

# Ordinary Council Meeting

Agenda for Tuesday 24 September 2019



**city of  
kalamunda**

## NOTICE OF MEETING ORDINARY COUNCIL MEETING

Dear Councillors

Notice is hereby given that the next Ordinary Meeting of Council will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on **Tuesday 24 September 2019 at 6.30pm.**



Rhonda Hardy  
**Chief Executive Officer**  
19 September 2019



### 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](http://www.kalamunda.wa.gov.au)

**city of  
kalamunda**

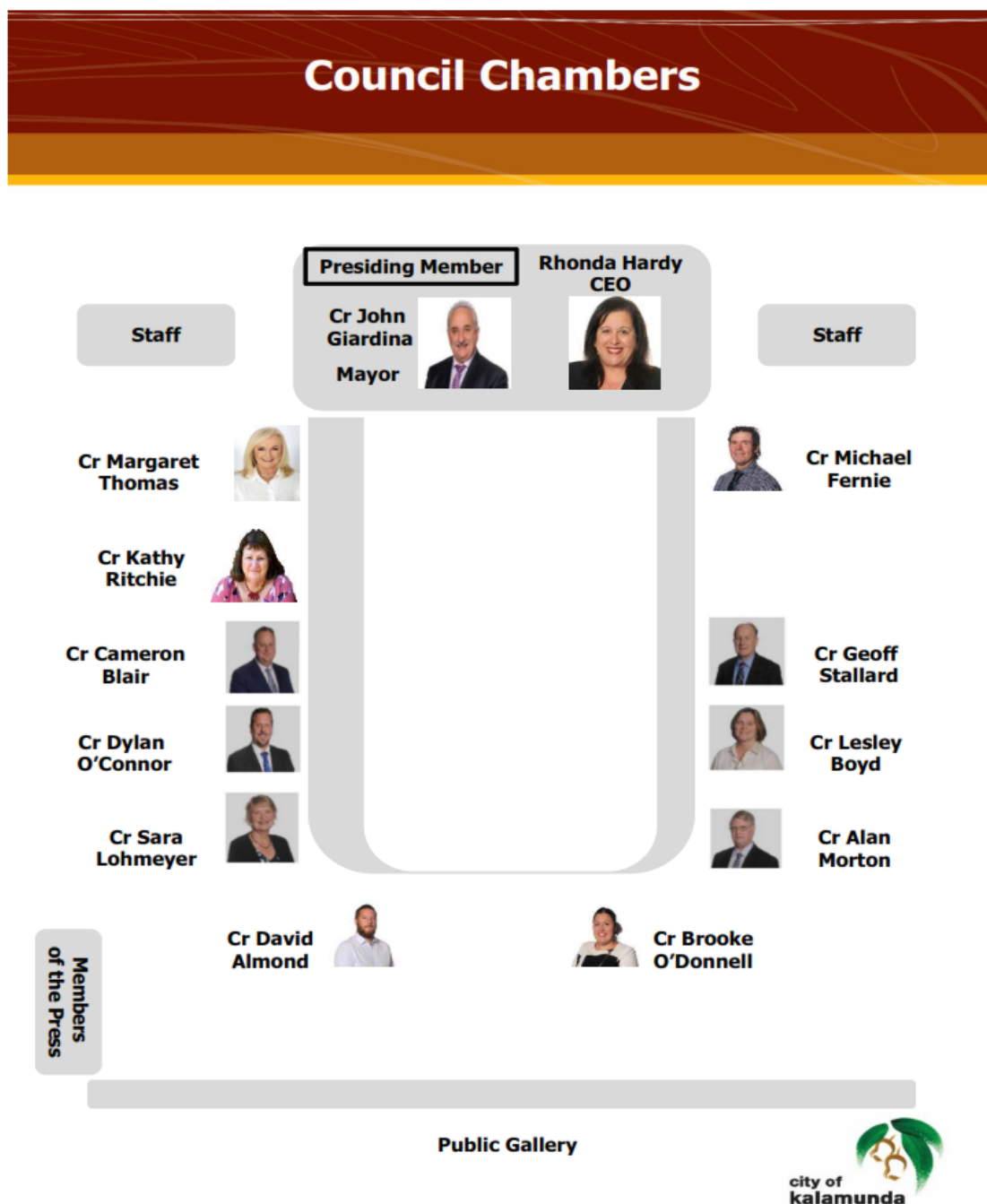


## INFORMATION FOR THE PUBLIC ATTENDING COUNCIL MEETINGS

Welcome to this evening's meeting. The following information is provided on the meeting and matters which may affect members of the public.

If you have any queries related to procedural matters, please contact a member of staff.

### Council Chambers – Seating Layout



## **Ordinary Council Meetings – Procedures**

1. Council Meetings are open to the public, except for Confidential Items listed on the Agenda.
2. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a City Staff Member.
3. Members of the public are able to ask questions at an Ordinary Council Meeting during Public Question Time.
4. To facilitate the smooth running of the meeting, silence is to be observed in the public gallery at all times, except for Public Question Time.
5. All other arrangements are in general accordance with Council's Standing Orders, the Policies and decision of the City or Council.

## **Acknowledgement of Traditional Owners**

We wish to acknowledge the traditional custodians of the land we are meeting on, the Whadjuk Noongar people. We wish to acknowledge their Elders' past, present and future and respect their continuing culture and the contribution they make to the life of this City and this Region.

## **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.**

## INDEX

<b>1. Official Opening.....</b>	<b>6</b>
<b>2. Attendance, Apologies and Leave of Absence Previously Approved.....</b>	<b>6</b>
<b>3. Public Question Time .....</b>	<b>6</b>
<b>4. Petitions/Deputations.....</b>	<b>8</b>
<b>5. Applications for Leave of Absence .....</b>	<b>8</b>
<b>6. Confirmation of Minutes from Previous Meeting .....</b>	<b>8</b>
<b>7. Announcements by the Member Presiding Without Discussion .....</b>	<b>9</b>
<b>8. Matters for Which the Meeting may be Closed .....</b>	<b>9</b>
<b>9. Disclosure of Interest.....</b>	<b>9</b>
<b>10. Reports to Council.....</b>	<b>10</b>
<b>10.1. Development Services Reports.....</b>	<b>10</b>
10.1.1. Local Planning Policy No.20 - Consulting Rooms in Residential Areas - Adoption for Final Approval.....	10
10.1.2. City of Kalamunda - Parking and Parking Facilities Local Law 2019 - Consideration of Submissions and Modifications .....	15
10.1.3. City of Kalamunda - Fire Hazard Assessment Plan - Season: 2019/2020 .....	19
<b>10.2. Asset Services Reports.....</b>	<b>25</b>
10.2.1. Buildings Asset Management Plan .....	25
10.2.2. Ray Owen Reserve - Outcome of Public Consultation .....	32
<b>10.3. Office of the CEO Reports .....</b>	<b>37</b>
10.3.1. Community Sporting and Recreation Facilities Fund - Rugby League Sports Floodlighting .....	37
<b>10.4. Chief Executive Officer Reports .....</b>	<b>45</b>
10.4.1. Draft Monthly Financial Statements to August 2019 .....	45
10.4.2. Debtors and Creditors Report for the Period Ended August 2019 .....	52
10.4.3. Rates Debtors Report for the Period Ended July 2019 .....	58
10.4.4. Kalamunda Chamber of Commerce - Request for Fee Waiver .....	62
10.4.5. City of Kalamunda Submission - Perth Airport Masterplan 2020 .....	66
10.4.6. Returned and Services League - Request for support of Concert.....	75
10.4.7. City of Kalamunda Submission - State Planning Policy 3.6 Infrastructure Contributions .....	79
10.4.8. Kalamunda Aged Care Advisory Committee - Recommendations Meeting 21 August 2019 .....	88
10.4.9. Corporate Business Plan - Quarterly Update - April to June 2019 .....	92
10.4.10. Kalamunda Club Inc - Request for Financial Assistance - CONFIDENTIAL REPORT ...	95
10.4.11. Forrestfield North - Progression of Local Structure Plans - CONFIDENTIAL REPORT ..	96
<b>11. Motions of Which Previous Notice has been Given .....</b>	<b>97</b>
<b>12. Questions by Members Without Notice.....</b>	<b>97</b>
<b>13. Questions by Members of Which Due Notice has been Given.....</b>	<b>97</b>
<b>14. Urgent Business Approved by the Presiding Member or by Decision .....</b>	<b>97</b>
<b>15. Meeting Closed to the Public.....</b>	<b>97</b>
<b>16. Tabled Documents .....</b>	<b>97</b>
<b>17. Closure .....</b>	<b>97</b>

**1. Official Opening**

**2. Attendance, Apologies and Leave of Absence Previously Approved**

Cr Sara Lohmeyer – Leave of Absence  
Cr David Almond - Absent

**3. Public Question Time**

**3.1. Questions Taken on Notice at Previous Meeting**

3.1.1 Frank Lindsey, 93 Aldersyde Road, Piesse Brook (taken on notice 27 August 2019)

Q1. Inconsistent practises when declaring an Interest Affecting Impartiality

Cr Giardina, I have perused the minutes of Council meetings over recent years and noticed a pattern of inconsistencies with your declarations of interest affecting impartiality.

Given your statement to the Echo Newspaper of the 9 February 2019, where you stated "I know my responsibility and I take it very seriously", can you explain your inconsistent practise of remaining in the Council Chambers and voting on some items, on which you have declared an Interest Affecting Impartiality, whilst on other occasions you have absented yourself from the Council Chambers altogether?

A1. Cr Giardina advised - For the purpose of requiring disclosure, an interest is defined in Reg 34C of Local Government (Administration) Regulations 1996 and Local Government (Rules of Conduct) Regs 2007 as, "an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association." The Department's guidance notes concede that a significant element is likely public perception as to whether there may be an interest. Accordingly, I have sought to be transparent and declare impartiality interests in accordance with these provisions and the Department's guidance.

Q2. Declarations regarding the Avenue of Lemon Scented Gums

Cr Giardina, if you are not simply absenting yourself from Council during controversial votes, what explains your inconsistent practises on Interests Affecting Impartiality?

A2. Refer response to Q1.

Q3.           Declarations regarding the proposed Industrialisation of Wattle Grove South

Cr Giardina, given you clearly knew you had a relative whose property would be affected by the Industrialisation Strategy why did you not absent yourself from the Council Chambers at the meeting of the 26 June 2018?

A3.           Refer response to Q1.

Q4.           Non-disclosure of Interests Affecting Impartiality

Cr Giardina, can you explain:

- a)           Why, when voting on matters related to the upgrading of facilities at the Pickering Brook Sports Club, you have failed to declare an Interest Affecting Impartiality despite having a member of your extended family residing directly opposite the Club?

A4a)           Cr Giardina advised - The cousin of my spouse does not qualify under s5.62 (the financial interest provisions) as closely associated with myself as a relevant person. Therefore the proximity interest provisions do not apply. As mentioned in answer 1 impartiality interest declarations are a personal judgement and I do not believe the interest of the extended family member was any different to the interest common to a significant number of ratepayers in the area.

- b)           Why, when voting on matters related to the upgrade of the Bill Shaw Reserve in Walliston, you have failed to declare an Interest Affecting Impartiality despite having a member of your extended family residing in Walliston in close proximity to the Reserve?

A4b)           Impartiality interests are a matter for each elected member to decide based on likely perception of a conflict of interest.

- c)           Why, when voting on matters related to the Hills Orchard Study, which was aimed at changing the zoning and minimum lot sizes of Rural land in the area, you did so without declaring an Interest Affecting Impartiality despite having several members of your extended family residing within the locality?

A4c)           Refer to response to Q4a) and b).

Q5.           Local Government Act and Regulations

Cr Giardina, can you advise which sections of the *Local Government Act 1995* or Regulations you have relied upon to justify both absenting yourself from the Council Chambers and remaining in the Council Chambers after having declared an Interest Affecting Impartiality?

A5.           Refer response to Q1.

Q6. Report considering future options for the Central Mall

Cr Giardina, can you comment on the veracity of the matters raised by Mr McCormack, the City has commissioned a \$115,000 consultants report into options for the rejuvenation of the Central Mall, with the intent "to shut down the Growers Markets which we have on a Sunday" and Council hasn't been open with the community about its intentions regarding the future of both the Central Mall and the Growers Market?

A6. The Chief Executive Officer advises the statements made by Mr McCormack are incorrect. The Kalamunda Activity Centre Plan does not state the markets will be closed. Should the Kalamunda Activity Centre Plan be adopted by Council and funding is allocated for upgrading Central Mall then there will likely be a need for temporary relocation of the market during construction.

**3.2. 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.*

**4. Petitions/Deputations**

**5. Applications for Leave of Absence**

**6. Confirmation of Minutes from Previous Meeting**

6.1 That the Minutes of the Ordinary Council Meeting held on 27 August 2019, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved:

Seconded:

Vote:

**Statement by Presiding Member**

*"On the basis of the above Motion, I now sign the Minutes as a true and accurate record of the meeting of 27 August."*

6.2 That the Minutes of the Public Agenda Briefing Forum held on 10 September 2019, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved:

Seconded:

Vote:



**Statement by Presiding Member**

*"On the basis of the above Motion, I now sign the Minutes as a true and accurate record of the meeting of 10 September."*

**7. Announcements by the Member Presiding Without Discussion**

**8. Matters for Which the Meeting may be Closed**

8.1 Item 10.4.10 Kalamunda Club Inc - Request for Financial Assistance -  
CONFIDENTIAL REPORT - Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (e) - "matter that if disclosed, would reveal - (i) a trade secret; (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person; - where the trade secret or information is held by, or is about a person other than the local government".*

8.2 Item 10.4.11 Forrestfield North - Progression of Local Structure Plans -  
CONFIDENTIAL REPORT - Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (c) - "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."*  
Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (e) - "matter that if disclosed, would reveal - (i) a trade secret; (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person; - where the trade secret or information is held by, or is about a person other than the local government".*

**9. Disclosure of Interest**

**9.1. Disclosure of Financial and Proximity Interests**

- a) Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.56 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. (Section 5.70 of the *Local Government Act 1995*.)

**9.2. Disclosure of Interest Affecting Impartiality**

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

## **10. Reports to Council**

### **10.1. Development Services Reports**

#### **10.1.1. Local Planning Policy No.20 - Consulting Rooms in Residential Areas - Adoption for Final Approval**

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

Previous Items	OCM 81/2019
Directorate	Development Services
Business Unit	Approval Services
File Reference	
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"><li>1. Local Planning Policy No.20 - Consulting Rooms in Residential Areas - Submission Table [<b>10.1.1.1</b> - 2 pages]</li><li>2. LPP 20 - Consulting Rooms in Residential Areas - Highlighted changes [<b>10.1.1.2</b> - 4 pages]</li></ol>

### **EXECUTIVE SUMMARY**

1. The purpose of this report is to consider the final adoption of draft City of Kalamunda (City) Local Planning Policy No.20 - Consulting Rooms for Residential Areas (Policy).
2. The Policy has been prepared to ensure Consulting Rooms in areas zoned Residential and designated Residential under a Structure Plan maintain the amenity and character of the area while providing an opportunity for the development of small businesses which service local communities within the City.
3. It is recommended Council adopt the Policy with modifications as highlighted in Attachment 1.

### **BACKGROUND**

4. The City periodically reviews, revokes and adds new policies to provide a level of consistency and transparency in decision making and to ensure Council has a clear and defensible position regarding planning matters.
5. This Policy has been prepared in response to Amendment 81 of the City's Local Planning Scheme No.3 (Scheme). Amendment 81 involved the modification of Table 1 (Zoning Table) and the change of the land use 'Consulting Rooms' from an 'X' to an 'A' use in Residential zoned land.

6. Under clause 4.3.2 of the Scheme, an 'X' use means a use that is not permitted and an 'A' use, means the use is not permitted unless the local government has exercised its discretion by granting planning approval after first having the proposal advertised to the public.

## **DETAILS**

7. The primary objectives of the Policy are to:
- a) ensure consulting rooms maintain the amenity and character of the areas in which they are proposed;
  - b) streamline the assessment process for minor consulting room proposals; and
  - c) guide the decision-making process for determining such applications.
8. The Policy states the following matters will be given due regard when considering consulting rooms in residential areas:
- a) traffic impacts;
  - b) noise attenuation;
  - c) visual privacy;
  - d) overshadowing; and
  - e) the established streetscape and urban design.
9. The Policy outlines acceptable development provisions in relation to:
- a) location;
  - b) built form;
  - c) landscaping;
  - d) hours of operation;
  - e) car parking; and
  - f) public consultation.

## **STATUTORY AND LEGAL CONSIDERATIONS**

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

10. The *Planning and Development (Local Planning Schemes) Regulations 2015*, provide in Schedule 2, Part 2 Clause 4(3) – (6) apply as follows respectively -
11. The Local Government must –
- a) review the proposed policy in light of any *submissions* made and resolve to:
    - i) proceed with the policy without modification; or
    - ii) proceed with the policy with modification; or
    - iii) not to proceed with the policy; and
  - b) subject to the above, publish the local planning policy in the local newspaper.
12. The local planning policy has effect on publication.

13. The City is to make a copy of the local planning policy available to the public.

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

14. Under the Scheme, the land use of Consulting Rooms is defined as follows:

*"Consulting rooms means premises used by no more than 2 health practitioners for the investigation or treatment of human injuries or ailments and for general outpatient care."*

### **POLICY CONSIDERATIONS**

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

### **COMMUNITY ENGAGEMENT REQUIREMENTS**

#### **Internal Referrals**

16. The Policy more specifically relates to Statutory Planning; however comments were sought internally from Environmental Health, Engineering and Building. Environmental Health and Building had no comments. Engineering commented on onsite parking requirements.

Applications will be required to be referred internally on a case by case basis.

