

Ordinary Council Meeting

Agenda for Tuesday 26 February 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 26 February 2019 at 6.30pm.**



Rhonda Hardy
Chief Executive Officer
21 February 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.

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city of
kalamunda

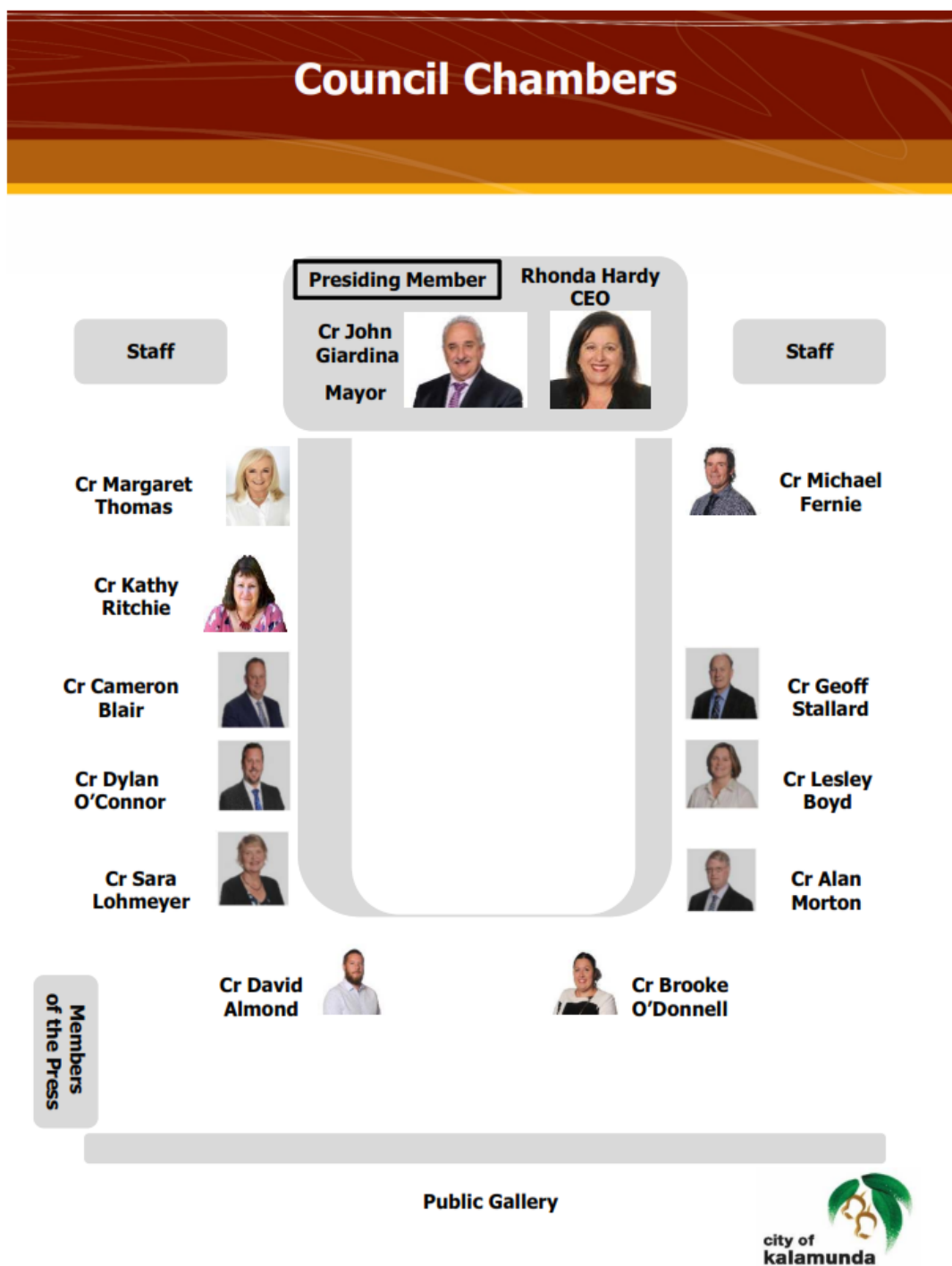


INFORMATION FOR THE PUBLIC ATTENDING COUNCIL MEETINGS

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.

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1. Official Opening

The Mayor will make a presentation to Sharna Gibson, winner of the City of Kalamunda Citizen of the Year Award awarded by the Australia Day Council.

2. Attendance, Apologies and Leave of Absence Previously Approved

3. Public Question Time

3.1. Questions Taken on Notice at Previous Meeting

3.1.1 Alice Clarke - 20 Williams Street Wattle Grove

- Q1. Will the City of Kalamunda advise how to stop a developer making a claim against local government property as defined within the Local Government Act 1997 s 1.4?
- A1 Section 1.4 of the *Local Government Act 1995* provides for a series of definitions that do not specifically relate to developers making a claim against local government property. Land for roads and public open space are generally Crown Land which may have management orders or similar assigned to a Federal, State or Local Government authority.
- Q2. Can the City assist with the loss incurred from a developer?
- A2 The matter raised by relates to a *Planning and Development Act 2005* – Section 159 cost claim. These claims are made by subdivides with the City requested to provide information as necessary. In this instance the City has provided information to as requested.

3.1.2 Bev Dornan - 28 Easterbrook Place Wattle Grove

- Q1. On Friday 5 October a letter was forwarded to Councillors and the City drawing attention to the fact the versions of the Draft Industrial Development Strategy advertised for public comment were not the same as that adopted on 26 June. When will a written response be provided?
- A1. A written response has been provided to Ms Dornan.
- Q2. Will the City give an undertaking to adjust the agenda and the minutes of 3 December to show the Strategy document approved for advertising on 26 June was not the version published on the website?
- A2 No.

3.1.3 Ms Kathleen Edmonds, 72 Vulcan Road, Orange Grove

- Q3. Can the City please clarify which gas pipeline, domestic or Dampier/Bunbury, runs along the Maddington Kenwick Strategic Employment Area boundary? Can it be confirmed that the buffer of Tonkin Hwy is between the Maddington Kenwick Strategic Employment Area and the Dampier/Bunbury gas pipeline?
- A3. Information obtained from the City's Geographical Information System and the ATCO Gas Australia Gas Distribution Maps indicates that the Dampier to Bunbury Natural Gas Pipeline is located on the eastern side of the Tonkin Highway Primary Regional Road Reservation and that no gas services are located along the Maddington Kenwick Strategic Employment Area where it abuts Tonkin Highway.

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

- 5.1 That Cr Sara Lohmeyer be granted leave of absence for the period 17 April 2019 to 2 May 2019.

Moved:

Seconded:

Vote:

6. Confirmation of Minutes from Previous Meeting

- 6.1 That the Minutes of the Ordinary Council Meeting held on 18 December 2018, as published and circulated, are confirmed as a true and accurate record of the proceedings following the amendments as listed:

2. Attendance, Apologies and Leave of Absence Previously Approved

Kathie Ritchie should read **Kathy Ritchie**

Item 10.1.4 – Commercial Vehicle Parking – Lot 2016 (36) Ind Street Lesmurdie

Insert the following statement immediately after Council Resolution.

Pursuant to r 11(da) of the *Local Government (Administration) Regulations 1996*, the reason for the Council decision is it agreed with the rationale as provided by the Councillor proposing the alternate motion and as detailed below:"

Item 10.4.5 – Special Electors Meeting Report

Insert the following statement immediately after Council Resolution.

NOTE – In accordance with section 5.33(2) of the *Local Government Act 1995*, reasons for this decision is until such time as the actions under Part 3 of the above resolution are completed and Reported to Council, no action can be taken on the Motion passed at the Special Electors Meeting.

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 18 December 2018."

6.2 That the Minutes of the Special Council Meeting held on 20 December 2018, 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 20 December 2018."

6.3 That the Minutes of the Special Council Meeting held on 22 January 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 22 January 2019."

- 6.4 That the Minutes of the Public Agenda Briefing Forum held on 12 February 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 12 February 2019."

7. Announcements by the Member Presiding Without Discussion

8. Matters for Which the Meeting may be Closed

- 8.1 Item 10.1.1 Proposed local Planning Policy P-DEV-62: Design Guidelines – Maddington Kenwick Strategic Employment Area – **CONFIDENTIAL ATTACHMENT – Submitter List** – Reason for Confidentiality: - *Local Government Act 1995 Section 5.23 (2)(b) – "the personal affairs of any person."*
- 8.2 Item 10.1.2 Cambridge Reserve Community Enhancement Project – Consideration of Submissions and Modification for Final Adoption – **CONFIDENTIAL ATTACHMENT – Confidential Submitters List** – Reason for Confidentiality: - *Local Government Act 1995 (CW) Section 5.23 (2)(b) – "the personal affairs of any person."*
- 8.3 Item 10.4.10 Kalamunda Aged Care Advisory Committee – Recommendations February 2019 – **CONFIDENTIAL ATTACHMENT – Recommendation to Council** – Reason for Confidentiality: - *Local Government Act 1995 (CW) Section 5.23 (2)(e) – "a 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 pers, where the trade secret or information is held by, or is about, a person other than the local government."*
- 8.4 Item 10.1.3 Proposed Outbuilding (Shed) – Lot 16 (28) Davies Crescent, Gooseberry Hill - Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (f) - "a matter that if disclosed, could be reasonably expected to - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; (ii) endanger the security of the local government's property; or (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety"*
- 8.5 Item 10.1.4 Acquisition of Land within Cell 9 for Public Open Space and Road Widening - Reason for Confidentiality: *Local Government Act 1995 Section 5.23 (2) (h) and Local Government (Administration) Regulations 1996 R4A - "The determination by the local government of a price for the sale or purchase of property by the local government, and the discussion of such a matter, are matters prescribed for the purposes of section 5.23 (2)(h)."*

- 8.6 Item 10.4.12 Visual Identity Steering Committee - Reason for Confidentiality: *Local Government Act 1995 Section 5.23 (2)(b) – "the personal affairs of any person."*
- 8.7 Item 10.4.13 CEO Performance Review 2017/2018 and 2018/2019 - Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (a) - "a matter affecting an employee or employees."*
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."
- 8.8 Item 10.4.14 Supreme Court Appeal - Lot 150 (720) Welshpool Road East, Wattle Grove - Reason for Confidentiality: *Local Government Act 1995 Section 5.23 (2)(d) – "legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting"*

9. 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. Proposed Local Planning Policy P-DEV 62: Design Guidelines - Maddington Kenwick Strategic Employment Area

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

Previous Items	Nil.
Directorate	Development Services
Business Unit	Approval Services
File Reference	3.009297
Applicant	Taylor Burrell Barnett c/- Linc Property Pty Ltd ABN 33 096 272 043
Owner	Nil.
Attachments	<ol style="list-style-type: none">1. Draft Local Planning Policy P-DEV 62: Design Guidelines - Maddington Kenwick Strategic Employment Area -1 [10.1.1.1]2. Landscaping Sections [10.1.1.2]3. Submitters Table [10.1.1.3]4. City of Kalamunda Design Advisory Committee - February 2018 - Meeting Minutes [10.1.1.4]5. City of Kalamunda Design Advisory Committee - November 2018 - Meeting Minutes [10.1.1.5]

EXECUTIVE SUMMARY

1. The purpose of this report is to consider submissions and final adoption of Local Planning Policy P-DEV 62 – Design Guidelines: Kalamunda Wedge Industrial Area – Precinct 3A (Policy).
2. The Policy has been written with the intent of protecting the amenity of the locality and that of the surrounding landowners as well as providing guidance for the design and consideration of development within the Kalamunda Wedge Industrial Area – Precinct 3A (Precinct 3A).
3. It is recommended Council adopt the Policy as outlined in Attachment 1.

BACKGROUND

4. The area subject to the Policy forms part of the Maddington Kenwick Strategic Employment Area (MKSEA) which was identified in the Economic and Employment Lands Strategy (2012) and the City of Kalamunda's (City) Local Planning Strategy as a future industrial precinct.
5. The MKSEA sits mostly within the City of Gosnells, and partly in the City's boundary at the southern end of Wattle Grove, south of Welshpool Road East. The area of land within the City's boundary is approximately 20.4 hectares.

6. To progress the strategic intent as identified above, the area was rezoned as follows:
 - a) Metropolitan Regional Scheme Zone from Rural to Industry (1300/57); and
 - b) Local Planning Scheme Zone from Special Rural to General Industry and Light Industry (PG-LPS-003/089).
7. No structure plan was prepared for the Kalamunda portion around Courtney Place due to the relatively small size of the amendment area. The planning issues that would usually be addressed in a structure plan were considered as requirements of Scheme Amendment 89 (Amendment), and detailed as Scheme provisions, one of which was the requirement for Design Guidelines to be prepared.
8. The Amendment introduced a Special Control Area (Kalamunda Wedge Precinct 3A) which introduced the following provisions to land contained within the Kalamunda Wedge (Precinct 3A):

'6.8 KALAMUNDA WEDGE PRECINCT 3A

6.8.1 Subdivision and/or development proposals within the Special Control Area shall be supported by:

 - a) A BAL assessment or Contour Map, prepared in accordance with the Guidelines of Planning in Bushfire Prone Areas (as amended), demonstrating how any bushfire hazards identified can be appropriately managed within the context of the proposal to the satisfaction of the Shire of Kalamunda.*
 - b) A Local Water Management Strategy, prepared in accordance with Better Urban Water Management on the advice of the Shire of Kalamunda, to be [sic] satisfaction of the Department of Water.*
 - c) Investigations to determine if any significant vegetation, flora or fauna habitat occurs within the proposed area. Where relevant to a subdivision area or development application, detailed management plans shall be prepared and implemented to the satisfaction of the Shire of Kalamunda.*
 - d) Design guidelines adopted by the local government under Part 2 of the deemed provisions for development of land on Lots directly fronting Welshpool Road East.'*
9. This Policy is required in order to satisfy Clause 6.8.1(d) Local Planning Scheme No. 3 (Scheme).
10. At the September 2018 Ordinary Meeting of Council, Council considered the Policy for the purposes of public advertising (OCM 160/2018). Pursuant with Clause 4 (3) of the Regulations, the City is now required to review the proposed Policy in light of any submissions received (Attachment 5) and resolve to:
 1. *Proceed with the policy without modification; or*
 2. *Proceed with the policy with modifications; or*
 3. *Not proceed with the policy.*

11.

