred to the Department of Fire and Emergency Services on the 17th July 2017 because the proposed restaurant was initially **deemed a 'vulnerable land use'. However, in August 2017 the Department of Planning released version 1.2 of the Guidelines for Planning in Bushfire Prone Areas, which clarifies the definition of vulnerable land uses. Using the current definition the proposed restaurant would not be a 'vulnerable land use'. As such, DFES's comments are no longer required** to make a decision on the subject development. The ultimate decision regarding compliance with SPP 3.7 in this instance now rests with the City. Notwithstanding the changes to SPP 3.7, in this instance however given the timing of the changes comments were still received from DFES to the proposal.
28. As per the requirements of SPP 3.7, the applicant lodged a Bushfire Management and Evacuation Plan (Attachment 4). With the exception of A3.1 two access routes, the proposal is, or with the implementation of the Bushfire

Management Plan is capable of, being compliant with the bushfire protection criteria. Clause A3.1 requires the provision of two different vehicular access routes, both of which connect to the public road network, provide safe access and egress to two different destinations and are available to all residents/the public at all times and under all weather conditions. The established interpretation of the Guidelines is that a proposal should not allow a subdivision or development to include a dead-end road that is greater than 200m from an intersection that provides two access routes.

29. **In regard to the two access routes requirement, the applicant's consultant submitted as follows in the Bushfire Management Plan:**

"The subject portion of Union Road is a cul-de-sac. The distance to the proposed development from a place of 2 way access and egress directions is approximately 280 metres. However, its design is a legacy issue, being created prior to the enacting of the bushfire provisions. The time to travel 280 metres at 40 km/hr is approximately 25 seconds along a relatively flat road with one 30 degree bend.

The greater portion of the route is either managed gardens and vineyards or Grassland areas where the residence time of a bushfire would be short. There are some small areas of Woodland along the route where the residence time of a bushfire would be 3-5 minutes. The bushfire hazard level along this route would be considered low to moderate.

*The outcome is that the level of personal safety risk that exists from the cul-de-sac as part of the proposed access/egress route to two different destinations is low to moderate and therefore acceptable and able to meet the **intent of this element.**"*

30. In order to satisfy the requirements of Clause A3.1 of SPP 3.7 subsequent to further discussions with the City, the applicant has indicated a willingness to construct an emergency access way parallel to Union Road in the south-east corner of the site, to achieve an access point that is within 200m of the corner of Union Road and Carmel Road East.

Local Planning Policy P-DEV 47 – Effluent Disposal from Agri-tourist Development in the Middle Helena Catchment Area (City of Kalamunda)

31. P-DEV 47 provides requirements relating to effluent disposal systems for restaurant land uses in the Middle Helena Catchment Area.
32. The general provisions of P-DEV 47 requires that a waste water system shall not be located within 100m of a waterway or other water body including dams and wetlands, however this may be reduced where a secondary treatment system (such as an Aerobic Treatment Unit) with proven nutrient retention performance. With a view of meeting the objectives of P-DEV 47, the applicant proposes to install conventional septic tanks and leach drains, however pump effluent to the disposal area which will be located on the western portion of the site over 100m away from the creek line and dam.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

33. **The application was referred to the City's Assets and Environmental Health** teams for comment. The comments received are detailed below:
34. Assets
Assets advised they had no objection to the proposal subject to appropriate conditions in respect to vehicle parking, crossovers and the requirement for a Transport Impact Assessment being undertaken by the applicant.
35. Environmental Health
Environmental Health advised they had no objection to the proposal subject to appropriate conditions in respect to effluent disposal and food business registration.

External Referrals

Department of Water

36. The DoW provided the following comments in regard to the proposal:
- "The DoW is generally satisfied with the Management Plan for the site. However, the DoW notes that two options for wastewater treatment has been discussed in the plan. At this stage of the planning approval, the DoW requires clarification on the preferred wastewater treatment system for the proposed development. Please also note the DoW strongly recommends the use of ATUs in Public Drinking Water Source Area Catchments.***
- In addition to this, the existing waterway on the site is highly degraded. Proposed rehabilitation works should therefore be included as part of the Water Management Plan to reduce erosion and maintain and/or improve water quality."***
37. In respect to existing waterway traversing the property, it is not considered that the proposed use will significantly increase flow levels and result in further degradation to the creek. Therefore, conditions requiring rehabilitation are not considered to reasonably relate to the application under consideration and should not be included as conditions.
38. Regarding the recommendation from the DoW to install an Aerobic Treatment Unit, as mentioned above, the applicant proposes to install conventional septic tanks and leach drains, however pump effluent to the disposal area which will be located on the western portion of the site over 100m away from the creek line and dam.

Department of Fire and Emergency Services

39. The Department of Fire and Emergency Services provided the following

general comments:

"It is noted that the City of Kalamunda (City) have referred this proposal to DFES given the proposed development is for a restaurant, which the City has considered to be a vulnerable land use. In August 2017, the Guidelines Version 1.2 was published which provides clearer definitions of what constitutes a vulnerable land use that the City may like to consider.

It is stated within the BMP that the development does not comply with the acceptable solution for Element 3: Vehicle Access. It should be noted that to demonstrate compliance to a performance principle, the performance principle based solution(s) must provide substantiated evidence and be referred to DFES to provide formal, technical fire-related advice used to help guide decision-making.

This evidence should clearly demonstrate/document how the proposal, product, design or material can meet or exceed the intent and performance principle of the element, and more broadly, the objectives of the SPP.

The following submission requirements apply for all performance principle based solution(s):

- *A statement of the extent to which the proposed principle based solution(s) conforms with, or deviates from the acceptable solution(s);*
- *Evidence including calculations and diagrams to support how the use of a material, form of construction or design achieves the performance principle(s);*
- *Verification methods such as a test, inspection, calculation or other method that determines whether a principle based solution(s) complies with the relevant performance principle(s). All verification methods must be acceptable to DFES.*

It is acknowledged that the building already exists at this location and the application is for a change of land use. Consequently, there is little influence DFES can advocate in relation to the application of the bushfire protection criteria for the existing development. The below assessment of compliance to SPP 3.7 is provided to aid decision making.

<i>Element of Bushfire Protection Criteria</i>	<i>Assessment</i>
<i>Vehicular access</i>	<i>Union Road is a dead end road and the proposed development is situated approximately 300 metres from the intersection with Carmel Road East. Cul-de-sacs and dead end roads are to be avoided in bushfire prone areas and the maximum allowable length is 200 metres.</i>
	<i>DFES does not accept the performance principle based solution meets the intent of Element 3: Vehicular Access. Section 7.4 states that "the greater portion of the route is either managed gardens and vineyards or Grassland areas where the residence time of a bushfire would be short.</i>

	<p><i>There are some small areas of Woodland along the route where the residence time of a bushfire will be approximately 3-5 minutes. The bushfire hazard level along this route would be considered low to moderate.</i></p> <p>The performance principle based solution within the submitted BMP assesses the vegetation along the access route as being a low to moderate risk. Substantiated evidence (such a peer-reviewed studies/reports) has not been provided to justify or support this conclusion. Furthermore, the proposal does not address the impact of smoke, flame and radiant heat on life and property, which will be present under this scenario.</p>
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It is acknowledged that this site has been developed prior to the introduction of the bushfire policy framework. Should the decision maker be of a mind to approve the proposal the above assessment of compliance with the bushfire protection criteria is provided to aid decision making.”

Community Consultation

40. The application was initially advertised to nine (9) nearby property owners by letter in February 2016 for a period of 14 days, and further advertising was undertaken to six (6) additional property owners by letter in May 2017 to extend the notification distance from the subject site.
41. During the advertising period, the City received three (3) non-objections, one (1) comment, and six (6) objections to the proposal.
42. The key planning concerns raised during advertising are summarised as follows:
- a) Increases of traffic down Union Road;
 - b) Noise impacts from the proposal; and
 - c) Environmental impacts on Helena Pipehead resulting from increases in effluent disposal at the site.

The above concerns are discussed in the officer comment section of the report and in Attachment 5.

FINANCIAL CONSIDERATIONS

43. In the event that Council resolves to refuse the application, or impose conditions that are not acceptable to the applicant, it is anticipated that the proponent will appeal the decision to the State Administrative Tribunal (SAT). Notwithstanding Council has its own legal counsel, there may be costs incurred in the City engaging expert planning witnesses, which could be in the vicinity of \$20,000.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

44. *Kalamunda Advancing: Strategic Community Plan to 2027*

OBJECTIVE 2.1: To protect and enhance the environmental values of the City.

Strategy 2.1.1 Enhance our bushland, natural areas, waterways and reserves.

OBJECTIVE 3.1: To plan for sustainable population growth.

Strategy 3.1.1 Plan for diverse housing, facilities and industry to meet changing social and economic needs.

OBJECTIVE 3.4: To be recognised as a preferred tourism destination.

Strategy 3.4.1 Facilitate, support and promote, activities and places to visit.

Strategy 3.4.2 Advocate and facilitate diversification options for the rural properties to flourish

SUSTAINABILITY

Social Implications

45. Consideration should be given to whether the proposed restaurant is acceptable having regard to the potential amenity impacts of the restaurant on the immediate locality.

Economic Implications

46. The Hill Rural Study (2014) was prepared to identify and address future requirements relating to land use, horticulture/agriculture, and environmental, economic and social issues in the study area. The proposal is consistent with the objectives of the Study in facilitating new revenue opportunities and diversification of land uses, including tourism based ventures.
47. *Kalamunda Advancing 2027: Strategic Community Plan* included developing and marketing the City as a tourist destination as a valuable strategy in for generating economic activity. An important part of this strategy is to support rural land owners to diversify to attract tourism.

Environmental Implications

48. As noted above, the subject site is located within a Priority 2 PDWSA, which is declared over land where low-risk development already exists. This classification is defined to ensure that there is no increased risk of pollution to the water source as a result of land use or development.

RISK MANAGEMENT CONSIDERATIONS

49. Risk: The proposed restaurant will unduly impact on the amenity of the area.		
Likelihood	Consequence	Rating
Unlikely	Moderate	Low
Action/ Strategy		
Include appropriate conditions in any development approval to ensure that the proposal will operate with minimal undue impacts on surrounding landowners.		

OFFICER COMMENT

50. While it is understood that there has been significant community interest in this part of Union Road in light of a separate Joint Development Assessment Panel application that is currently being considered for a distillery, restaurant and tourist accommodation at 116 Union Road, Carmel, it is important to note that the subject application is considered to be a far smaller proposal in comparison and will be undertaken from an existing building that is, or has previously been, used for wine tasting activities.

51. **It is noted that the applicant’s intentions are to operate in a café style** environment, however even if the use were to be a restaurant that served full meals, it would not be considered a substantial intensification of land use.

52. In regard to the concerns raised during advertising, the following is noted:

- Increases of traffic on Union Road

The amount of traffic likely to be generated by the proposal is not considered to be significant or discernible to a majority of land owners on Union Road. Furthermore, the applicant proposes to accommodate all parking within the subject site. The concerns raised regarding access for larger passenger vehicles are noted; it is considered that there is sufficient room for vehicles to manoeuvre through the site without the need to stop on Union Road to deliver customers.

- Noise impacts from the proposal

The likely noise generated from the proposed use would be from vehicles (engine, car door opening/closing), people talking, and music. It is considered that vehicle noise and noise from people talking would not be excessive, however a condition should be applied to the use to prevent any outdoor music from being emitted as part of the restaurant operation, and an advice note included advising of the requirements of the proposal to comply with the *Environmental Protection Noise Regulations 1997*.

- Environmental impacts on Helena Pipehead resulting from increases in effluent disposal at the site

The applicant has submitted a Water Management Plan which concludes that the risk of contamination to nearby waterways and to the P2 PDWSA is minimal and the on-site effluent treatment and disposal system will adequately protect the drinking water source area.