#### **External Referrals**

17. The Policy was advertised for a period of 21 days in accordance with the requirements of the City's Local Planning Policy 11 – Public Notification of Planning Proposals and the requirements of the Regulations (Schedule 2, Part 2, Clause 4(2)).
18. Over the course of the advertising period, two submissions were received, comprising one non-objection and one comment (Attachment 2).
19. The comment made suggestions surrounding parking and signage requirements, as well as the appropriateness of locations with respect to consulting rooms. In response, Section 7.5 – Car Parking and Section 7.1 – Location have been included in the policy and signage requirements were added to Section 7.2 of the Policy under Built Form.

### **FINANCIAL CONSIDERATIONS**

20. All costs incurred through advertising were met through the Approval Services budget.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

21. *Kalamunda Advancing Strategic Community Plan to 2027*

#### Priority 3: Kalamunda Develops

**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.

#### Priority 3: Kalamunda Develops

**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

22. If the Policy is adopted, Council and City officers will be provided with more guidance in the assessment and determination of Consulting Room development applications.
23. 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

24. Nil.

### Environmental Implications

25. The provision of the landscaping requirements for all subsequent consulting room applications will positively contribute to the amenity of residential areas and the City's environment.

## RISK MANAGEMENT CONSIDERATIONS

- 26.

**Risk:** The Policy is not adopted, resulting in inconsistent application of planning advice.

Likelihood	Consequence	Rating
Unlikely	Moderate	Low

#### Action/Strategy

Ensure that Council is aware of the importance of having sound and robust planning policies to support the Scheme when assessing applications.

27.

<b>Risk:</b> The Policy is viewed as onerous.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Unlikely	Moderate	Low
<b>Action/Strategy</b>		
Ensure that the community understand the stated objectives.		

## OFFICER COMMENT

28. It is important to note the Policy only applies to areas zoned residential and designated residential under a Structure Plan.
29. The proposed Policy will seek to ensure the amenity and character of residential areas are maintained while providing an opportunity for the development of small businesses which service local communities within the City.
30. A key element of the Policy is the introduction of the requirement for a landscaping strip to be provided where car parking is proposed in the front setback area. This will aid in softening the visual impact of parking bays from surrounding residences.
31. In response to the public submissions and further consideration of the Policy by the City, a number of modifications have been made to the Policy, involving car parking, signage and location requirements, and some minor formatting changes.
32. Accordingly, Section 7.5 – Car Parking and Section 7.1 – Location have been included in the Policy. Signage requirements have been added to Section 7.2 – Built Form. The proposed modifications further strengthen the Policy to ensure that the introduction of consulting rooms in residential areas does not compromise the amenity and character of those areas.
33. As the Policy will ensure future development is consistent with the provisions of the Residential Design Codes, there is no requirement to refer the Policy to the Western Australian Planning Commission.

## Voting Requirements: Simple Majority

## RECOMMENDATION

That Council ADOPT Local Planning Policy No.20 – Consulting Rooms in Residential Areas, as set out in Attachment 1, pursuant to Schedule 2, Part 2, Clause 4(3)(b)(ii) and Clause 4(4) of the *Planning and Development (Local Planning Scheme) Regulations 2015* (WA).

### **10.1.2. City of Kalamunda - Parking and Parking Facilities Local Law 2019 - Consideration of Submissions and Modifications**

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

Previous Items	OCM 50/90; OCM 113/08; OCM 141/2017; SCM 01/19
Directorate	Development Services
Business Unit	Environmental Health and Community Safety
File Reference	LE-LOL-012
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"><li>1. City of Kalamunda - Parking and Parking Facilities Local Law 2019 [<b>10.1.2.1</b> - 29 pages]</li><li>2. City of Kalamunda - Parking Local law Submissions [<b>10.1.2.2</b> - 5 pages]</li></ol>

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is for Council to consider making a new Local Law with respect to the City's parking and parking facilities, which will update the *Shire of Kalamunda Parking and Parking Facilities Local Law 2008*, gazetted on 14 January 2009.
2. The statutory process commenced at the Special Council Meeting (SCM) of 22 January 2019, when Council resolved to give State-wide Public Notice of its intention to make the new Local Law and seek public submissions on the proposal.
3. It is recommended Council makes the *City of Kalamunda Local Parking and Parking Facilities Local Laws 2019* (Attachment 1).

#### **BACKGROUND**

4. Section 3.16 of the *Local Government Act 1995* (WA) (Act) requires local laws be reviewed every eight years. The City's review of the *Shire of Kalamunda Parking and Parking Facilities Local Law 2008* identified improvements contained in the proposed local law.
5. The review revealed the current local law is inconsistent with the business needs for the City. The modified penalties for non-compliance were also inconsistent with penalties of other Western Australian local governments.
6. The City has reviewed the current *Shire of Kalamunda Parking and Parking Facilities Local Law 2008* and has implemented the changes noted in the review and Council submission and approval on 22 January 2019.
7. The submission period has concluded, and the Minister has been informed of the proposed changes.

## DETAILS

8. At the SCM on 22 January 2019, Council resolved to commence the process to repeal the local law.
9. State-wide Public Notice of the proposed local law seeking submissions was published on 23 March 2019. Submissions closed on 10 May 2019, with a total of three submissions received (see Attachment 2).
10. Three submissions were received during the state-wide public notice period. Two from the public and one from the Department of Local Government, Sport and Cultural Industries. The two submissions from the public objected to the proposed local law, citing it is does not suit the lifestyle of the hills, and that there should be no meters or attendants in Kalamunda, as this will ruin the ethos of the town. In response the City already has existing Parking and Parking Facility Local Laws, and the laws provide a regulated and safer parking environment for all users.
11. The submission from the Department of Local Government, Sport and Cultural Industries provided comments to assist the City with drafting matters in relation to the local law. In part these comments have been accepted and the changes made to the local law.

## STATUTORY AND LEGAL CONSIDERATIONS

12. Section 3.12 (4), (5), (6) and (7) of the Act provides for the statutory procedure that the City must follow in the making of a new local law.
  - a) After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from what was proposed.
  - b) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
  - c) After the local law has been published in the *Gazette* the local government is to give local public notice:
    - i) stating the title of the local law;
    - ii) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
    - iii) advising that copies of the local law may be inspected or obtained from the local government's office.

The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them



## **POLICY CONSIDERATIONS**

13. Nil.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

14. The City's General Counsel has reviewed the proposed City of Kalamunda Parking and Parking Facilities Local Law 2019.

### **External Referrals**

15. The Advertising period commenced on 23 March 2019 to 10 May 2019 (49 Days).
16. A total of 3 submissions were received. Two were from community members and one from the Department of Local Government, Sport and Cultural Industries (see Attachment 2).

## **FINANCIAL CONSIDERATIONS**

17. The only financial implications arising from the adoption of this Local Law will be the costs of advertising as required by the legislation. These costs will be met from current budget allocations.

## **STRATEGIC COMMUNITY PLAN**

### **Strategic Planning Alignment**

18. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 1: Kalamunda Cares and Interacts**

**Objective 1.2** - To provide a safe and healthy environment for community to enjoy.

**Strategy - 1.2.1** Facilitate a safe community environment.

## **SUSTAINABILITY**

### **Social Implications**

19. NIL

### **Economic Implications**

20. NIL

### **Environmental Implications**

21. NIL

## RISK MANAGEMENT CONSIDERATIONS

22.	<b>Risk:</b> The proposed new Local Law is not approved		
	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Unlikely	Moderate	Medium
	<b>Action/Strategy</b> Ensure Council is aware that the legislation requires a review of Local Laws every 8 years.		

## OFFICER COMMENT

23. The proposed *City of Kalamunda Parking and Parking Facilities Local Law 2019* will provide for the orderly and effective management of parking and parking facilities within the City.
24. Please note there has been grammatical and formatting changes made to the attachments between September Public Agenda Briefing and September Ordinary Council Meeting.

## Voting Requirements: Absolute Majority

## RECOMMENDATION

That Council MAKES the *City of Kalamunda Parking and Parking Facilities Local Law 2019* as set out in Attachment 1.

### **10.1.3. City of Kalamunda - Fire Hazard Assessment Plan - Season: 2019/2020**

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

Previous Items	Nil
Directorate	Development Services
Business Unit	Community Safety
File Reference	RA-BFC-002
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"><li>1. City of Kalamunda - Fire Hazard Assessment Plan 2019/2020 [<b>10.1.3.1</b> - 20 pages]</li><li>2. City of Kalamunda - Fire Hazard Assessment Plan - 2019/2020 Season - Appendix 1 Area Maps [<b>10.1.3.2</b> - 20 pages]</li><li>3. City of Kalamunda - Enforcement Management Procedure - Fire Breaks and Notices [<b>10.1.3.3</b> - 1 page]</li><li>4. City of Kalamunda - Fire Hazard Reduction Notice 2019/2020 [<b>10.1.3.4</b> - 2 pages]</li><li>5. City of Kalamunda - Fire Hazard Reduction Notice 2019/2020 - Government Gazette [<b>10.1.3.5</b> - 3 pages]</li></ol>

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to advise Council of the City of Kalamunda's (City) approach to fire hazard management and assessment through the implementation of the '*Fire Hazard Assessment Plan 2019-20 Season*' (Attachment 1) together with associated Area Maps (Attachment 2), combined, the "*Plan*".
2. The Plan will:
  - a) support the requirements the City's Fire Hazard Reduction Notice 2019/2020 (Notice) (Attachment 4), gazetted on 28 June 2019 (Attachment 4);
  - b) replace City procedure SM-DS01.2 – Enforcement Management Procedure – Fire Breaks and Notices (Attachment 3); and
  - c) replace the City's Fire Hazard Assessment Plan 2018/19,providing a risk-based approach to fire hazard assessments, while increasing the City's engagement focus to build a more resilient community.
3. It is recommended Council notes the Plan, associated Area Maps and the Notice.

## BACKGROUND

4. The City's procedure "SM-DS01.2 – Enforcement Management Procedure – Fire Breaks and Notices" (Procedure) (Attachment 3) does not represent the current position regarding the balance between community engagement and enforcement of the *Bush Fires Act 1954*. For example, the Procedure establishes the process where the City will issue an infringement notice on the owners of premises for matters of minor non-compliance after 1 November. The Procedure provides no guidance or details on what constitutes matters of minor non-compliance.
5. The Plan utilises previous non-compliance, complaints and a comprehensive risk assessment to determine the priority of assessments. The purpose is to reduce the overall risk profile of the City by ensuring all very high and extreme properties are assessed before moving onto lower risk properties.
6. The Plan also utilises a combination of community engagement programs to support the assessments, which are focused on empowering residents to be fire ready before the 1 November 2019 assessment program (Engagement Programs). The focus of the Engagement Programs is to increase fire safe practices, asset preparedness and community resilience, while giving residents information on how to comply with the Notice.

## DETAILS

7. The Engagement Programs have already commenced with community workshops, social media infomercials, updated City website, static displays, variable message boards, letterbox drops of information booklets and the Notice.
8. The City is using the Department of Fire and Emergency Service's (DFES) 'Bushfire Risk Management System' (BRMS), which is a digital database enabling DFES in collaboration with local government to log bushfire risks throughout Western Australia. The BRMS allows the City to capture data specific risk ratings for all assets within its district. The assets are divided into four categories, Cultural, Economic, Environmental and Human Settlement. Although most assets will be one or the other, the BRMS provides the ability to rate multiple risks against the one asset. Once all the risk data has been logged into the BRMS, the BRMS will automatically provide the rating category, which the assessment program is based around.
9. The City Fire Control Officers (FCOs) will drive all fire breaks on the properties they assess. The purpose of driving the fire breaks is to ensure they comply with the 3m wide by 4m high clearance. This is a critical safety requirement to ensure our Volunteer Bush Fire Brigade and Fire and Rescue Services can safely drive a fire appliance along a fire break in times of an emergency.
10. The City is encouraging those residents that consider the physical characteristics of their property make it impossible to comply with the Notice, to apply for a variation (pursuant to the mechanism for this as set out in the Notice) before 1 October 2019. Late variation applications may incur an administration fee of \$150.

## STATUTORY AND LEGAL CONSIDERATIONS

11. Section 33 and 39, *Bush Fires Act 1954*.

## POLICY CONSIDERATIONS

12. Nil.

## COMMUNITY ENGAGEMENT REQUIREMENTS

### Internal Referrals

13. The Plan complies with the strategic direction provided in the City's Strategic Community Plan.
14. The Plan was presented at the 29 August 2019 Local Emergency Management Committee meeting.

### External Referrals

15. DFES was consulted in the preparation of the proposed Plan.

## FINANCIAL CONSIDERATIONS

16. Provision for the proposed Plan was costed in the 2019/20 operational budget. No additional funding is being requested as part of this report.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

17. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 1: Kalamunda Cares and Interacts**

**Objective 1.2** - To provide a safe and healthy environment for community to enjoy.

**Strategy - 1.2.1** Facilitate a safe community environment.

#### **Priority 2: Kalamunda Clean and Green**

**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.

**Strategy 2.1.2** - Support the conservation and enhancement of our biodiversity.

**Strategy 2.1.3** - Community engagement and education in environmental management.

## SUSTAINABILITY

### Social Implications

18. The Plan empowers the City's residents, recognising their autonomy, to comply with the Notice thereby building a more resilient community. The Plan achieves this by providing residents with the information they need to not only comply with the Notice before 1 November, but to ensure they are bushfire ready.

### Economic Implications

19. Empowering our residents to become resilient will reduce the economic impact during times of emergency.

### Environmental Implications

20. Compliance with the Notice reduces the risk of fire spreading and increases the ability to contain and control fire, thereby increasing the level of protection to the local environment.

## RISK MANAGEMENT CONSIDERATIONS

- 21.
- |   |                    |               |
|---|--------------------|---------------|
| <b>Risk:</b> The City does not ensure the community is fire ready by 1 November 2019 and maintains this state of readiness until 31 March 2020. |                    |               |
| <b>Likelihood</b>   | <b>Consequence</b> | <b>Rating</b> |
| Unlikely  | Critical           | Extreme       |
| <b>Action/Strategy</b>  |                    |               |
| The Notice was gazetted on 28 June 2019. The Plan will reduce this risk through increased education and a risk-based assessment program.        |                    |               |
- 22.
- |  |                    |               |
|--|--------------------|---------------|
| <b>Risk:</b> There is a reputational risk, if the City is impacted by a fire event resulting in loss of property and/or life.  |                    |               |
| <b>Likelihood</b>  | <b>Consequence</b> | <b>Rating</b> |
| Unlikely   | Critical           | Extreme       |
| <b>Action/Strategy</b>   |                    |               |
| The processes contained in the Plan, if followed correctly, will reduce the impact of incidents and will also assist with answering enquiries from external sources. |                    |               |

23.

<b>Risk:</b> There is a Health and Safety risk if the City is impacted by a fire event resulting in loss of property and/or life.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Unlikely	Critical	Extreme
<b>Action/Strategy</b>		
The Plan will increase community awareness and preparedness through a better approach to engaging with residents. This will assist to mitigate the risk by making residents fire ready and build the overall resilience of the community.		

24.

<b>Risk:</b> There is an environmental risk if the City is impacted by a large fire which damages the local environment and/or asbestos cement clad/roofed buildings or other like structures.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Unlikely	Critical	Extreme
<b>Action/Strategy</b>		
The Plan will reduce the impact of fire on the natural environment. The engagement aspects of the Plan will increase community awareness on the role of fire hazard reduction thereby reducing the risk of severe fires.		

## OFFICER COMMENT

25. FCOs will attempt to contact the resident before commencing an assessment of a premises. The City is using this as another opportunity to engage with the community and educate residents on how to prepare and protect their properties.
26. The City also recognises that not all residents will be at home when they arrive to undertake an assessment. The City will leave a small door hanger filled with promotional items advertising the "Are you Ready" Bushfire season message, so residents know FCOs have attended their premise.
27. The City will issue written work orders to homeowners who are assessed as non-complaint. The City will only issue infringement notices to homeowners after they have been given 14 days to complete the works identified in their respective work order.
28. Please note there were some minor grammatical and formatting changes made to the Plan (Attachment 1) between the September Public Agenda Briefing and September Ordinary Council Meeting.

<b>Voting Requirements: Simple Majority</b>
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**RECOMMENDATION**

That Council:

1. NOTE the "Fire Hazard Assessment Plan 2019-20 Season" as set out in Attachment 1, together with associated Area Maps as set out in Attachment 2; and
2. NOTE the implementation of the "Fire Hazard Reduction Notice 2019/2020" as set out in Attachment 2.



## **10.2. Asset Services Reports**

### **10.2.1. Buildings Asset Management Plan**

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

Previous Items	OCM 130/2012; OCM 157/2016; OCM 79/2017; OCM 125/2017; OCM 140/2017; OCM 129/2018
Directorate	Asset Services
Business Unit	Asset Planning & Management
File Reference	HU-PAA-013
Applicant	N/A
Owner	N/A
Attachments	1. Buildings Asset Management Plan Final Draft 1.3 - 20910809 [ <b>10.2.1.1</b> - 66 pages]

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to present the Buildings Asset Management Plan 2019 (Buildings AMP) provided as Attachment 1.
2. The intent of the Buildings AMP is to guide the City of Kalamunda (City) as to the appropriate average annual investment on maintaining buildings that balances both target asset financial sustainability ratios and service levels presented to the community and users. The current Long Term Financial Plan (LTFP) for building renewals (not building enhancements or new) indicates that these matters can be satisfied if the recommended intervention levels are adopted.
3. Customer survey responses during the development of the Buildings AMP express a desire that the overall quality and presentation of the community buildings is improved which leads to a desire for building enhancements to be undertaken.
4. This report recommends endorsement of the Buildings AMP and sets the objective of providing an increase in Operational and Maintenance funding annually in line with asset portfolio growth, by an amount of \$80,000 per year based on current LTFP funding allocations.

#### **BACKGROUND**

5. The City produced its first asset management plan for buildings in 2013. In 2016 the Asset Management Council Policy was revised and a number of internal processes improved, resulting in a revised Asset Management Strategy (adopted 2017), new Pathways and Parks AMP's (adopted in 2017), new Drainage AMP (adopted 2018), new Roads AMP (adopted 2018) and this proposed new Buildings AMP. The Pathways and Parks AMP's are due for revision by June 2020.