Locality Plan:



DETAILS

12. The primary objectives of the Policy are to:
- a) specify provisions which supplement the requirements of the Scheme;
 - b) encourage attractive developments that are well designed, with functional and efficient buildings and site layouts;
 - c) ensure that industries are environmentally compatible with surrounding zones and activities;
 - d) promote the development of high quality, attractive and sustainable landscaped areas and streetscapes;
 - e) achieve water conservation through sustainable on-site stormwater management, water-wise landscaping and water efficient reticulation;
 - f) avoid unsightly and poorly planned developments; and
 - g) ensure proposals on the lots abutting Welshpool Road East incorporate an appropriate interface with existing residential development.
13. The Policy outlines the requirements of the Scheme and acceptable standards determined by the City within an assessment matrix that includes the following areas:
- a) Development Precincts (Service Commercial, Light Industrial, General Industrial);
 - b) Subdivision and Amalgamation;
 - c) Built form (including building design and quality, building orientation, building setback, end of trip facilities, parking and access, loading areas, signage, external lighting, crossovers, fencing, stormwater management and waste management);
 - d) Welshpool Road East Interface; and
 - e) Landscaping.

STATUTORY AND LEGAL CONSIDERATIONS

14. Local Planning Policies are created under Clause 3 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations).
15. Under Clause 3 (5) of the Regulations, in making a determination under the Scheme, the local government must have regard to each relevant Local Planning Policy to the extent the policy is consistent with the Scheme.
16. A Local Planning Policy does not bind the City in its application of discretion but must be given due regard in accordance with Clause 67 (g) of the Regulations. If a Local Planning Policy is inconsistent with the Regulations and the Scheme provisions, then the Regulations and the Scheme prevail.
17. Should Council resolve to proceed with the Policy, it will have effect from the date of publication of a notice in a newspaper circulating the scheme area. (Clause 5 (5) of the *Planning and Development (Local Planning Schemes) Regulations 2015*)

POLICY CONSIDERATIONS

18. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

19. A preliminary assessment was undertaken by the City from an Assets and Parks and Environment perspective. The Policy was reviewed to include elements addressing stormwater management, landscaping and vehicular access.

External Referrals

20. **Public Notification**
The Policy was advertised for a minimum of 21 days in accordance with Clause 4 of the Regulations and Local Planning Policy P-DEV-45 (Public Notification of Planning Proposals) via the following methods:
- a) notice on the City's website;
 - b) local newspaper advertisement in a newspaper circulating the Scheme area; and
 - c) display of documents at the Administration Centre.
21. In addition to the mandatory advertising requirements the City, at its discretion, undertook additional advertising measures. In this regard, letters were sent to affected landowners within the Kalamunda Wedge Precinct 3A area and a Community Information Session was held on 31 October 2018.
22. The City also gave notice of the draft Policy to the Western Australian Planning Commission (WAPC) and the City of Gosnells.
23. A total of five submissions were received during the submission period, four of which were objections with the balance providing comment.
24. Key concerns raised during the advertising period were:
- a) measures to mitigate any impacts on the Greater Brixton Street Wetlands (GBRW) and the Yule Brook should be better addressed.
 - b) provisions should be included to ensure the retention of vegetation.
 - c) sustainability should be better considered (i.e. limiting the 'Heat Island' effect).
 - d) provisions should be included to ensure no further changes to the natural ground level can be approved; and
 - e) extent of landscaping buffers and loss of developable land.
25. A response to the submissions has been provided in the Submitters Table (Attachment 5). Responses to the key concerns have been included in the Officer Comment section of this report.

26. **Design Advisory Committee**
The Policy was considered at the Kalamunda Design Advisory Committee (DAC) Meeting in February 2018 and then again in November 2018. Refer to Attachment 3 and 4 for the Meeting Minutes.
27. In response to the issues raised through the DAC meeting in February 2018, the proponent engaged urban design consultants to ensure the Policy was amended to address the concerns of the City and DAC. The Policy was considerably revised generally in accordance with the DAC comments.
28. Due to the substantial changes made, the Policy was reconsidered by the DAC, with an overall consensus the Policy was a commendable improvement on the first draft.

FINANCIAL CONSIDERATIONS

29. All costs associated with the advertising and preparation of the Design Guidelines was borne by the Applicant.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

30. *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.

SUSTAINABILITY

Social Implications

31. If the Policy is adopted, developers will have more certainty as to the standard of the built form and landscaping required for the industrial area.
32. The community will have more clarity and transparency in how the City and the Council makes decisions, leading to improved outcomes and reduced timeframes.

Economic Implications

33. Development of the industrial area in an attractive, sustainable and functional manner will encourage ongoing development to a high standard. A high standard of design will attract desirable operators, thus creating an economic stimulus through investment and job creation.

Environmental Implications

34. Landscaping requirements are stipulated within the Policy which will facilitate the establishment of landscaping areas to assist with improving visual amenity and addressing the interface with existing residential development.

RISK MANAGEMENT CONSIDERATIONS

35.	Risk: The Policy does not achieve the desired built form outcomes.		
	Likelihood	Consequence	Rating
	Unlikely	High	Medium
	Action/Strategy		
	Ensure the Policy is appropriately applied through the assessment of future development applications.		

OFFICER COMMENT

36. In response to the concerns raised during advertising of the Policy, the following is noted:
37. **Impacts on the Greater Brixton Street Wetlands (GBRW) and the Yule Brook**
Two of the submissions noted the Policy needs to include provisions to mitigate any impacts on the GBRW and the Yule Brook. It is acknowledged irrigated grass treatments appear in conflict with sound objectives for protection and enhancement of local biodiversity. However, the approved MKSEA Precinct 3A District Water Management Strategy (DWMS) and Local Water Management Strategy (LWMS) models groundwater flow for Precinct 3A and confirms the area subject to the Policy guidelines flows in a south westerly direction and away from the Brixton Street Wetlands.
38. The DWMS and LWMS also models the pre-development surface water flow, which is also in a south westerly direction (as would be expected as the land also generally slopes in this direction), before discharging to the Yule Brook close to the Roe Highway culverts. This drainage pattern has been maintained in the post-development scenario, as is evidenced by the overland drainage swales which discharge to a large drainage treatment basin at the south west of the development (within the City of Gosnells). Nonetheless, landscaping treatments will be appropriately assessed at the Development Approval phase of development in respect to the approved LWMS and DWMS.
39. **Retention of Vegetation**
One submission noted the Policy needs to include provisions to ensure the retention of vegetation on site. Retention of vegetation will be dependent upon any fill required in response to the DWMS and LWMS. Due to a high-water table and the need to mitigate any impact on the Great Brixton Street Wetlands, the DWMS and LWMS may require fill greater than 600mm, which would limit the retention of vegetation.

40. The City does not currently have any statutory mechanism to require the retention of vegetation on private properties, unless the vegetation is protected by State or Federal legislation. Nonetheless, the City will encourage the retention of vegetation where practicable at the Development Application stage of development (Clause 5.18 of Local Planning Scheme No. 3).

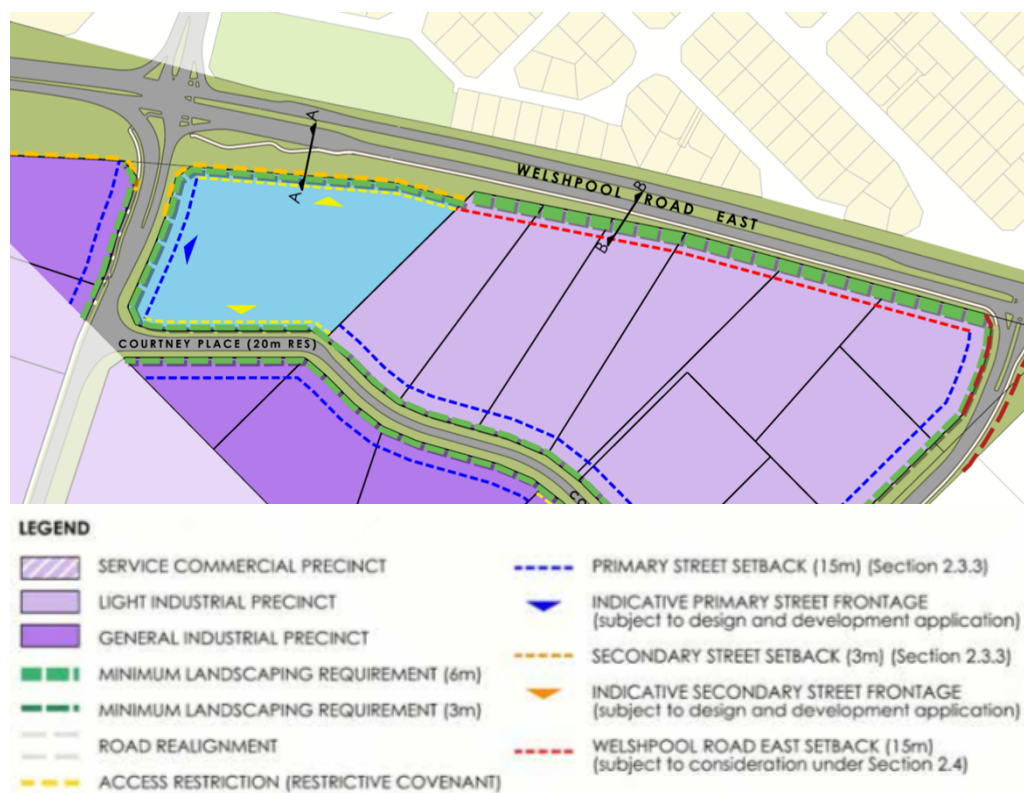
41. **Landscaping Buffer**

Three of the submissions did not support a landscape buffer and noted compensation should be provided for the loss of developable land. The provision of landscaping to be provided as part of the development approval process represents a well-established statutory requirement with the aim of improving the level of amenity associated with the provision of high quality landscaped areas. In this instance, the intent of the landscaping strip along Welshpool Road East is to mitigate the bulk and scale of development and provide a suitable interface to existing residential development, which is common place throughout the Perth Metropolitan Area. For example, the Forrestfield/High Wycombe Industrial Area imposes a 6-8 metre wide landscaping strip.

42. **Equity of Landscaping Buffers**

One of the submissions raised concerns regarding the equitable application of landscape buffers. It is acknowledged while all properties abutting Welshpool Road East are zoned Light Industrial, there are different landscaping buffer requirements; with the advertised Design Guidelines requiring the majority of properties to provide a landscaping buffer of a minimum of six metres fronting Welshpool Road East, with the exception of the 'Commercial Precinct' which is required to provide a minimum of three metres.

43.



44. The corresponding verge widths along Welshpool Road East also vary considerably as illustrated in the Verge Sections as at Attachment 2 and the below image.
45. The corresponding verge width adjacent to Welshpool Road East is highlighted in red in the below figure.



46. As illustrated above, the verge widths along Welshpool Road East vary considerably from 28 metres (approximately) at its greatest extent adjacent to the Service Commercial Precinct to four metres (approximately) at its narrowest extent adjacent to Lot 17 (581) Welshpool Road East, Wattle Grove.

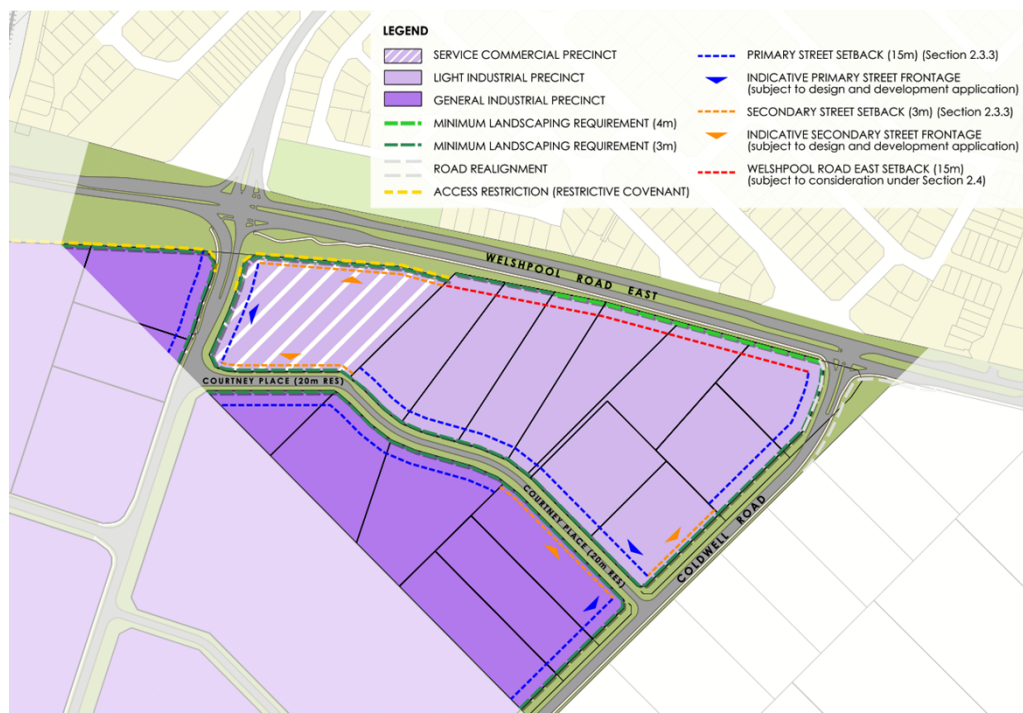
More specifically as illustrated in Attachment 2:

- a) Cross section A (adjacent to the Service Commercial Precinct) has a verge width of approximately 22 metres and a minimum landscaping buffer of three metres in width which equates to a 25-metre landscaping buffer to Welshpool Road East;
 - b) Cross section B (representative of the balance of land fronting Welshpool Road East) has a verge width of six metres and a minimum landscaping buffer of six metres which equates to a 12-metre landscaping buffer to Welshpool Road East.
47. The three-metre landscaping strip for the 'Commercial Precinct' is therefore a response to the corresponding verge widths, with the varying landscaping requirements intended to ensure a visually consistent vegetation buffer when viewed from Welshpool Road East.