53. Having regard to the objectives of the Rural Conservation zone, the proposed use is not considered to unduly impact on soil or water resources or impact on the physical and visual environment of the area, particularly given the use would be operated out of an existing building.
54. It is noted that a winery and cellar door exists to the south of the site at 60 Carmel Road east, and a Bed and Breakfast operates opposite the subject site at 84 Union Road, Carmel. The building is located approximately 80m from the nearest dwelling to the north-east and south-east, however the building orientation faces the opposite direction, comprising the balcony and entry to the building, towards the valley. It is considered that the use would not detract from, but rather compliment, the existing tourism based uses in the area.
55. In regard to parking, the application currently proposes a total of 24 parking bays for customers and employees, which exceeds the minimum number of 13 car parking bay required under the Scheme. However it is noted that there is significant area on-site for overflow parking, or for manoeuvring for larger vehicles, for example buses for tour groups or delivery vehicles.
56. While the proposal is considered to be acceptable in regard to the impacts the amenity of the area, the issue regarding bushfire risk associated with distance from the site from two separate access routes remains. In this regard, the following justification is considered to satisfy this issue:
- The fact that Union Road is a cul de sac is a result of historical decisions that is beyond the scope and control of this development application, this **is referred to as a 'legacy issue'**. **SPP 3.7 requires that applicants** demonstrate compliance with the bushfire protection criteria within the boundary of the development site. In this regard, it is arguable that the application of this requirement through SPP3.7 should be less essential to development applications where this legacy issue exists in established areas, but rather the creation of new roads through subdivision of new areas.
 - DFES has acknowledged in relation to this application that the building already exists at this location, that the application is for a change of use, and that the site has been developed prior to the introduction of the bushfire policy framework. In this regard, there is little influence DFES can advocate in relation to the application of the bushfire protection criteria for the existing development.
 - **The definition of a 'vulnerable land use' has been clarified in the latest** version of the WAPC Guidelines for Planning in Bushfire Prone Areas, meaning that a restaurant is no longer considered to fall within this definition.

- The distance from the main crossover entry of the site to the Carmel Road East / Union Road intersection is approximately 280m, which is a relatively minor variation to the maximum 200m guideline under the WAPC bushfire protection criteria. Eighty metres (80m) is considered to add minimal travel time in the event of an emergency.
- The applicant has indicated a willingness to construct an emergency access way parallel to Union Road in the south-east corner of the site, to achieve an access point that is within 200m of the corner of Union Road and Carmel Road East. This can form a condition in the event that approval is granted to the application.
- The building where the proposed restaurant is to be located has historically been used for commercial purposes (wine tasting). While anecdotal evidence suggests the winery activities have diminished in recent years, and a restaurant is minor intensification of the use, there is a pre-existing commercial activity occurring at the subject site.
- A Bushfire Evacuation Plan has been prepared for the subject use which details preparation for, and responses to, a bushfire event. This is a requirement that would ordinarily only apply to a vulnerable land use and exceeds, the requirements needed for this application.

57. In view of the above, the proposed development is considered represents a relatively small scale restaurant use that is unlikely to unduly affect the amenity of the area and surrounding properties. Accordingly, it is recommended that the application be approved subject to appropriate conditions.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Approves the application for a proposed restaurant at Lot 44 (101) Union Road, Carmel, subject to the following planning conditions:
 - a) The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
 - b) Permitted hours of operation are limited to 9:00am to 5:00pm, Friday to Sunday (including public holidays).
 - c) A maximum of 50 customers are permitted to attend the site in association with the restaurant at any given time.
 - d) Prior to the commencement of the restaurant use, all parking and vehicle circulation areas, shall be designed, constructed, line marked and drained to the specifications and satisfaction of the City of Kalamunda, and Australian Standards AS 2890.
 - e) Prior to the commencement of any site works, a Transport Impact Assessment is required in accordance with the WAPC Transport Impact Assessment Guidelines, and the recommendations of the assessment are to be incorporated into the design, to the satisfaction

of the City of Kalamunda.

- f) Prior to the commencement of the restaurant use, crossover(s) shall be designed and constructed to the specifications and satisfaction of the City of Kalamunda.
- g) Prior to the commencement of the restaurant use, access way(s) shall be designed, constructed, sealed, and drained to the specifications and satisfaction of the City of Kalamunda.
- h) Vehicle parking associated with the restaurant use shall be contained wholly within the subject site.
- i) Prior to the commencement of the restaurant use, redundant vehicle crossover(s) and associated infrastructure is to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the specifications and satisfaction of the City of Kalamunda.
- j) Prior to the commencement of the restaurant use, an Aerobic Treatment Unit or Nutrient Retentive effluent disposal system that complies with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulation 1974* must be installed to the **City's satisfaction.**
- k) Prior to the commencement of the restaurant use, information is to be provided to the City of Kalamunda to demonstrate that the measures contained in the bushfire management plan (Prepared by Bushfire Prone Planning, Version v1.0, dated 12 July 2017) that address the Bushfire Protection Criteria under the Western Australian Planning **Commission's Guidelines for Planning in Bushfire Prone Areas (Version 1.2)**, have been implemented during development works, to the satisfaction of the City of Kalamunda.
- l) Prior to the commencement of the restaurant use, an emergency access shall be constructed to enable a vehicular and pedestrian access/egress point that is within 200m of the intersection of Union Road and Carmel Road East, , to the satisfaction of the City of Kalamunda. The emergency access way shall be constructed in **accordance with the Western Australian Planning Commission's Guidelines for Planning in Bushfire Prone Areas (Version 1.2).**
- m) Outdoor music or other amplified devices shall not be used in association with the restaurant use.

Moved:

Seconded:

Vote:

Attachment 1
Proposed Restaurant - Lot 44 (101) Union Road, Carmel

Development Plans

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

Attachment 2

**Proposed Restaurant – Lot 44 (101) Union Road, Carmel
Site Photographs**



View of the entry of the site from Union Road looking north



View of the existing stone building that has historically been used for wine tasting, looking north



View of vehicle access way and stone building that has historically been used for wine tasting, looking east



View of the site looking north towards the caretaker's residence



View of the site looking west towards the main residence and bushland

Attachment 3
Proposed Restaurant - Lot 44 (101) Union Road, Carmel

Water Management Plan

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

Attachment 4
Proposed Restaurant - Lot 44 (101) Union Road, Carmel

Bushfire Management Plan (Change of Land Use)

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

Attachment 5
Proposed Restaurant – Lot 44 (101) Union Road, Carmel
Submission Table

Nature of Submission	Submitter Number	Applicant's Justification	Officer Comment
Non-Objection – No Comment	6, 10	Nil.	Noted.
Non-Objection Fully supportive of increase in quality tourism related enterprises within the Perth Hills region and in particular the Bickley Valley.	8	Nil.	Noted.
Comment on the proposal No objection subject to hours of trading adhere to those stated and the off road parking accommodates all patrons.	4	Nil.	Noted
Objection Cosham has not been a winery for a number of years. The vineyards were removed some years ago. The cellar door is seldom open.	1, 3	Our cellar door is currently only open Sundays and Public Holidays, this is due to the retirement of my parents. This has only been the case in the past year prior to this the cellar door has been open 3 days a week for the last 20 years. I am keen to reinvigorate the cellar door and provide the large number of people in the area on weekends with another destination.	It is noted that the winery activities at the site are reducing, however this does not have any bearing on the assessment of the appropriateness of the restaurant land use at the subject site.
Objection The cellar door building is at times used as a bed sit.	1, 3	Nil.	This allegation is unable to be confirmed.
Objection The applicant has previously abused	1, 3	Nil.	This is not a relevant planning consideration for the current application.

planning laws by applying for a caretaker's cottage for the commercial vineyard, however the vineyard was subsequently removed.			
<p>Objection</p> <p>The applicant has no hospitality background and only derives income from leasing the vines. In the past 7 years, the site has had 4 events that were all unsuccessful. The application should be based on the suitability of the applicants to run such an establishment.</p>	1, 3	Nil.	The level of experience of the applicant in the hospitality industry is not a planning consideration when deciding whether the restaurant use is acceptable in this instance.
<p>Objection</p> <p>The proposal could result in increased traffic down Union Road.</p>	1, 2, 3, 7, 9	Nil.	The amount of traffic likely to be generated by the proposal is not considered to be significant or discernible to a majority of land owners on Union Road. Furthermore, the applicant proposes to accommodate all parking within the subject site.
<p>Objection</p> <p>Parking on the road</p>	2	Nil.	The application currently proposes a total of 24 parking bays for customers and employees, which exceeds the minimum number of 13 car parking bay required under the Scheme. However it is noted that there is significant area on-site for overflow parking, or for manoeuvring for larger vehicles, for example buses for tour groups or delivery vehicles.
<p>Objection</p> <p>Impacts of Noise</p>	2, 7, 9	Nil.	The likely noise generated from the proposed use would be from vehicles (engine, car door opening/closing), people talking, and music. It is considered that vehicle noise and noise from people talking would not be excessive, however a condition should be applied to the use to prevent any outdoor music from being emitted as part of the restaurant operation, and an advice note included advising of the requirement to comply with the <i>Environmental Protection</i>

			<i>Noise Regulations 1997.</i>
Objection Leave cafes and restaurants to central Kalamunda where tourism is really needed.	2	Nil.	Noted.
Objection The area is already well serviced by Myattsfield [Winery], Core [Cider Establishment] and Fairbrossen [Winery].	3	Nil.	It is considered that the use would not detract from, but rather compliment, the existing tourism based uses in the area.
Objection This is not a commercial premise but a private residence.	3	Nil.	The site currently has approval for a single house, a caretakers dwelling and a winery land use.
Objection Concern regarding tourist groups attending the site, particularly access and safety for larger passenger vehicles. If larger passenger vehicles bring groups to the property, they will temporarily block Union road while dropping passengers off, then proceed to the end of Union road and park there until passengers were ready to leave. This would be a disturbance and an eyesore for people in neighbouring properties.	5	Nil.	The concerns raised regarding access for larger passenger vehicles are noted; it is considered that there is sufficient room for vehicles to manoeuvre through the site without the need to stop on Union Road to deliver customers. Regard will be given to this matter when the detailed plans are prepared for vehicle access and parking areas at the site.
Objection Environmental impacts on Helena Pipehead resulting from increases in effluent disposal at the site.	7, 9		The applicant has submitted a Water Management Plan which concludes that the risk of contamination to nearby waterways and to the P2 PDWSA is minimal and the on-site effluent treatment and disposal system will adequately protect the drinking water source area.
Objection Impacts of cooking odour released into the air.	7	Nil.	It is not considered that any surrounding properties will be impacted by cooking odour.
Objection Lack of information submitted with the	7	Nil.	The City has been working with the applicant since its lodgement to obtain the level of

application.			information required to make a determination.
Objection Bushfire risk if there is a road block on Union Road.	9	Nil.	Refer to the officer comment section of the report.

CONFIDENTIAL Attachment 6
Proposed Restaurant - Lot 44 (101) Union Road, Carmel

Submitters Map

Provided under separate cover

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

8.2.8 **Proposed 'Use Not Listed (Creative Workshops)' - Lot 32 (64)**
Broadway Road, Bickley

Previous Items	N/A
Responsible Officer	Director Approval Services
Service Area	Approval Services
File Reference	DA17/0313 & BR-34/064
Applicant	Adele Standeven
Owner	John and Nicola Walters

Attachment 1	Elevation Plans
Attachment 2	Floor Plan
Attachment 3	Site Plan
Attachment 4	Parking Plan
Attachment 5	Submitters Table
Attachment 6	Confidential Attachment – Submitters Map

Reason for confidentiality:

Local Government Act 1995 S5.23 (2) (b) – "the personal affairs of any person;"

EXECUTIVE SUMMARY

1. **The purpose of this report is to consider an application for a 'use not listed'** which involves the use of 45m² of an existing outbuilding to run creative workshops (such as art, craft, sewing, and upcycling) for small groups incorporating a maximum of 10 people.
2. **The application does not qualify for a 'home business' as the owner/occupier** does not currently reside at the property. The workshops will be managed and operated by the applicant with permission from the owner.
3. The application was advertised for comments for a period of 14 days. Three submissions were received; one (1) objection, one (1) non-objection and one (1) comment on the proposal was received. The non-objection and comment was submitted by the same affected landowner and considered as one submission. Refer to Attachment 5 for further detail.
4. It is recommended the proposed use not listed (creative workshops) be approved subject to appropriate conditions.

BACKGROUND

5. Land Details:

Land Area:	12645.000 m ² (1.26450 ha)
Local Planning Scheme Zone:	Special Rural
Metropolitan Regional Scheme Zone:	Rural

Locality Plan

6.