## DETAILS

6. The Buildings AMP covers the following subjects:
  - a) current status of assets;
  - b) levels of service;
  - c) life cycle management;
  - d) risk management;
  - e) future demand;
  - f) financial analysis; and
  - g) improvements, monitoring and review.
7. The City manages 262 buildings consisting of 41 Community Facility Buildings, 16 Municipal Buildings, 35 Sporting Buildings, 32 Amenities Blocks, four Emergency Service Buildings, 114 Minor Buildings, 17 Heritage Buildings and three Communication Towers.
8. A condition assessment of building assets was undertaken by APV Consultants in 2017 as part of the valuation of the buildings. Following this, detailed Level 2 condition inspections at a component level were undertaken for 59 of the City buildings, by City staff during 2018/19. This allowed for Condition ratings for Buildings to be developed.
9. The Condition Ratings of the Buildings (categorised by replacement cost) show that:
  - a) Condition 1 Very Good 19.5 %;
  - b) Condition 2 Good 44.5 %;
  - c) Condition 3 Fair 33.5 %;
  - d) Condition 4 Poor 3 %; and
  - e) Condition 5 Very Poor 0.5 %
10. It is important to note that the Condition Ratings above are based on the entire building. Long life elements (such as substructure, superstructure and roof framing) usually degrade at much slower rates than more visible short life elements such as carpets, finishes, lighting, heating and cooling and hot water systems. This means that some buildings have very poor or poor finishes but still have an overall fair or good condition rating.
11. During the development of the Buildings AMP, consultation was undertaken with the public users, lessees and hirers of Buildings and staff for City occupied buildings. Two major themes became apparent, firstly the importance placed on maintaining short life assets to presentable standards (such as floor finishes, painting, heating/cooling and lighting) and desires to upgrade facilities to contemporary standards (such as universal access and sports change facilities for women).
12. These desires come at significant cost, which is currently outside of the provisions within the LTFP.

13. It is important to differentiate between building enhancements and building renewals when considering a Buildings AMP. Asset Management Plans are geared towards identifying funding and standards on the basis of examination of the building on a 'like for like' basis. Building enhancements on the other hand examine what can be done to increase the amenity or functionality of the building or upgrade parts of the building to more contemporary standards.
14. The Buildings AMP sets out a funding scheme such that, on a building by building component basis, trigger points exist at which investment is needed to renew that component.
15. Various scenarios were tested in the plan as to financial impacts of intervention for asset renewal at various component Condition Ratings. The current LTFP can fund a scenario whereby components in higher priority buildings are renewed at Condition 4 (Poor) and components in lower priority buildings are renewed at Condition 5 (Very Poor). These renewals would restore the component to Condition 1, 2 or 3; then over time they would degrade to the Condition 4 or 5 at which time renewal is undertaken again.
16. The implications of this funding plan will be that many components of buildings currently at Condition 1, 2 or 3 will eventually degrade to Condition 4 and 5 at which time renewal is undertaken.
17. However, the City wished to implement plans to change the intervention for components of buildings to a scenario of renewal at Condition 3 there would be estimated at a need for an additional \$500,000 investment for each year over a 20 year period. A further 1.2% of rates revenue would need to be diverted or raised annually. This would however require much higher investments in early years to manage the high value and number of building components already at Conditions 4 and 5.
18. Complementary to the routine building maintenance programs to achieve the outcomes of the Buildings AMP (in terms of financial ratios etc), would be the concept of Building Enhancement Plans which identify the need for specific programs to enhance components of buildings for improved amenity, functionality or desire to upgrade to contemporary standards for targeted buildings. Together with the maintenance plans to meet the AMP needs, specific Buildings Asset Plans should be developed.
19. The Corporate Business Plan has identified that Building Asset Plans are to be developed for the Kalamunda Performing Arts Centre (KPAC) by June 2020 and Zig Zag Cultural Centre by June 2021. These plans will better inform Council as to the integration of building renewal and building new investment plans.
20. It is recognised that some funding in the LTFP within the building renewal funding stream also includes discretionary upgrade funds complementary to the planned maintenance tasks. These then in turn do impact the ability within annual budgets to undertake component level renewal of more visible items (such as carpets, lighting etc.) within fixed budget allowances.

21. It is noted that some community use buildings are poorly utilised and that rationalisation of buildings is a path to provide better maintained buildings serving the needs of the community within manageable funding programs.
22. The new Kalamunda Community Centre Building due for completion in 2020/21 will provide the capability for users of some other low use buildings to move into a new facility. This is perhaps the ideal trigger for a review of building rationalisation plans.
23. The Buildings AMP will be reviewed again in three years. During this period the following tasks will inform a revised plan:
  - a) develop a Buildings Maintenance Management Plan to include routine defects, inspection intervals, service standards (for example quality and timeliness of repairs) and performance measures;
  - b) complete Level 2 condition inspections for all buildings;
  - c) develop complementary Building Enhancement Plans linked to projected requirements for change in use (especially facilities for women in sport, disabled and elderly) or risk mitigation (e.g. asbestos removal);
  - d) integrate the Building Maintenance Management Plans and Enhancement Plans where needed;
  - e) prioritise renewals where asbestos-containing materials can be removed;
  - f) consider disability access improvement when undertaking future renewals and upgrades; and
  - g) review building rationalisation and disposals.

## **STATUTORY AND LEGAL CONSIDERATIONS**

24. The City is required to produce a plan for the future under s 5.56 (1) of the *Local Government Act 1995* (WA) and supporting *Local Government (Administration) Regulations 1996* (WA). Asset Management Plans are informing strategies for the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan, and Integrated Planning and Reporting Framework which are recommended requirements for compliance to the Act and Regulations.

## **POLICY CONSIDERATIONS**

25. The Buildings AMP is prepared in support of the Asset Management Policy, (C-ASS01 and replaced by Service 4 once adopted) and Asset Management Strategy 2017-2021.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

26. The draft Buildings AMP was reviewed by the Infrastructure Asset Management Steering Committee prior to finalising this report.

## **External Referrals**

27. Asset Management Plans are informed by 'levels of service' which are the result of a community consultation process. Consultation on Levels of Services for buildings was undertaken between April and June 2019.

## **FINANCIAL CONSIDERATIONS**

28. The City's current LTFP forecasts an average annual amount of \$6.86 million for capital expenditure on all building assets for new and renewal works.
29. The Buildings AMP recommends increasing operational and maintenance funding in line with asset portfolio growth. This is estimated to require an additional \$80,000 per year based on new buildings listed in the current LTFP.
30. The recommended budget and intervention scenario model is Scenario 3. This requires no additional funding at this time.
31. The Buildings AMP also includes three financial ratios, being the Asset Consumption Ratio, the Asset Sustainability Ratio and the Asset Renewal Funding Ratio.
32. The Asset Consumption Ratio measures the fair value of the assets compared to the replacement cost of the assets. The recommended practice is that a ratio of 0.5 to 0.75 (fair value/replacement cost) is maintained over the long term. The Asset Consumption Ratio of the preferred scenario is within this range.
33. The Asset Sustainability Ratio measures the renewal or replacement rate against the rate of financial depreciation of the asset. This is a measure subject to variation as it only includes a limited number of years of renewals while the depreciation represents the life of the assets. The recommended practice is to maintain this ratio at 0.90 or greater, indicating reasonable financial sustainability. The current Asset Sustainability Ratio is 0.89.
34. The Asset Renewal Funding Ratio measures the ability of the City to fund its asset renewal/replacement program within the LTFP. The measure is the net present value of the approved ten-year renewal and replacement funding divided by the net present value of the required renewal and replacement funding (which is informed by the other ratios). The recommended Asset Renewal Funding ratio is between 0.95 and 1.05. With a current ratio of 1.71, no increase in funding for building renewals is recommended at this time.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

35. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 3: Kalamunda Develops**

**Objective 3.2** - To connect community to quality amenities.

**Strategy 3.2.1** - Optimal management of all assets.

## SUSTAINABILITY

### Social Implications

36. Maintaining building assets at an acceptable level will assist in providing safe, accessible and functional facilities to meet community needs.

### Economic Implications

37. The City utilises a range of contractors and services to operate, maintain and renew the buildings assets and these will continue at similar levels to present.

### Environmental Implications

38. There are no direct environmental implications arising from the Buildings AMP.

## RISK MANAGEMENT CONSIDERATIONS

- 39.
- |   |                    |               |
|---|--------------------|---------------|
| <b>Risk:</b> The planned Buildings AMP when implemented fails to meet its objectives.   |                    |               |
| <b>Likelihood</b>   | <b>Consequence</b> | <b>Rating</b> |
| Unlikely  | Significant        | Medium        |
| <b>Action/Strategy</b>  |                    |               |
| Ensure asset management activities continue in line with national practices. Continue to collect data, improve practices and seek funding for renewals, and engaging with the community on levels of service. |                    |               |

## OFFICER COMMENT

40. The Buildings AMP is presented in a format that is consistent with contemporary asset management practices across Australia and New Zealand.
41. The financial modelling identified that the condition rating and funding requirements is considered an 'Intermediate' level practice in terms of asset management maturity.
42. Through the scenario modelling process, the Buildings AMP provides ten year funding options and assists in the development of appropriate building assets renewal programs.

<b>Voting Requirements: Simple Majority</b>
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**RECOMMENDATION**

That Council:

1. ENDORSE the City of Kalamunda's Buildings Asset Management Plan 2019, as set out in Attachment 1.
2. NOTE the recommended funding for inclusion in the Long Term Financial Plan 2019 to 2029, in preparation for the 2020/2021 budget deliberations.

### **10.2.2. Ray Owen Reserve - Outcome of Public Consultation**

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

Previous Items	OCM 09/2015; OCM 22/2019
Directorate	Asset Services
Business Unit	Asset Delivery
File Reference	PR-PLN-001
Applicant	N/A
Owner	N/A

Attachments	1. Ray Owen Reserve Carpark and Drainage Plan [10.2.2.1 - 7 pages]
	2. Community Engagement Summary - Ray Owen Reserve Carpark [10.2.2.2 - 10 pages]

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to consider the outcomes of community consultation for the Ray Owen Reserve Proposed Car Park and Drainage (Concept Plan) for staged improvements to car parking and drainage at Lot 581 (96) Gladys Road Lesmurdie and Lot 580 (49) Sanderson Road Lesmurdie collectively known as Ray Owen Reserve (the Reserve).
2. The community consultation showed that there is majority support for the Concept Plan, as well as endorsement by the relevant sporting clubs and local school reliant on the Reserve.
3. The current planning for the development of Ray Owen Reserve indicates that detailed design of Stage 1 of the car park should be proceeded within this financial year. As well as this, further stormwater and drainage engineering analysis of the Concept Plan is proposed.
4. It is recommended in part, that Council endorses the Concept Plan, undertake stormwater and drainage planning and commence detail design of the Stage 1 car park.

#### **BACKGROUND**

5. The Master Plan for Ray Owen Reserve, including expansion of sporting buildings, ovals and car parks was endorsed by Council at the Ordinary Council Meeting of 23 February 2016 (OCM 09/2015 refers.)
6. The staged development of the car park Concept Plan was endorsed for community consultation by Council at its Ordinary Meeting of Council held on 26 February 2019 (OCM 22/2019 refers). Attachment 1 shows the Concept Plan.
7. It is noted that the Concept Plan was also supported by the main sporting groups who utilise the Reserve, the Friends of Ray Owen Group and the adjacent Lesmurdie Primary School prior to seeking Council endorsement to proceed with public consultation.



8. The Concept Plan also reflects a 4-staged approach to improvements in parking capacity in line with presumed stages of growth in formalised sporting activity at the Reserve. The Concept Plan's objectives were:
  - a) optimising increased parking capacity within the Reserve to match growth in sporting activity;
  - b) providing internal road connections between areas of car parking;
  - c) cognisant of safe and efficient access/egress to surrounding road network;
  - d) able to be delivered in discrete stages as funding permits; and
  - e) deal with the stormwater runoff from the car parking areas efficiently.
9. Following Council's endorsement of the Concept Plan community engagement was undertaken from 1 March to 11 April 2019.

## **DETAILS**

10. Community members were invited to comment on the Concept Plan via a survey (available online and in hard copy) or by presenting a written submission during the survey open period. The City also undertook presentation to the Ray Owen Reserve Management Committee.
11. The survey process was supported by the following events:
  - a) a community drop-in information session was held on site at Lesmurdie Hall on Monday 18 March 2019, with approximately 20 community members attending;
  - b) an additional information session was held on the evening of Monday 25 March 2019 at Lesmurdie Primary School at the request of the Lesmurdie Primary School Principal, with approximately 12 community members attending; and
  - c) City of Kalamunda (the City) staff were also invited to participate in an internal workshop to gauge feedback on the plan relative to their respective areas of responsibility.
12. A total of 51 surveys were provided during the consultation period, with the following high-level summary of responses received noted:
  - a) most survey respondents indicated that they live in Lesmurdie (71%);
  - b) the most common use of the Reserve was either walking (22%) or simply living near the Reserve (17%). This suggests that most survey respondents do not use the car park at all, and if they do, as pedestrians as opposed to using a vehicle; and
  - c) 60% of survey respondents rated the Concept Plan as either 'average', 'good' or 'very good' whereas, 34% rated it as 'poor' or 'very poor' and 6% were unsure how to rate it.
13. A total of 11 written submissions were received during the consultation period. Based on addresses provided or the content of the submission, 10 of these submissions were from residents within two streets of the Reserve.

14. Of the 11 submissions received, three opposed any development of the Reserve altogether, preferring sporting activity to be concentrated elsewhere, with the balance indicating acceptance subject to various suggested improvements/modifications to specific aspects of the Concept Plan.
15. The consultation outcomes report is provided as Attachment 2 to this report.
16. As detail design of the car park and building expansions proceed, there will be some changes necessary to the car park concept plan. Further, as the stormwater and drainage plan is developed there may be necessary changes for car park layout.
17. It would be also appropriate, based on community feedback to consider implementation of improved landscape buffers around the Reserve in suitable planting seasons.
18. It is viewed that the most appropriate actions are to commence stormwater and drainage design and if this causes a substantive change to the concept plan for the car park, then a revised concept plan for Council consideration will be required.
19. It is also proposed to commence Stage 1 car park detail design and undertake a traffic study focussing on the growth of Ray Owen Reserve and impacts on surrounding streets.

## **STATUTORY AND LEGAL CONSIDERATIONS**

20. Implementation of the staged works on site will require a Clearing Permit in accordance with normal protocols where proposed works require removal of native vegetation.

## **POLICY CONSIDERATIONS**

21. Nil.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

22. Workshop undertaken with staff to gauge feedback on the plan relative to their respective areas of responsibility.

### **External Referrals**

23. Community engagement was undertaken during the period 1 March to 11 April 2019.

## FINANCIAL CONSIDERATIONS

24. The 2019/2020 budget includes a carry forward of \$59,900 and new funding of \$126,000 to undertake:
- a) car park design investigations and design works (including drainage, stormwater and traffic);
  - b) concept designs for the extension of the indoor netball/basketball facility; and
  - c) commencement of construction (if approved) of the Stage 1 car park.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

25. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 3: Kalamunda Develops**

**Objective 3.2** - To connect community to quality amenities.

**Strategy 3.2.1** - Optimal management of all assets.

## SUSTAINABILITY

### Social Implications

26. Increased car parking spaces along with improved car parking layout at the Reserve thereby raising the amenity for users, supported by potential improvements to the road network immediately adjacent to the Reserve for local residents during peak sporting activities.

### Economic Implications

27. Nil.

### Environmental Implications

28. A loss of some existing vegetation at the Reserve to accommodate the additional car parking areas is required, with design focused on a balanced approach, minimising the impact of removal wherever possible. Additional landscape treatment on the perimeter of the Reserve is proposed.

## RISK MANAGEMENT CONSIDERATIONS

29.	<b>Risk:</b> The actual number of car parking spaces able to be delivered is less than the concept plan because of the potential impact arising from geotechnical, storm water, traffic and environmental assessments.		
	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Moderate	Possible	Medium
	<b>Action/Strategy</b>		
	Areas of major concerns will be assessed and if a new concept plan is required, will be provided to Council for consideration.		

## OFFICER COMMENT

30. It is noted that localised concerns have been raised to the development of Ray Owen Reserve car parking as a response to the planned expansion. This needs to be tempered against the greater prevailing need to facilitate sport in the District.
31. It is anticipated that the stormwater and drainage planning would be complete by the end of December 2019 allowing Stage 1 car park designs to be completed in early 2020.

## Voting Requirements: Simple Majority

## RECOMMENDATION

That Council:

1. NOTE the outcome of the public survey undertaken along with written submissions received in response to the Ray Owen Reserve Car park and Drainage Plan (Concept Plan);
2. ENDORSE the Concept Plan shown as Attachment 1 to this report;
3. NOTE that further studies will commence on stormwater, drainage and traffic and if these require a substantive change to the car parking layouts that revised concept plans will be provided for Council consideration;
4. NOTE the commencement of Stage 1 car park detail design; and
5. ADVISE Ray Owen Reserve stakeholders, along with members of the public who responded to the survey and provided written submissions, of Council's decision.

### **10.3. Office of the CEO Reports**

#### **10.3.1. Community Sporting and Recreation Facilities Fund - Rugby League Sports Floodlighting**

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

Previous Items	Nil.
Directorate	Office of the CEO
Business Unit	Recreation Facilities & Services
File Reference	
Applicant	N/A
Owner	
Attachments	1. Sport Floodlighting Plan Hartfield Park - Rugby League - Soccer Field [ <b>10.3.1.1</b> - 1 page]

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to consider supporting an application for funding through the Department of Local Government, Sport and Cultural Industries' (DLGSCI) Community Sporting and Recreation Facilities Fund (CSRFF) 2020/2021 Annual Grant Round.
2. In September 2018, the Kalamunda Bulldogs Rugby League Club (KBRLC) applied through the City of Kalamunda's Capital Grants Program for funding assistance towards the installation of new sports floodlighting on the old hockey fields (now consists of a rugby league field and a soccer field) at Hartfield Park (Project). The need for the Project was supported by the Strategic Sport and Recreation Committee (SSRC) and that a CSRFF application be submitted to assist in funding the Project.
3. The City will apply for a one third funding contribution (\$111,667) through the CSRFF program for the Project. In the event of a successful CSRFF application and pending fund raising efforts of the KBRLC and Forrestfield United Soccer Club (FUSC), a City contribution for an amount of up to \$223,333 will need to be considered as part of the 2020/2021 annual budget deliberation process.