48. **Revised landscaping requirements**

In light of the submissions received, the landscaping requirements have been revised from a minimum of six metres to a minimum of three to four metres as illustrated in the below figure. This revised landscaping requirement has been proposed in the context of the extent of existing vegetation in the existing road reservation and the median along Welshpool Road East. Additionally, houses along this stretch of Welshpool Road East back onto the road and do not overlook the MKSEA area.

49.



50.

Natural Ground Levels

One submission noted provisions should be included to ensure no further changes to the natural ground level can be approved. Any modifications to ground levels will be determined by the requirements of the Local Water Management Strategy and will be assessed at the Development Application and/or subdivision stage.

51.

The proposed Policy has been drafted with the intent of protecting the amenity of surrounding landowners and providing comprehensive guidance for the design and approval of development within the Precinct 3A and to ensure consistency and transparency in decision-making. Additionally, the Policy will assist with providing quality built-form and landscaping outcomes which will protect the investment of companies locating in the industrial area.

52.

The Policy is intended to preserve the amenity of nearby residents through providing guidance, consistency and transparency in decision making throughout Precinct 3A of MKSEA. Part 2.4 (Welshpool Road East) of the Policy ensures high quality-built form and landscaping treatments for lots fronting Welshpool Road East which have an interface with the existing residential area in Wattle Grove Cell 9.

53.

The Policy is consistent with the applicable strategic and statutory planning framework and is consistent with the principles of orderly and proper planning.

54.

The Policy has been reviewed by the City's DAC, with a number of resulting improvements included to the provisions of the Policy. These included particular emphasis being placed on the built form, setbacks and landscaping treatments to Welshpool Road East.

55.

Having regard to the above, it is recommended Council resolves to proceed with adopting the Policy.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ADOPTS Local Planning Policy P-DEV 62 – Design Guidelines: Kalamunda Wedge Industrial Area – Precinct 3A at Attachment 1 pursuant to Clause 4(3)(b)(i) and Clause 4(4) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

10.1.2. Cambridge Reserve Community Enhancement Project - Consideration of Submissions and Modifications for Final Adoption

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

Previous Items	OCM 240/2017
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	CM-01/012
Applicant	N/A
Owner	State of Western Australia
Attachments	<ol style="list-style-type: none">1. Final Concept Plan [10.1.2.1]2. Technical Note [10.1.2.2]3. Cambridge Reserve Community Enhancement Project Summary Report [10.1.2.3]4. Submission Table [10.1.2.4]5. Community Engagement Outcomes Report [10.1.2.5]6. Previous Technical Studies and Reports [10.1.2.6]7. Draft Concept Plan for Public Advertising [10.1.2.7]8. Pre-Consultation Engagement Outcomes Report [10.1.2.8]
Confidential Attachment	<ol style="list-style-type: none">1. Confidential - Submitters List

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (b) – "the personal affairs of any person."

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to endorse the Cambridge Reserve Community Enhancement Concept Plan and support the transfer process of Cambridge Reserve for improved open space, residential development and aged care purposes.
2. The Concept Plan proposes to:
 - a) enhance a portion of Cambridge Reserve by:
 - i. fencing managed and good quality bushland;
 - ii. re-vegetating sections of bushland;
 - iii. incorporating managed parkland;
 - iv. enhancing the stormwater system; and
 - v. providing an activity hub (playground, half-court basketball, leisure areas); and
 - b) transferring a portion of the Cambridge Reserve for aged care, over 55's and residential development.

3. It is recommended that Council:
1. Endorses the Cambridge Reserve Community Enhancement Concept Plan, Technical Note and Summary.
 2. Notes the outcomes of community engagement.
 3. Supports progressing further technical investigations for the Cambridge Reserve Community Enhancement Project in accordance with the adopted Concept Plan.
 4. Supports the initiation of the transfer process by referring all the required documentation to the Department of Planning, Lands and Heritage and the Minister for Lands for endorsement.
 5. Supports the initiation of an amendment to the Shire [City] of Kalamunda Local Planning Scheme No. 3 to rezone a portion of the Reserve from Local Open Space to Residential.

BACKGROUND

4. **Land Details:**

Land Area:	Approx. 11ha (including portion of Power Easement)
Local Planning Scheme Zone:	Local Open Space
Metropolitan Regional Scheme Zone:	Urban

5. **Locality Plan:**



6. Local government may, with the approval of the Minister for Lands (Minister) and Department of Planning, Lands and Heritage (DPLH) transfer certain recreation reserves for development purposes and apply the proceeds from rezoning and development to capital improvements in the general locality.

7. The administrative process of the DPLH allows local governments to transfer the reservations to alternative land uses and purchase the land from the Crown in free hold for 5% of the value of the site.
8. In undertaking the transfer process, the City of Kalamunda (City) must satisfy a set of criteria detailed by the Department of Lands Administrative Policy. The criteria are broadly outlined below:
 - a) proposal does not reduce the overall allocation of local open space for the locality below 10%.
 - b) clear benefit to the community, outside of any direct financial contribution, is to be established.
 - c) maintenance of a reserve is not a relevant matter in assessing whether the proposed transfer would have a benefit to the community.
 - d) if the proposed excision portion of the public open space reserve provides a benefit for the community, the disposal will be advertised for a minimum period of 30 days as follows:
 - i. A sign is to be erected on the site.
 - ii. A notice is to be placed in a local newspaper.
 - iii. Letters are to be sent to nearby landowners.
 - iv. Liaison is to occur with identified local community and interest groups.
 - v. Referral is to be made to the Department of Lands, Department of Planning and other relevant servicing authorities for comment.
 - vi. A notice is to be placed on the City's notice boards and the City's website.
 - e) Apply the proceeds to capital improvements to other recreation reserves in the general locality.
9. In 2012/2013 the City undertook a series of technical investigations to explore the requirements of developing a portion of Cambridge Reserve for the purposes of residential development and improved open space (Attachment 6).
10. The technical investigations undertaken included the following key studies:
 - a) preliminary Site Analysis Report,
 - b) environmental Assessment Report (including flora and fauna studies),
 - c) water Monitoring Report,
 - d) preliminary Engineering Services Report,
 - e) detailed / Revised Concept Plan and Landscape Design (including cost estimate).
11. The findings of the various technical reports indicated portions of the Reserve are suitable for urban development. On this basis, the City initiated community consultation processes and progressed the development concepts for the Reserve.
12. The preliminary community consultation undertaken indicated the community was not receptive to the proposal and the process was discontinued.

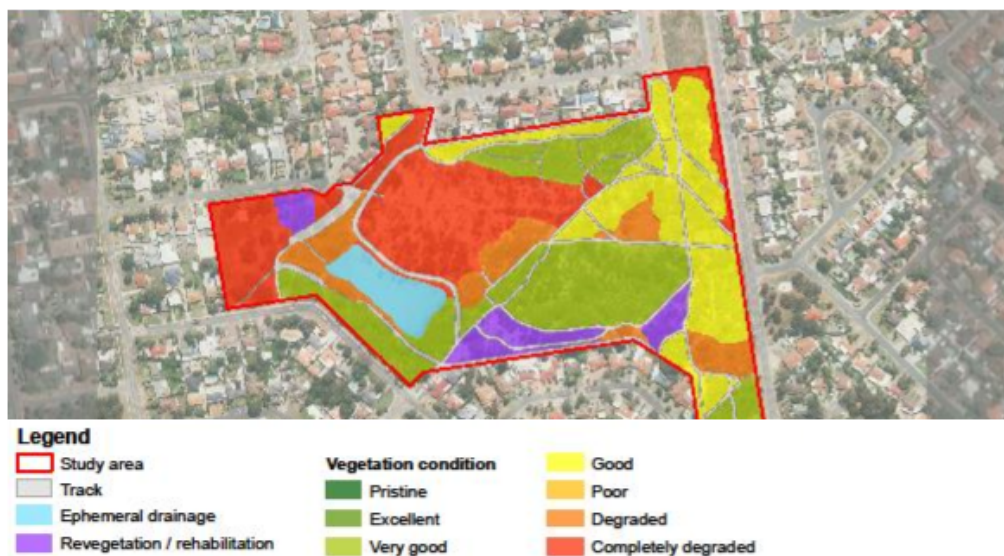
13. Since the initial investigations and consultation, the City has undertaken several strategic investigations including the development of an Aged Accommodation Strategy (2016).
14. The Aged Accommodation Strategy has a series of key recommendations which include:
 - a) not directly undertaking any retirement or aged care developments.
 - b) utilise government assets to encourage retirement living and aged care developments in the City near amenities and public transport.
15. During Council's consideration of the Aged Accommodation Strategy the document was referred to the City's Aged Care Advisory Committee (Committee) and the following comments were provided for Council's consideration:
 - a) The City should provide land at minimal cost to appropriate developers to encourage retirement and aged care developments.
 - b) The City has a role in monitoring and stimulating service providers to develop in the City. The City should look to remove barriers to entry and eliminate red tape wherever possible.
16. In response to this strategic direction and comments received from the Committee, the City has reviewed the objectives of the Cambridge Reserve development project. In doing this, the City has identified an opportunity to action some of the recommendations of the Aged Accommodation Strategy and deliver broader community outcomes by delivering a mixture of residential, aged accommodation and improved POS areas on the site.
17. In 2017/18, the City decided to revisit the project and engaged planning and design consultants Urbis to revise the concept with the intent of providing an aged care component to the project and revise the concepts for landscape improvements which are less maintenance intensive and more sympathetic to the natural environment.
18. In February and March 2018, the City undertook pre-consultation with the community to determine the key values that Cambridge Reserve holds for the community and the key themes of enhancement that the community desires.
19. The pre-consultation included a workshop on site at Cambridge Reserve, a survey, an information stall at Forrestfield Shopping Centre and a call for written submissions.
20. No Concept Plan was presented as part of the preliminary engagement. The outcomes from the pre-consultation informed the revised draft Concept Plan; which included an activity hub, retained bushland and aged care / over 55's component. View Pre-Consultation Engagement Outcomes Report in Attachment 8.
21. Public advertising was undertaken for the draft Plan between July 2018 and August 2018 and included a community workshop, survey, information stalls at Forrestfield Shopping Centre and Forrestfield Library and a request for submissions. View Community Engagement Outcomes Report in (Attachment 5).

- 22. The draft Concept Plan (Attachment 7) was also workshopped internally with City staff from various service areas.
- 23. The final Concept Plan (Attachment 1) has been modified to respond to the feedback from the community and internal City staff. (.

DETAILS

- 24. In developing the Concept Plan, the City followed the following process:
 - a) Preliminary Consultation (February 2018 – March 2018)
 - b) Draft Concept Plan prepared (March 2018 – June 2018)
 - c) Public Advertising (July 2018 – August 2018)
 - d) Concept Plan modified (September 2018 – December 2018)
 - e) Concept Plan finalised and presented to Council (January 2019 – February 2019).
- 25. **Pre-Consultation**
During the pre-consultation period the City received 23 surveys, four submissions and had approximately 40 participants at the workshop. View Pre-Consultation Outcomes Report in (Attachment 8).
- 26. The key themes from the consultation period included:
 - a) Most common ideas were as follows:
 - i. walking trails and improved footpaths;
 - ii. pet friendly;
 - iii. basketball half-court;
 - iv. improved lighting;
 - v. open space lawns;
 - vi. shade and seating; and
 - vii. soccer mini-pitch
 - b) Top Ten Likes:
 - i. bushland / natural feel;
 - ii. walking / trails;
 - iii. nothing;
 - iv. waterbody / lake;
 - v. quietness;
 - vi. proximity to home;
 - vii. size;
 - viii. dog walking;
 - ix. family oriented; and
 - x. playground
 - c) Most Wanted Improvements:
 - i. seating;
 - ii. play equipment;
 - iii. shade / shelter;
 - iv. BBQs; and
 - v. toilets

27. The results from the surveys and submissions also expressed a desire for aged care on the site.
28. The draft Concept Plan (Attachment 7) responded to the feedback from the community and included the following key features:
- activity hub – including half-court basketball, seating areas and playground;
 - retained bushland;
 - fenced dog park;
 - improved landscape around the drainage sump;
 - formalised walking trails;
 - aged care development site; and
 - residential development
29. Although the idea of residential development did not come through strongly in the pre-consultation, it is important to note for the improvements to be funded, the sale of a portion of Cambridge Reserve for development purposes is required. This is outlined in the Financial Section of the Report. Feedback from aged care developers indicated for aged care / development to be financially viable, a development component is required to subsidise the costs of developing the aged care.
30. **Environment**
An Environmental Assessment Report (including flora and fauna studies) from 2017 was utilised to develop the Concept Plan.
31. Both the 2012 Environmental Study and the 2017 Environmental Study had similar results regarding vegetation condition on site. There are three areas on site identified as very good; one to the north of the site, one to south east and the other along the south-west boundary. There are two areas classified as completely degraded; one generally central area and the other to the west of the site.