DETAILS

7. The subject site is approximately 1.26 hectares in size and incorporates an existing outbuilding, detached studio, two (2) water tanks, and a partially constructed two-storey residence.
8. The proposal incorporates the use of 45m² of the existing outbuilding at the subject site the purpose of hosting creative workshops.
9. The applicant has advised the proposed creative workshops will include activities such as painting, craft, or upcycling requiring the use of hand tools. The proposed activities do not require the use of electric saws, welders or tools of a more industrial nature.
10. Proposed opening hours in which the workshops are available are proposed to be between the hours of 9am and 5pm Tuesday to Saturday, excluding public holidays.

The applicant has advised only one workshop will run at any one time and there will be no overlap of classes. It is intended that workshops will mostly be half day occurrences with a break before afternoon classes. Some full-day workshops may occur, most likely on a Saturday.

11. The proposed workshops do not involve the retail sale, display or hire of goods of any nature. Workshop participants will register to attend which may include an attendance fee.
12. Deliveries for art supplies and equipment shall be made by the applicant in a personal vehicle.

STATUTORY AND LEGAL CONSIDERATIONS

Local Planning Scheme No. 3

13. Under the *Local Planning Scheme No. 3* (The Scheme) the proposal is **considered to fall within a 'use not listed' which is a use not specifically** referred to in the zoning table, with management and operational activities similar to that of a home business.
14. Clause 4.2.2 of the Scheme states the objectives of a Special Rural zone are:
 - To enable smaller lot subdivision to provide for uses compatible with rural development.
 - To retain amenity and the rural landscape in a manner consistent with orderly and proper planning.

Planning and Development (Local Planning Schemes) Regulations 2015

15. In considering an application for development approval, Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) requires that Council give due regard to a number of matters, including:
 - m) Any approved State planning policy;
 - n) Any local planning policy for the Scheme area;
 - o) the compatibility of the development within its setting;
 - p) amenity of the locality;
 - q) The likely effect of the development on the natural environment or water resources;
 - r) The suitability of the land for the development taking into account the possible risk of bushfire;
 - s) The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
 - t) The history of the site where the development is to be located;
 - u) The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
 - v) any submissions received on the application;
 - w) The comments or submissions received from any authority consulted; and
 - x) Any other planning considerations
16. If Council refuses the development application, or imposes conditions that are not acceptable to the applicant, there is a Right of Review (appeal) to the State Administrative Tribunal.

POLICY CONSIDERATIONS

State Planning Policy 3.7 Planning in Bushfire Prone Areas

17. The subject site falls within a Bushfire Prone Area, which means that proposed development is required to comply with State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7). The intent of SPP 3.7 and the associated Guidelines for Planning in Bushfire Prone Areas, is to implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.
18. In accordance with SPP 3.7 and the Guidelines for Planning in Bushfire Prone Areas (Western Australian Planning Commission) Version 1.2 Part 5.5.1.1 the proposal is considered minor development which is where a proposed use will be contained within an existing outbuilding, and at a scale consistent with that of a typical existing residential dwelling.
19. It is noted the attendance of children may cause this use to be defined as a vulnerable land use, in that case the applicant has agreed that workshops where children are in attendance may be restricted to a maximum number of six (6) people which in the opinion of the assessing officer is deemed to represent a typical maximum number of people on a residential property.

The property is subject to BAL-19. A condition of approval has been recommended to ensure a statement against the bushfire protection criteria is provided prior to occupation of the outbuilding, to the satisfaction of the City of Kalamunda.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

20. Health Services
Health Services has advised the subject property is a large lot and will have sufficient space for appropriate effluent disposal.
21. Asset Services
Asset services has advised traffic flow would not be impacted significantly by the proposed development.
- Road only connects to 7 lots at current. This equates to traffic count of less than 50 VPD (assuming 6 VPD per lot).
 - Assuming 12 additional people per day, the development will increase traffic count by 24 VPD. Total traffic count will be less than 100 VPD.
 - Pavement width was measured to be 5m wide (kerb to kerb).
 - Broadway Road is considered as Access Street D as per IPWEA guidelines and will be adequate for less than 1000 VPD. Therefore, the road will be adequate for additional traffic created by the proposed development.

External Referrals

22. Four (4) adjoining neighbours were notified of the proposal. Three responses were received including one objection, and one (1) non-objection and one (1)

comment submission. The non-objection and comment submission were received from the same affected landowner and are considered as one submission.

Further detail regarding submitter's comments is addressed in Attachment 5 – Submitters Table.

FINANCIAL CONSIDERATIONS

23. If Council refuses a development, or imposes conditions that are not acceptable to the applicant, there is a Right of Review (appeal) to the State Administrative Tribunal.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

24. *Kalamunda Advancing: Strategic Community Plan to 2027*

OBJECTIVE 3.1: To plan for sustainable population growth.

Strategy 3.1.1 Plan for diverse and sustainable housing, community facilities and industrial development to meet changing social and economic needs.

OBJECTIVE 3.4: To be recognised as a preferred tourism destination.

Strategy 3.4.1 Facilitate, support and promote, activities and places to visit.

Strategy 3.4.2 Advocate and facilitate diversification options for the rural properties to flourish

SUSTAINABILITY

Social Implications

25. Amenity of the neighbourhood may be affected by an increase in traffic volume. It is important to consider the appropriateness of the proposal having regard to impacts on surrounding landowners.

Economic Implications

26. Nil.

Environmental Implications

27. The proposal has potential to affect noise levels. The applicant is required to comply with the *Environmental Protection (Noise) Regulations 1997*.

RISK MANAGEMENT CONSIDERATIONS

28.

Risk: The proposed workshop activities will increase in scale and exceed 10 persons per workshop or multiple workshops are held per day.		
Likelihood:	Consequence	Rating
Possible	Insignificant	Low
Action/ Strategy		
Ensure the development approval is conditional on the maximum number of persons attending the site at any one time and to ensure there is no adverse amenity impacts in respect to traffic, parking, or noise issues		

OFFICER COMMENT

29. **The proposed 'use not listed (creative workshops)' is deemed to be compatible** with the Special Rural zone provided the scale of the proposed activities remains small.

30. **The proposed 'use not listed' has similarities** to a home business definition. A home business is defined in LPS3 as:

A business, service or profession carried out in a dwelling or on land around the dwelling by an occupier of the dwelling which –

- a) Does not employ more than 2 people not members of the occupiers household
- b) Will not cause injury or adversely affect the amenity of the neighbourhood;
- c) Does not occupy an area greater than 50 square metres;
- d) Does not involve the retail sale, display or hire of goods of any nature;
- e) In relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight;
- f) Does not involve the use of an essential service of greater capacity than normally required in the zone.

31. Generally outbuildings are not to be used for habitable, industrial or commercial purposes. As the applicant is proposing to employ other teachers to run specialised workshops, services which may be paid for by participants, the proposal has a minor commercial aspect. In this case the context of the rural setting, and the small scale of the proposed use not listed is not considered to unduly impact on the amenity of the area.

32. In respect to the concerns raised in the objection, the following comments are provided;

- The road width to accommodate increased traffic, impact on current users and effect on amenity from increased traffic.
 The proposal will not exceed the road capacity and the level of additional

- traffic is not considered unacceptable from an amenity perspective.
 - Speed of vehicles and visibility (suggest a speed hump be installed and verge bushes be pruned).
Asset Services is undertaking a full analysis to determine if traffic calming devices would be required. The proposal is deemed not to exceed the road capacity.
 - Use is not compatible with a rural setting.
Provided the scale of the proposal remains small the use is deemed compatible with a rural setting.
 - The scale of the proposal including the number of workshops per week.
Noted. A condition of approval has been recommended that no more than two (2) workshops are to occur on any one day with a maximum of six persons attending at any one time.
 - Provision of parking insufficient
The owner has provided an updated parking plan showing 11 car bays to be contained onsite (refer to attachment 4). The subject property is a large rural lot and considered capable of containing the requisite 12 bays onsite.
 - Concern that the owner is not the operator of the workshops
Noted. Condition of approval recommended so approval relates to the landowner and applicant and is non-transferrable.
 - Request the approval only be temporary
Noted and given due consideration, however the nature of the proposal suggests that potential amenity impacts arising are unlikely.
- 33. Asset services has advised the increased traffic will not unduly affect the capacity of the existing road and parking shall be contained onsite. The nature of the workshops which are proposed will be a few hours in length meaning traffic flow will be restricted to the beginning and end of the workshops, and the road would be mostly clear of vehicles throughout the day.
- 34. The key aspect to be determined is whether the proposal will affect the rural amenity in accordance with the LPS objective; to retain amenity and the rural landscape in a manner consistent with orderly and proper planning. A relevant planning consideration is whether the proposal; will not cause injury or adversely affect the amenity of the neighbourhood.
- 35. In this regard the effect of the proposal on amenity and the rural landscape is a valid planning consideration. The proposal is deemed not to injuriously affect the amenity of the neighbourhood as activities will not cause excessive noise or emissions, and traffic is managed to the satisfaction of the City.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. **Approve the application for a proposed 'Use Not Listed (Creative Workshops)'** at Lot 32 (64) Broadway Road, Bickley, subject to the following planning conditions:

- a) The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
- b) The approval relating to the use not listed (creative workshop) shall not be transferred to any other person who is not the owner or applicant of this application herein approved.
- c) The provision and maintenance of a minimum 12 car bays for parking shall be contained onsite in accordance with the approved parking plan as approved herein and any approved plan.
- d) Vehicle parking, maneuvering and circulation areas to be suitably designed and constructed to the specification and satisfaction of the City.
- e) Crossover and driveway shall be designed and constructed to the specification and satisfaction of the City of Kalamunda.
- f) Opening hours in which the workshops are available shall be limited to; Tuesday – Saturday 9am-5pm and shall not operate on public holidays.
- g) A maximum of two (2) staff members, is permitted in accordance with the application approved herein.
- h) The total number of attendees, not including staff, shall not exceed a maximum of six (6) persons per workshop with no more than two (2) workshops occurring on any one day.
- i) All workshop activity shall be contained within a maximum 45m² area within the existing outbuilding, partitioned by panels in accordance with the plan approved herein and any approved plan.
- j) The use of power tools shall not be used in association with the use not listed (creative workshops).
- k) Any proposed signage shall be no greater than 0.2m² in area and located within the subject lot boundaries.
- l) Stormwater drainage from new paved areas being disposed of to the specification and satisfaction of the City of Kalamunda.
- m) Prior to the commencement of the use not listed (creative workshop), information is to be provided to, and approved by, the City of Kalamunda that address the bushfire protection criteria under the Western Australian **Planning Commission's Guidelines for Planning in Bushfire Prone Areas**. The owner/applicant is required to implement the bushfire protection criteria recommendations to the satisfaction of the City of Kalamunda.

Moved:

Seconded:

Vote:

Attachment 1

Proposed Use Not Listed (Creative Workshops) - Lot 32 (64) Broadway Road, Bickley

Elevation Plans

The image displays four architectural elevation drawings of a shed, arranged in a 2x2 grid. The top-left drawing is the 'Left' elevation, showing a gabled roof with a peak height of 4206mm. The main body of the shed is 9000mm wide and 3000mm high. A smaller section on the right is 2588mm wide and 3000mm high. The top-right drawing is the 'Right' elevation, showing a gabled roof with a peak height of 4206mm. The main body is 9000mm wide and 3000mm high. A smaller section on the left is 2588mm wide and 3000mm high. The bottom-left drawing is the 'Back' elevation, showing a long, low profile with a total width of 16000mm and three windows. The bottom-right drawing is the 'Front' elevation, showing a long, low profile with a total width of 16000mm and three windows. A 'Certificate of Design Compliance' is noted with the number 'IQ 14 089'. The drawings are signed by 'John Walters' and include contact information for 'Endurance Sheds & Structures'.