#### **BACKGROUND**

4. The State Government through the DLGSCI administers the CSRFF program to provide financial assistance to sporting clubs and local government authorities to develop basic infrastructure for sport and recreation.
5. The program aims to increase participation in sport and recreation with an emphasis on increasing physical activity through the provision of well-planned sporting facilities.

6. The KBRLC were originally based at Pioneer Park, however the site was previously used for landfill which required remediation works during its development in 2008 to allow for sporting use. The remediation works undertaken at the time were not sufficient, which led to ongoing issues and restrictions for sporting club usage. Due to these ongoing issues and restrictions the KBRLC were often required to train at alternative venues within the City.
7. At the Ordinary Meeting of 29 September 2015 (OCM116/2015), Council received the draft Pioneer Park Master Plan report, which advised that the identified remediation works and redevelopment of Pioneer Park to resolve the ongoing site issues and restrictions were not feasible. It was also noted that as an interim measure the KBRLC were to be relocated from Pioneer Park to Morrison Oval at Hartfield Park until a long-term option was identified.
8. During 2016, Pioneer Park was subsequently decommissioned for sporting club usage with KBRLC being relocated to Morrison Oval at Hartfield Park with access to the changerooms at the Forrestfield Cricket Club facility.
9. This left the KBRLC without a permanent home base which resulted in a reduction in membership from approximately 250 persons in 2015 to 120 persons in 2018 and financial sustainability issues due to reduced income sources. This also placed an increased burden on volunteers to meet the increased operational requirements.
10. The 2010, Hartfield Park Master Plan (HPMP) identified the need to relocate the Kalamunda and Districts Hockey Club (KDHC) from the old hockey fields to the old pony club site at Hartfield Park.
11. In 2013, the State Government provided funding for the redevelopment of Hartfield Park, which led to the City proceeding with the relocation of the KDHC to the old pony club site as per the HPMP. This presented an opportunity for the KBRLC to be relocated from Morrison Oval to the old hockey fields and pavilion.
12. The existing sports floodlighting on the old hockey fields (now the rugby league field and soccer field) was identified in 2016 through a lighting asset audit, as not meeting the required Australian Standards for large ball sports training activities (50 lux).
13. In September 2018, the KBRLC applied through the City's Capital Grants Program for funding assistance towards the project, which was considered by the SSRC.
14. The SSRC noted that adequate sports floodlighting is considered an important facility for community sporting clubs, as it allows for extended hours of training due to the lack of natural light. This is particularly important during the winter months, when teams are required to train under lights.

15. The SSRC supported the need for the project and concluded that the City should submit a CSRFF application to help fund the project. As a result, the project was listed within the City's Long Term Financial Plan (LTFP) for the 2020/21 financial year.
16. In April 2019, the new KDHC playing fields and facility at the old pony club site were completed, which allowed the KBRLC to finally relocate from Morrison Oval to a new rugby league field on an area of the old hockey fields and the KDHC pavilion. This has provided the club with a permanent home base for the first time in over four years. The remaining area of the old hockey fields is now a soccer field which is utilised for overflow training requirements by Forrestfield United Soccer Club (FUSC).
17. For the 2019 season the KBRLC has 158 playing members, which is an increase of 38 new members from the 2018 season. KBRLC have linked this increase to having a permanent home base. KBRLC are anticipating further memberships growth in future years.

## **DETAILS**

18. The new rugby league field and soccer field on the old hockey fields at Hartfield Park is currently lit by four banks of sports floodlighting which only light limited areas of either field and currently do not meet the required Australian Standards for large ball sport training activities.
19. Due to the limited lighting available and number of players, training is restricted for safety reasons to the limited areas of the field that are lit. KBRLC has managed this by spreading its teams training sessions over several nights to best utilise the lit areas of the field. Operating in this manner has placed strain on KBRLC volunteers and operations, which is not sustainable for them in the long term.
20. In addition, the FUSC currently utilises the new soccer field for overflow training requirements and similarly, to KBRLC, their usage is restricted to the limited areas of the field that are lit.
21. Due to the KBRLC and FUSC training directly under the limited lighting available, the fields are experiencing increased wear and tear issues.
22. The aim of the Project is to increase the amount of lit space available on the rugby league and soccer fields for night-time training purposes and to provide KBRLC with the ability to host night matches.
23. The demand for night matches is increasing in frequency as a strategy by State Sporting Associations to attract greater participation in sport, particularly in youth. Youth participants have the highest drop off rate of all age groups involved in sport.
24. Overall, the project will lead to an increase in physical activity, as it will enable the KBRLC and FUSC to extend their hours of training and meet their future growth expectations.

25. The Project will replace three 11 metre and one 14 metre sports floodlighting poles, with four new 35 metre sports floodlighting poles and luminaires.
26. This will provide KBRLC with one fully lit rugby league field capable of being programmed to either training (50 lux) or competition (100 lux) standards for large ball sports.
27. The Project will be built in accordance with competition and training standard floodlighting to meet Australian Standards for football (all codes) (AS2560.2.3) and obtrusive effects of outdoor lighting (AS4282).

## **STATUTORY AND LEGAL CONSIDERATIONS**

28. Nil.

## **POLICY CONSIDERATIONS**

29. Service 13: Reserve Sports Floodlighting

*Council's contribution is to be restricted to the provision of sports lighting to meet Australian Standards up to a "training Level" only. However, the Policy allows the City to support projects up to a "community competition level" for large ball sports where adequately identified through either a Reserve Master Plan or business case.*

*Clubs and community groups who are likely to benefit from a proposed sports floodlighting project, will be expected to contribute financially towards the project.*

The KBRLC's Capital Grants application identified the need for competition level sports floodlighting for large ball sports at a community level, due to the changing nature of sports competitions being played at night to allow greater participation. This SSRC supported the need for this Project.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

30. The Project was submitted to the City's SSRC, who recommended to Council that the project be supported and included within the LTFP for implementation in the 2020/21 financial year and that a CSRFF application be submitted for this project.

### **External Referrals**

31. National Rugby League Western Australia (NRL WA) has indicated it is supportive of KBRLC and the Project.
32. The DLGSCI has advised the Project is eligible for the CSRFF program.



## FINANCIAL CONSIDERATIONS

33. An amount of \$335,000 will be included in the City's LTFP for the 2020/2021 financial year towards this Project.

The City's financial contribution towards the Project would be subject to finalisation of the 2020/2021 financial year budget and a successful outcome of the CSRFF application or other significant external funding opportunities.

34. A breakdown of the Project funding split is provided below:

Organisation	Contribution
CSRFF	\$111,667
City of Kalamunda	\$223,333
KBRLC and FUSC (refer to Note One – para 35 below)	\$0
<b>Total Estimated Project Cost</b>	<b>\$335,000</b>

35. Note One: Since KBRLC's relocation from Pioneer Park in 2016, due to ongoing site issues and restrictions, they have been without a home base. This has restricted their ability to raise capital funding, as expenses have been focused on maintaining club membership and meeting operational costs. As a result, the KBRLC is currently unable to make a financial contribution towards the project. KBRLC and FUSC have both confirmed that they will actively source external funding opportunities other than the CSRFF program to make a financial contribution towards the Project.
36. The CSRFF annual grant will aim to maximise the State Government's contribution of up to a third of the total Project cost (\$111,667), which will reduce the impact on Councils other funding priorities.
37. If CSRFF funding of \$111,667 is successful and pending the outcome of the KBRLC and FUSC fundraising efforts, then a City contribution to an amount of up to \$223,333 will need to be included within the 2020/21 annual budget.
38. If CSRFF funding of \$111,667 is unsuccessful and pending the outcome of the KBRLC and FUSC fundraising efforts, Council will need to consider whether it would be willing to fund the total Project cost of up to an amount of \$335,000 in a future budget, or consider reapplying for CSRFF funding in a future round.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

39. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 1: Kalamunda Cares and Interacts**

**Objective 1.2** - To provide a safe and healthy environment for community to enjoy.

**Strategy** - 1.2.3 Provide high quality and accessible recreational and social spaces and facilities.

**Strategy 1.2.2** - Advocate and promote healthy lifestyle choices by encouraging the community to become more physically active.

**Strategy - 1.2.1** Facilitate a safe community environment.

## SUSTAINABILITY

### Social Implications

40. The provision of high quality community sport and recreation facilities is essential in fostering a positive sense of community health and wellbeing. The Project will directly increase participation and physical activity in the community.

### Economic Implications

41. Nil

### Environmental Implications

42. Nil

## RISK MANAGEMENT CONSIDERATIONS

- 43.
- |  |                    |               |
|--|--------------------|---------------|
| <b>Risk:</b><br>That the rugby league field and soccer field condition deteriorates further to become unsafe.  |                    |               |
| <b>Likelihood</b>  | <b>Consequence</b> | <b>Rating</b> |
| Possible   | Major              | High          |
| <b>Action/Strategy</b><br>Increase maintenance efforts and if required reduce training loads on reserve until the installation of the training lighting on the main training area. |                    |               |
- 44.
- |  |                    |               |
|--|--------------------|---------------|
| <b>Risk:</b><br>That the KBRLC and FUSC are unable to fundraise a capital contribution towards the project.  |                    |               |
| <b>Likelihood</b>  | <b>Consequence</b> | <b>Rating</b> |
| Possible   | Significant        | High          |
| <b>Action/Strategy</b><br>Officers to continue to support the KBRLC and FUSC to fundraise a capital contribution. Additional external funding sources such as: Bendigo Bank, Federal Governments – Stronger Communities Program or Sport Australia’s Community Sport Infrastructure Program may be considered as suitable funding sources. |                    |               |

45.

<b>Risk:</b> That the City is unsuccessful in receiving a CSRFF funding allocation towards the project.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Possible	Major	High
<b>Action/Strategy</b>		
A suitable grant application will be prepared to justify the need for the Project in line with the funding objectives of the CSRFF program. If unsuccessful then the City can reapply for funding through the next CSRFF annual grant round or seek other significant external funding opportunities.		

## OFFICER COMMENT

46. The need for the Project has been established through the KBRLC's Capital Grants application to the City, which was considered and supported by the SSRC.
47. The Project would enable the rugby league field and soccer field to function at full capacity and provide a safer environment for KBRLC and FUSC.
48. This project will benefit the KBRLC, FUSC and the City by:
- a) improving player safety, by providing sports floodlighting that meets the required Australian Standards;
  - b) maximising the playing field space available by dispersing utilisation loads across the two fields, which in turn will reduce the wear and tear of the playing field;
  - c) increasing the utilisation of the rugby league field and soccer field during the evening, which in turn will increase physical activity within the community, which is a primary focus of the CSRFF program;
  - d) providing the ability to host night matches, which will allow KBRLC to spread matches from peak usage times (day-time Saturday and Sunday) to other times such as Friday or Saturday evenings and allow greater participation, particularly amongst youth;
  - e) future proofing the site for anticipated increased demand; and
  - f) reducing the burden on volunteers, who are currently operating training sessions across multiple teams on multiple nights.
49. The DLGSCI requires all applications to be assessed by the relevant local government authority and provided with a ranking according to the local government's assessment. It should be noted, there is no obligation on the City to support a project.
50. The CSRFF program requires the City to rank all projects applied for. This Project has been ranked as the first and only priority regarding facility development within the City of Kalamunda.
51. The announcement on the outcome of the 2020/2021 CSRFF annual grants round is expected to be known by February 2020.

<b>Voting Requirements: Simple Majority</b>
---

**RECOMMENDATION**

That Council:

1. ENDORSE an application from the City of Kalamunda to the Community Sporting and Recreation Facilities Fund for a funding contribution of \$111,667 towards the installation of sports floodlighting on the rugby league field and soccer field (formerly the old hockey fields) at Hartfield Park (**Application**).
2. NOTE, in the event that the Application is successful, the Council will need to consider an amount of up to \$223,333 as part of its 2020/2021 annual budget deliberation process.
3. NOTE that this project is ranked for the purposes of the Community Sporting and Recreation Facilities Fund program as the first and only priority within the City for the 2020/2021 Community Sporting and Recreation Facilities Fund annual grant round.

## **10.4. Chief Executive Officer Reports**

### **10.4.1. Draft Monthly Financial Statements to August 2019**

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FIR-SRR-006
Applicant	N/A
Owner	N/A

Attachments	1. Statement of Financial Activity 31 August 2019 [ <b>10.4.1.1</b> - 2 pages]
	2. Statement of Net Current Funding Position 31 August 2019 [ <b>10.4.1.2</b> - 1 page]

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to provide Council with the Statutory Financial Statements for the period ended 31 August 2019.
2. The Statutory Financial Statements report on the activity of the City of Kalamunda (City) with comparison of the month's performance against the budget adopted by the Council on 24 June 2019 for the 2019/2020 financial year.
3. It is recommended that Council receives the draft Monthly Statutory Financial Statements for the month ended 31 August 2019, which comprise:
  - a) Statement of Financial Activity (Nature or Type);
  - b) Statement of Financial Activity (Statutory Reporting Program);
  - c) Net Current Funding Position, note to financial report.

#### **BACKGROUND**

4. The Statement of Financial Activity (Attachment 1), incorporating various sub-statements, has been prepared in accordance with the requirements of the *Local Government Act 1995* (WA) and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (WA).
5. The opening funding position in the Statement of Financial Activity reflects the un-audited surplus carried forward from 2018/2019.

#### **DETAILS**

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

7. The opening surplus position is un-audited and subject to change as:
- a) Plant and machinery revaluation entries are pending subject to our External Auditors' review;
  - b) Capital projects are at a point of finalisation which can impact on asset categories and depreciation;
  - c) Write off of fixed assets fair value under \$5,000 as prescribed regulation 17(a) of the Local Government (Financial Management) Regulations 1996.
  - d) Provisions for staff leave entitlements have not been finalised;
  - e) Prepayments and accruals are still pending reconciliations of receivable / supplier accounts;
  - f) June 2019 Overhead allocations have not been finalised and under/over recoveries on allocation accounts are yet to be finalised;
  - g) Audited results of Eastern Metropolitan Regional Council (EMRC) of which the City owns a substantial percentage of equity have not been finalised;
  - h) Potential audit adjustments resulting from the final audit by the Office of the Auditor General.

## **FINANCIAL COMMENTARY**

### Draft Statement of Financial Activity by Nature and Type for the month ended 31 August 2019

8. This Statement reveals a net result surplus of \$45,745,921 compared to budget for the same period of \$45,985,974.

## **Operating Revenue**

9. Total Revenue excluding rates is over budget by \$108,646. This is made up as follows:
- a) Operating Grants, Subsidies and Contributions are over budget by \$24,389. This variance is mainly attributable to a cost reimbursement received from Department of Education for \$41,019 shared maintenance costs of Kostera Oval. The variance is considered to be a timing issue.
  - b) Fees and Charges are over budget by \$86,359. This is an aggregate result of minor variances in individual fee categories and considered to be a timing issue.
  - c) Interest Income is under budget by \$1,368. This is the result of a timing matter.
  - d) Other Revenue is under budget by \$3,470. This is mainly due to the lower than projected revenue from fines and enforcements.

## **Operating Expenditure**

10. Total expenses are under budget by \$757,922. The significant variances within the individual categories are as follows:
- a) Employment Costs are under budget by \$18,776, which is mainly made up of uniforms, protective clothing and corporate training. The variance is within the reporting threshold;
  - b) Materials and Contracts are under budget by \$248,675.

- i. Waste costs are under budget by \$208,556 mostly from putrescible waste charges and verge collection costs; and
- ii. Consultancy fees, various projects are under budget by 343,356.

These are considered to be a timing variance;

- c) Utilities are under budget by \$3,593, which mainly relates to street lighting costs which is lower than projected;
- d) Depreciation, although a non-cash cost, is tracking under budget, reporting a variance of \$353,637. The actual depreciation for August 2019 is an estimate based on the 2018/19 depreciation, which is subject to year-end adjustments;
- e) Insurance expense is under budget by \$47,710. The variance will be monitored in the coming months;
- f) Other expenditure is under budget by \$87,713. The variance is due to the timing difference of planned donations and contributions to various community groups.

## **Investing Activities**

### **Non-operating Grants and Contributions**

- 11. The non-operating grants and contributions are under budget by \$337,974. The variance is mainly due to the Capital grants income for building projects from various external funding agencies is lower than the budget by \$761,210 and considered to be a timing issue.

### **Capital Expenditures**

- 12. The total Capital Expenditure on Property, Plant and Equipment and Infrastructure Assets (excluding Capital Work in Progress) is under budget by \$224,437. This is considered to be a timing issue.
- 13. Capital works-in-progress monies spend of \$393,361 represents the costs expended on Forrestfield Industrial Area Scheme Stage 1 and CELL 9 Wattle Grove development. The relevant expenditure is funded by the Forrestfield Industrial Area Scheme Stage 1 reserve account and the CELL 9 trust account. These assets once constructed will be passed over to the City for management.

## **Financing Activities**

- 14. The amounts attributable to financing activities shows a variance of \$87,081 which is mainly due to the reserve movements and developer contributions.

### **Rates Revenues**

- 15. Rates generation is under budget with a variance of \$1,651. The variance is within the reporting threshold.

Statement of Financial Activity by Program for the period ended 31 August 2019

16. Generally, the net result of each Program is within the accepted budget except for 'Recreation & Culture' and 'Transport'. Major variances have been reported by Nature and Type under points 8 to 15 above.