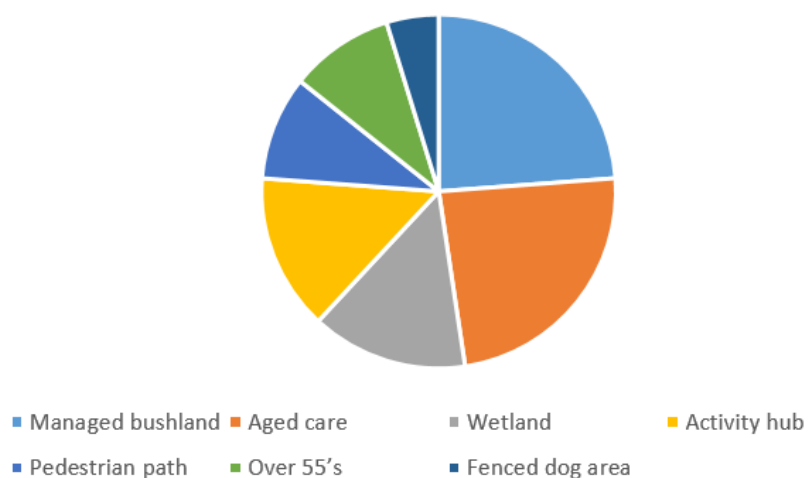


32. No Threatened or Priority flora species were recorded. Two conservation listed fauna species were recorded: *Calyptrorhynchus banksii* naso (Forest Red-tailed Black Cockatoo; listed as Vulnerable) and *Isoodon obesulus fusciventer* (Quenda; listed as Priority 4).
33. Black Cockatoo foraging and potential breeding / night roosting habitat was recorded across the study area.
34. The 2012 Site Analysis found existing public open space provision in the immediate vicinity (comprising the area bound by Berkshire Road/Wandoo Road to the north and east, Lewis Road/Hartfield Road/Hale Road to the south, and Tonkin Highway/Dawson Avenue to the west) to be 12.6%, 2.6% above the minimum requirement.
35. **Public Open Space Strategy**
The Public Open Space Strategy 2018 (POS Strategy) states Forrestfield has a total POS provision of 11.12%. The POS Strategy states a 4ha transfer of a portion of Cambridge Reserve will reduce Forrestfield's POS provision to approximately 10.42%. This is in accordance with Liveable Neighbourhoods and Development Control Policy 2.3: Public Open Space in Residential Areas which requires a minimum of 10% of residential areas to be set aside for POS.
36. A key recommendation of the POS Strategy 2018 is the transferring of low-grade POS to enhance the quality, functionality and usability of other POS reserves that will provide for community needs.
37. **Aged Accommodation Strategy 2016**
The findings of the Aged Accommodation Strategy found in 2016, the City had 4,950 residents aged in the 65-84-year bracket and another 390 residents 85 and older. Over ten years this would increase to 5,580 and 570 residents respectively demonstrating an increased demand for aged care within the City.
38. The Aged Accommodation Strategy recommends utilising government assets to encourage retirement living and aged care developments in the City near amenities and public transport.
39. **Water**
Development of this site will require the preparation of a Local Water Management Strategy (LWMS) to support the proposal. Department of Water and Environmental Regulation (DWER) generally requires groundwater and surface water monitoring over an 18-month period including two winter peaks (September/October) to be undertaken to support the LWMS. The LWMS will be prepared during the Scheme Amendment and detailed planning process.
40. Groundwater monitoring was undertaken between May 2012 and November 2013. Groundwater bores on the site remained dry throughout the 18-month monitoring period. Groundwater did not occur within 4.25m of the surface at a bore to the north east of the site or within 6m of the surface at the other bores during the monitoring period. Groundwater was not encountered during the program and is consequently not considered a constraint to development of the site.

41. The site falls from east to west with the site at approximately RL 50m on the eastern side and RL 41m on the western side. The water table sits at RL 17m (based on May 2003, Groundwater Contours). This level is likely to fluctuate by 3 metres due to seasonal variations but will be in the vicinity of 21 to 30 metres below natural surface level.
42. The sump is usually dry, except after rainfall events when rainfall and stormwater from the surrounding catchment will enter the sump. Stormwater collecting in the sump will be removed by evaporation and possibly some infiltration. Development of the site would require modelling of the response of the sump to rainfall events to ensure that roads and houses are not installed in potentially flooded areas. This can occur at subsequent phases of the planning process, likely before subdivision or as a condition of subdivision.
43. **Servicing**
There is existing sewer along Mallow Way and Cambridge Road. It is anticipated sewer along Cambridge Road will be extended to service the proposed development.
44. Water mains are located on Mallow Way and Cambridge Road. It is anticipated water will be provided to the proposed development via the interconnection of the existing Cambridge Road and Mallow Way mains.
45. Gas reticulation is located along Cambridge Reserve and Mallow Way. The gas main has sufficient capacity to service the proposed development.
46. Existing developments in the area are served by connections into overhead power lines. Western Power's Network Capacity Mapping indicates there is capacity available in the area. It is anticipated as part of the development additional switchgears and transformers will be required to reinforce the network to allow for the development.
47. **Public Advertising**
Public advertising was undertaken for the draft Concept Plan between July and August 2018. The public advertising period included a community workshop, survey, information stalls at Forrestfield Shopping Centre and Forrestfield Library and submissions. View Community Engagement Outcomes Report in Attachment 5.

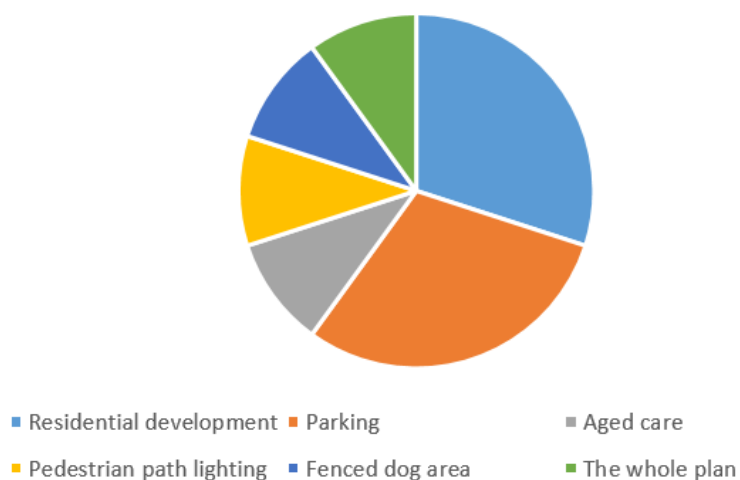
48. The most valued features of the draft Concept Plan from the community workshop was the managed bushland and aged care.

Most Valued Features



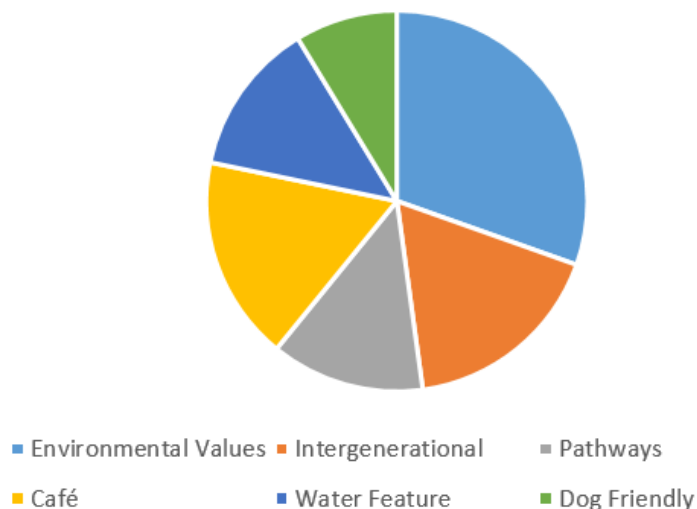
49. The feature the attendees would most like to change was a tie between the parking and the residential development.

Features Attendees Would Change



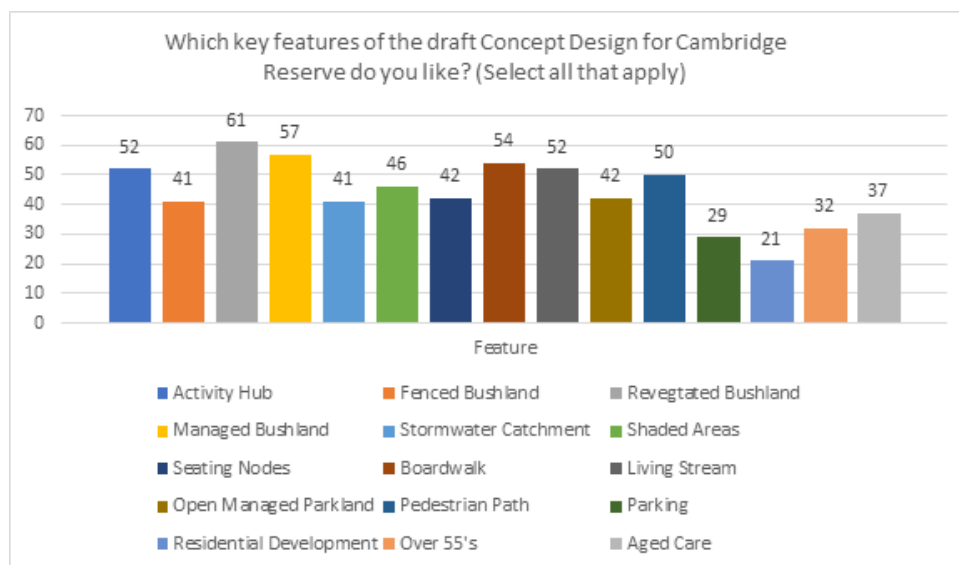
50. Identifying what the attendees believed were good examples of POS and why revealed some trends in features. The reason why attendees rated their spaces as a “good example” was most likely due to the space being intergenerational, holding environmental values, a water feature, pathways, café or being dog-friendly.

Popular Features of Other Open Spaces

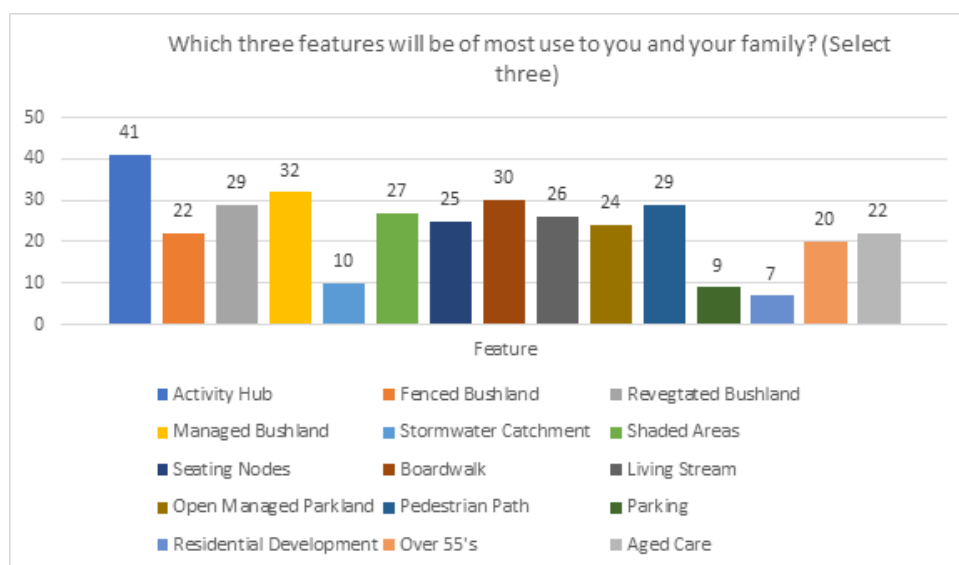


51. Activity 4 highlighted a clear divide in opinion between workshop attendees (i.e. supports the concept design vs. does not support the concept design). Those who supported the concept design were eager to see more aged care facilities in the City and a more family friendly/intergenerational and usable space, whilst enhancing the existing bushland features. Those who did not support the concept design appeared to be concerned about the impact the enhancement would have on them (i.e. increased traffic in their neighbourhood, loss of their view of the park, loss of property value, anti-social behaviour in their neighbourhood) or the impact on the park’s environmental values (i.e. removal of vegetation/bushland for the purpose of development).

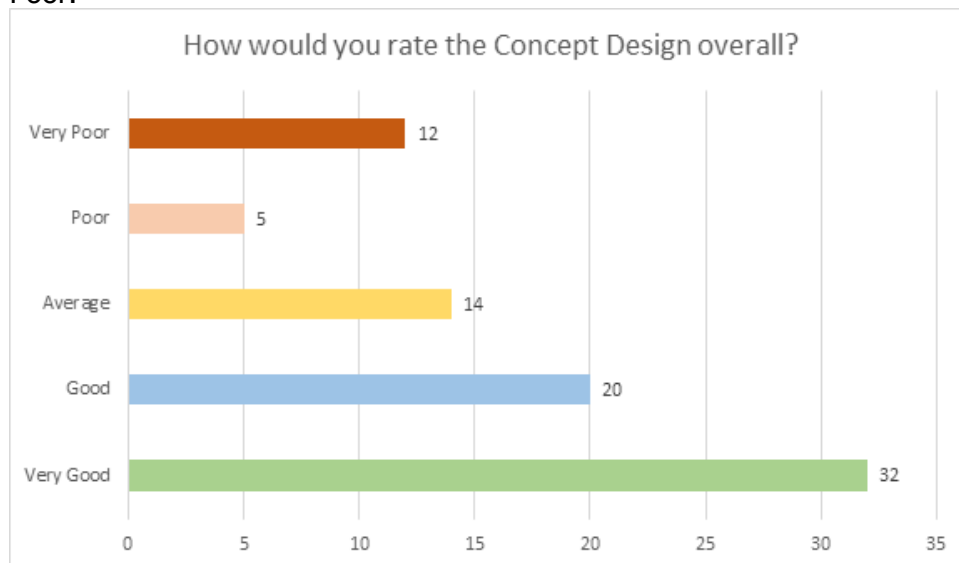
52. The key features of the draft Concept Plan survey respondents liked included the revegetated bushland, managed bushland, boardwalk and activity hub.