Left

Right

Back

Front

Certificate of Design Compliance
 IQ 14 089

Company/Adam Sheds
 Phone: 1300796258
 Email: jarnie@adamsheds.com.au
 Address: PO Box 487, South Fremantle, WA, PO 6152
 Produced by Endurance: TruQuote V2.8.0.0

Client Name: John Walters
 ST: 403621
 64 Broadway Road
 Bickley, WA, PC: 6078

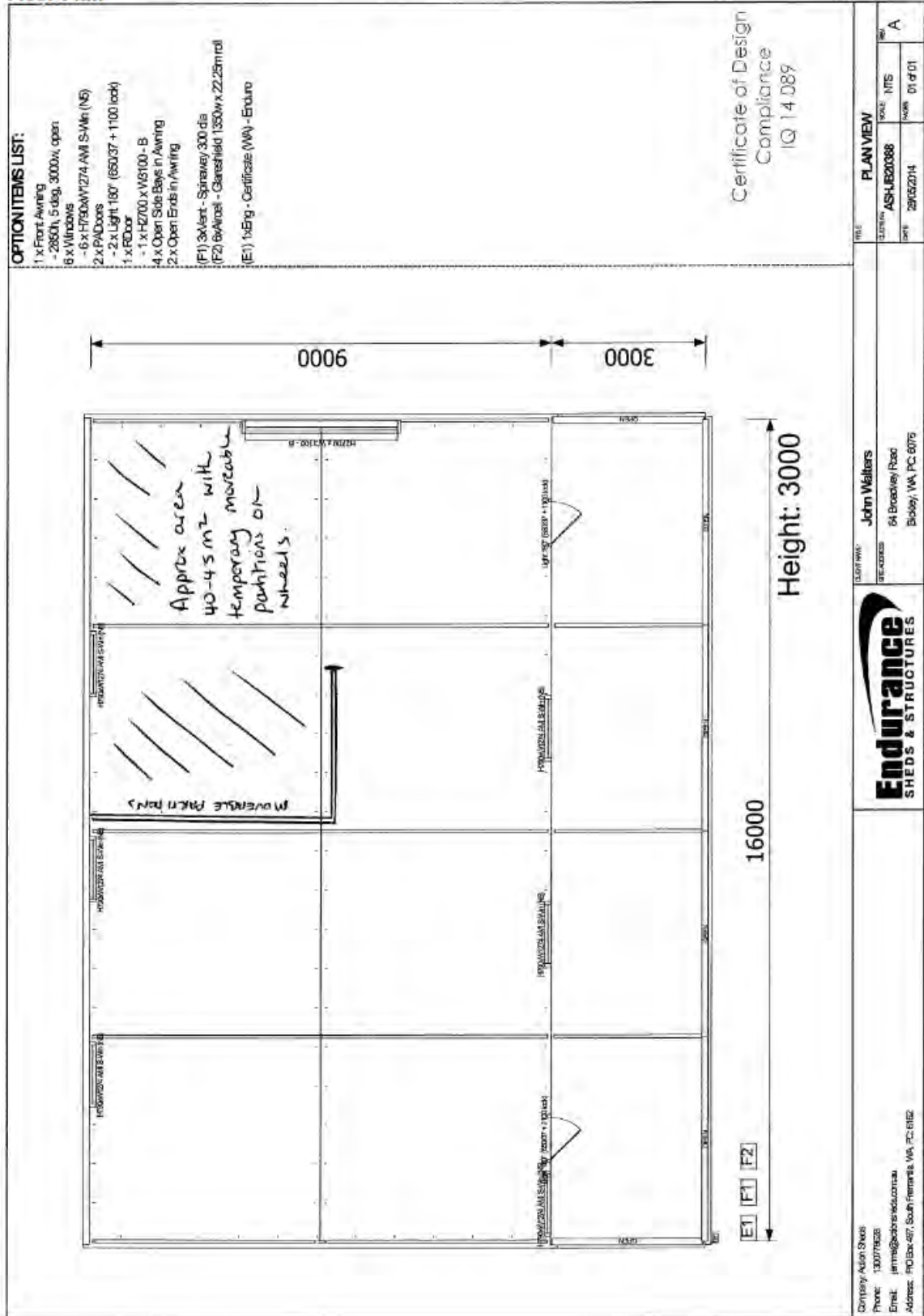
TYPE: ELEVATIONS
 DATE: 28/05/2014
 DRAWING: ASHJ20388
 SCALE: NTS
 SHEET: 01 of 01
 REV: A

Endurance
 SHEDS & STRUCTURES

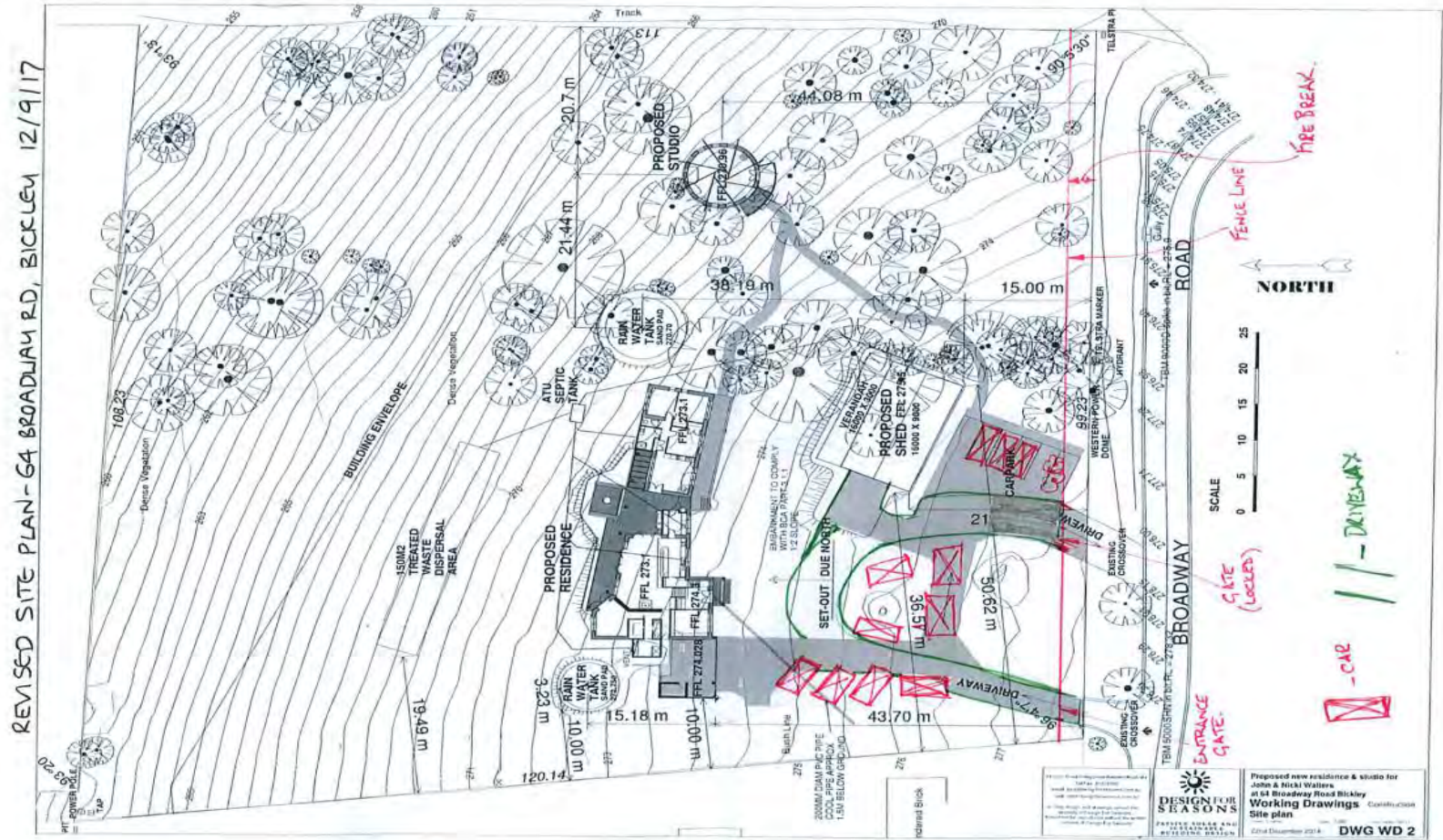
Attachment 2

Proposed Use Not Listed (Creative Workshops) - Lot 32 (64) Broadway Road, Bickley

Floor Plan



Attachment 4
Proposed Use Not Listed (Creative Workshops) - Lot 32 (64) Broadway Road, Bickley
Parking Plan



Attachment 5

Proposed 'Use Not Listed (Creative Workshop)' – Lot 32 (64) Broadway Road, Bickley
Submitters Table

Comment on Proposal	Submitter	Officer Comments
The road width to accommodate increased traffic and impact on current users	1,2	Noted. Asset Services has confirmed traffic is well within the current road capacity.
Effect on amenity from increased traffic	1,2	Noted. The proposal will result in a minor increase in traffic. There will be a break between morning and afternoon workshops ensuring vehicles entering and leaving the property do not conflict. The number and timing of vehicles is not considered to unduly impact the surrounding rural character.
Speed of vehicles and visibility – suggest a speed hump be installed and verge bushes be pruned	1,2	Noted. Asset Services has confirmed traffic is well within the current road capacity. Verge maintenance to maintain visibility will be carried out as necessary.
Use is not compatible with a rural setting	1	Noted. There is a minor commercial aspect to this proposal as the owner is not the operator of the proposed workshops. Appropriate conditions have been recommended.
The scale of the proposal including the unlimited number of workshops per week	1	Noted. A condition recommended to restrict number of workshops to a maximum of two per day.
Provision of parking insufficient	1	Noted. The original application referred did include only 6 car bays. The applicant was requested to provide an amended parking plan and submitted a new parking plan showing 11 formal car bays provided onsite. The property is large rural lot and able to contain parking for up to 12 people.
Concern that the owner is not the operator of the workshops	1, 2	Noted. The applicant has permission of the property owner to lease the existing outbuilding.
Request the approval only be temporary	2	The suggestion to issue temporary approval will be taken into consideration, however the nature of the proposal suggests that potential amenity impacts are unlikely.

CONFIDENTIAL Attachment 6
Proposed Use Not Listed (creative workshops) - Lot 32 (64) Broadway Road,
Bickley
Submitters Map

Provided under separate cover

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

8.2.9 Draft Public Open Space Strategy – Adopt for the Purposes of Public Advertising

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Strategic Planning
File Reference	PG-STU-037
Applicant	City of Kalamunda
Owner	N/A

Attachment 1 Draft Public Open Space Strategy Report

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to adopt, for public advertising, the **City of Kalamunda’s (the City’s) draft Public Open Space Strategy (the Strategy)**.
2. The purpose of the Strategy is to meet the sporting, recreation and **conservation needs of the City’s community and environment. The Strategy** provides direction to ensure that Public Open Space (POS) is managed, enhanced and delivered to optimise community benefit.
3. It is recommended that Council adopt the Strategy for public advertising for not less than 42 days.

BACKGROUND

4. The **Strategy will form a component of the City’s new Local Planning Strategy 2018**. The Local Planning Strategy will also include components of Industrial Development, Infrastructure and Servicing, Housing, Activity Centres, and Environmental Planning. These components will be progressed and adopted as individual strategies before being incorporated into the overarching Local Planning Strategy.
5. The Local Public Open Space Strategy 1996 is the current guiding document and will be superseded upon adoption of the Strategy.

DETAILS

6. The Strategy has been prepared in accordance with the Western Australian **Planning Commission’s (WAPC) Liveable Neighbourhoods Operational Policy: Element 4 – Public Parkland**, and Department of Sport and Recreation (DSR) Public Parkland Planning & Design Guide.
7. The purpose of the Strategy is to meet the sporting, recreation and **conservation needs of the City’s community and environment. The Strategy** provides direction to ensure that POS is managed, enhanced and delivered to optimise community benefit.

-
8. The vision of the Strategy is to provide the City with a network of fit for purpose parkland that protects our natural resources and meets community need.
 9. The objectives of the Strategy are to:
 - a. Protect environmentally significant areas from encroaching development.
 - b. **Optimise the use of the City's resources to achieve effective and efficient POS outcomes.**
 - c. Ensure POS is safe for all members of the community.
 - d. Provide high levels of access both within and to POS.
 - e. Provide the community with health, recreational, organised sport and social opportunities.
 10. These objectives conform to the principles of Liveable Neighbourhoods and **are compliant with the WAPC's requirements.**
 11. The Strategy accounts for current and future population projections, housing and other demographic factors that impact upon the future demand for the amount of POS required and the way it is utilised.
 12. The Strategy identifies suburbs that are below and above the 10% POS provision as per Liveable Neighbourhoods' **calculations. It also identifies** suburbs/districts/regions that are below sports space requirements in **accordance with calculation methodologies developed by Curtin University's** Centre for Sports and Recreation Research.
 13. **Curtin University's sports space** calculation methodology recommends 6.5sqm of sports space per resident to be provided within a suburb or district, or 1.4% of subdivisible area for organised sport in new suburbs, plus an allowance of double the sports space for supporting infrastructure such as clubrooms, spectator areas, parking etc. See Appendix 5 of the Strategy for a suburb breakdown of sports space provided and future provision requirements. These figures relating to sport space are guidelines only and are not a statutory require of the WAPC.
 14. A summary of the key findings and results is detailed below:

POS allocation (Liveable Neighbourhoods Methodology):

 - Bickley – 6.33%
 - Forrestfield – 11.12%
 - Gooseberry Hill – 2.39%
 - High Wycombe – 8.68%
 - Kalamunda – 5.80%
 - Lesmurdie – 6.07%
 - Maida Vale – 9.08%
 - Walliston – 4.31%
 - Wattle Grove – 17.43%
 - City of Kalamunda overall – 7.65%

Sports Space allocation (Curtin University Methodology):

 - Foothills – 76.98ha provided, 100.53ha (additional 23.55ha) required by 2036
 - Hills – 25.59ha provided, 49.89ha (additional 24.3ha) required by 2036
-

15. In addition to an assessment of the provision of POS, the City conducted a detailed rating and evaluation of all individual POS sites. The aim of the process was to evaluate and rate each site in relation to the level of infrastructure and maintenance standard, functionality, usability, environmental value and accessibility. A copy of the POS Assessment Matrix is provided in Appendix 11 of the Strategy.