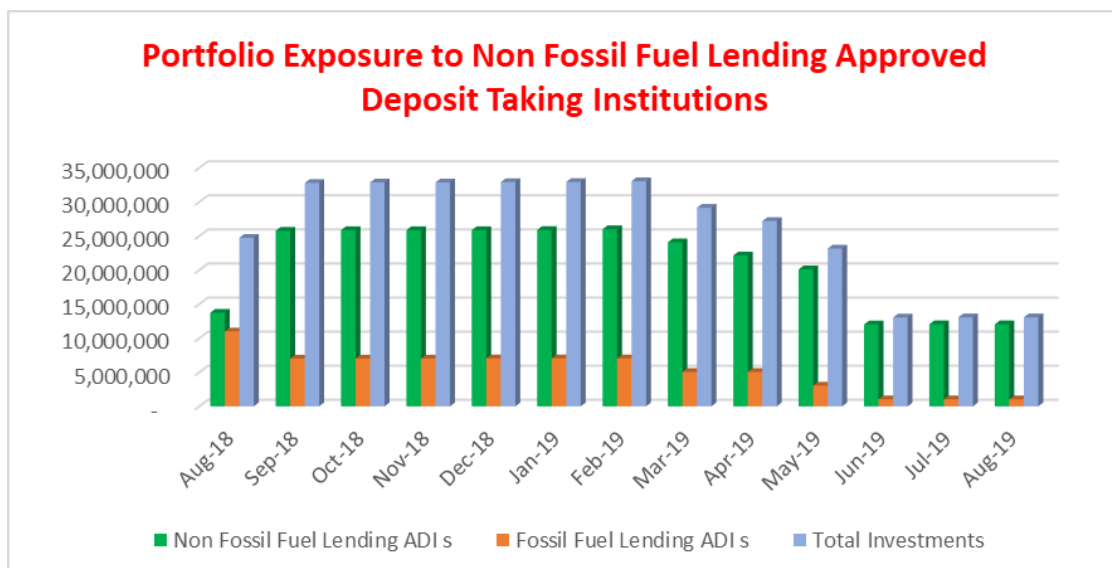
Statement of Net Current Funding Position as at 31 August 2019

17. The commentary on the net current funding position is based on comparison of the August 2018 to the August 2019 actuals.
18. Net Current Assets (Current Assets less Current Liabilities) total \$59.3 million. The restricted cash position is \$17 million which is lower than the previous year's balance of \$18.1 million. This is mainly attributed to the Forrestfield Industrial Area Scheme Stage 1 reserve with commencement of its major capital projects, amounts have been drawn down from the reserve to meet the necessary funding requirements
19. The following table indicates the financial institutions where the City has investments as of 31 August 2019;

20.

Description	Financial Institution	Amount Invested	Percentage to Total Investments
		\$	
Financial Institutions without Investments in Fossil Fuel Industry	IMB	2,801,037	21%
	Bendigo	3,926,072	30%
	Suncorp	5,315,143	41%
Total Investments in Financial Institutions without having Investments in Fossil Fuel Industry		12,042,252	92%
Financial Institutions with Investments in Fossil Fuel Industry	National Australia Bank (NAB)	1,026,348	8%
<b>Total Investments - including Restricted Funds</b>		13,068,600	100%





21. Trade and other receivables outstanding comprise rates and sundry debtors totalling \$20.3 million.
22. Sundry debtors have increased from \$385,071 to \$684,531, of which \$389,824 consists of current debt due within 30 days. An amount of \$170,100 from the total sundry debtors are related to invoices raised for developer contributions from Forrestfield Industrial Area Scheme Stage 1.
23. Receivables Other represents \$6.8 million including:
  - a) Emergency Service Levy receivables \$3.3 million; and
  - b) Receivables sanitation \$2.8 million.
24. Provisions for annual and long service leave have decreased by \$85,559 to \$3.1 million when compared to the previous year. The final provision adjustments related to 2018/19 is pending.

## STATUTORY AND LEGAL CONSIDERATIONS

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

## POLICY CONSIDERATIONS

26. Nil.

## COMMUNITY ENGAGEMENT REQUIREMENTS

### Internal Referrals

27. The City's executive and management monitor and review the underlying business unit reports which form the consolidated results presented in this report.

## External Referrals

28. As noted in point 25 above, the City is required to present to the Council a monthly statement of financial activity with explanations for major variances.

## FINANCIAL CONSIDERATIONS

29. The City's financial position continues to be closely monitored to ensure it is operating sustainably and to allow for future capacity.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

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

#### Priority 4: Kalamunda Leads

**Objective 4.1** - To provide leadership through transparent governance.

**Strategy 4.1.1** - Provide good governance.

**Strategy 4.1.2** - Build an effective and efficient service based organisation.

## SUSTAINABILITY

### Social Implications

31. Nil.

### Economic Implications

32. Nil.

### Environmental Implications

33. Nil.

## RISK MANAGEMENT CONSIDERATIONS

- 34.
- |  |                    |               |
|--|--------------------|---------------|
| <b>Risk:</b> Over-spending the budget.   |                    |               |
| <b>Likelihood</b>  | <b>Consequence</b> | <b>Rating</b> |
| Possible   | Moderate           | Medium        |
| <b>Action/Strategy</b>   |                    |               |
| Monthly management reports are reviewed by the City and Council.<br>Procurement compliance is centrally controlled via the Finance Department. |                    |               |

35.

<b>Risk: Non-compliance with Financial Regulations</b>		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Unlikely	Moderate	Low
<b>Action / Strategy</b>		
The financial report is scrutinised by the City to ensure that all statutory requirements are met. Internal Audit reviews to ensure compliance with Financial Regulations.		

## OFFICER COMMENT

36. The City's Financial Statements as at 31 August 2019 reflects the un-audited surplus carried forward from 2018/19.

## Voting Requirements: Simple Majority

## RECOMMENDATION

That Council RECEIVE the Draft Monthly Statutory Financial Statements for the period ended 31 August 2019 which comprises:

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

## **10.4.2. Debtors and Creditors Report for the Period Ended August 2019**

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A

Attachments	1. Creditor Payments for the Period Ended 31 August 2019 [ <b>10.4.2.1</b> - 31 pages]
	2. Summary of Debtors 31 August 2019 [ <b>10.4.2.2</b> - 2 pages]
	3. Summary of Creditors 31 August 2019 [ <b>10.4.2.3</b> - 1 page]

### **EXECUTIVE SUMMARY**

1. The purpose of this report is to provide Council with the list of payments made from Municipal and Trust Fund Accounts in August 2019, in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 13)*.
2. The Debtors and Creditors report provides Council with payments made from Municipal and Trust accounts together with outstanding debtors and creditors for the month of August 2019.
3. It is recommended that Council:
  - a) receive the list of payments made from the Municipal and Trust Fund Accounts in August 2019 in accordance with the requirements of the Local Government (Financial Management) Regulations 1996 (Regulation 13); and
  - b) receive the outstanding debtors and creditors report for the month of August 2019.

### **BACKGROUND**

4. Trade Debtors and Creditors are subject to strict monitoring and control procedures and in the month of August 2019, there were no abnormal overdue debtors that demanded special attention.
5. In accordance with the *Local Government (Financial Management) Regulations 1996 (Regulation 13)* reporting on payments made from Municipal Fund and Trust Fund must occur monthly.

## DETAILS

### Debtors

6. Sundry debtors as of 31 August 2019 were \$684,531 of which \$389,824 was made up of current debts and \$5,431 unallocated credits (excess or overpayments).
7. Invoices over 30 days total \$52,101; debts of significance:
  - a) Department of Education, \$45,121, Koster Oval Expenses;
  - b) Zig Zag Gymnastics, \$3,013, Lease Fees;
  - c) Kalamunda & District Netball, \$1,688, Maintenance; and
  - d) Chamber of Commerce \$1,100, KCC membership
8. Invoices over 60 days total \$21,204; debts of significance are:
  - a) Department of Education, \$5,466, Utility Expenses;
  - b) GIO Workers Compensation, \$4,076, Workers Compensation;
  - c) Zig Zag Gymnastics, \$3,014, Lease;
  - d) Hills District Callisthenics, \$2,891, Hall Hire; and
  - e) Gooseberry Hill Playgroup, \$1,007, Hall Hire.
9. Invoices over 90 days total \$223,008, debts of significance are:
  - a) PJ Dujmovic, \$170,100, Developer Contribution;
  - b) Berkshire Hathaway, \$30,716, Insurance – Employee claim;
  - c) Vodafone Hutchinson Australia, \$9,897, Lease;
  - d) Department of Education, \$5,035, Utility Expenses;
  - e) Forrestfield Sisdac, \$3,708, Hall Hire;
  - f) Zig Zag Gymnastics, \$3,167, Lease; and
  - g) Private Citizen, \$1,500, Contribution to removal of verge tree.

### Creditors

10. Payments totaling \$3,556,365.29 were made during the month of August 2019. Standard payment terms are 30 days from the end of the month, with local businesses and contractors on 14-day terms.

Significant Municipal payments (GST inclusive – where applicable) made in the month were:

Supplier	Purpose	\$
Eastern Metropolitan Regional Council (EMRC)	Domestic waste charges – disposal fees	460,147.39
Has Earthmoving	Earth moving services at Mundaring Weir Road widening - Progress claim - \$406,222.53 Forrestfield Industrial Area Intersection upgrades - \$22,942.61*	429,165.14
Australian Tax Office	PAYG payments	387,096.78

WA Local Government Superannuation Plan	Superannuation contributions	198,946.38
Synergy	Power Charges – various locations	130,933.05
Dowsing Group Pty Ltd	Supply and lay concrete paths at various locations	93,106.11
IT Vision Australia Pty Ltd	ALTUS ECM upgrade annual license fees, ALTUS cloud transition	71,351.14
R J Vincent & Co *	Forrestfield Industrial area – road 2A stage 1 construction	62,415.23
Telstra Corporation	Telephone expenses	55,482.94
Downer EDI Engineering Power Pty Ltd	Supply & installation of CCTV Cameras	54,759.52
Curnow Group Hire Pty Ltd *	Nardine Close – Separable portion B – progress claim	53,130.26
Bollig Design Group	Architectural services – Kalamunda Community Centre – progress claim	52,327.00
Entire Fire Management	Fire break maintenance at various locations	51,576.25

These payments total \$2,100,437.19 and represent 59% of all payments for the month.

\* The amounts paid for infrastructure works for Forrestfield Industrial Area Scheme Stage 1 were reimbursed drawing against the reserve set aside for it net of GST.

## Payroll

12. Salaries are paid in fortnightly cycles. A total of \$1,181,209.96 was paid in net salaries for the month of August 2019.
13. Details are provided in (Attachment 1) after the creditor's payment listing.

## Trust Account Payments

14. The Trust Accounts maintained by the City of Kalamunda (City) relate to the following types:
  - a) CELL 9 Trust;
  - b) POS Trust;
  - c) BCITF Levy;
  - d) Building Services (Licence) Levy;
  - e) Unclaimed Monies;

15. The following payments (GST exclusive) were made from the Trust Accounts in the month of August 2019.

CELL 9		Amount (\$)
Date	Description	
22/8/2019	Glen Flood Group Pty Ltd – design and development – Woodlupine Brook area	2,052.56
BCITF Levy		Amount (\$)
Date	Description	
9/8/2019	Building and Construction Industry Training fund levy – July 2019	4,087.19
15/8/2019	Perth Extensions Pty Ltd - Refund of BCITF Levy Paid Twice	211.73
BRB Levy		Amount (\$)
Date	Description	
12/8/2019	Building Services Levy – July 2019	11,066.08
14/8/2019	Redink Homes Pty Ltd – Building application fee refund	286.66

## STATUTORY AND LEGAL CONSIDERATIONS

16. Pursuant to Regulation 12(1) of the *Local Government (Financial Management) Regulations 1996* (WA), payment may only be made from the municipal fund or the trust fund:
- if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
  - otherwise, if the payment is authorised in advance by a resolution of the Council.
17. On 26 June 2018, Council resolved to adopt the City's current Delegation Register (ref OCM 113/2018), which was accordingly updated and came into effect on 27 June 2018 (26 June 2018 Register of Delegations). The previous review of the register was completed 26 June 2017.
18. Delegation FMR1 – '*Payments from Municipal and Trust Funds*' of the 27 June 2018 Register of Delegations, provides that under section 5.42 of the *Local Government Act 1995* (WA), the Chief Executive Officer is delegated to exercise the powers or discharge the duties of the Council under Regulation 12 of the *Local Government (Financial Management) Regulations 1996* (WA), regarding the making of payments from the municipal and trust funds.
19. Regulation 13 of the *Local Government (Financial Management) Regulations 1996* (WA) provides that if the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared:
- the payee's name;

- b) the amount of the payment;
- c) the date of the payment; and
- d) sufficient information to identify the transaction.

20. This report is prepared in accordance with the requirements of Regulation 13 the *Local Government (Financial Management) Regulations 1996* (WA).

## **POLICY CONSIDERATIONS**

21. Debt Collection Policy S-FIN02.

## **CONSULTATION /COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

22. Various business units are engaged to resolve outstanding debtors and creditors as required.

### **External Referrals**

23. Debt collection matters are referred to the City's appointed debt collection agency when required.

## **FINANCIAL CONSIDERATIONS**

24. The City will continue to closely manage debtors and creditors to ensure optimal cash flow management.

## **STRATEGIC COMMUNITY PLAN**

### **Strategic Planning Alignment**

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

#### **Priority 4: Kalamunda Leads**

**Objective 4.1** - To provide leadership through transparent governance.

**Strategy 4.1.1** - Provide good governance.

**Strategy 4.1.2** - Build an effective and efficient service-based organisation.

## **SUSTAINABILITY**

### **Social Implications**

26. Nil.

### **Economic Implications**

27. Nil.

### **Environmental Implications**

28. Nil.



## RISK MANAGEMENT CONSIDERATIONS

### Debtors

29.	<b>Risk:</b> The City is exposed to the potential risk of the debtor failing to make payments resulting in the disruption of cash flow.		
	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Possible	Insignificant	Low
	<b>Action/Strategy</b>		
	Ensure debt collections are rigorously managed.		

### Creditors

30.	<b>Risk:</b> Adverse credit ratings due to the City defaulting on the creditor.		
	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Possible	Insignificant	Low
	<b>Action / Strategy</b>		
	Ensure all disputes are resolved in a timely manner.		

## OFFICER COMMENT

31. Creditor payments for August 2019 are within the normal trend range.

<b>Voting Requirements: Simple Majority</b>
---

## RECOMMENDATION

That Council:

1. RECEIVE the list of payments made from the Municipal Accounts in August 2019 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).
2. RECEIVE the list of payments made from the Trust Fund Accounts in August 2019 as noted in point 15 above in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).
3. RECEIVE the outstanding debtors and creditors reports (Attachments 2 and 3) for the month of August 2019.

### 10.4.3. Rates Debtors Report for the Period Ended July 2019

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-DRS-004
Applicant	N/A
Owner	N/A

Attachments 1. Rates Report August 19 [**10.4.3.1** - 1 page]

#### EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with information on the rates collection percentage and the status of recovery actions.
2. The City of Kalamunda (City) levied rates for the 2019/2020 on 1 July 2019 totalling of \$37,459,034, and as at 31 August \$19,096,396 has been collected for current rates and rates outstanding as at 30 June 2019.
3. It is recommended that Council receive the Rates Debtors Report for the month of August 2019 (Attachment 1).

#### BACKGROUND

4. Rate Notices were issued on 12 July 2019 with the following payment options available:

Options	Payment Dates			
Full Payment	16 August 2019			
Two Instalments	16 August 2019	18 December 2019		
Four Instalments	16 August 2019	17 October 2019	18 December 2019	19 February 2020

#### DETAILS

5. A total of 20,128 Rate Notices, 934 BPAY View and 2,116 eRates were issued on 12 July 2019. Rates Levied and Collectable for the 2019/20 Financial Year currently total \$37,459,034. As at 31 August 2019, a total of \$19,096,396 has been collected since Rate Notices were released. This represents a collection rate of 49.64%.

6. Three additional services have been introduced in recent years to better assist ratepayers in paying their amounts due. These are:
  - a) A Smarter Way to Pay – with approximately 878 ratepayers signed up. It is expected that this will further increase as the first date for payments gets closer.
  - b) eRates – there are a total 2,360 properties signed up for email delivery, compared to 2,116 in the previous year.
  - c) BPay View – approximately 998 ratepayers have signed up for this service.
7. It is expected that eRates registrations will increase throughout the year, as the City continues a promotional campaign to encourage ratepayers to register to receive their future rates notices electronically.
8. No Interim Rating is carried out for the last two months of the Financial Year as per standard procedure to ensure the rates modelling balances with rates levied for 2019/2020. It will recommence in September 2019.
9. Call recording software has been utilised in the Rates Department since 2015, primarily for customer service purposes, as it allows calls to be reviewed for training and process improvements. For the period 01 August 2019 to 31 August 2019 there was a total of 718 incoming calls and 240 outgoing calls, equating to 24 hrs of call time.

## **STATUTORY AND LEGAL CONSIDERATIONS**

10. The City collects its rates debts in accordance with the *Local Government Act 1995 Division 6 – Rates and Service Charges under the requirements of subdivision 5 – Recovery of unpaid rates and service charges*.

## **POLICY CONSIDERATIONS**

11. The City's rates collection procedures are in accordance with the Debt Collection Policy S-FIN02.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

12. The City's General Counsel has been briefed on the debt collection process.

## External Referrals

13. The higher-level debt collection actions are undertaken by the City's Debt Collection firm Illion (formerly Dun and Bradstreet) with all legal work in this area undertaken by Commercial Litigation and Insolvency Lawyers.