53. The key features survey respondents selected as being of most use to themselves and their family were the Activity Hub, Managed Bushland and Boardwalk.



54. The reception of the draft Concept Plan by survey respondents was mostly positive, 52 respondents rated the draft Concept Plan as Very Good or Good compared to 17 respondents who rated the draft Concept Plan as Poor or Very Poor.



55. A total of 64 submissions were received (Attachment 4), either formal written submissions or comments received via the survey. A total of 17 submissions expressed support of the Project, 17 submissions expressed objection to the Project and 30 submissions were either neutral or included general comments regarding the draft Concept Plan. Note Submitter 3 requested their submission be changed from an objection to support of the project on 14 February 2019. The change in submission has been reflected in Attachment 4 and the figures above.
56. Submissions in support generally commented on the provision of aged care, retaining of managed bushland, activity hub and fenced dog park.
57. Submissions objecting generally commented on the removal of natural vegetation to make way for development and the fenced dog park and the impact on existing properties.
58. **Final Concept Plan**
The City engaged Urbis to review the Concept Plan (Attachment 1) based on the feedback received during the public advertising process.
59. The key changes made to the final Concept Plan include:
- a) Residential lots to the west of the Concept Plan changed from rear loaded lots to front loaded lots to allow for on-street parking and to address the objectives of Liveable Neighbourhoods where perimeter roads are encouraged around POS. The intention is for these lots to be two-storey only for better urban design and surveillance outcomes. This will be regulated through future design guidelines.
 - b) The aged care and over 55's sites have been combined to provide greater flexibility for aged care operators on how the site may be developed.

- c) Path network around fenced managed bushland modified so that pathways do not dissect the managed bushland and only go around valuable areas of vegetation.
 - d) Fenced Dog Park removed and replaced with bushland and re-vegetation. This change was made due to concerns raised from community and internal feedback that too much significant vegetation was being removed. The intention of this area is to be revegetated with the soil, seedlings and existing vegetation from the areas of bushland that are proposed to be removed for development purposes. The City is also in the process of investigating opportunities for a fenced dog park in other locations in the City.
 - e) Storm water drains retained on the existing alignment to reduce impact on removing vegetation. Rather than a living stream the stormwater drain is to be piped in areas and open in other parts. This will reduce impact on having to remove vegetation and provides greater opportunity for revegetation in close proximity to the drain.
60. The Concept Plan proposes to:
- a) retain approximately 7.1ha of POS (including a portion of the power easement) or 5.1ha (not including portion of power easement reserve);
 - b) develop approximately 1.3ha for aged care and over 55s; and
 - c) develop approximately 2.6ha for residential (including roads)
 - i. 200-299m² = 9 lots
 - ii. 300-399m² Residential = 34 lots
 - iii. 400m² Residential = 7 lots
61. **Process Moving Forward**
Should Council decide to endorse the Concept Plan, the City will initiate the transfer process by referring all the required documentation to the DPLH and the Minister for endorsement.
62. Should DPLH and the Minister endorse the proposed transfer, the City will commence the Local Scheme Amendment process.
63. The Scheme Amendment will propose to retain the portion of the reserve identified for POS as indicated on the Concept Plan as Local Open Space under the Local Planning Scheme, and rezone the portion identified for residential, aged care / over 55's and road reserve to Residential. Details on ensuring aged care and over 55 outcomes will be prescribed through the Scheme Amendment process.
64. The Project Summary (Attachment 3) outlines there are two potential approaches to the rezoning and transfer of a portion of the reserve:
- a) Rezone the entirety of Cambridge Reserve to Development Zone subject to a future Structure Plan Rezone; or
 - b) Rezone only those initially identified portions of Cambridge Reserve required for development purposes.
65. It is recommended the second approach is undertaken as it is a clearer process for the community and stakeholders to understand in relation to the amount of POS being retained.

- 66. The City will be required to undertake detailed technical studies and reports such as environmental, water and servicing to support the Scheme Amendment and to assist with the anticipated referrals to Department of Water and Environmental Regulation, Department of Biodiversity, Conservation and Attractions, Water Corporation, Department of Fire and Emergency Services and Western Power.
- 67. Should the Western Australian Planning Commission approve the Local Planning Scheme Amendment, the City will initiate the subdivision process, which will include developing a subdivision and/or Local Development Plan which will excise the proposed development portion of the reserve from the POS portion and undertaking any associated subdivision works.
- 68. The City will be required to purchase the development portion of the reserve from the Crown for 5% of the agreed land value in accordance with the Department of Lands Section 20A transfer procedure.
- 69. At the conclusion of the subdivision process, the City will outsource the development and sale of the residential properties and the aged care / over 55's portion. The City will utilise the profits to enhance Cambridge Reserve as per the endorsed Concept Plan and any additional funds will be spent on community enhancement projects in the general locality.
- 70. The City will be required to undertake detailed designs of the enhanced POS for Cambridge Reserve, utilising existing technical studies and reports and undertaking any additional technical studies required to assist with the detailed design phase.
- 71. The City will commence works on the POS enhancement at the conclusion of the detailed design phase and as part of the broader development of the site.

STATUTORY AND LEGAL CONSIDERATIONS

- 72. The subject site is currently zoned Local Open Space under the City's Local Planning Scheme No.3 (LPS3). To facilitate development, the City will be required to progress a Scheme Amendment to rezone the property for development purposes. This will allow the preparation of a Structure Plan to coordinate the location of roads, land uses and other infrastructure requirements for the site.
- 73. Concurrently with this Scheme Amendment, the City could consider including the proposed aged care site within a Special Use zone and permit only the use classes of an Aged/Dependant Dwelling or Aged Residential Care for the site. This would secure the future land use of the site for an aged care development through the statutory planning framework.

POLICY CONSIDERATIONS

74. In undertaking the transfer process, the City must satisfy a set of criteria detailed by the Department of Lands administrative policy. The criteria are not publicly available but are broadly outlined below:
- a. Proposal does not reduce the overall allocation of local open space for the locality below 10%.
 - b. Clear benefit to the community, outside of any direct financial contribution, is to be established.
 - c. Maintenance of a reserve is not a relevant matter in assessing whether the proposed transfer would have a benefit to the community.
 - d. If the proposed excision portion of the public open space reserve provides a benefit for the community, the disposal will be advertised for a minimum period of 30 days as follows:
 - i. A sign is to be erected on the site.
 - ii. A notice is to be placed in a local newspaper.
 - iii. Letters are to be sent to nearby landowners.
 - iv. Liaison is to occur with identified local community and interest groups.
 - v. Referral is to be made to the Department of Lands, Department of Planning and other relevant servicing authorities for comment.
 - vi. A notice is to be placed on the City's notice boards and the City's website.
 - e. Apply the proceeds to capital improvements to other recreation reserves in the general locality.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

75. The Concept Plan was assessed by the City from all built environment and development related disciplines. At the pre-consultation, public advertising and post advertising phases. Various modifications have resulted from these consultations and resulted in the final Concept Plan.

External Referrals

76. During February 2018 and March 2018 the City undertook pre-consultation with the community to determine the key values Cambridge Reserve holds for the community and the key themes of enhancement the community desires. The pre-consultation included a workshop on site at Cambridge Reserve, a survey, an information stall at Forrestfield Shopping Centre and submissions.
77. Public advertising was undertaken for the draft Plan between July 2018 and August 2018. The public advertising period included a community workshop, a survey, information stalls at Forrestfield Shopping Centre and Forrestfield Library and submissions.
78. Should Council decide to endorse the Concept Plan, the City will initiate the transfer process by referring all the required documentation to DPLH and the Minister for endorsement.

79. Should the City commence the Local Planning Scheme Amendment process, the Concept Plan and Scheme Amendment associated documents will be forwarded to DPLH who will then forward to relevant state agencies such as Department of Water and Environmental Regulation, Department of Biodiversity, Conservation and Attractions, Water Corporation, Department of Fires and Emergency Services and Western Power.

FINANCIAL CONSIDERATIONS

80. Funding to pursue detailed designs, community consultation, Local Planning Scheme amendments and engagement with the DPLH was included in the 2017/18 and 2018/19 budgets.
81. Funding arrangements for the development of Cambridge Reserve will be contingent upon the preparation of a comprehensive business case outlining the financial benefits to the City.
82. The most likely funding strategy would be to enter into a borrowing arrangement with WA Treasury Corporation (WATC) which on current rates would attract an interest rate of approximately 3.9% based on a twenty-year term.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

83. *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 1.2.3 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.

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.

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.

SUSTAINABILITY

Social Implications

- 84. The project provides the City an opportunity to improve POS on the site and in the locality more broadly. It is well documented POS provides significant community and social benefits by improving public health and providing residents natural breakaway areas from the harsher elements of the urban environment.
- 85. As a result of the enhancement the potential increased use of the reserve, , increased population in the area and households facing the reserve will help reduce anti-social behaviour through Crime Prevention Through Environmental Design Principles and passive surveillance.
- 86. The City has an ageing population, with an existing and future demand for aged care accommodation. The execution of this project will help alleviate the pressure for aged care accommodation within the City.
- 87. The execution of the Concept Plan will have an impact on existing residents, with residents having to adapt to a changing built environment, potential impact on existing views of the park and potential lifestyle change as the park evolves from being utilised for low recreation activity to a higher recreational space. Due to the increased activity there will likely be an increase in car, cycle and pedestrian traffic and there will be likely disruptions during construction phases (noise, dust, road closures, park closures etc.).

Economic Implications

- 88. The project provides the City a significant funding source to improve POS on the site and in the locality more broadly. Council will be provided an opportunity to consider detailed landscape improvements and other site improvements as the project progresses. It is well documented that POS improvements have the potential to lift the profile of a locality.

Environmental Implications

- 89. As part of previous investigations detailed water monitoring and analysis was conducted over the site. The investigation concluded that ground water levels would not be an impediment to the site's development.
- 90. Both the 2012 and 2017 Environmental Study had similar results regarding vegetation condition on site. There are three areas on site identified as very good; one to the north of the site, one to south east and the other along the south-west boundary. There are two areas classified as completely degraded; one generally central area and the other to the west of the site.

91. No Threatened or Priority flora species were recorded. Two conservation listed fauna species were recorded: *Calyptorhynchus banksii* naso (Forest Red-tailed Black Cockatoo; listed as Vulnerable) and *Isodon obesulus fusciventer* (Quenda; listed as Priority 4).
92. Black Cockatoo foraging and potential breeding/ night roosting habitat was recorded across the study area.
93. The final Concept Plan proposes fenced bushland over a large portion of the site which is classed as good or very good vegetation condition. Other areas of the site are proposed for bushland revegetation to improve the condition of the bushland. One portion of the site which is classified as 'very good' condition has been proposed for development. The intention is to utilise soil, seeds and the vegetation from this area to revegetate the bushland which is adjacent along the power easement. The draft Concept Plan proposed a fenced dog park for this portion of the site. During the finalisation of the Concept Plan the fenced dog park was replaced with bushland revegetation to respond to the feedback received from the community and internal environment and parks team.
94. Development of this site will require the preparation of a Local Water Management Strategy (LWMS) to support the proposal. Department of Water and Environmental Regulation (DWER) generally requires groundwater and surface water monitoring over an 18-month period including two winter peaks (September/October) to be undertaken to support the LWMS. The LWMS will be prepared during the Scheme Amendment and detailed planning process.
95. Additional environmental and water technical studies may be required to be undertaken during the Scheme Amendment process to satisfy the requirements of the Department of Water and Environmental Regulation, Department of Biodiversity, Conservation and Attractions and Water Corporation.

RISK MANAGEMENT CONSIDERATIONS

96.	Risk: Aged Care is not provided, and the reserve is not enhanced because the Concept Plan is not endorsed resulting in reputational impacts.		
	Likelihood	Consequence	Rating
	Possible	Significant	High
	Action/Strategy		
	Endorse the Concept Plan and initiate the transfer and Scheme Amendment process.		

97.

Risk: Development costs exceed initial estimates resulting in lower returns and financial impacts.		
Likelihood	Consequence	Rating
Unlikely	Major	High
Action/Strategy		
Undertake detailed site survey and investigations. Ensure development investigation are revised prior to investment decision.		

98.

Risk: The City does not receive funding for the development of the project resulting in cancellation of project.		
Likelihood	Consequence	Rating
Unlikely	Critical	Extreme
Action/Strategy		
Discuss funding options with financiers to secure funding source.		

99.

Risk: The DPLH and Minister does not support the transfer of a portion of the reserve resulting in cancellation of the project.		
Likelihood	Consequence	Rating
Possible	Critical	Extreme
Action/Strategy		
Provide all necessary documentation that the DPLH and Minister requires in order to support the proposal.		

100.

Risk: The WAPC and other state agencies do not support the Local Planning Scheme Amendment.		
Likelihood	Consequence	Rating
Possible	Critical	Extreme
Action/Strategy		
Provide all necessary documentation and undertake any addition technical studies and reports required to support the Local Planning Scheme Amendment.		

OFFICER COMMENT

101. The Concept Plan proposes to:
- a) enhance a portion of the reserve by:
 - i. fencing managed good quality bushland;
 - ii. re-vegetating bushland;
 - iii. incorporating managed parkland;
 - iv. enhancing the stormwater catchment; and
 - v. providing an activity hub (playground, half-court basketball, leisure areas)
 - b) transferring a portion of the reserve for aged care, over 55's and residential development.