16. The Assessment Matrix is divided into the following categories:

- Location
- Usage Value
- Care and Maintenance
- Environmental Value

17. Each category has features which a reserve is assessed against allocating scores of 1-5. Each reserve is given an average score which in turn gives it a rating. The reserves deemed as Biodiversity Assets are not assessed against the assessment matrix as the matrix is not applicable and instead those reserves are flagged for future environmental assessment to determine their value.

18. The rating distribution is identified as follows:

Average Score	Rating
4+	A
3 – <4	B
2 – <3	C
1 – <2	D

19. A summary of the key findings and results from the rating process is detailed below:

Locality / Rating	D	C	B	A
Forrestfield	6	14	9	1
Gooseberry Hill	4	1	1	-
High Wycombe	5	11	10	2
Kalamunda	8	4	-	2
Lesmurdie	4	6	4	1
Maida Vale	1	4	4	-
Rural East-Walliston	1	2	1	-
Wattle Grove	2	4	5	-

20. The Strategy sets out strategic directions and actions to improve the provision and quality of POS in the City. The following are some of the actions:

- a. Identification of reserves that can be rehabilitated/revegetated through offset plans.
- b. Transfer POS for development purposes where the POS serves limited benefit to the community.

- c. Funds raised from the transfer of POS and cash-in-lieu funds to be used for the improvement and acquisition of POS.
- d. Identify sites for acquisition for the use of POS. Areas for sports space to be of particular preference.
- e. Commence a Local Planning Policy for POS.
- f. Phased installation of low level solar powered lighting at key POS reserves.
- g. Disability access and improved pedestrian access through POS.
- h. Improved pedestrian and cycling access to POS.
- i. Development of master plans for strategically significant POS.

A detailed explanation of the strategies and actions is provided in Part 5 of the Strategy.

21. The City may, with the prior approval of the Minister for Lands and Department of Planning, transfer identified POS into freehold land and apply the proceeds from rezoning, development and sale to capital improvements for other POS in the general locality.
22. The Strategy identifies POS sites that have low ratings and limited recreational benefits, which should be transferred to other uses. Funds from improvements and value-adding through the transfer process will contribute towards the improvement of POS that has significant community benefit and the acquisition of sites for POS where deficiencies are identified. The Strategy acts as a guide and does not mean that the City will transfer all the sites identified in the Strategy. Project specific briefs and detailed investigations will be required to undertake the transfer of POS sites, similar to what has occurred for Cambridge Reserve in Forrestfield.

STATUTORY AND LEGAL CONSIDERATIONS

23. *Local Planning Scheme No.3*
The Strategy is applicable to the land within the City that is reserved under the Local Planning Scheme No.3 (LPS 3) as Local Open Space, in addition to land serving multiple functions identified by the Metropolitan Region Scheme (MRS) reserved as Parks & Recreation.

POLICY CONSIDERATIONS

24. The Strategy has been prepared generally in accordance with the **requirements detailed by the state's relevant guiding policy framework** relevant to POS. These frameworks are briefly discussed below.
25. *State Planning Policy No. DC 2.3: Public Open Space in Residential Areas*
Sets out the policy framework requirements for public open space within a residential development.
26. *State Planning Policy No. DC 5.3: Use of Land Reserved for Parks and Recreation and Open Space*
Sets out the circumstances under which the Western Australian Planning Commission (the Commission) may approve the use and development of land reserved for Parks and Recreation and Regional Open Space for different purposes.

27. *State Planning Policy 3.6 – Development Contributions for Infrastructure*
This policy sets out the principles and considerations that apply to development contributions for the provision of infrastructure in new and established development areas.
28. *WAPC Liveable Neighbourhoods Operational Policy*
Sets out the planning framework for achieving liveable communities. Of particular relevance is Element 4: Public Parkland which sets out the framework for achieving functional and well provisioned POS.
29. *Department of Sport & Recreation Public Parkland Planning & Design Guide*
Directs the general design and classification of POS.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

30. The Strategy was referred to the following internal departments:
 - Parks and Environment
 - Assets
 - Community Development
 - Approval Services
 - Environmental Health
 - Economic, Land and Property Services

Each department was provided with the draft report and a review document to provide comments and recommended changes.
31. A meeting was convened between Strategic Planning, Parks and Environment and Assets Services to discuss the comments and recommended changes as part of the internal review process.
32. The Strategy incorporates the comments and modifications received from internal service teams.

External Referrals

33. The Strategy was peer reviewed by CCS Strategic. CCS Strategic provided a review report and tracked changes of the Strategy.
34. **In the context of the Strategy forming a component of the City's Local Planning Strategy, it is recommended that the Strategy is advertised in a similar manner to a Local Planning Strategy.**
35. If Council decide to adopt the proposed Strategy, it will be advertised for public comment for not less than 42 days.
36. Further to the consultation detailed in Part 1.7.1 of the Strategy, a comprehensive community engagement plan is in the process of being prepared and will include but not limited to:
 - Community briefing / consultation sessions.
 - Targeted consultation with sporting groups.
 - Surveys to assist with guiding and obtaining valuable

community input and engagement.

FINANCIAL CONSIDERATIONS

37. Costs associated with the preparation of the document were met through the Development Services annual budget.
38. Costs associated with public consultation/advertising will be met through the Development Services annual budget.
39. The development, acquisition and maintenance of POS throughout the City will be funded through a range of sources. Any areas within a Structure Plan will be developed through development contribution funds and/or through conditions of subdivision approval. Subdivision of land will provide cash-in-lieu funds for the improvement and acquisition of POS where appropriate.
40. The transfer of any POS reserves will fund the improvement and acquisition of other POS reserves. Any maintenance of POS will continue to be funded through the Assets Services budget. The Assets Services budget and City funds may assist with the acquisition and improvement of POS where funding and resources allow, and if deemed appropriate through **the City's Long Term Financial Plan**.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

41. *Kalamunda Advancing: Strategic Community Plan to 2027* NEED TO BE UPDATED WITH THE NEW OBJECTIVES AND STRATEGIES

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

Strategy 2.3.2 Undertake effective public open space planning to ensure an appropriate balance exists between active and passive recreation space provision.

SUSTAINABILITY

Social Implications

42. Any transfer sites will need to be rezoned to an appropriate zoning to complement the land use immediately surrounding the reserve. Any subsequent development on that land will need to be appropriately designed to also complement surrounding development.
43. Some reserves identified for transfer may have some limited existing use by members of the community. As part of the transfer process, the City will investigate the impact on those community members and provide them with an alternative solution.
44. The Strategy has strategic directions and actions, which are aimed at improving the quality and functionality of POS and providing high quality, multi-functional reserves, which will have greater benefits for the community.

Economic Implications

- 45. The Strategy identifies reserves for transfer, which will provide funds for the City to use for the acquisition and improvement of POS generally.
- 46. The Strategy identifies reserves for improvement, which will require funding from a variety of sources including the annual budget.
- 47. The Strategy identifies a need to identify acquisition sites for POS, which will require funding from a variety of sources including the annual budget.
- 48. Any new reserves acquired will be required to form part of the Asset Services budget for periodic maintenance.
- 49. The transfer of reserves is aimed to transfer any reserves that do not provide any community benefit and therefore are considered an inefficient use of Council funds. Council funds can therefore be more appropriately distributed to reserves that generate significant community benefit.

Environmental Implications

- 50. The Strategy identifies strategic directions and actions relating to the preservation and enhancement of environmental value of POS.
- 51. Identified transfer sites may have some native vegetation and will require a detailed environmental assessment before transfer is formally processed.
- 52. POS reserves identified as being Biodiversity Assets have been identified for further assessment to determine their value. Biodiversity Assets of low quality will be required to undergo improvement.

RISK MANAGEMENT CONSIDERATIONS

53.	Risk: The community disagrees with the POS assessment ratings		
	Likelihood:	Consequence	Rating
	Possible	Significant	High
	Action/ Strategy		
	The Strategy will be advertised to the community for comment and consultation.		
	Risk: The community disagrees with strategic directions and actions for POS.		
	Likelihood:	Consequence	Rating
	Possible	Significant	High
	Action/ Strategy		
	The Strategy will be advertised to the community for comment and consultation.		

OFFICER COMMENT

- 54. The Strategy has been prepared in accordance with the Western Australian

Planning Commission (WAPC) Liveable Neighbourhoods Operational Policy:
Element 4 – Public Parkland and Department of Sport and Recreation (DSR)
Public Parkland Planning & Design Guide.

55. The Strategy seeks to improve the quality, functionality and provision of POS throughout the City by taking into account the current provision, future requirements, assessment of POS, demographic analysis, and state and local policy and strategic frameworks.
56. In order to undertake the actions recommended in the Strategy, project specific briefs will need to be undertaken to rationalise the recommended actions.
57. In light of the above, it is recommended that Council adopt the Strategy for public advertising.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Adopt the draft Public Open Space Strategy for the purposes of public advertising for a period of not less than 42 days.

Moved:

Seconded:

Vote:

Attachment 1
Draft Public Open Space Strategy – Adopt for the Purpose of Public Advertising

Draft Public Open Space Strategy

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

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

8.2.10 CONFIDENTIAL REPORT: Cambridge Reserve Community
Enhancement Project

Reason for Confidentiality: Local Government Act 1995 Clause 5.23(2)(h): Such other matters as may be prescribed. Information contained in this report may impact the outcome of future community engagement.

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Strategic Planning
File Reference	CM-01/012(RESERVE)
Applicant	N/A
Owner	State of Western Australia
Attachment 1	Cambridge Reserve – Previous Studies and Reports
Attachment 2	Cambridge Reserve – Revised Vision and Principles Document
Attachment 3	Cambridge Reserve – Draft Revised Concept Designs

Provided Under Separate Cover

Attachment 1

CONFIDENTIAL - Cambridge Reserve Community Enhancement Project

Cambridge Reserve Community Enhancement Project – Previous Studies and Reports
October 2017

Provided under separate cover

Attachment 2

CONFIDENTIAL - Cambridge Reserve Community Enhancement Project

Cambridge Reserve Vision and Principles

Provided under separate cover

Attachment 3

CONFIDENTIAL - Cambridge Reserve Community Enhancement Project

Site Plan

Provided under separate cover

8.3 ASSET SERVICES

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

8.3.1 Consideration of Tenders for the Provision of Cast In-situ Concrete Footpaths, Dual-use Paths, Crossovers and Miscellaneous Works (RFT 1716)

Previous Items	OCM 95/2012
Responsible Officer	Director Asset Services
Service Area	Asset Services
File Reference	AD-TEN-004
Applicant	N/A
Owner	N/A

Confidential Attachment 1 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."* Tender Evaluation Report

Confidential 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."* Price Schedule

EXECUTIVE SUMMARY

1. To consider the award of a contract for the Provision of Cast In-situ Concrete Footpaths, Dual-use Paths and Crossovers subsequent to due consideration of all compliant Tenders submitted to the City in response to Request for Tender 1716 (RFT 1716) for two (2) years with an option, at the sole discretion of the City to extend the resultant Contract by a further two (2) x 12 month periods.
2. The current services are provided under Contract 1204 which commenced on 20 August 2012 and expired on 20 August 2017.
3. It is recommended that Council appoint Dowsing Group Pty Ltd for the Provision of Cast In-situ Concrete Footpaths, Dual-use Paths, Crossovers and Miscellaneous Works.