## FINANCIAL CONSIDERATIONS

14. The early raising of rates in July allows the City's operations to commence without delays improving cashflow, in addition to earning additional interest income.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

15. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 4: Kalamunda Leads**

**Objective 4.1** - To provide leadership through transparent governance.

**Strategy 4.1.1** - Provide good governance.

**Strategy 4.1.2** - Build an effective and efficient service based organisation.

## SUSTAINABILITY

### Social Implications

16. Debt collection can have implications upon those ratepayers facing hardship and the City must ensure equity in its debt collection policy and processes.
17. The City has introduced "a smarter way to pay" to help ease the financial hardship to its customers. This has proved very effective with a growing number of ratepayers taking advantage of this option. A "Smarter Way to Pay" allows ratepayers to pay smaller amounts on a continuous basis either weekly or fortnightly, for a period of no less than 2 years whereby helping to reduce the financial burden.

### Economic Implications

18. Effective collection of all outstanding debtors leads to enhanced financial sustainability for the City.

### Environmental Implications

19. The increase in take up of eRates and BPay View, as a system of Rate Notice delivery, will contribute to lower carbon emissions due to a reduction in printing and postage.

## RISK MANAGEMENT CONSIDERATIONS

20.	<b>Risk:</b> Failure to collect outstanding rates and charges.		
	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Likely	Moderate	Medium
	<b>Action/Strategy</b>		
	Ensure debt collections are rigorously maintained.		

## OFFICER COMMENT

21. The City's debt collection strategy remains effective with the 2018/19 collection as at the end of June 2019 at 96.24%.

The City is ranked in the top four WA metropolitan Councils (of 19 Councils surveyed) for efficiency in rates collection (Source: Australasian LG Performance Excellence Survey, 2017).

<b>Voting Requirements: Simple Majority</b>
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## RECOMMENDATION

That Council RECEIVE the Rates Debtors Report for the Period Ended 31 August 2019 (Attachment 1).

#### **10.4.4. Kalamunda Chamber of Commerce - Request for Fee Waiver**

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Economic Development
File Reference	CO-LOS-007
Applicant	Kalamunda Chamber of Commerce
Owner	N/A
Attachments	1. Email from KCC President Requesting Fee Waiver for Town Hall [ <b>10.4.4.1</b> - 1 page]

#### **EXECUTIVE SUMMARY**

1. The Kalamunda Chamber of Commerce (KCC), has requested of the City of Kalamunda, a fee waiver for hire of the Kalamunda Town Hall for the purpose of facilitating further market holder space for the Kalamunda Farmer's Market and the Kalamunda Night Market at various times during the year.
2. The KCC feel the use of this building will further enhance the appeal of both markets, allow talks and heat sensitive activities to occur inside and offer relief from possible cold days and evenings.
3. It is estimated that the fee waiver equates to a value of over \$5,000, in which case a formal request to the CEO is required with a decision to be made by Council.
4. The City of Kalamunda has already provided the KCC fee waivers for trading in thoroughfares and public spaces licence for both the Night Market and Farmers Market as part of an overall sponsorship package, the estimated total value of which is approximately \$12,000 per annum.
5. This report recommends Council refuse the fee waiver request from the Kalamunda Chamber of Commerce and recommend the Kalamunda Chamber of Commerce consider adding this fee waiver request to their annual sponsorship proposal due for renewal in November 2019.

#### **BACKGROUND**

6. The KCC and the City of Kalamunda have signed a Memorandum of Understanding (MOU) which guides how the two organisations will work respectfully together. In addition to the MOU, is a sponsorship agreement (including fee waivers for trading in thoroughfares and public spaces licence for both the Night Market and Farmers Market) and a lease agreement for office space at the Zig Zag Cultural Centre.
7. Over the last couple of years, the KCC has also benefitted from sponsorship of the Bickley Harvest Festival in the amount of a little over \$20,000 each year.

#### **DETAILS**

8. In return for the City's sponsorship, the KCC has conferred on the City Platinum Status, which provides the following benefits:
- a) Complimentary Membership of the Chamber;
  - b) Naming rights of an Awards category at the annual Business Excellence Awards and presentation of the award to the winner
  - c) Opportunity to address the attendees at the Business Excellence Awards Gala Dinner
  - d) Complimentary table for 12 guests at the annual Business Excellence Awards Dinner
  - e) City logo displayed prominently on the Chamber, Night Market and Farmers Market website on all promotional material
  - f) Free advertising in all Chamber publications
  - g) When required, a prominent stall for the display of information at the Kalamunda Farmers Market and/or Kalamunda Night Market
  - h) Acknowledgement of Platinum Sponsorship status on all Chamber and associated events marketing collateral
  - i) Share City of Kalamunda social media posts (where applicable to members)
  - j) Hosting and attendance at Chamber business networking functions
  - k) City logo prominent on Chamber, Night Market and Kalamunda Farmers Market e-newsletter.

## **STATUTORY AND LEGAL CONSIDERATIONS**

9. The sponsorship agreement includes provisions for variation and termination.

## **POLICY CONSIDERATIONS**

10. Although the sponsorship agreement with KCC does not fit within Event Sponsorship guidelines, there is a Memorandum of Understanding in place, executed in December 2017 for a two-year period, which provides the framework within which the two organisations work.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

11. The initial enquiry was made via the City's Events Team, however as it pertains to matters relevant to the overall sponsorship agreement managed by the Economic Development and Tourism Team, it is now being attended to by the latter.

### **External Referrals**

12. Nil.

## **FINANCIAL CONSIDERATIONS**

13. If the request for fee waiver was endorsed by Council, it is estimated that it would amount to a value of approximately \$5,000.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

14. *Kalamunda Advancing Strategic Community Plan to 2027*

#### Priority 3: Kalamunda Develops

**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

15. Long term block booking of the Kalamunda Town Hall by one organisation may limit access to the facility by other community users.

### Economic Implications

16. Long term block booking of the Kalamunda Town Hall by one organisation, which is fee waived, may impact the forecasted income that otherwise might be generated from the facility by usual paid applicants.

### Environmental Implications

17. Nil.

## RISK MANAGEMENT CONSIDERATIONS

18.	<b>Risk:</b> Block booking with full fee waiver of the Kalamunda Town for the KCC will limit availability for other community organisations wishing to use the facility at normal community hire rates thereby reducing the income from the facility.		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Insignificant	Possible	Low
	<b>Action/Strategy</b>		
	Decline request from Kalamunda Chamber of Commerce for a fee waiver for use of the Kalamunda Town Hall.		

## OFFICER COMMENT

19. The current sponsorship agreement with the KCC expires early November 2019. The current total of sponsorships is \$32,000. The further request for approximately \$5,000 in fee waivers is significant. Although the sponsorship agreement includes provisions for variation, given that the sponsorship agreement is due for consideration of renewal in a matter of months, it would be strategic for Council to consider any further requests from the KCC during the period of negotiation for renewal of the total sponsorship agreement. The benefit of securing an annual comprehensive sponsorship package is to reduce



the administrative burden for both organisations and simplify the process of acquittal.

<b>Voting Requirements: Simple Majority</b>
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**RECOMMENDATION**

That Council:

1. REFUSE the fee waiver request from the Kalamunda Chamber of Commerce.
2. RECOMMEND the Kalamunda Chamber of Commerce consider adding this fee waiver request to the annual sponsorship proposal due for renewal in November 2019.

### **10.4.5. City of Kalamunda Submission - Perth Airport Masterplan 2020**

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

Previous Items	N/A
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	3.010247 / TR-AIR-016
Applicant	N/A
Owner	N/A
Attachments	1. City of Kalamunda Submission on Perth Airport Masterplan 2020 [ <b>10.4.5.1</b> - 2 pages]

#### **EXECUTIVE SUMMARY**

1. The City of Kalamunda has been invited to provide feedback on the Perth Airport draft Master Plan 2020. Submissions for feedback are due 18 October 2019.
2. As a Commonwealth entity, Perth Airport is subject to federal law and the determining authority is the Minister for Infrastructure, Transport and Regional Development, the application will be referred to the Commonwealth Department of Environment and Energy who will provide advice on environmental matters.
3. The State Government including, but not limited to, the Department of Planning Lands and Heritage, Department of Biodiversity, Conservation and Attractions, and the Department of Water, and Environmental Regulation, which incorporates the Environmental Protection Authority, can only provide Perth Airport with a submission and recommendations as they are not the determining authority.
4. The City has assessed the draft Master Plan and made a number of comments relating to economic impacts, environmental offsets and environmental impacts.

#### **BACKGROUND**

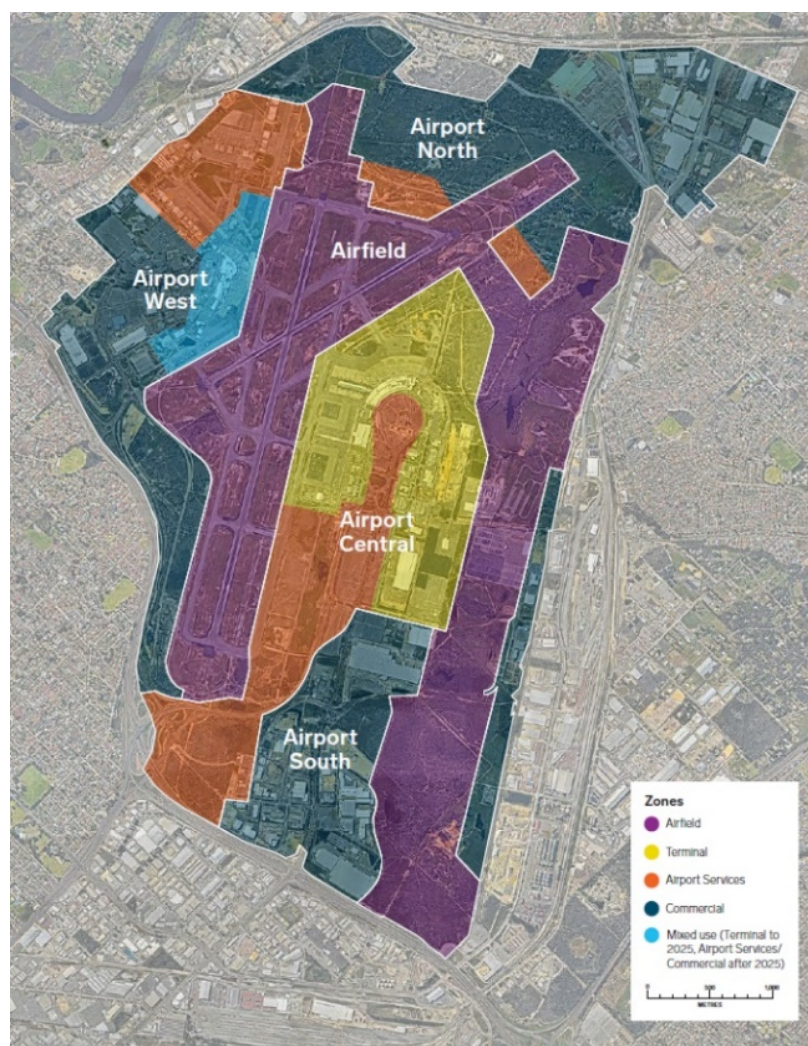
5. Perth Airport currently operates under the Perth Airport Master Plan 2014. Perth Airport are required to review and update their Master Plan every five years to comply with the Commonwealth Airports Act 1996.
6. In mid-2018, the Perth Airport invited comments on the Major Development Plan (MDP) for a new runway. The City provided comments on the MDP in August 2018.
7. The draft Master Plan was released for public comment on 24 July 2019, with comments due 18 October 2019.

8. Perth Airport is subject to federal legislation and is therefore not subject to local and state planning controls. Developments within Perth Airport Land do not need to be assessed in the context of state and local planning strategies or policies but the Master Plan provides an opportunity to raise these issues and attempt to have state and local considerations included.

## **DETAILS**

9. Some of the projected benefits of the draft Master Plan are:
- a) Perth Airport's annual contribution to the WA economy projected to surge from \$3.6 billion in 2018 to \$9.0 billion in 2040, an increase of around 150 per cent,
  - b) aviation and non-aviation job numbers generated by the airport are projected to more than double from around 16,700 in 2018 to 37,700 in 2040,
  - c) annual aircraft movement is projected to grow from 130,000 to 202,000 movements, and
  - d) domestic and international air freight could grow from 215,000 tonnes to between 263,000 and 383,000 tonnes by 2040.
10. Projected increases in freight and the general WA economy provides opportunities for business growth in the City's industrial areas in close proximity to the Airport and also provides increased employment opportunities for the City.
11. \$2.5 Billion is projected to be spent on new facilities over the next 10 years and will include:
- a) expansion of international facilities through the international terminal upgrade project,
  - b) construction of a new terminal for the consolidation of Qantas Group operations to Airport Central by 2025,
  - c) construction of multi-storey car parks within the consolidated central terminal, and
  - d) construction of a new runway.
12. The draft Master Plan divides the airport into 5 precincts (refer to map below):
- a) Airfield Precinct (aircraft operations)
  - b) Airport Central Precinct (passenger facilitation)
  - c) Airport West
  - d) Airport North
  - e) Airport South

13.



14.

#### Land Use

Precinct	Purpose
Airfield Precinct	To provide for and protect the ultimate aviation capacity of the airport.
Airport Central Precinct	To provide consolidated and integrated passenger terminal and associated ground transport and commercial facilities that meet the challenging needs of airline partners and other companies providing services in the precinct and the travelling public.
Airport West	To develop an integrated mix of industrial, logistics and related commercial land uses that maximise the precinct's strategic location and road and rail infrastructure.
Airport North	To transition from providing aviation support and ground transport facilities to developing complementary non-aviation commercial developments including office, retail and bulky goods, and education for the surrounding population.

Airport South	To provide for a range of non-aviation uses, with a focus towards accommodating logistics and distribution facilities.
---------------	--

15. **Road Network**

Grogan Road will close to accommodate the construction of the new runway which will take approximately 4 to 5 years to complete with work taking place between 7am and 7pm.

16. As part of the City's submission on the MDP for a new runway, the City noted that, due to the proposed closure of Grogan Road, there will be increased residential and industrial traffic on Abernethy Road and Dundas Road. Road and verge works within the City of Kalamunda boundaries will be required and, once completed, thereafter maintained by the City of Kalamunda.

17. The City has requested compensation for works and road wear resulting from changes to traffic conditions. Relevant road and verge maintenance will be incorporated into current City maintenance programs.

18. **Impact from Noise**

Current management of ground-based noise management is done through an Engine Ground Run Management Plan (EMP), which manages constraints on conducting engine ground-running above idle.

19. Perth Airport uses the International Civil Aviation Organization's (ICAO) 'balanced approach' to managing aircraft noise which follows four principle elements:

- a) Reduction of noise at source - (using modern, quieter aircrafts),
- b) Noise-abatement operation procedures - (ensuring flightpaths are over less populated areas, at higher altitudes, using Continuous Descent Approaches and Smart Tracking),
- c) Operation restrictions - (restricting or banning older/noisier aircrafts),
- d) Land-use planning and management - (directing residential development away from areas exposed to aircraft noise, instead encouraging land-uses such as industrial development).

20. The interactive Aircraft Noise Information Portal enables community members to obtain information regarding Australian Noise Exposure Forecast contours, future changes at the airport and N65 (noise above 65 decibels) Noise Above contours.

21. **Increase Visitors/Tourism**

- i) Annual passenger numbers projected to nearly double to 28.5 million,
- ii) In 2018, Perth Airport enabled more than \$4.1 billion of tourism activity in the state that supported more than 37,600 full time equivalent (FTE) jobs. This is forecast to increase to \$5.4 billion in 2025 with approximately 46,000 FTE positions, and \$9 billion in 2040 with approximately 74,000 FTE positions.

22. The projected increase in tourism numbers provides the City with opportunities for increased exposure for the Perth Hills and its key attractions.

23. **City's Submission**

The City's submission makes a number of comments on the draft Master Plan, with the main topics covering economic implications, environmental offsets and environmental impacts.

24. **Economic Implications**

Land not required for aviation purposes, which is developed to support economic development and create employment, has the potential to impact the retail sustainability of commercial centres in nearby local governments. It is recommended that any proposed developments are supported by a retail sustainability assessment in accordance with State Planning Policy 4.2 (SPP4.2).

25. **Environmental Implications and Offsets**

The City requests that all environmental offset measures are undertaken in the local area, and that the City has sites identified for potential offsets. Perth Airport are encouraged to contact the City in this regard. The remnant bushland estate within the airport precinct represents a very large proportion of the Vegetation Complexes (VC's) and Floristic Community Types (FCT's) remaining in the local area. If the offsets are undertaken outside the local area, there will be a significant net decline in both representation and total area of the VC's and FCT's in the local area.

26. It is understood that the Perth Airport will have to purchase some bushland to satisfy offset requirements as part of the approval process of Perth Airport's major proposed developments. This presents an opportunity for Perth Airport to purchase the offsets in the Forrestfield North Local Structure Plan area which will achieve mutual benefits for the City and Perth Airport. From an environmental perspective, providing like-for-like local offsets represents the best conservation outcome for the locality and the protection of the consospermum undulatum, wavy-leaved smokebush (Smokbush) species.

27. It is the City's view that any offset requirements to support the Master Plan should be locally sourced. This will provide an opportunity for the Smokebush to be protected through potential offset purchases in Forrestfield North enabling these environmental values to be brought into Crown ownership and managed by the City.

## **STATUTORY AND LEGAL CONSIDERATIONS**

28. The determining authority for the draft Master Plan is the Commonwealth Minister for Infrastructure, Transport and Regional Development.

## **POLICY CONSIDERATIONS**

29. Development and subdivision applications received by the City which may be affected by activities at Perth Airport are subject to State Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport.

## COMMUNITY ENGAGEMENT REQUIREMENTS

### Internal Referrals

30. The draft Master Plan was referred internally to relevant departments for comment.

### External Referrals

31. The broader community have been afforded the same opportunity as the City in providing a submission on the Master Plan.
32. The City made landowners within the Forrestfield North Residential and Transit Oriented Development Precinct aware of the Master Plan being available for comment as part of the August and September 2019 Forrestfield North Newsletter Updates.