102. The City will satisfy the criteria detailed by the Department of Lands administrative policy of providing a clear benefit to the community by achieving key actions of the Aged Accommodation Strategy 2016, the Public Open Space Strategy 2018 and demonstrated community support for the project.
103. By delivering the outcomes of the Concept Plan, the City will help provide for the much-needed aged care demand identified by the Aged Accommodation Strategy 2016.
104. The outcomes of the Concept Plan will reduce Forrestfield's public open space provision from 11.12% to approximately 10.42%. This is in accordance with Liveable Neighbourhoods and Development Control Policy 2.3: Public Open Space in Residential Areas which requires a minimum of 10% of residential areas to be public open space.
105. The outcomes of the Concept Plan will help achieve the Strategies and Directions of the POS Strategy which includes the transfer of low-grade reserves to improve the quality, functionality and usability of other reserves which can provide for the recreational, conservation and leisure needs of the community.
106. The outcomes of the Concept Plan will provide enhanced POS and through greater usage of the reserve and passive surveillance from the proposed development will assist reduce anti-social behaviour at the reserve.
107. All proceeds from the transfer of a portion of the reserve will be used to enhance the reserve and other community facilities / POS areas within the locality.
108. There was a significant majority of the community in support of the Concept Plan based from the survey; 52 respondents rated the draft Concept Plan as Very Good or Good compared to 17 respondents that rated the draft Concept Plan as Poor or Very Poor, and 14 respondents that rated the draft Concept Plan as Average. This equates to 63% positive rating.
109. There was a variety of opinions on the project from the community workshop. The most popular features were the retained bushland, aged care and activity hub. The features having the most support for being changed were the residential area and car parking in favour of more retained bushland.
110. A total of 17 submissions expressed support of the Project, 17 submissions expressed objection to the Project and 30 submissions were either neutral or included general comments regarding the draft Concept Plan. This equates to 26.5% of submissions against the project, 26.5% actively supporting the project and the remaining 47% providing general comments.
111. Given the above results from the community engagement process, it is considered that there is sufficient community support to move the project forward to the next phase.

112. Additional technical studies and reports will be prepared to support the Local Planning Scheme Amendment process and detailed design phase.
113. It is recommended that Council adopts the Cambridge Reserve Community Enhancement Concept Plan.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. ENDORSES the Cambridge Reserve Community Enhancement Concept Plan (Attachment 1), Technical Note (Attachment 2) and Summary Report (Attachment 3).
2. NOTES the outcomes of community engagement as outlined in Attachment 4 and 5.
3. APPROVES progressing further technical investigations for the Cambridge Reserve Community Enhancement Project in accordance with the adopted Concept Plan.
4. APPROVES the initiation of the transfer process by referring all the required documentation to the Department of Planning, Lands and Heritage and the Minister of Lands for consideration.
5. APPROVES the preparation of a Scheme Amendment to rezone a portion of Cambridge Reserve from Local Open Space to Residential.

10.1.3. Proposed Outbuilding (Shed) - Lot 16 (28) Davies Crescent, Gooseberry Hill

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

Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (f) - "a matter that if disclosed, could be reasonably expected to - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; (ii) endanger the security of the local government's property; or (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety"*

Previous Items	OCM 145/2018
Directorate	Development Services
Business Unit	Approval Services
File Reference	DV-03/028
Applicant	Barry and Yingbo Sheridan
Owner	Barry and Yingbo Sheridan
Confidential	1. Amended Development Plans [10.1.3.1.]
Attachments	2. Streetscape Views [10.1.3.2.]

Provided under separate cover

10.1.4. Acquisition of Land within Cell 9 for Public Open Space and Road Widening

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

Reason for Confidentiality: Local Government Act 1995 Section 5.23 (2) (h) and Local Government (Administration) Regulations 1996 R4A - "The determination by the local government of a price for the sale or purchase of property by the local government, and the discussion of such a matter, are matters prescribed for the purposes of section 5.23 (2)(h)."

Previous Items	Nil.
Directorate	Development Services
Business Unit	Strategic Planning Services
File Reference	HL-01/268
Applicant	N/A
Owner	Gary McIntosh and Billy West
Attachments	Nil

Provide under Separate Cover

10.2. Asset Services Reports

10.2.1. Ray Owen Reserve - Proposed Carpark Concept Plan

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

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

Attachments	1. Attch 1 Ray Owen Master Plan Feb 2015 [10.2.1.1]
	2. Attch 2 Carpark Concept Plan [10.2.1.2]

EXECUTIVE SUMMARY

1. The purpose of this report is to consider endorsement of a Concept Plan for public consultation 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 proposed Ray Owen Reserve Carpark and Drainage Plan (Concept Plan) has been developed in response to the Ray Owen Reserve Master Plan (Master Plan). The Master Plan was adopted by Council in February 2015 (OCM 09/2015).
3. The Concept Plan reflects a staged approach to improvements in parking capacity in line with presumed stages of growth in formalised sporting activity at the Reserve. The Concept Plan has been endorsed by the main sporting groups who utilise the Reserve, the Friends of Ray Owen Group and the adjacent Lesmurdie Primary School.
4. It is recommended Council notes the acceptance of the Concept Plan by key stakeholders and endorses the Ray Owen Reserve Proposed Carpark and Drainage Concept Plan for public consultation.

BACKGROUND

5. The Master Plan and associated report was adopted by Council at its Ordinary Meeting of Council held on 23 February 2015 (OCM 09/2015 refers). Attachment 1 details the adopted Master Plan.
6. The Master Plan in itself, did not resolve the layout of the car parking areas but rather identified the need for improved and additional car parking. This aspect is part of the evolution of the improvements to the Reserve as greater certainty occurs regarding the timing, location and layout of elements such as buildings and sports fields.

7. Planning works are progressing on the first major development being the expansion of the indoor multipurpose courts for basketball and netball. It is prudent to commence planning for commensurate car parking works.

DETAILS

8. The Master Plan identified presently there are approximately 400 car parking spaces available (assuming efficient parking on the gravel areas south of the existing football oval). Presently, at peak sporting activity there is significant need for overflow parking which occurs in adjacent vegetated areas and adjacent roads which is problematic from an environmental and safety perspective.
9. It was deemed necessary to develop a Concept Plan for car parking that considered the potential development of the Reserve whilst comprehensively addressing the impacts of current parking.
10. The Concept Plan was developed with the following objectives:
- a) optimising parking capacity within the Reserve;
 - b) identifying opportunities to increase parking capacity within the Reserve;
 - c) providing internal road connections between areas of car parking to provide greater efficiency;
 - d) cognisant of planned expansion of buildings and sporting fields;
 - e) cognisant of safe and efficient access and egress to surrounding road network;
 - f) able to be delivered in discrete stages as funding permits; and
 - g) deal with the stormwater runoff from the car parking areas in an efficient and cost effective manner.
11. The Concept Plan in Stages 1 to 3 provides for approximately 550 parking spaces in total on the Reserve for cars, buses, disabled parking and longer bays for trailers.
12. It is important to note as planning progresses for the buildings and playing fields changes to the car parking layouts may be required.
13. The Concept Plan has been supported by the major sporting clubs utilising the Reserve including Hills BMX, Kalamunda District Basketball Association, Kalamunda District Netball Association, Kalamunda Districts Football Club, Lesmurdie Mazenod Cricket Club, Lesmurdie Mazenod Junior Cricket Club, Mazenod Junior Football Club, the adjacent Lesmurdie Primary School and the Friends of Ray Owen Group.
14. **Stage 1** of the Concept Plan incorporates upgrades to the existing formalised parking to the east of the Ray Owen Sports Centre (ROSC) along with expansion into the adjacent vegetated area. This provides approximately 222 car bays plus seven disabled parking spaces. A turnaround area is also proposed and will include an emergency vehicle zone and a kiss-n-ride facility which can accommodate up to five cars for drop off/pick-up arrangements.

15. Entry/exit to the car park will continue to be accommodated at Grove Road, albeit this will as part of future staged works be closed, with entry/exit relocated to Sanderson Road.
16. **Stage 2** incorporates upgrades to the existing formalised parking to the west of the ROSC, located to the north of the existing car park entry to the Reserve, along with expansion into the adjacent vegetated area and will provide approximately 129 car bays plus seven disabled parking spaces.
17. This stage will also result in the removal of the existing traffic blister island located on Gladys Road in close proximity of the entry, with this treatment to be replaced by a new roundabout entry/exit to the Reserve. The new entry/exit will also accommodate four bus bays as well as an internal turnaround area and will include an emergency vehicle zone, a kiss-n-ride facility that can accommodate five cars for drop off/pick-up arrangements and it will also control access to the northern and southern parking areas.
18. A link road between the parking areas either side of the ROSC will also be constructed as part of this stage of development to facilitate efficient use of car bays.
19. **Stage 3** incorporates upgrades to the existing formalised parking to the west of the ROSC, located to the south of the existing Reserve car park entry, along with expansion into the adjacent vegetated area will generate approximately 120 bays plus six disabled spaces and eight car/van plus trailer parking spaces.
20. The Grove Road entry/exit to the Stage 1 parking area will also be closed as part of this stage of development in favour of creating a new roundabout entry/exit at the Sanderson Road/Gilroy Way intersection. The internal connecting road with the Stage 1 parking area will be upgraded to incorporate a further four bus bays and increasing parking spaces by approximately 34 bays given the closure of the Grove Road entry/exit.
21. **Stage 4** is shown as indicative at this time. The actual area of car parking expansion is subject to the outcome of proposed sports oval expansion plans which are still in the development stage.
22. Staging as proposed has been established to provide the least impact on continuing use of the Reserve with completion of each stage focused on increasing the number of parking spaces available within the Reserve and providing controlled and safe traffic movements into, within and out of the Reserve.
23. A stormwater management plan will be developed after completion of geotechnical studies; however, the design premise is to use underground storage/infiltration tanks where possible in order to optimise on ground car parking capacity.
24. Car park lighting will be designed to relevant standards while ensuring light spill is mitigated to the absolute minimum possible.

STATUTORY AND LEGAL CONSIDERATIONS

25. Prior to construction of any stage, the City will be required to receive approval to clear vegetation from the Department of Water and Environmental Regulation in accordance with the *Environmental Protection Act 1986*.

POLICY CONSIDERATIONS

26. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

27. As part of the proposed public consultation, comment will be sought from City Business Units.

External Referrals

28. The various stakeholders that utilise the Reserve have been consulted over a six month period in the development of the proposed staged upgrading and development of car parking facilities at the Reserve. The plans arising out of this process have received full support from various Stakeholders through endorsement received by the City in late November 2018.
29. The intent of this report is focused on seeking Council endorsement of the Concept Plans (Attachment 2) with the view to advertise for public comment. It is proposed this will be undertaken for a period of 30-days.

FINANCIAL CONSIDERATIONS

30. Currently budget cost estimates for detailed design and construction in the City's Long-Term Financial Plan (LTFP) are based on a three-staged project basis however, a funding source has not yet been locked in.
31. The progression of the Ray Owen Master Plan forms part of the City's advocacy program for Growth Areas Perth & Peel (GAPP) funding with the overall project cost of \$15.7m.
32. The 2018/2019 budget provided \$67,300 to undertake the first stage of detail design of car park renewals at the Reserve. The timing of this proposed consultation and any subsequent decision to adopt the Concept Plan suggests the detailed design could not commence until 2019/2020.

33. The budget within the LTFP for the carparking elements of the Ray Owen Master Plan was \$2.6m. A revised budget is \$3.157m with costs and indicative timing as follows:

	Stage 1	Stage 2	Stage 3	Stage 4	Total
2019/2020	\$86,000				\$86,000
2020/2021	\$860,000				\$860,000
2021/2022		\$71,000			\$71,000
2022/2023		\$710,000			\$710,000
2023/2024			\$80,000		\$80,000
2024/2025			\$800,000		\$800,000
2025/2026				\$50,000	\$50,000
2026/2027				\$500,000	\$500,000
Total	\$946,000	\$781,000	\$880,000	\$550,000	\$3.157m

34. The timing of each stage can be amended as necessary.
35. The City has placed the Ray Owen upgrade project as its highest advance priority. The City is seeking to offset municipal funding impacts through ongoing lobbying for State and Federal funding contributions.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

36. *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

37. Improved car parking facilities at Ray Owen Reserve will increase the amenity for the users and improve traffic conditions for local residents during peak sporting activities.

Economic Implications

38. Nil.

Environmental Implications

39. A loss of existing vegetation at the Reserve to accommodate the additional car parking areas is required. This will be minimised where possible.

RISK MANAGEMENT CONSIDERATIONS

40.	Risk: The Concept Plan, after community consultation requires significant rework and resultant delays in delivery of car parking improvements.		
	Consequence	Likelihood	Rating
	Significant	Possible	High
	Action/Strategy		
	Areas of major concerns will be assessed and if possible dealt with in design phases without impacting program.		

OFFICER COMMENT

41. In consideration of traffic impact on the surrounding road network as a result of the staged development of parking areas at the Reserve the following road improvements may need further investigation:
- a) construction of a single roundabout which accommodates both the Grove Road/Gladys Road and Grove Road/Chislehurst Road intersections. Both these intersections are currently "Stop" controlled on the Gladys Road and Chislehurst Road approaches respectively. A budget cost estimate of \$155,000 is noted for the proposed upgrade; and
 - b) construction of a roundabout at the Grove Road/Sanderson Road intersection. This intersection is currently "Give Way" controlled on the Sanderson Road approaches. A budget cost estimate of \$135,000 is noted for the proposed upgrade.
42. Should investigation, as the staged development of parking areas at the Reserve proceeds, suggest the need for improvements to either or both intersections then the budget cost estimate (as reviewed at the time) will need to be listed in the LTFP for future funding consideration by Council.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. NOTES the endorsement on the Ray Owen Reserve Proposed Carpark and Drainage Plan by the key sporting group users, Friends of Ray Owen Group and Lesmurdie Primary School.
2. ENDORSES the Ray Owen Reserve Proposed Carpark and Drainage Concept Plan for public consultation.