BACKGROUND

4. The Provision of Cast In-situ Concrete Footpaths, Dual-use Paths, Crossovers and Miscellaneous was undertaken under Contract 1204, which commenced on

20 August 2012 and expired on 20 August 2017.

5. The City issued a Request for Tender (RFT 1716) through its website and an advertisement in the West Australian newspaper on 15 September 2017. Receipt of Tender submissions closed at 2.00pm, Tuesday 3 October 2017.
6. The Scope of Services for the Contract is defined in RFT 1716 and includes the removal of existing structures and the construction of cast in-situ paths, vehicle and pedestrian crossovers, dual-use paths and minor traffic treatments composed of cement concrete, all constructed on a sub grade prepared in accordance with the RFT 1716 specification and drawings or as directed by the Superintendent.
7. The City received Tender submissions from the following nine (9) organisations:
 - a) JJ Concrete & Civil Pty Ltd (JJ Civil);
 - b) PH Concrete (WA) Pty Ltd (PH Concrete);
 - c) Vera Group (Vera);
 - d) G&G Di Martino Concrete (G&G);
 - e) Axiis Contracting Pty Ltd (Axiis);
 - f) Remote Civils Australia Pty Ltd (RCA);
 - g) WCP Civil Pty Ltd (WCP);
 - h) Super Civil Pty Ltd (Super Civil); and
 - i) Dowsing Group Pty Ltd (Dowsing)

DETAILS

8. The scope of the Tender requires the services of a suitably qualified and experienced concreting contractor for the provision of works as outlined in the RFT 1716 specifications and drawings.
9. The Contract shall be in force for a period of two (2) years, with an option, at the sole discretion of the City, to extend the Contract by a further 2 x 12 month periods. However, in the event of the Contractor failing in any manner to carry **out the Contract to the City's satisfaction, the City may determine (terminate)** the Contract by written notice to the Contractor.
10. The following Panel members were duly appointed to the Tender Evaluation Panel (Panel) by the Director Asset Services:
 - Coordinator Project Delivery (Panel Chair)
 - Coordinator Project Design
 - Project Manager – Project Delivery Team
11. The Probity overview was conducted by the Procurement and Finance Officer.
12. **Compliance Criteria were evaluated on a "Yes/No" basis, with compliance** assessment completed by the Procurement and Finance Officer. All submissions were assessed as being compliant with the Tender Compliance Criteria.
13. As part of the Tender assessment process, all submissions must be considered

against predefined Qualitative Criteria, which are all described in the Request document.

14. The purpose of the Qualitative Criteria is to ensure that Tenderers easily understand what is required of them in the context of the future contract that may be entered into and in providing that understanding, ensures that Tenderers have the opportunity to properly demonstrate their ability and experience, amongst other things, in answer to each of the Qualitative Criteria required.

The Panel undertakes a qualitative assessment of each Tender submission in accordance with the following general direction:

- a) Panel members read each response and evaluate answers to the Qualitative Criteria on an individual basis;
- b) Panel members score each respective section and then compare their scores with each other to determine a consensus score;
- c) Where clarifications are sought from Tenderers, all responses are logged in a Clarifications Register and duly considered by the Panel; and
- d) The evaluation process is observed by the Procurement and Finance Officer to ensure correct processes are followed.

15. Prior to assessment of individual submissions, a determination was made, based on the selection criteria, of what would be an acceptable qualitative score that would indicate the ability of the Tenderer to satisfactorily deliver its services. The predetermined Qualitative Pass Mark (QPM) was set at 60%.

16. The Qualitative Criteria and weighting used in evaluating the submissions received are noted in the table below.

Qualitative Criteria	Weighting
1. Relevant Experience	25%
2. Key Personnel and Sub Contractor Skills and Experience	10%
3. Tenderers Resources	25%
4. Demonstrated Understanding	40%

Detailed requirements for each of these criteria are outlined in the Tender Evaluation Report (Confidential Attachment 1).

17. Panel members completed the qualitative assessment on 6 October 2017 in **accordance with the City's evaluation process in a fair and equitable manner.**

18. The resultant outcomes of the qualitative assessment in ranked order are detailed in the table below.

Company Name	Qualitative Total Rank
Axiis	1
RCA	2
Dowsing	2 ⁼
G&G	4
PH Concrete	5
WPC	6
Super Civil	7
JJ Civil	8
Vera	9

As demonstrated in the above table, Axiis was the highest ranked Tenderer following qualitative assessment, with the resultant score achieved being **equivalent to a "Very Good Offer"**.

Actual scores achieved are detailed in the Tender Evaluation Report (Confidential Attachment 1).

19. The following Tenderers exceeded the required QPM, advancing to the price assessment stage of the Tender evaluation process.
- Axiis
 - RCA
 - Dowsing

Tenderers not achieving the required QPM, did not have their prices assessed.

20. The Tender is based on a Schedule of Rates against which works to be undertaken are measured and paid for on a unit rate basis. The price assessment methodology is based on assessing the Tenderers Schedule of Rates against the approved Capital and Maintenance Pathways Program for the 2017-18 financial year.

21. This assessment included all the relevant items in the price schedule to undertake the work with the exception of traffic management. The Panel excluded this item from the price assessment as it is dictated exclusively by **each Tenderer's chosen methodology to undertake the prescribe work.**

The Panel determined that given the hourly rates offered for the most typical type of traffic management (i.e. the use of two (2) accredited traffic controllers), that this represents a very small variance from highest to lowest, with the impact on the overall price assessment considered minor.

22. The Panel, supported by Asset Services staff, undertook a detailed estimate of the quantities and scope of works required for approved projects identified in the 2017-18 financial year Capital and Maintenance programmes, with this

assessment along with associate costs arising provided in the attached Tender Evaluation Report (Confidential Attachment 1).

23. The resultant ranking arising from the combined pricing assessment based on **Schedule of Rates from the Tenderer's who achieve the QPM are shown in the following table.**

Tenderer	Rank
Dowsing	1
Axiss	2
RCA	3

STATUTORY AND LEGAL CONSIDERATIONS

24. Section 3.57 of *Local Government Act 1995*. Part 4 of the *Local Government (Functions and General) Regulations 1996*.

POLICY CONSIDERATIONS

25. Policy C-PP01 – Purchasing, has been followed and complied with.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

26. Asset Planning and Management for the purpose of determining the proposed pathway programmes heading forward (i.e. the majority of the work to be covered by this RFT 1716).
27. Asset Operations and Waste Services for the purpose of determining the annual estimated area for footpath repairs.

External Referrals

28. Prior to any works being undertaken the successful Contractor is required to inform any affected residents and/or stakeholders in writing.

FINANCIAL CONSIDERATIONS

29. The services supplied under the Contract are used for both Capital and Maintenance related works.
30. The annual amounts varied depending on the number of projects in the approved Capital Program, the extent of maintenance arising from Maintenance Program and the cost of traffic management for the safe implementation of the works.
31. Funding for this service is annually secured through individual Capital and Maintenance cost codes attributed to the relevant project or maintenance activity.

32. The cost of services provided will be determined in accordance with Section 1.22 Price Basis of the request documentation, with details in this regard identified in the attached Tender Evaluation Report (Confidential Attachment 1).

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

33. *Kalamunda Advancing: Strategic Community Plan to 2027*

OBJECTIVE 3.2: To connect community to quality amenities.
Strategy 3.2.1 Optimal management of assets.

SUSTAINABILITY

Social Implications

34. Nil.

Economic Implications

35. Nil.

Environmental Implications

36. Nil.

RISK MANAGEMENT CONSIDERATIONS

- 37.
- | | | |
|---|-------------|--------|
| Risk: Tender not awarded. | | |
| Likelihood: | Consequence | Rating |
| Possible | Moderate | Medium |
| Action/ Strategy | | |
| Responsiveness compromised along with increased administrative time required to seek project by project quotations. | | |
-
- | | | |
|---|-------------|--------|
| Risk: The Contractor does not satisfy the specification. | | |
| Likelihood: | Consequence | Rating |
| Unlikely | Moderate | Low |
| Action/ Strategy | | |
| Warranties, Australian Standard contracts and Professional Project Management in place. | | |

OFFICER COMMENT

38. All Tenderers were given the opportunity to provide information in accordance with the RFT.

39. The Panel concluded that Dowsing Group Pty Ltd provided the documentation as requested under the Qualitative Criteria in support of its ability to carry out the prescribed works, scoring well in excess of the QPM of 60%. Furthermore, **the pricing assessment based on Dowsing's Schedule of Rates resulted in it** being ranked highest due to its lowest overall combined total price. As a consequence, the Panel recommends that Dowsing Group Pty Ltd be promoted for Tender award consideration.
40. It is anticipated that the Contract is to commence in December 2017, subject to the outcome of consideration of Tender Award by Council.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Approves the appointment of Dowsing Group Pty Ltd for the Provision of Cast In-situ Concrete Footpaths, Dual-use Paths, Crossovers and Miscellaneous works (RFT 1716) for a period of two (2) years with an option, at the sole discretion of the City, to extend the Contract by a further two (2) x 12 month period in accordance with the Price Schedule in Confidential Attachment 2.

Moved:

Seconded:

Vote:

Attachment 1

Consideration of Tenders for the Provision of Cast In-situ Concrete Footpaths, Dual-use Paths, Crossovers and Miscellaneous Works (RFT 1716)

Tender Evaluation Report

Provided under separate cover

Attachment 2

Consideration of Tenders for the Provision of Cast In-situ Concrete Footpaths, Dual-use Paths, Crossovers and Miscellaneous Works (RFT 1716)

Price Schedule

Provided under separate cover

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

8.3.2 Consideration of Tenders for the Construction of Grass Hockey Fields
– Hartfield Park, Forrestfield (RFT 1717)

Previous Items	OCM15/2017- OCM97/2017
Responsible Officer	Director Asset Services
Service Area	Asset Services
File Reference	AD-TEN-00
Applicant	N/A
Owner	N/A

Confidential Attachment 1 Tender Evaluation Report

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."

EXECUTIVE SUMMARY

1. To consider the award of a contract for the Construction of Grass Hockey Fields –Hartfield Park, Forrestfield (RFT 1717).
2. On 24 September 2017, the City of Kalamunda (the City) issued Request for Tender (RFT 1717) seeking **Tenderer's for the construction of grass hockey fields** at Hartfield Park, Forrestfield.
3. It is recommended that Council appoint Le Grove Landscaping for Construction of Grass Hockey Fields – Hartfield Park, Forrestfield (RFT 1717).

BACKGROUND

4. On the 28 July 2014 the State of Western Australia and the City of Kalamunda entered into a Financial Assistance Agreement for the State to provide a grant amount of \$6.01m (exclusive of GST) for the provision of a number of deliverables as outlined in the Hartfield Park Masterplan 2010 (HPM) and detailed in the Agreement. The term of the Agreement is 24 June 2014 to 31 December 2017. The upgrading of the former Darling Range Pony Club Facility (the Project) was one of the deliverables detailed in the Agreement to accommodate a hockey facility.
5. At its meeting on 6 February 2017, Council considered a report on the Hartfield Park Redevelopment Project on Proposed Redevelopment to the Former Darling Range Pony Club Facility and resolved in part as follows:
 1. *Endorses the proposed redevelopment of the former Darling Range Pony Club facility at Hartfield Park in accordance with the Site Location and Hockey Field Layout Plan Drawing No. 14876-G01/A (Attachment*

-
- 1).
 2. *Endorses the demolition of the existing Darling Range Pony Club Facility and construction of a new shared use clubroom/change room facility generally in accordance with Option 2 Drawing No. 400-004/B (Attachment 5), for the purpose of further discussions with the Kalamunda Districts Hockey Club, noting that the final design will be undertaken to match the available funds for this facility, with a further report presented to Council for endorsement.*
 6. *Note that a further report will be presented on the outcomes of discussions with other sporting clubs for:*
 - a) *Joint use of the new facility during the summer months;*
and
 - b) *Use of the existing hockey club facilities on Morrison Oval when the Kalamunda United Hockey Club relocates to the new site.*
 7. At its meeting on 26 June 2017, Council considered a report on the Hartfield Park Redevelopment Project and resolved in part as follows:

Endorses the final clubroom facility concept design for the proposed Hockey Facility at Hartfield Park as detailed on Drawing Number 400-004/D, for the purpose of inviting public Tenders upon receiving Western Australian Planning Commission and Department of Aboriginal Affairs approvals.
 8. The City issued for public advertisement RFT 1717 through its website and advertisement in the West Australian newspaper on 24 September 2017. Receipt of tender submissions closed at 2.00pm, Tuesday 10 October 2017.
 9. The scope of Services for the Contract is defined in RFT 1717 and includes survey set out, clearing and grubbing, earthworks, gravel car park, electrical conduits and pits, irrigation and roll on turf, prepared in accordance with the specifications and in conformity with the, grades, thickness and cross-sections shown on the plans and/or as directed by the Superintendent.
 10. The City received Tender submissions from the following nine (9) organisations:
 - a. BCL Group Pty Ltd;
 - b. Environmental Industries Pty Ltd;
 - c. Vera Group;
 - d. GMF Civil Pty Ltd;
 - e. Le Grove Landscaping;
 - f. Remote Civils Australia Pty Ltd;
 - g. Menchetti Consolidated Pty Ltd;
 - h. Tracc Civil Pty Ltd; and
 - i. Turfcare WA Pty Ltd.