## FINANCIAL CONSIDERATIONS

33. Nil.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

34. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 4: Kalamunda Leads**

**Objective 4.2** - To proactively engage and partner for the benefit of community.

**Strategy 4.2.2** - Increase advocacy activities and develop partnerships to support growth and reputation.

## SUSTAINABILITY

### Social Implications

35. Areas of Wattle Grove, Forrestfield and High Wycombe may be subject to increased flights as a result of projected increases in aircraft movements.
36. As a result of the projected increase in freight and commercial activity in and surrounding the Perth Airport, there is greater employment opportunities for the City's residents.

### Economic Implications

37. The projected increase in aircraft movements provides an opportunity for increased tourism in the City.
38. The projected increase in airfreight provides opportunities for an increase in demand for freight and industrial businesses in the City's industrial areas.

## Environmental Implications

39. The Perth Airport includes the Munday Swamp which is a wetland of state and commonwealth significance.
40. The remnant bushland estate within the airport precinct represents a very large proportion of the Vegetation Complexes (VC's) and Floristic Community Types (FCT's) remaining in the local area. There are opportunities for offset measures are undertaken in the local area and the City has sites identified for potential offsets in Forrestfield North.

## RISK MANAGEMENT CONSIDERATIONS

- 41.
- |   |                   |               |
|---|-------------------|---------------|
| <b>Risk:</b> Commercial developments in Perth Airport impact on the retail sustainability on the City's existing commercial centres leading to poor community outcomes.               |                   |               |
| <b>Consequence</b>  | <b>Likelihood</b> | <b>Rating</b> |
| Major   | Possible          | High          |
| <b>Action/Strategy</b>  |                   |               |
| That Council endorse the City's submission which includes comments raising these concerns and mitigation measures including retail sustainability assessments for major developments. |                   |               |
- 42.
- |   |                   |               |
|---|-------------------|---------------|
| <b>Risk:</b> Perth Airport is not required to purchase offsets in the local area and therefore do not purchase offsets in Forrestfield North which degrades the environmental quality of our District.  |                   |               |
| <b>Consequence</b>  | <b>Likelihood</b> | <b>Rating</b> |
| Major   | Possible          | High          |
| <b>Action/Strategy</b>  |                   |               |
| That Council endorse the City's submission which requests Perth Airport to purchase offsets locally. The City to continue to work with state and federal agencies and local members to come to a resolution on the purchase of conversation land. |                   |               |
- 43.
- |   |                   |               |
|---|-------------------|---------------|
| <b>Risk:</b> An increase to aircraft movements increases the amount of noise the City's residents are exposed to leading to community discontent.   |                   |               |
| <b>Consequence</b>  | <b>Likelihood</b> | <b>Rating</b> |
| Major   | Likely            | Extreme       |
| <b>Action/Strategy</b>  |                   |               |
| Ensure areas subject to noise impacts are developed with non-sensitive land uses. Existing residential areas to comply with State Planning Policy 5.1 to reduce the amount of dwellings exposed to high noise levels. |                   |               |



44.

<b>Risk:</b> Commonwealth Approval of the draft Perth Airport's Masterplan forces the City to manage stormwater drainage systems to pre-1997 levels which have significant cost implications for the City		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Major	Likely	Extreme
<b>Action/Strategy</b>		
Advocate that any requirements which impact on City's stormwater system are the responsibility of Perth Airport to fund		

## OFFICER COMMENT

45. The draft Master Plan is yet to be approved by the Federal Government. Perth Airport will have to take into consideration the submission from the City and other stakeholders when finalising the Master Plan.
46. In the wider context of the Perth metropolitan area and the City in general, the City understands the benefits of increasing domestic and international travel via Perth Airport to increase tourism and the increase of freight movements and commercial development to increase economic activity. There is also, however, the potential for these developments to impact on the City's commercial centres and the local environment.
47. In summary, the City considers the following areas a priority;
- a) it is recommended that any proposed major retail developments be supported by a retail sustainability assessment in accordance with SPP4.2;
  - b) that any offset requirements for clearing be locally sourced, specifically within Forrestfield North. This will provide an opportunity for the Smokebush to be protected through potential offset purchases in Forrestfield North that would enable these environmental values to be brought into Crown ownership and managed by the City.
48. The City will continue to work with the Perth Airport and lobby the appropriate State and Federal Ministers to ensure that Perth Airport environmental offsets are sourced locally.

## Voting Requirements: Simple Majority

## RECOMMENDATION

That Council:

1. ENDORSE the submission provided in Attachment 1 and request the Chief Executive Officer to forward the Council's endorsed submission to Perth Airport.

2. NOTE the correspondence to the various Ministers in Attachment 2 and request the CEO to continue to pursue all avenues available to ensure that the Perth Airport sources their environmental offsets locally.

#### **10.4.6. Returned and Services League - Request for support of Concert**

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

Previous Items	
Directorate	Office of the CEO
Business Unit	Customer & Public Relations
File Reference	
Applicant	Kalamunda RSL
Owner	N/A
Attachments	Nil

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to consider an application to sponsor a concert in Stirk Park Kalamunda, hosted by the Kalamunda Returned and Services League (Kalamunda RSL) in November 2019.
2. Kalamunda RSL is seeking financial support from Council to deliver a Remembrance Day Concert.
3. It is recommended the event be supported to the value of \$5,000 and annual support for the Kalamunda RSL be increased to cover this concert in future years.

#### **BACKGROUND**

4. The Returned and Services League WA (RSLWA) is the governing body of RSL Sub-Branches across Western Australia. They aim to commemorate, support and provide comradeship to veterans and their families.
5. Kalamunda RSL contributes significantly to public awareness of our armed services and the role they play in past and present theatres of war, fulfilling the aims of RSLWA.
6. The City of Kalamunda (City) has a long history of support for RSL initiatives.
7. In support of ANZAC Day, the City provide funding to cover the cost of required road closures for two events and technical assistance such as sound and vision. Attendance at the ANZAC Day Service has grown to over 4000, due to good planning to delivery of the event.
8. Remembrance Day is a memorial day observed on 11 November in Commonwealth member states since the end of the First World War to remember the members of their armed forces who have died in the line of duty.
9. In 2018, the Kalamunda Branch of the RSL approached the City with a proposal to host an event and mark Remembrance Day in a meaningful way in the Kalamunda Community. The project was linked to the development of a memorial wall, marking 100 years since the end of First World War.

10. The Stirk Park memorial pathway and construction of a new memorial wall commenced in August 2018 and officially opened on Sunday 11 November 2018.
11. RSL Kalamunda with the support of the City and a number of other sponsors including Bendigo Bank delivered a highly successful concert in Stirk Park to mark Remembrance Day in 2018. The group created an event with a program of well-known performers, Normie Rowe, Johnny Young and the Kalamunda Youth Swing Band. Hundreds enjoyed the event which received many accolades from an appreciative audience.
12. Messages of congratulations were received by RSL and Council calling for more of this style of concert where families could participate.

### **DETAILS**

13. Kalamunda RSL have requested \$5,000 in support for a Remembrance Day Concert in 2019.
14. The proposed event will take place on Sunday 10 November at Stirk Park with Normie Rowe and the Murphy Brothers on the program. Food stalls will supply the audience with food and beverage.
15. Proceeds from the sale of food will be donated to a new initiative, The Darling Range Seniors Hub – aimed at keeping seniors in their own homes for as long as possible.
16. Council approval is required as this request is outside of the annual budget deliberation process in which Sponsorship requests were considered.

### **STATUTORY AND LEGAL CONSIDERATIONS**

17. *Local Government Act 1995*

### **POLICY CONSIDERATIONS**

18. Kalamunda Engages - Community Engagement Strategy  
Event Sponsorship and Donations Policy

### **COMMUNITY ENGAGEMENT REQUIREMENTS**

#### **Internal Referrals**

19. Not applicable

#### **External Referrals**

20. The City has met with a Kalamunda RSL representative to clarify intent and budget requirements.

## FINANCIAL CONSIDERATIONS

21. Should Council approve this request, an adjustment to the City's support provided to Kalamunda RSL is made in quarterly budget review.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

22. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 1: Kalamunda Cares and Interacts**

**Objective 1.1** - To be a community that advocates, facilities and provides quality lifestyles choices.

**Strategy 1.1.1** - Facilitates the inclusion of the ageing population and people with disability to have access to information, facilities and services.

**Strategy 1.1.2** - Empower, support and engage and with young people, families and our culturally diverse community.

#### **Priority 1: Kalamunda Cares and Interacts**

**Objective 1.2** - To provide a safe and healthy environment for community to enjoy.

**Strategy - 1.2.1** Facilitate a safe community environment.

#### **Priority 1: Kalamunda Cares and Interacts**

**Objective 1.3** - To support the active participation of local communities.

**Strategy 1.3.1** - Support local communities to connect, grow and shape the future of Kalamunda.

**Strategy 1.3.2** - Encourage and promote the active participation in social and cultural events.

#### **Priority 4: Kalamunda Leads**

**Objective 4.2** - To proactively engage and partner for the benefit of community.

**Strategy 4.2.1** - Actively engage with the community in innovative ways.

## SUSTAINABILITY

### Social Implications

23. This event actively enables the commemoration of local servicemen and brings the community together.
24. The event assist to further educate the community and raise awareness of Remembrance Day.

### Economic Implications

25. Community events generate a positive economic benefit attracting audiences to many varied locations around the City. This offers a high likelihood of spending on a wide range of consumer goods from fuel to food.

## Environmental Implications

26. Not applicable

## RISK MANAGEMENT CONSIDERATIONS

27.	<b>Risk:</b> Concert does not go ahead		
	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Unlikely	Moderate	Low
	<b>Action/Strategy</b>		
	Ensure any unexpended funds must be returned to the City of Kalamunda in the event that the Concert does not occur.		

## OFFICER COMMENT

28. The City has a long standing working relationship with the Kalamunda RSL. They are reliable and experienced community partners who have been successful in delivering similar events in the past.
29. Officers are supportive of a funding allocation of \$5,000.
30. The City has seen continued growth in attendance at RSL events and memorials within the District.

## Voting Requirements: Simple Majority

## RECOMMENDATION

That Council:

1. APPROVE a \$5,000 contribution to host the RSL Concert in Stirk Park, Kalamunda in November 2019.
2. APPROVE submitting for Budget consideration an increase in the annual support provided to Kalamunda Returned Services League being increased from \$9,500 to \$14,500 to accommodate Remembrance Day events.

### **10.4.7. City of Kalamunda Submission - State Planning Policy 3.6 Infrastructure Contributions**

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

Previous Items	N/A
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	3.010243
Applicant	N/A
Owner	N/A
Attachments	1. City of Kalamunda Submission - Draft State Planning Policy 3.6 Infrastructure Contributions [ <b>10.4.7.1</b> - 5 pages]

#### **EXECUTIVE SUMMARY**

1. The City of Kalamunda has been invited to provide feedback on the draft State Planning Policy 3.6 Infrastructure Contributions (draft SPP3.6). Submissions for draft SPP3.6 were due on 2 September 2019. The City submitted a preliminary submission on this date. The Department of Planning, Lands and Heritage (DPLH) has allowed for the final submission, with any modifications, to be submitted following Council's consideration of the matter.
2. The purpose of draft SPP3.6 is to set out the principles and requirements that apply to infrastructure contributions in new and established urban areas.
3. The City has identified a number of items within draft SPP3.6 that raises noteworthy concerns for the City in regard to the risk, liability and complexity imposed on local governments managing Development Contribution Plans (DCPs). In light of these findings, a comprehensive submission has been prepared highlighting these concerns. It is recommended that the Council endorses the submission and it be forwarded to the Western Australian Planning Commission (WAPC) for consideration.

#### **BACKGROUND**

4. The current SPP3.6 was adopted by the WAPC in 2009.
5. The City has two existing DCPs; the Forrestfield / High Wycombe Industrial Area Stage 1 DCP and the Cell 9 Wattle Grove DCP. The former was established post the establishment of SPP3.6, whereas the latter was established in accordance with SPP3.6.
6. The following future DCPs have been identified and are likely to be progressed over the next 24 months: -
  - a. Maddington Kenwick Strategic Employment Area (MKSEA) - Kalamunda Wedge.
  - b. Forrestfield North.
  - c. City-wide community infrastructure DCP.

## DETAILS

7. The WAPC opened submissions on the draft SPP 3.6 on 4 July 2019 with submissions due on 2 September 2019.
8. Infrastructure contributions are an arrangement between the City and specified landowner(s) to share the costs involved with building new infrastructure for a specified area.
8. Draft SPP 3.6 Infrastructure Contributions aims to introduce a revised framework for the delivery of infrastructure to new and existing communities. The draft SPP 3.6 aims to ensure greater accountability, transparency and consistency in providing for infrastructure contributions.
9. Contributions for all infrastructure must be levied in accordance with the following key principles:
  - a) Need and the nexus: The need for the infrastructure must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).
  - b) Transparency: Both the method for calculating the infrastructure contribution and the manner in which it is applied should be clear, transparent, and simple to understand and administer.
  - c) Equity: Infrastructure contributions should be levied equitably on all identified stakeholders within a contribution area.
  - d) Certainty: The scope, timing, and priority for delivering infrastructure items, and the cost of infrastructure contributions and methods of accounting for escalation, should be clearly identified and agreed.
  - e) Consistency: The system for infrastructure contributions for apportioning, collecting and spending contributions should be consistent, efficient and transparent.
  - f) Accountable: That there is accountability in the manner in which infrastructure contributions are determined and expended.
10. In reviewing draft SPP3.6, some of the key concerns identified by the City include the following:
  - a) capping of community infrastructure costs;
  - b) inclusion of early acquisition of land identified for public purposes in hardship cases;
  - c) provisions dealing with liability for developers and not local governments;
  - d) refund provisions and how they're practically implemented and accounted for in contribution calculations.
11. **Capping of community infrastructure costs**  
The draft SPP 3.6 states the following in Clause 6.6 b):

*"For Community Infrastructure – a maximum levy for local infrastructure of \$2,500 per dwelling shall apply, with items to be justified through a Community Infrastructure Plan. Where district and/or regional infrastructure is also proposed, consideration may be given to increasing the maximum levy by*



*an additional \$1000 per dwelling, to a total of \$3,500 for a combination of local, district and regional Community Infrastructure, subject to adequate justification and the support of the Western Australian Planning Commission (WAPC)."*

12. There is concern with the capping of Community Infrastructure costs levied through a DCP. The use of State Planning Policy to control the costs levied, notwithstanding the individual locational DCP circumstances, could have an unacceptable negative financial impact on the financial positions of a number of local governments and lead to a lower level, or delayed provision of, necessary community infrastructure. These outcomes are unacceptable, and especially so when considering that the final cap proposed has not been substantiated or justified through any detailed modelling or analysis.
13. The following issues have been identified in regard to the proposed capped levy per dwelling referenced above:
  - a) the arbitrary nature of the proposed maximum levy does not account for the wide varying infrastructure needs and costs across different local governments;
  - b) it is contrary to the 'beneficiary pays' principle that the infrastructure contribution framework is built on (clause 3.3.1, page 5 of the Draft SPP3.6 Guidelines);
  - c) the proposed levy capping requires that alternative sources of funding streams, such as property rate increases, be applied to fund the necessary community infrastructure. This would result in all rateable properties across the City bearing the cost of community infrastructure in lieu of equitable levying of contributions from developers or benefiting landowners;
  - d) the proposed levy capping has only been identified on a 'per dwelling' basis despite other units of charge such as per hectare, per lot and per m2 of floorspace being allowable by the Draft Policy;
  - e) no guidance is provided in terms of how the capped amounts are related to DCPs which adopt a different unit of charge; and
  - f) the Policy does not include any provision for the proposed levy capping amounts to be indexed or increased in accordance with inflation.
14. The City does not currently have any DCPs that include community infrastructure that would be impacted by this provision. However, the future DCP at Forrestfield North and the anticipated DCP for city-wide community infrastructure will be subject to any community infrastructure provisions included in the SPP3.6.

15. **Inclusion of early acquisition of land identified for public purposes in hardship cases**

The draft SPP 3.6 states the following for clause 6.7.2.10:

*The Department of Planning, Lands and Heritage (Department) may, in certain circumstances, pre-fund a DCP for the purposes of acquiring land in hardship cases where the local government has provided evidence to the Department that it does not have the funds to acquire the land. Once funds are available in the DCP fund, the Department will be reimbursed for the cost of acquiring land with interest.*

16. There needs to be a definition of what qualifies as a 'case of hardship'. Defining what qualifies as a 'hardship' case is highly subjective, with varying levels of hardship and personal circumstances of landowners, particularly in areas of fragmented landownership. It is vital that hardship is defined in the document and categorised with examples to determine how one form of hardship is prioritised over another. Further, what information and evidence should the local government expect for a landowner to substantiate that they are experiencing hardship (is a doctor's assessment required?).

17. Dealing with hardship cases often requires confidentiality, and in a DCP environment confidentiality may have the potential to contradict the policy principle of transparency. In this regard, for it to be completely transparent when dealing with a hardship case, this case would have to be made evident to all landowners and stakeholders within a DCP.

18. This clause provides significant risk for local governments because it opens it up to debate as to who is most entitled to be a priority for hardship.

19. There is also the issue of potential hardship occurring long before a DCP is endorsed and the priorities are set. The draft SPP3.6 requires infrastructure priorities to be established. It is not evident in the draft SPP3.6 how hardship cases are factored in, particularly when the early funds are often required for road and servicing infrastructure.

20. The policy provisions relating to hardship appears to apply to public open space only. There should be consideration for other public purposes such as conservation areas, drainage, community purpose and road reserves.