10.3. Office of the CEO Reports

10.3.1. City of Kalamunda - Repeal of Local Law relating to Model By-law (Old Refrigerators and Cabinets) No. 8

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	Governance & Legal Services
File Reference	
Applicant	City of Kalamunda
Owner	City of Kalamunda
Attachments	1. Repeal Local Law - Old Refrigerators and Cabinets [10.3.1.1]

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the repeal of an obsolete local law.
2. This local law was adopted in 1963 and has remained unchanged since. Its provisions are now out of date and are covered in other legislation.
3. It is recommended Council gives State-wide and local public notification it proposes to make a new local law, the *City of Kalamunda Repeal of Local Law relating to Model By Law (Old Refrigerators and Cabinets) No. 8* (Attachment 1).

BACKGROUND

4. Section 3.16 (1) of the *Local Government Act 1995* (the Act) requires a local government to review a local law within a period of eight years. The last formal review was undertaken in 2004, however the proposed minor amendments were not proceeded with.

DETAILS

5. As the existing local law was adopted 55 years ago and has not been updated, it is considered it is now obsolete and should be repealed.
6. In addition, its provisions are now covered in other legislation such as the *Local Government Act 1995* and the *Litter Act 1979*.
7. In order to repeal a local law, a Repeal Local Law following the standard local law making process is required.

STATUTORY AND LEGAL CONSIDERATIONS

8. Section 3.12 of the Act provides for the statutory procedure that the City must follow in the creation of a new local law, with the initial steps being:-
- (a) to give State-wide notice that the City proposes to make a new local law and seeking submissions on the proposed local law within 42 days.
 - (b) provision of a copy of the proposed local law to the Minister for Local Government; Heritage; Culture and The Arts.
9. Regulation 3 of the *Local Government (Functions and General) Regulations 1996* provides that:-
- for the purpose of section 3.12 of the LG Act, the person presiding at a Council meeting is to give notice of the purpose and effect of a local law by ensuring that—
- a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and
 - b) the minutes of the meeting of the Council include the purpose and effect of the proposed local law.

POLICY CONSIDERATIONS

10. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

11. The Directorate responsible for the local law supports the repeal of the obsolete local law.

External Referrals

12. Community consultation will occur through the statutory 42 day submission period required in making a local law should Council support the recommendation in this report.

FINANCIAL CONSIDERATIONS

13. Advertising costs will be met from the current budget allocation.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

14. *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

15. Nil.

Economic Implications

16. Nil.

Environmental Implications

17. Nil.

RISK MANAGEMENT CONSIDERATIONS

18.	Risk: - Maintaining obsolete local laws gives rise to conflicts with legislation.		
	Likelihood	Consequence	Rating
	Unlikely	Insignificant	Low
	Action/Strategy		
	Assure the community other legislative provisions provide coverage for the repealed provisions.		

OFFICER COMMENT

19. Nil.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. GIVES State-wide and local public notification that Council proposes to make a new local law, the *City of Kalamunda Repeal of Local Law relating to Model By Law (Old Refrigerators and Cabinets) No. 8* (Attachment 1).
2. NOTES that:
 - a) the purpose of the proposed local law is to repeal an obsolete local law; and
 - b) the effect of the proposed local law is that the obsolete local law will be revoked and abrogated.

10.3.2. Reconciliation Action Plan

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

Previous Items	OCM 34/2017 OCM 15/2017
Directorate	Office of the CEO
Business Unit	Community Services
File Reference	
Applicant	City of Kalamunda
Owner	City of Kalamunda
Attachments	1. Draft Reconciliation Action Plan 2019 [10.3.2.1]

EXECUTIVE SUMMARY

1. This purpose of this report is to seek the endorsement of the draft Reconciliation Action Plan (RAP) 2019 (Attachment 1) for the purpose of public advertising.
2. A RAP is a business plan that outlines what will be done by an organisation to contribute to reconciliation in Australia.
3. The RAP is recognised as a significant commitment towards building better awareness, understanding and relationships between the City of Kalamunda and Aboriginal and Torres Strait Islander people and recognises Aboriginal culture within the City.
4. It is recommended that Council adopts the draft Reconciliation Action Plan for the purpose of advertising for public comment pursuant to the City of Kalamunda Engagement Strategy.

BACKGROUND

5. Council recognised the importance of a RAP at the March 2017 Ordinary Council Meeting where the following resolution (OCM 34/2017) was carried:

10.2.6 C&C 23 Reconciliation Action Planning

RESOLVED OCM 34/2017

That Council: Considers a resource allocation as part of the 2017-2018 budget deliberations to enable an external consultant to be contracted to:

- a) Develop a draft Reconciliation Action Plan (RAP) for Shire of Kalamunda for Council's approval.*
 - b) Engage relevant stakeholders, including Aboriginal and Torres Strait Islander local community leaders in the consultation and development process of the Reconciliation Action Plan.*
6. Council supported a resource allocation of \$20,000 in the 2018/19 budget toward the engagement of a suitability skilled consultant.

7. Tim Muirhead from CSD Network along with local Whadjuk Noongar man, Danny Ford from Kambarang Consultants were engaged to develop the RAP. As a partnership they have extensive experience in working with Aboriginal communities and have experience in developing RAPs for Local Governments.

DETAILS

8. Reconciliation Australia is the lead not-for profit body for reconciliation in Australia. Reconciliation Australia's RAP Framework provides organisations with a structured approach to advance reconciliation.
9. There are four different types of RAP's that an organisation can develop: Reflect, Innovate, Stretch and Elevate. Each type of RAP is designed to suit an organisation at different stages of their reconciliation journey. The City of Kalamunda is at the beginning of the reconciliation journey and is subsequently preparing a draft Reflect RAP.
10. A Reflect RAP is about scoping reconciliation. Committing to a Reflect RAP will allow the City to spend time developing relationships with Aboriginal and Torres Strait Islander stakeholders, deciding on our vision for reconciliation and exploring the sphere of influence.
11. There are formal reporting requirements to a RAP as set by Reconciliation Australia including endorsement, an official launch and regular reporting.
12. The City's draft RAP includes four key outcome areas with actions, deliverables and timelines identified under each of these categories:
 - a) Respect;
 - b) Relationship;
 - c) Opportunities; and
 - d) Governance and Reporting.
13. The draft RAP has been developed from the information gathered as a result of the initial community engagement process including various stakeholder meetings and workshops. Attendees included local aboriginal Elders, City residents and non-residents that have a significant connection to the area.
14. If the proposed draft RAP is endorsed by Council, it is recommended that it be made public for a 30-day public comment period.
15. At the end of the public comment period, community feedback will be collated and incorporated into a final draft RAP to be presented to Council for final consideration.
16. A fundamental component of the City's draft RAP is to consider the establishment of a Reconciliation Reference Group. The focus of the group would be to ensure a greater understanding of the aspirations and vision of the ways the City can build respect and relationships with the Aboriginal and Torres Strait Islander community, progress aspects of the RAP and act as a point of reference for the City on Aboriginal issues and topics. Should the draft RAP be adopted by Council, a process for selecting suitable participants to the group will be developed.

STATUTORY AND LEGAL CONSIDERATIONS

17. There are currently no legal requirements or legislation for a Local Government Authority to have a Reconciliation Action Plan.

POLICY CONSIDERATIONS

18. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

19. The Consultant held a workshop with administration from various service areas within the City to obtain input that has been used to develop the draft RAP.
20. An internal strategic reconciliation training session was delivered by the consultants on 4 July 2018 to key administration personnel within the City to help raise awareness and educate them as to how they can contribute to the reconciliation process.
21. The same training was provided at a Councillor workshop held on 6 November 2018.

External Referrals

22. The following engagement sessions were undertaken to develop the draft RAP including:
- a) discussions with stakeholders including residents, local Aboriginal Elders, other significant members of the community and non-residents who have a connection to the area; and
 - b) a community stakeholder meeting held on 7 September 2018 which was attended by 40 persons including staff, residents and interested community members.

FINANCIAL CONSIDERATIONS

23. An allocation of \$20,000 was approved by Council in the 2018/19 budget to engage a consultant to develop a RAP.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

24. *Kalamunda Advancing Strategic Community Plan to 2027*

Priority 1: Kalamunda Cares and Interacts

Objective 1.1: To be a community that advocates, facilitates and provides quality lifestyle choices.

Strategy 1.1.2: Empower, Support and engage with young people, families and our culturally diverse community.

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.

SUSTAINABILITY

Social Implications

25. By providing an opportunity to connect with local Aboriginal and Torres Strait Islander people, the City will connect the wider community and create opportunities for greater participation in City initiatives, operations and employment as well as encouraging harmonious relationships between Aboriginal and Torres Strait Islander people and the wider community.
26. The development of a RAP will recognise the importance of meaningful engagement, mutual respect, creating trust and utilising culturally appropriate practices and protocols to fully understand the needs of local communities and to develop positive outcomes.

Economic Implications

27. Establishing relationships with the local Aboriginal and Torres Strait Islander community guided by a formal RAP will assist with consultation requirements for any major development projects and with Section 18 Aboriginal heritage approvals.

Environmental Implications

28. Nil.

RISK MANAGEMENT CONSIDERATIONS

29.

Risk: A RAP is not progressed, and the City does not have a strategic direction in relation to our Aboriginal and Torres Strait Islander community.		
Likelihood	Consequence	Rating
Almost Certain	Moderate	High
Action/Strategy		
Progress with advertising the Draft Reconciliation Action Plan seeking public comment as an ongoing step towards progressing a City of Kalamunda RAP.		

OFFICER COMMENT

30. Research indicates that RAPs are making a positive difference across Australian workplaces, universities, schools, governments and community organisations. The City of Kalamunda's first RAP is a significant milestone in the journey towards reconciliation.
31. The draft RAP allows time and opportunity to review current organisational practices, develop key relationships, determine our vision for reconciliation and explore possibilities.
32. To date, the City has taken steps towards reconciliation including:
- a) Introducing the acknowledgement of country at Council meetings;
 - b) Support towards events such as NAIDOC/Makaru;
 - c) A focus on culture, music and the arts through various events and the City's art gallery at the Zig Zag Cultural Centre.
33. Introducing a formal framework for reconciliation will ensure the City can continue to build relationships and turn good intentions into action.
34. In order to ensure that the draft RAP meets the needs of the community it is recommended that the following community engagement strategy is undertaken for a 30-day period:
- a) On the City's website and social media channels including Facebook;
 - b) Published on *Engage Kalamunda*;
 - c) Key stakeholders directly contacted;
 - d) A further community workshop with key stakeholders will be conducted by the consultant.
35. It is recommended that Council adopts the draft RAP and advertises it for a period of 30 days, with results included within a final draft plan to then be represented to Council for final consideration.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ADOPTS the draft Reconciliation Action Plan for the purpose of advertising for public comment pursuant to the City of Kalamunda Engagement Strategy.

10.4. Chief Executive Officer Reports

10.4.1. Monthly Financial Statements to January 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 January 2019 [10.4.1.1]
	2. Statement of Net Current Funding Position 31 January 2019 [10.4.1.2]
	3. Statement of Financial Activity 31 December 2018 [10.4.1.3]
	4. Statement of Net Current Funding Position 31 December 2018 [10.4.1.4]

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the Statutory Financial Statements for the period ended 31 January 2019.
2. The Statutory Financial Statements report on the activity of the City of Kalamunda with comparison of the period's performance against the budget adopted by the Council on 27 November 2018 subsequent to the first-term budget review.
3. It is recommended that Council receives the Monthly Statutory Financial Statements for the period ending to 31 January 2019, which comprise:
 - a) Statement of Financial Activity (Nature or Type) for the period ended 31 January 2019;
 - b) Statement of Financial Activity (Statutory Reporting Program) for the period ended 31 January 2019;
 - c) Net Current Funding Position, note to financial report as of 31 January 2019;
 - d) Statement of Financial Activity (Nature and Type) for the period ended 31 December 2018;
 - e) Statement of Financial Activity (Statutory Reporting Program) for the period ended 31 December 2018 and
 - f) Net Current Funding Position, note to financial report as of 31 December 2018

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 audited surplus carried forward from 2017/18.

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.

FINANCIAL COMMENTARY

Statement of Financial Activity by Nature and Type for the period ended 31 January 2019

7. This Statement reveals a net result surplus of \$24,037,853 compared to budget for the same period of \$18,868,253.

Operating Revenue

8. Total Revenue excluding rates is under budget by \$729,721. This is made up as follows:
 - a) Operating Grants, Subsidies and Contributions are under budget by \$386,796, the variance is mainly attributable to, reimbursements for the CELL 9 project managers' employee cost is under budget by \$111,783.
 - b) Fees and Charges are under budget by \$102,539. This is mainly due to variance of \$88,221 in miscellaneous income in the waste area.
 - c) Interest Income is under budget by \$254,009. The bulk of the investments are placed on a 6 months' tenure which currently gives the highest return. This is a timing issue.
 - d) Other Revenue is under budget by \$23,169. This is mainly due to the lower than projected revenue from fines and enforcements.

Operating Expenditure

9. Total expenses are under budget by \$962,727. The significant variances within the individual categories are as follows:
 - a) Employment Costs are under budget by \$246,941 which is primarily due to vacant positions not filled and the timing of training programmes which are scheduled for 2019 period.
 - b) Materials and Contracts is under budget by \$780,755. This is mainly attributed to;

- i. Waste costs are under budget by \$252,664 mainly from lower putrescible waste charges and verge collection costs.
- ii. fire mitigation programmes – fire breaks \$242,508. This variance is a timing issue;
- c) Utilities are under budget by \$77,640 which mainly relates to phasing;
- e) Depreciation, although a non-cash cost, is tracking under budget, reporting a variance of \$202,112. Budgeted depreciation rates will be adjusted at the mid-term review to reflect the additional depreciation resulting from the larger revaluation surplus reported after the infrastructure revaluation in 2017/18;
- d) Insurance expense is over budget by \$29,630. The variance is within the reporting threshold; and
- e) Other expenditure is under budget by \$129,765. The variance is due to a timing difference in planned donations and contributions to various community groups.