DETAILS

11. The scope of the Tender requires the services of a suitable experienced and

-
- qualified Contractor to undertake the Construction of Grass Hockey Fields at Hartfield Park, Forrestfield as outlined in the RFT 1717 specifications and drawings.
12. The Contract shall be in force until the end of the defects liability period. However, in the event of the Contractor failing in any manner to carry out **the Contract to the City's satisfaction, the City may determine (terminate)** the Contract by written notice to the Contractor.
13. The following Panel members were duly appointed to the Tender Evaluation Panel (Panel) by the Director Asset Services:
- Coordinator Project Delivery (Panel Chair)
 - Project Manager – Project Delivery Team (x2)
14. The Probity overview was conducted by the Procurement and Finance Officer.
15. **Compliance Criteria were evaluated on a "Yes/No" basis, with compliance** assessment completed by the Procurement and Finance Officer. All submissions were assessed as compliant with the Tender Compliance Criteria.
16. As part of the Tender assessment process, all submissions must be considered against predefined Qualitative Criteria, which are all described in the Request document.
17. The purpose of the Qualitative Criteria is to ensure that Tenderers easily understand what is required of them in the context of the future contract that may be entered into and in providing that understanding, ensures that Tenderers have the opportunity to properly demonstrate their ability and experience, amongst other things, in answer to each of the Qualitative Criteria required.
18. The Panel undertakes qualitative evaluation of each Tender submission in accordance with the following general direction:
- a) Panel members read each response and evaluate answers to the Qualitative Criteria on an individual basis;
 - b) Panel members score each respective section and then compare their scores with each other to determine a consensus score;
 - c) Where clarifications are sought from tenderers, all responses are logged in a Clarifications Register and duly considered by the Panel; and
 - d) The evaluation process is observed by the Procurement and Finance Officer to ensure correct processes are followed.
19. Prior to assessment of individual submissions, a determination was made, based on the selection criteria, of what would be an acceptable qualitative score that would indicate the ability of the Tenderer to satisfactorily deliver
-

its services. The predetermined Qualitative Pass Mark (QPM) was set at 60%.

20. Panel members completed the qualitative assessment on 12 October 2017, in **accordance with the City's evaluation process in a fair and equitable manner.**

21. The Qualitative Criteria and weighting used in evaluating the submissions received are noted in the table below.

Qualitative Criteria	Weighting
5. Relevant Experience	25%
6. Tenderers Resources	20%
7. Key Personnel Skills and Experience	15%
8. Demonstrated Understanding of Required Works	40%

Detailed requirements for each of these criteria are outlined in the Tender Evaluation Report (Confidential Attachment 1).

22. The resultant outcomes of the qualitative assessment, in ranked order, are detailed in the table below.

Company Name	Qualitative Total Rank
Le Grove Landscaping	1
Environmental Industries Pty Ltd	2
BCL Group Pty Ltd	3
Remote Civils Australia Pty Ltd	4
Menchetti Consolidated Pty Ltd	5
GMF Civil Pty Ltd	6
Tracc Civil Pty Ltd	7
Turfcare WA Pty Ltd	8
Vera Group	9

As demonstrated in the above table, Le Grove Landscaping were the highest ranked Tenderer following qualitative assessment, with this resultant score **being equivalent to a "Good Offer"**.

Actual scores achieved are detailed in the attached Tender Evaluation Report (Confidential Attachment 1).

23. **The following Tenderer's achieved the required QPM of 60%, advancing to the price assessment stage of the Tender evaluation process.**

- Le Grove Landscaping
- Environmental Industries Pty Ltd
- BCL Group Pty Ltd
- Remote Civils Australia Pty Ltd

24. Tenderers not achieving the required QPM, did not have their prices assessed.

25. Tenderers who achieved the QPM were ranked on price as summarised in the table below.

Tenderer	Rank
Le Grove Landscaping	1
Remote Civils Australia Pty Ltd	2
BCL Group Pty Ltd	3
Environmental Industries Pty Ltd	4

STATUTORY AND LEGAL CONSIDERATIONS

26. Section 3.57 of *Local Government Act 1995*. Part 4 of the *Local Government (Functions and General) Regulations 1996*.
27. The implementation of the project is in accordance with the terms and conditions of the Financial Assistance Agreement with the State of Western Australia. The term of the Agreement is 24 June 2014 to 31 December 2017. However, due to the complications and lengthy process involving the Section 18 process, the Department of Sport and Recreation has agreed to an extension of the term until 30 June 2018. This is subject to the acquittal process for the funding being completed in the 2017/2018 financial year. It is confirmed that this condition is achievable.
28. Permit to Clear Native Vegetation Under the Environmental Protection Act 1986 was sought for this project, with the City granted a clearing permit on 22 December 2015 for the proposed development subject to the following condition:
1. *The Permit Holder must implement and adhere to the document "Vegetation Management Plan – Hartfield Park Hockey Fields Development" Doc No. Ep15-054-001 Revision A, December 2015.*
29. Section 18 Notice under the Aboriginal Heritage Act 1972 was sought for this project, with notice submitted to the Department of Aboriginal Affairs on 30 November 2016. Approval from the Minister of Aboriginal Affairs was granted on 19 May 2017
30. Western Australian Planning Commission (WAPC) development approval granted on 18 August 2017

POLICY CONSIDERATIONS

31. Policy C-PP01 – Purchasing, has been followed and complied with.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

32. Community Development for sporting club liaison.
33. Development Services for planning and development advice.

External Referrals

34. Extensive consultation has been undertaken with Traditional Owners/Department of Aboriginal Affairs, Department of Environment, Department of Parks and Wildlife and the Western Australian Planning Commission.
35. Representatives from the Kalamunda Districts Hockey Club have been consulted and involved in site meetings on a regular basis as the scope of **works and concept designs have been developed on the basis of the Club's** functional brief for both the building (works in this regards are not included in the Tender being considered) and the field alignment layout requirements.

FINANCIAL CONSIDERATIONS

36. This project is a key deliverable in the implementation of the Hartfield Park Masterplan and is funded through the Agreement as per page 13, Project Schedule Item 3 Stage 2 – Development of the hockey clubroom and playing fields.
37. The estimated cost of the playing field construction is summarised below:

Bulk Earthworks	\$400,000
Vegetation Clearing	\$30,000
Turfing and Irrigation	\$450,000
Fencing	\$30,000
Training Lighting	\$200,000
Gravel Sheet Carpark	\$40,000
Contingency	\$50,000
Total	\$1,200,000 (ex GST)

38. A budget allocation of \$1.2 million (excluding overheads) has been approved in the 2017/2018 Capital Works budget under title: *Hartfield Park Project- Develop three new hockey fields, hockey clubrooms and parking - 100 % State Govt funded (4415).*
39. The cost of services provided will be in accordance with Section 1.23 Price Basis of the Request documentation, with details in this regard identified in the attached Tender Evaluation Report included as Confidential Attachment 1.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

40. Kalamunda Advancing: Strategic Community Plan to 2027
- OBJECTIVE 4.6: To ensure the optimal management of assets delivers continuity of services to the community.
- Strategy 4.6.2: Develop financially sustainable funding models to ensure the City can adequately fund its asset plans.

Strategy 4.6.3: Seek funding opportunities wherever possible to increase asset stock within the City either through public private partnership or government and agencies funding.

OBJECTIVE 4.7: To ensure the selection, maintenance, inspection, renewal and disposal of all categories of assets within the City is managed efficiently.

Strategy 4.7.1 Maintain, refurbish or upgrade existing infrastructure, including public buildings, parks, reserves, local roads, footpaths, cycle ways, verges and drainage networks to encourage increased utilisation and extension of asset life.

SUSTAINABILITY

Social Implications

41. This redevelopment project will provide the City of Kalamunda, the community and user groups of Hartfield Park with a unique facility. The available playing space at Hartfield Park will be increased by this development enabling sustainable sporting club growth and reduction of the wear and tear on the current playing surfaces.

Economic Implications

42. Nil.

Environmental Implications

43. The conditions of the Permit to Clear Native Vegetation Under the Environmental Protection Act 1986 must be implemented and adhered in accordance with the document **"Vegetation Management Plan- Hartfield Park Hockey Fields Development" Doc No Ep15-054—001** Revision A, December 2015.

RISK MANAGEMENT CONSIDERATIONS

44.	Risk: Tender not awarded.		
	Likelihood	Consequence	Rating
	Unlikely	Major	High
	Action/ Strategy		
	Tender will require re-advertisement, jeopardising the financial assistance agreement expenditure time frames, with the potential for the City having to return the funding for this deliverable.		
	Risk: The Contractor does not satisfy the specification.		
	Likelihood	Consequence	Rating
	Unlikely	Moderate	Low
	Action/ Strategy		
	Warranties, Australian Standard contracts and Professional Project Management in place.		

OFFICER COMMENT

-
45. All Tenderers were given the opportunity to provide information in accordance with the RFT.
 46. The Panel concluded that Le Grove Landscaping provided sufficient information as requested under the Qualitative Criteria in support of its ability to carry out the prescribed works, scoring in excess of the QPM of 60%.
 47. Le Grove Landscaping offered the lowest lump sum Tender Price of \$941,564.89 (Excluding GST).
 48. It is anticipated that the Contract is to commence in December 2017, subject to consideration of Tender Award by Council.

Voting Requirements: Absolute Majority
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OFFICER RECOMMENDATION

That Council:

1. Approves the appointment of Le Grove Landscaping for the Construction of Grass Hockey Fields – Hartfield Park, Forrestfield (RFT1717) for a total lump sum Tender Price of \$941,564.89 (Excluding GST).

Moved:

Seconded:

Vote:

Attachment 1

Consideration of Tenders for the Construction of Grass Hockey Fields – Hartfield
Park, Forrestfield (RFT 1717)
Tender Evaluation Report

Provided under separate cover

8.4 OFFICE OF THE CEO

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

8.4.1 Adoption of Customer Service Strategy 2017 – 2021

Previous Items	N/A
Responsible Officer	Chief Executive Officer
Service Area	Customer & Public Relations
File Reference	
Applicant	N/A
Owner	City of Kalamunda
Attachment 1	Public Consultation Feedback
Attachment 2	Customer Service Strategy 2017 – 2021
Attachment 3	Customer Charter

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to adopt the Customer Service Strategy 2017-2021.
2. The Customer Service Strategy 2017 – 2021 (the Strategy) is the catalyst for bringing together an ongoing program of initiatives to focus the City on continually improving the customer service experience in all spaces.
3. The Strategy outlines the key principles, strategies, actions, and performance measures for improved customer service standards over the next four years at the City of Kalamunda.
4. The Strategy was advertised for a period of 30 working days closing on 8 September 2017. Public comment was widely sought from the community via adverts in local newspapers, an online survey linked from the City of **Kalamunda's website, social media platforms and digital advertising, and** notifications at the City of Kalamunda Administration, libraries and other facilities.

BACKGROUND

5. The City does not currently have a Customer Service Strategy to guide standards and initiatives toward achieving optimal customer service outcomes. The current Customer Charter was last adopted in 2010 and is also due for review.
6. **Under a new business unit: 'Customer and Public Relations' formed in July 2016** the organisation began a journey toward consolidating its customer service operations and put in place a team to lead and monitor customer satisfaction with responsibility for delivering better customer service outcomes more holistically.
7. To achieve this a new Customer Service Strategy has been developed, which outlines strategic initiatives to meet emerging customer needs. The Customer

Service Strategy 2017 – 2021 is the catalyst for bringing together an ongoing program of initiatives to focus the City on continually improving the customer service experience in all spaces.