21. **Refund provisions**

The draft SPP 3.6 states the following for clause 6.7.2.13:

*There may be circumstances where there is a substantial reduction in the cost contribution liability, due to factors including an overestimation of contingencies and component costs. In such cases, including where a liability has been paid in full, the local government, on behalf of the DCP fund shall:*  
*i) reconcile and adjust the liability for each unit of charge, and refund excess monies to owners that paid over the adjusted amount, as soon as circumstances permit.*

22. It would appear from this clause that if the cost contribution is revised upward, owners that have already paid their cost contribution do not have to pay any more to the DCP and that would then mean that the City is left to make up any shortfall if, for example, all owners have already paid at the time of that revision.
23. If the City raises the cost contribution, those owners that have not yet paid cannot refuse to pay the higher rate, however, they can seek to have the rate assessed in accordance the relevant provisions, and payments will then be subject to that outcome, or arbitration in regard to the same.
24. If the cost contribution is revised downward, the City must adjust the rate of all owners (whether they have already paid or not – which, in the City’s view, at least arguably, implies a refund would follow).
25. The provision that requires the local authority to reconcile and adjust a landowner’s liability where costs have been overestimated, and refund excess monies to landowners that paid over the adjusted amount, has the potential for serious consequences in relation to the management of funds for local authorities and the effective administration of a DCP.
26. If the refund provision is to apply, then it should also apply when the reviewed DCP costs are greater than previously paid and a further contribution from owners that have previously fulfilled their cost contributions liability.
27. Additionally, the use of an ambiguous and arguably vague statement such as ‘*as soon as circumstances permit*’ in respect of when any refunds of excess monies should be paid is most unhelpful.
28. **General Comments included in the Submission**  
It is evident that the draft SPP3.6 has been written from the perspective of DPLH having regard for industry feedback and with limited local government engagement and without a detailed understanding of the information requirements and processes involved in preparing and administering a DCP. In this regard, it is recommended that the DPLH further involve local authorities who have experience with the ‘day-to-day’ DCP preparation and administration process prior to finalisation of the Policy.
29. There is too much liability placed on the local government in the Policy. Liability should be equally shared between developers and the local government. As the administrators of a DCP, it is unfair to place the majority of the liability on the local government. Once cost contributions are paid, it should be clear that it is the full and final discharge for not only the developer but also the local government. This must work both ways.
30. One of the major issues for local governments is the delay between the collection of development contributions and the actual provision of infrastructure. This creates a raft of complexities, with the most significant being the cash flow as funds for early provision of infrastructure may not be financed through the model for some years. This requires local governments to find alternative funding sources or loans to cover the short falls.

31. Loans taken out from local government for pre-funding infrastructure in a DCP area need to be considered and treated separately to normal local government borrowing. This will ensure local government debt ratios, and financing and reporting will not be impacted. Given there is a funding mechanism (the DCP) to pay back the loan, low interest loans, with a higher loan capacity, with no impact on debt ratios should be seriously considered. This will allow for earlier delivery of infrastructure to stimulate development and increase early cash flows.

## **STATUTORY AND LEGAL CONSIDERATIONS**

32. Clause 6.5 of the City's Local Planning Scheme No. 3 (LPS3) sets the statutory framework for the operation and management of the City's DCPs.
33. The *Planning and Development (Local Planning Schemes) Regulations 2015* require the City to substitute the current comprehensive LPS3 provisions for the SPP 3.6, which based on the draft SPP3.6 has more generalised wording and therefore is open to greater debate and challenges.

## **POLICY CONSIDERATIONS**

34. State Planning Policy 3.6 Development Contributions for Infrastructure (adopted 2009) sets out the principles and requirements that apply to infrastructure contributions in new and established urban areas.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

35. The draft SPP3.6 was referred internally to the City's relevant departments for comments.

### **External Referrals**

36. Nil.

## **FINANCIAL CONSIDERATIONS**

37. The operation of a DCP presents a major administrative responsibility for the City. While a DCP is self-funded, the City has an implicit obligation to efficiently and effectively manage the revenues and works.
38. The developable area within a development contribution area is reliant on the DCP to provide the necessary infrastructure to facilitate development. In particular, the timely provision of essential infrastructure (roads and drainage) is critical as most developments rely on these improvements for suitable access.

39. The draft SPP3.6 proposes capping community infrastructure at \$2,500 per dwelling for local infrastructure and \$3,500 per dwelling for a combination of local, district and regional infrastructure. The proposed levy capping requires that alternative sources of funding streams, such as property rate increases, be applied to fund the necessary community infrastructure. This would result in all rateable properties across the City bearing the cost of community infrastructure in lieu of equitable levying of contributions from developers or benefiting landowners
40. The draft SPP3.6 includes refund provisions where in the case the DCP rate reduces, local government, on behalf of the DCP fund shall reconcile and adjust the liability for each unit of charge, and refund excess monies to owners that paid over the adjusted amount. The draft SPP3.6 does not include provisions in the opposite circumstance where the DCP rate increases. There are no provisions in the draft SPP3.6 for final discharge of payment for either the local government or landowner/developer. There should be provisions for final discharge for both the local government and the landowner/developer as currently is the case with the model provisions in the existing SPP3.6 (refer Clause 6.5.14.3 of LPS3).
41. Taking out a loan to pre-fund infrastructure in a DCP has consequences for local government debt ratios and finance reporting. There has been no consideration for treating loans taken out for DCPs separately as part of the draft SPP3.6.

## **STRATEGIC COMMUNITY PLAN**

### **Strategic Planning Alignment**

42. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 3: Kalamunda Develops**

**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.

#### **Priority 3: Kalamunda Develops**

**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.

#### **Priority 4: Kalamunda Leads**

**Objective 4.1** - To provide leadership through transparent governance.

**Strategy 4.1.1** - Provide good governance.

## SUSTAINABILITY

### Social Implications

43. The provision of infrastructure delivered by a DCP in a timely, coordinated and responsible manner can have a significant impact on the quality of life for both existing and future residents.

### Economic Implications

44. The implementation of DCPs, as a basic principle, are not intended to deliver infrastructure, services or similar that would not ordinarily be provided through subdivision and development processes. As such a DCP does not offer any direct economic benefits to an area. DCPs can, however, assist in the timely, efficient and equitable provision of infrastructure that may in turn facilitate economic growth and employment creation.

### Environmental Implications

45. DCPs may include the provision of public open space. Public open space can include areas of flora/fauna habitat, usually accessible to the public.

## RISK MANAGEMENT CONSIDERATIONS

- 46.
- |  |                   |               |
|--|-------------------|---------------|
| <b>Risk:</b> The WAPC adopts the draft SPP3.6 with limited modifications, which leads to the inclusion of community infrastructure cost capping, refund provisions and unclear and unmanageable provisions for hardship cases.   |                   |               |
| <b>Consequence</b>   | <b>Likelihood</b> | <b>Rating</b> |
| Major  | Possible          | High          |
| <b>Action/Strategy</b>   |                   |               |
| Endorse the submission in Attachment 1 to highlight the City's key concerns with the draft SPP3.6. Where new development areas arise that would ordinarily require a DCP, the City may decide to not pursue DCPs, instead leaving the delivery of infrastructure through subdivision or other means. |                   |               |
- 47.
- |   |                   |               |
|---|-------------------|---------------|
| <b>Risk:</b> The provisions within the Policy create too much risk for the City to implement and coordinate DCPs. |                   |               |
| <b>Consequence</b>  | <b>Likelihood</b> | <b>Rating</b> |
| Major   | Possible          | High          |
| <b>Action/Strategy</b>  |                   |               |
| Endorse the submission in Attachment 1 to highlight the City's key concerns with the draft SPP3.6.                |                   |               |

## **OFFICER COMMENT**

48. The City has two existing DCPs, Forrestfield / High Wycombe Industrial Area and Cell 9 and anticipated future DCPs, MKSEA, Forrestfield North and City-wide community infrastructure DCP which are to be implemented in accordance with SPP3.6.
49. The draft SPP3.6 has not been finally endorsed by the WAPC. The WAPC will have to take into consideration the submission from the City and other stakeholders when finalising the Policy.
50. The draft SPP3.6 has a number of provisions that raise concerns for the City's implementation and coordination of DCPs. Most notably the capping of community infrastructure, early acquisition in hardship cases, sharing of risk / liability and refunding provisions. These key concerns are addressed in the submission in Attachment 1.
51. The City sent a preliminary submission to the WAPC on 2 September 2019. The purpose of this report is for the Council to endorse the submission which is to be forwarded to the WAPC, including any modifications requested by the Council.

<b>Voting Requirements: Simple Majority</b>
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## **RECOMMENDATION**

That Council ENDORSE the submission provided in Attachment 1 and request the Chief Executive Officer to forward the Council's endorsed submission to the Western Australian Planning Commission.

### **10.4.8. Kalamunda Aged Care Advisory Committee - Recommendations Meeting 21 August 2019**

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

Previous Items	N/A
Directorate	Office of the CEO
Business Unit	Chief Executive Officer
File Reference	N/A
Applicant	N/A
Owner	N/A
Attachments	2. City of Kalamunda - Residential Aged Care - Proposed alternative models Submission - 13 September 2019 [ <b>10.4.8.1</b> - 14 pages]

#### **EXECUTIVE SUMMARY**

1. To consider the recommendations of the Kalamunda Aged Care Advisory Committee (KACAC).
2. The KACAC held an ordinary meeting on the 21 August 2019. At this meeting several motions were passed which are now presented for Council consideration.
3. This report recommends Council note KACAC's submission on the Residential Aged Care: Proposed alternative models for allocating place – Discussion Paper (Attachment 1) and request the City write to the Member for Kalamunda requesting the State consider Kalamunda Hospital be used as a respite facility.

#### **BACKGROUND**

4. Council established the KACAC in 2015 in response to the critical shortage of aged care beds in the City.

#### **DETAILS**

5. The purpose of the KACAC, as set out in the Terms of Reference updated 27 August 2019, is to advise and make recommendations to Council on a range of strategic issues which affect the quality of life of the ageing population, their families and carers living in and visiting the City of Kalamunda.
6. The KACAC received a deputation from the current presiding member of the Kalamunda Environmental Advisory Committee (KEAC), Mr Kevin Goss, on the role of KEAC in providing advice on matters referred to it by Council or the City.



7. The KACAC made the following requests of the Chief Executive Officer (CEO):

That:

- The CEO provide a mechanism for cross sharing information such as minutes, agendas, events and community engagement exercises through the establishment of an advisory committee's portal.
- The CEO hold a biannual meeting of all chairs of advisory committees to share ideas and give feedback on the effectiveness and support provided to committees by the City.

8. The Committee discussed the *Residential Aged Care: Proposed alternative models for allocating place – Discussion Paper* and passed the following recommendation:

That KACAC:

- ADVISES Council it will be making a submission on the Residential Aged Care: Proposed alternative models for allocating place – Discussion Paper on behalf of the Kalamunda community and Council will receive a copy of the submission once completed.
- REQUEST the Chief Executive Officer to assist in the collation of the submission and lodge it by 13<sup>th</sup> September 2019.

Moved Ray Maher  
Seconded Ian Tarling  
Vote: Carried Unanimously

9. The Committee raised concerns in relation to the shortage of respite places and opportunities within the City of Kalamunda and passed a resolution requesting the City advocate with State Government.

That KACAC request -

Council write to Mr Mathew Hughes to investigate the possibility of the Kalamunda Hospital being utilised as a respite centre.

Moved Margaret Thomas  
Seconded Ian Tarling  
Vote: Carried Unanimously

## **STATUTORY AND LEGAL CONSIDERATIONS**

10. Sections 5.8, 5.9 and 5.10 of the *Local Government Act 1995*.

## **POLICY CONSIDERATIONS**

11. Nil.

## COMMUNITY ENGAGEMENT REQUIREMENTS

### Internal Referrals

12. Nil.

### External Referrals

13. None required.

## FINANCIAL CONSIDERATIONS

14. Nil.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

15. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 1: Kalamunda Cares and Interacts**

**Objective 1.1** - To be a community that advocates, facilities and provides quality lifestyles choices.

**Strategy 1.1.1** - Facilitates the inclusion of the ageing population and people with disability to have access to information, facilities and services.

**Strategy 1.1.3** - Facilitate opportunity to pursue learning.

#### **Priority 1: Kalamunda Cares and Interacts**

**Objective 1.3** - To support the active participation of local communities.

**Strategy 1.3.1** - Support local communities to connect, grow and shape the future of Kalamunda.

#### **Priority 3: Kalamunda Develops**

**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.

#### **Priority 4: Kalamunda Leads**

**Objective 4.2** - To proactively engage and partner for the benefit of community.

**Strategy 4.2.1** - Actively engage with the community in innovative ways.

## SUSTAINABILITY

### Social Implications

16. The provision of aged care will assist the City with fulfilling an identified shortage within the community.

### Economic Implications

17. Nil.

### Environmental Implications

18. Nil.

### RISK MANAGEMENT CONSIDERATIONS

19.	<b>Risk:</b> Nil.		
	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Possible	Moderate	Medium
	<b>Action/Strategy</b>		
	Nil.		

### OFFICER COMMENT

20. The KACAC's requests of the CEO as set out in paragraph 7 above, will be considered in terms of operational capacity.
21. Other recommendations of the KACAC are supported and are presented for consideration of Council.

### Voting Requirements: Simple Majority

### RECOMMENDATION

That Council:

- NOTE the Kalamunda Aged Care Advisory Committee submission on the Residential Aged Care: Proposed alternative models for allocating place – Discussion Paper (Attachment 1).
- REQUEST the Chief Executive Officer advocate with the State Government in relation to the opportunity for the Kalamunda Hospital's use as a respite centre.

### **10.4.9. Corporate Business Plan - Quarterly Update - April to June 2019**

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

Previous Items

Directorate	Office of the CEO
Business Unit	People Services
File Reference	3.009509
Applicant	City of Kalamunda
Owner	City of Kalamunda

Attachments	1. 2018-2019 CORPORATE BUSINESS PLAN - FINAL REPORT [ <b>10.4.9.1</b> - 38 pages]
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#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to provide Council with the progress on the City of Kalamunda's (City) achievement against the "Kalamunda Achieving: Corporate Business Plan 2018/2022" for the period April to June 2019. This is the final report for the 2018/2019 financial year.
2. At an aggregate level, the Corporate Business Plan achieved a result of 95.1% complete as at 30 June 2019, which exceeded the target of 90%. This is a pleasing outcome.
3. It is requested Council note the quarterly report for the Kalamunda Achieving: Corporate Business Plan 2018/2022 for the period April to June 2019.

#### **BACKGROUND**

4. Kalamunda Achieving: Corporate Business Plan 2018/2022 (CBP) was endorsed by Council on 25 June 2018.
5. The CBP outlines the major projects, including capital works and operational recurrent services for the City. It then links those projects and services to the Asset Plans, Long Term Financial Plan and Workforce Plan.
6. The CBP is a component of the City of Kalamunda's integrated planning and reporting framework.
7. The Chief Executive Officer, Directors and Managers have individual performance objectives that are directly linked to the achievement of the CBP in 2018/19.

#### **DETAILS**

8. The CBP is comprised of 4 priority areas, referred to as 'goals' in this report, being:
  1. Kalamunda Cares and Interacts
  2. Kalamunda Clean and Green
  3. Kalamunda Develops
  4. Kalamunda Leads

9. There are 74 individual initiatives set out within the CBP.
10. The report reflects the management progress report against the work schedule for each of the individual initiatives, as at 30 June 2019.
11. At an aggregate level, the CBP achieved 95.1% completion which is an excellent result against a target of 90%.

## **STATUTORY AND LEGAL CONSIDERATIONS**

12. *Local Government Act 1995* (WA), s 5.56.
13. *Local Government (Administration) Regulations 1996* (WA), Regulations 19BA, 19DA.

## **POLICY CONSIDERATIONS**

14. None.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

15. This report reflects input from Directors and Managers throughout the City.

### **External Referrals**

16. Various external stakeholders and community members have been involved in the achievement of the CBP.

## **FINANCIAL CONSIDERATIONS**

17. This plan is delivered within the City's approved Annual Budget and Long Term Financial Plan.

## **STRATEGIC COMMUNITY PLAN**

### **Strategic Planning Alignment**

18. *Kalamunda Advancing Strategic Community Plan to 2027*

#### **Priority 4: Kalamunda Leads**

**Objective 4.1** - To provide leadership through transparent governance.

**Strategy 4.1.1** - Provide good governance.

## SUSTAINABILITY

### Social Implications

19. None.

### Economic Implications

20. None.

### Environmental Implications

21. None.

## RISK MANAGEMENT CONSIDERATIONS

22.	<b>Risk:</b> The City lacks transparency in its achievement of the statutory requirements of the Corporate Business Plan leading to reputational impacts		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Unlikely	Moderate	Low
	<b>Action/Strategy</b>		
	Quarterly reports are provided to Council of progress against the CBP.		

## OFFICER COMMENT

23. In this financial year the City has strengthened the alignment of the CBP to the achievement of management performance objectives.

**Voting Requirements: Simple Majority**

## RECOMMENDATION

That Council NOTE the quarterly report for the Kalamunda Achieving: Corporate Business Plan 2018/2022 for the period April to June 2019.

#### **10.4.10. Kalamunda Club Inc - Request for Financial Assistance - CONFIDENTIAL REPORT**

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	KL-02/018
Applicant	Kalamunda Club Inc ABN 21 950 199 266
Owner	City of Kalamunda
Attachments	Nil

Provided under separate cover

#### **10.4.11. Forrestfield North - Progression of Local Structure Plans - CONFIDENTIAL REPORT**

Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (c) - "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."*

Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (e) - "matter that if disclosed, would reveal - (i) a trade secret; (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person; - where the trade secret or information is held by, or is about a person other than the local government"*

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

Previous Items	OCM 14/2015, SCM 05/2015, OCM 15/2017, SCM 67/2018
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	PG-STU-035
Applicant	City of Kalamunda
Owner	Various
Attachments	Nil

Provided under separate cover.



- 11. Motions of Which Previous Notice has been Given**
- 12. Questions by Members Without Notice**
- 13. Questions by Members of Which Due Notice has been Given**
- 14. Urgent Business Approved by the Presiding Member or by Decision**
- 15. Meeting Closed to the Public**
- 16. Tabled Documents**
  - 16.1 Kalamunda Aged Care Advisory Committee – Minutes - 21 August 2019
  - 16.2 Local Emergency Management Committee Minutes - 29 August 2019
- 17. Closure**