8. This Strategy was developed over the 2016/17 year following the organisational restructure, by collating data from internal working groups and external research of other Local Government customer strategies, consultation and revision of a range of our own strategies and plans relating to customer service, communication and community engagement.
9. The City of Kalamunda strives to be recognised as a welcoming, responsive Local Government and as such we need to work with internal teams and customers in a more proactive manner, with the aim of making all and any **interaction between the City and customers 'easier, friendlier and faster'.**
10. Key informing documents and strategies in the development of the Strategy have included but is not limited to:
 - Catalyse Perception Scorecard
 - Strategic Community Plan
 - Community Engagement Strategy
 - Workforce Plan
 - Information Technology Strategy
11. The Customer Service Strategy will constitute another informing strategy **within the City's planning framework. Actions will be incorporated into the Corporate Business Plan** and funded annually through the annual budgeting process. Progress will be reported quarterly to Council.
12. Currently all staff are to use the SynergySoft system to document official business. Business records and customer enquiries are to be responded to within five working days, and overdue records are reported monthly to Executive Directors and the CEO.
13. Customer requests can be received via several channels (in person at front counter, to any staff member in the field or at an event, to a Councillor, via email, post or phone calls during office hours and after hours) and should be responded to within five days, as per our charter standard.

DETAILS

14. To create the service ethos we desire we will need to focus on a combination of concepts including; cultural change, technological and process improvement and a centralised service model - with increased self-service options and improvements based on customer feedback.
15. The objectives of The Customer Service Strategy 2017 – 2021 are to:
 - Strive to achieve a new customer service ethos and deliver on the customer service promise and principles
 - To culturally optimise the organisation to achieve best practice customer service outcomes

-
- To support and train staff to feel empowered, be proactive and work collaboratively toward business objectives and customer service excellence
 - To effectively communicate with our customers, internally and externally.
16. The strategy responds to consistent feedback themes from internal and external customer bases around:
- Customer service standards
 - Timely and effective communication
 - Consistently reviewing enquiry handling processes
 - Respect, honesty and professionalism
 - Self-service options and accessibility through technology enablement
 - Automated transactions
 - Less referrals across the organisation
 - Offering options and customised services
17. The Strategy addresses these under five key principles and outlines, objectives, actions and measures within three focus areas.
1. Service Standards: Methods for setting standards and working together better.
 2. Communication & Culture: Staff engagement, motivation and skill development.
 3. Technology: Systems, tools and processes to support customer service delivery.
18. It is proposed this Strategy be reviewed by a cross-functional team which includes customer service officers from all business units across the organisation and a reference group of customers. The Strategy is due for review in 2021.
19. It has been recognised to provide a high standard of customer service to our community, it is crucial for internal relationships to be strong and that we **service each other's internal requests for support and assistance in a proactive manner**, to achieve the end goal more efficiently for customers. Due to the diversity and complexity of many of our services, several areas can be involved in delivering an optimal outcome to a single customer request. Collaboration across Business Units will be integral to the success of this strategy.

STATUTORY AND LEGAL IMPLICATIONS

20. Projects and initiatives developed from the Strategy will be implemented in parallel with other dependent strategies following the appropriate budgetary allocations and all Statutory and Legal requirements.

POLICY IMPLICATIONS

21. A City Communication and Engagement Policy has also been drafted to align internal and external communication and engagement activity with customer service outcomes to be achieved. Other relevant policies and documents to be reviewed and updated as part of implementing the Strategy include the Complaint Handling Council Policy and Management Procedure, and the Customer Charter.

COMMUNITY ENGAGEMENT REQUIREMENTS

22. In developing this strategy, some actions proposed align with our Community Engagement Strategy: Kalamunda Engages, which adopts the International Association of Public Participation (iap2) model. The City follows the endorsed spectrum of engagement which helps determine the need for communication and consultation, regularity of information sharing, and role in seeking **community feedback. It also defines the public's role in any public participation** and decision making process. This helps to make well informed decisions based on input from the community – which in turns supports the proposed customer **service vision of seeing our customers as the 'key influencers' in the** development and delivery of services. This strategy was reviewed and updated in May, and adopted by Council in June 2017.
23. While developing the Customer Service Strategy throughout 2016 the City asked staff and customers for feedback on what they **wanted the City's** customer service ethos to be and how customers should feel at each and any interaction.
24. Results from the Community Perception Catalyse Scorecard and recommendations from an external Communication Plan Review have also been incorporated.
25. The Customer Service Strategy 2017-2021 was advertised and available for a period of 30 working days or 6 weeks closing on 8 September 2017.
26. Public comment was widely sought from the community via adverts in local **newspapers, an online survey linked from the City of Kalamunda's website,** social media platforms and digital advertising, and notifications at all City libraries and other facilities.
27. 27 online surveys were completed and one email comment was submitted. See Public Consultation Feedback Attachment 1.
28. In summary, feedback demonstrated a collective community feeling of the need for improvement in responsiveness, transparency, consistency and technology based self-service solutions. There was positive feedback in relation to the document itself.
29. As a result, minor amendments have been made to the Strategy as shown in Attachment 2.

30. A Draft Customer Charter (Attachment 3) has also been developed in accordance with the objectives outlined in the Strategy and feedback received.

FINANCIAL CONSIDERATIONS

31. The cost to undertake initial actions within the Strategy have already been considered in 2017/18 Budget and will continue to be budgeted for accordingly over each financial year.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

32. *Kalamunda Advancing: Strategic Community Plan to 2027*
- OBJECTIVE 4.1: To provide leadership through transparent governance
- Strategy 4.1.2: Build an effective and efficient service based organisation

SUSTAINABILITY

Social Implications

33. Exceptional customer service can lead to positive social and community outcomes. The Strategy will assist to improve the customer experience.
- In May 2016, population forecasts were predicting by 2036, the total population would reach 77,130 people. The City needs to prepare and grow its organisational capability to deliver optimal customer service outcomes to many more residents over the coming years.

Economic Implications

34. Dissatisfaction amongst customers has a significant and measurable impact on financial outcomes for all organisations. For government authorities and public sector organisations, poor service can significantly impact efficiency and increase costs. By prioritising our investment in service areas we can establish a financial framework for customer-driven value creation.

Environmental Implications

35. Nil

RISK MANAGEMENT CONSIDERATIONS

36.

Risk: The absence of a Customer Service Strategy will result in ad hoc and inconsistent service standards and customer interactions, damaging brand and reputation.		
Likelihood:	Consequence	Rating
Likely	Significant	High
Action/ Strategy		
Implement the Strategy and consistently review and report against actions and measures.		

Risk: Without a Customer Service Strategy the City cannot meet customer expectations and service delivery standards, or enhance its reputation		
Likelihood:	Consequence	Rating
Almost certain	Moderate	High
Action/ Strategy		
Develop and implement a Customer Service Strategy.		

OFFICER COMMENT

37. The Customer Service Strategy 2017 – 2021 will be a significant informing strategy to key Business Plans and outputs. It contains a number of objectives and actions that align with the Kalamunda Advancing 2017 – 2027: Strategic Community Plan. It further prescribes a set of clear objectives and measurable outcomes under three focus areas to vastly improve customer service standards over the next four years at the City of Kalamunda.
38. The Strategy is designed to align with other strategies and plans already being implemented, such as the ICT Strategy and Workforce Plan, and will support **improvement of the City’s culture, communication and customer service** outcomes across the whole organisation. It will also enable Council to align itself to deliver better overarching community engagement and continuously improve and refine its whole service delivery.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Adopt the Draft Customer Service Strategy 2017 to 2021. (Attachment 2)
2. Note the Community feedback as provided in Attachment 1.
3. Note the Customer Charter as provided in Attachment 3.

Moved:

Seconded:

Vote:

Attachment 1
Adoption of Customer Service Strategy 2017 – 2021
Online Survey Responses

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

Attachment 2
Adoption of Customer Service Strategy 2017 – 2021
Customer Service Strategy 2017-2021

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

Attachment 3

Adoption of Customer Service Strategy 2017 – 2021 City of Kalamunda Customer Service Charter

INTRODUCTION

At the City of Kalamunda we know creating a great place to live, means openly communicating with our customers and the broader community, responding to enquiries efficiently, as well as listening and accepting feedback to improve your customer service experience.

The Customer Charter is a statement of standards which summarises our commitment to you.

Our vision is to make **'our customers the 'key influencers' in the development, improvement and delivery of our services'**. This means we aim to ensure all customer interactions with the City of Kalamunda are timely and meaningful. If not, we will use your feedback to improve them.

Best practice customer service outcomes can only be achieved with a combination of high service standards, proactive delivery, and consistently improving processes and procedures.

OUR PROMISE

This charter lets you know what you can expect from us, and what to do if you feel these standards are not being met. Our customer service principles outline our promise to you.

We aim to ensure that customers:

- receive timely responses
- have meaningful interactions
- are made to feel like the only customer
- are helped to help themselves
- are informed and will help inform our services.

Our full Customer Service Strategy outlines the strategies and actions we will perform under each of these principles to instill them into the everyday fabric of our organisation.

COMMUNICATION

Efficient communication is a vital part of customer service. We aim to respond and communicate with you within the following timeframes.

Face-to-face - immediately during business hours

Phone - in most instances we will answer your call at the time you ring, but if we **can't, please leave a message and we will call you back within 1 business day**

Email - we will respond within 5 business days

Mail - we will respond within 10 business days

Social Media – we will respond within 24 hours

Online self-services are available 24 hours per day, 7 days a week

Customer Service Requests

If your enquiry needs further investigation, we will enter it into our records system as a Customer Service Request which is tracked for a response within 5 business days. **If we don't have a resolution**, in this timeframe, we will still get in touch to let you know the next steps to progress your enquiry and an expected new timeframe for a progress update, until the matter is finalised.

For detailed standard timeframes for all the services we provide, from waste, to street cleaning, footpath repairs and graffiti removal, to completing permits and applications, please visit www.kalamunda.wa.gov.au/servicestandards

HELP US HELP YOU

We want to provide you with the best possible customer service. To help us we ask that you please:

- treat our staff with courtesy and respect
- provide accurate and complete information
- advise us if your details change
- make an appointment for a complex enquiry or a need to see a specific officer
- work with us to reach viable resolutions
- give us feedback and make any suggestions for improvement.

PLEASE NOTE: We strive to ensure the City of Kalamunda is a safe and courteous place for all staff and customers. We are unable to serve, abusive customers who threaten staff, other customers or use offensive language. In the instance of a face to face interaction, officers may walk away. On the telephone, officers can terminate the call. If via electronic communication, the customer address may be blocked. A decision may then be made to cease all communication to such a customer. They will be notified of this in writing. Extreme and persistent threatening behaviour will be reported to the Police.

FEEDBACK

We aim to exceed your expectations whenever you contact us. However, we **understand this doesn't always happen. Your feedback on our processes, services and staff is really important to us.**

We will use your feedback to monitor and improve our service for the benefit of all our customers.

We are also committed to engaging the community in our decision-making processes. To give feedback and have your say on any Council matter, project or service, please visit www.kalamunda.wa.gov.au/haveyoursay

COMPLAINTS

We recognise complaints are different to enquiries. They are generally of a more serious nature, more complex or can involve multiple areas across the organisation. We have developed specific Complaints Guidelines to help resolve these kind of issues as a priority. If you lodge a 'complaint' it will be referred to the department

Director and they will become your single point of contact towards reaching a resolution.

PERFORMANCE MEASUREMENT

We conduct regular internal and external customer satisfaction surveys and participate in local government community perception benchmarking to assess performance and focus on areas for improvement. Our enquiries and complaints reporting also helps us assess how we are doing against **the promises we've made** to you. Along with our Customer Service Strategy, a snapshot of our community perception survey results, and our Complaints Guidelines are published on our website. Actions toward meeting Corporate Business Plan performance indicators are outlined in our Annual Report.

CONTACT US

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In person 2 Railway Road KALAMUNDA WA 6076

By mail: Box 42, KALAMUNDA WA 6926

9.0 PUBLIC QUESTIONS OF CLARIFICATION

10.0 CLOSURE