Investing Activities

Non-operating Grants and Contributions

- 10. The non-operating grants and contributions are over budget by \$1,341,099. The variance was due to:
 - a) The receipt of 10% of the State Government grant for the Kalamunda Community Centre upon signing of the funding agreement; and
 - b) \$641,846 received from the CELL 9 trust for the reimbursements of capital project expenditure incurred on behalf of the trust.

Capital Expenditures

- 11. The total Capital Expenditure on Property, Plant and Equipment and Infrastructure Assets (excluding Capital Work in Progress) is under budget by \$4,551,089. This is considered to be a timing issue.
- 12. Capital works-in-progress monies spend of \$970,958, 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

- 13. The amounts attributable to financing activities shows a variance of \$749,859 which is mainly due to the developer contributions.

Rates Revenues

- 14. Rates generation is under budget with a variance of \$765,044. The variance is due to the phasing of interim rates, back rates and advance rates payments adjustment.

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

15. Generally, the net result of each Program is within the accepted budget except for 'Recreation & Culture' and 'Community Amenities'. Major variances have been reported by Nature and Type under points 7 to 14 above.

Statement of Net Current Funding Position as at 31 January 2019

16. The commentary on the net current funding position is based on comparison of the January 2018 to the January 2019 actuals.
17. Net Current Assets (Current Assets less Current Liabilities) total \$39.4 million. The restricted cash position is \$18.3 million which is higher than the previous period's balance of \$13.4 million. This is mainly attributed to the timing of release of funds from the unexpended capital works and specific purpose grant reserve towards current years' capital works programme.
18. Unrestricted cash has decreased by \$6.2 million when compared with the balance at January 2018. The decrease was mainly due to the timing of reserve funds released from the unexpended capital works and specific purpose grant reserve.
19. At the Ordinary Council Meeting held on 28 August 2018, the Council adopted the recommendation made by the Audit and Risk Committee (OCM 156/2018) referring to the Investment of Surplus Funds.

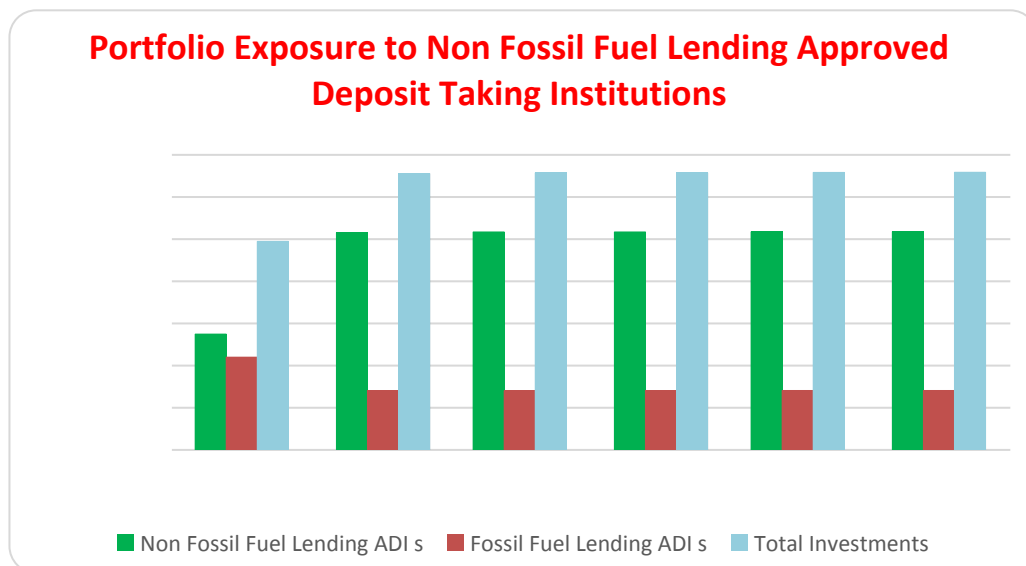
It was recommended that when investing the City's Surplus funds, preference is to be given to financial institutions which do not invest in or finance the fossil fuel industry. The Council also requested that monthly financial statements and reports provide information regarding the divestment from fossil fuels.

The following table indicates the financial institutions where City has investments as of 31 January 2019.

Description	Financial Institution	Amount Invested	Percentage to Total Investments
		\$	
Financial Institutions without Investments in Fossil Fuel Industry	IMB	6,765,382	21%
	Bankwest	6,000,000	18%
	Bendigo	5,875,590	18%
	Suncorp	7,242,920	22%
Total Investments in Financial Institutions without having Investments in Fossil Fuel Industry		25,883,892	79%

Financial Institutions with Investments in Fossil Fuel Industry	National Australia Bank (NAB)	7,048,198	21%
Total Investments - including Restricted Funds		32,932,090	100%

20.



21.

Trade and other receivables outstanding comprise rates and sundry debtors totalling \$7.6 million. The rates receivable balance increased by \$0.03 million from last year which reflects increases in rates generation and more ratepayers choosing to pay by either instalment options or direct debit payment arrangements.

22.

Sundry debtors have increased from \$143,163 to \$809,561, of which \$574,030 consists of current debt due within 30 days.

23.

Receivables Other represents \$1.9 million including:

- a) Emergency Service Levy receivables \$1.1 million; and
- b) Receivables sanitation \$0.8 million.

24.

Provisions for annual and long service leave have decreased by \$109,027 to \$2.9 million when compared to the previous year.

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

35.	Risk: Non-compliance with Financial Regulations		
	Likelihood	Consequence	Rating
	Unlikely	Moderate	Low
	Action / Strategy		
	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 January 2019 demonstrate the City has managed its budget and financial resources effectively.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council RECEIVES the Monthly Statutory Financial Statements for the period ended 31 January 2019 which comprises:

- a) Statement of Financial Activity (Nature or Type) for the period ended 31 January 2019;
- b) Statement of Financial Activity (Statutory Reporting Program) for the period ended 31 January 2019;
- c) Net Current Funding Position, note to financial report as of 31 January 2019;
- d) Statement of Financial Activity (Nature and Type) for the period ended 31 December 2018;
- e) Statement of Financial Activity (Statutory Reporting Program) for the period ended 31 December 2018 and
- f) Net Current Funding Position, note to financial report as of 31 December 2018

10.4.2. Rates Debtors Report for the Period Ended December 2018

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 December 2018 [10.4.2.1]

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) has collected \$29.9 million (78.36%) in rates as at 31 December 2018.
3. It is recommended that Council receive the Rates Debtors Report for the month of December 2018 (Attachment 1).

BACKGROUND

4. Rate Notices were issued on 13 July 2018 with the following payment options available:

Options	Payment Dates			
Full Payment	17 August 2018			
Two Instalments	17 August 2018	17 December 2018		
Four Instalments	17 August 2018	17 October 2018	17 December 2018	18 February 2019

5. A total of 23,106 Rate Notices were sent on 13 July 2018. Rates Levied and Collectable for the 2018/19 Financial Year currently total \$38,864,107. As at 31 December 2018, a total of \$29,994,907 has been collected since Rate Notices were released. This represents a collection rate of 78.36% which is slightly less than the 78.76% collected at the same time in the 2017/18 Financial Year.
6. A total of 9,099 ratepayers took up an instalment option last year. In the current financial year 9,019 properties are on instalment options. Of these, 1,698 have taken up the option to pay by two instalments and 7,321 have chosen to pay by four instalments.

7. 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 808 ratepayers signed up. This represents a 12.5% increase from the same time last year. It is expected that this will further increase once the final demand letters are issued in November 2018 for ratepayers who are in default;
 - b) eRates – there are 2,472 properties signed up for email delivery, compared to 2,158 in the previous year. This represents a 10% increase in this service and equates to approximately 10% of the rates database; and
 - c) BPay View – approximately 998 ratepayers have signed up for this service. At this time last year, 760 ratepayers had signed up, representing a 25% increase in this service.
8. It is expected that eRates registrations will increase throughout this financial year, as the City continues a promotional campaign to encourage ratepayers to register to receive their future rates notices electronically.
9. Interim Rating continued throughout November 2018 and is up to date. As at 31 December \$589,826 has been raised in new charges and 74 new properties created in the system.
10. 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. Throughout the month of December 2018, the Rates Department handled 402 calls with a total call time of 20.05 hours.

DETAILS

11. For the 2017/18 financial year, legal action was ordered on properties where it was deemed necessary in accordance with the Debt Recovery Policy. A total of 167 properties were sent to the City's debt collection firm for a General Procedure Claim (GPC) to be issued through the Courts. The City has received a good response from properties served and further action will be taken on individual accounts where appropriate. Further action may include Property Seizure and Sales Orders (PSSO) being issued. Council will be notified of any PSSOs, prior to commencement.
12. Final Notices were due on 26 October 2018 of the 1,753 properties to receive a Final notice 698 have paid in full, 157 have taken up a direct debit and 898 still have outstanding Rates. The next step would be to send Letters of Demand.

STATUTORY AND LEGAL CONSIDERATIONS

13. 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

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

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

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

External Referrals

16. 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

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

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.

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

SUSTAINABILITY

Social Implications

19. Debt collection can have implications upon those ratepayers facing hardship and the City must ensure equity in its debt collection policy and processes.
20. 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.

Economic Implications

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

Environmental Implications

22. 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

23.	Risk: Failure to collect outstanding rates and charges.		
	Likelihood	Consequence	Rating
	Likely	Moderate	High
	Action/Strategy		
	Ensure debt collections are rigorously maintained.		

OFFICER COMMENT

24. The City's debt collection strategy has proven to be very effective with a collection rate of 95.99% for the 2017/18 year.

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).

Voting Requirements: Simple Majority

RECOMMENDATION

That Council RECEIVES the Rates Debtors Report for the Period Ended 31 December 2018 (Attachment 1).

10.4.3. Debtors and Creditors Report for the Period Ended December 2018

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 December 2018 [10.4.3.1]
	2. Summary of Debtors for the month of December 2018 [10.4.3.2]
	3. Summary of Creditors for the month of December 2018 [10.4.3.3]

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 December 2018, 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 December 2018.
3. It is recommended that Council:
 - a) receive the list of payments made from the Municipal and Trust Fund Accounts in December 2018 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 December 2018.

BACKGROUND

4. Trade Debtors and Creditors are subject to strict monitoring and control procedures and in the month of December 2018 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 December 2018 were \$518,438 of which \$252,251 was made up of current debts and \$3,547 unallocated credits (excess or overpayments).
7. Invoices over 30 days total \$218,454; debts of significance are:
 - a) Linc Properties, \$210,843, Works Bonds – Bank Guarantee received and a credit note will be raised in January 2019;
 - b) Zig Zag Gymnastics, \$2,923, Lease; and
 - c) Private Citizen, \$2,500, Contribution to removal of verge tree.
8. Invoices over 60 days total \$12,927; debts of significance are:
 - a) Kalamunda & District Junior Football Club, \$3,323, Utilities;
 - b) Zig Zag Gymnastics, \$2,923, Lease; and
 - c) Forrestfield Sisdac, \$1,806, Hall Hire.
9. Invoices over 90 days total \$38,652, debts of significance are:
 - a) Kalamunda Club, \$21,483, Loan instalment; request received for deferral from the Club; Council resolved at the December 2018 Ordinary Council Meeting to defer the pending loan instalments to be paid on 29 August 2019 plus interest at 5%;
 - b) Evolution Cheer & Dance, \$4,927, Hall Hire - making regular payments and debt is reducing;
 - c) Zig Zag Gymnastics Pty Ltd, \$4,455, Hall Hire; Instalment arrangement in place.

Creditors

10. Payments totalling \$6,829,868.15 were made during the month of December 2018. Standard payment terms are 30 days from the end of the month, with local businesses and contractors on 14-day terms.
11. Significant Municipal payments (GST inclusive – where applicable) made in the month were:

Supplier	Purpose	\$
Department of Fire and Emergency Services (DFES)	Emergency Services Levy – 2 quarter 2018/19	2,079,984.71
Cleanaway	Waste/recycling and bulk bin disposal fees	525,355.79
Australian Tax Office	PAYG payments	422,579.08

Eastern Metropolitan Regional Council (EMRC)	Domestic waste charges – disposal fees	410,641.39
BE Projects (WA) Pty Ltd	Construction of hockey club rooms facility – Hartfield Park – Forrestfield – Progress payment	368,248.52
Dowsing Group Pty Ltd	Supply and install new pathways at various locations	269,657.97
Asphaltech Pty Ltd	Road materials for Orangedale Road, Lesmurdie and Anne Ave. Walliston	244,424.37
WA Local Government Superannuation Plan	Superannuation contributions	202,545.58
Beaver Tree Services	Tree removal and pruning - various locations	152,157.50
WINC Australia Pty Ltd	Microsoft Annual license renewal	141,574.52
Synergy	Power Charges – various locations	124,526.75
Marsh Pty Ltd	Insurance, workers compensation general – 30/6/2018 to 30/6/2019	109,147.50
AMIAD Water Systems	Undertake implementation of alternative water supply project – Hartfield Park	54,300.40

These payments total \$5,105,144.08 and represent 74.75% of all payments for the month.

Payroll

12. Salaries are paid in fortnightly cycles. A total of \$1,241,388.16 was paid in net salaries for the month December 2018.
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; and
 - e) Unclaimed Monies.

15. The following payments (GST exclusive) were made from the Trust Accounts in the month of December 2018.

BRB Levy		Amount (\$)
Date	Description	
5/12/2018	Building Services Levy – November 2018	17,349.12
BCITF Levy		
1/12/2018	Building Services Levy – November 2018	8,225.19
CELL 9		Amount (\$)
Date	Description	
20/12/2018	Brook & Marsh Pty Ltd - Subdivision lodgement, pegging DP and WAPC/ Landgate Lodgement	3,969.09
20/12/2018	Water Corporation - Water meter disconnection - 348 Hale Road, Wattle Grove	769.57
20/12/2018	Orange Valley Sand Supplies - Sand supply for grass surface at Woodlupine Stage 2A	7,000.00
20/12/2018	McKay Earthmoving Pty Ltd - Temporary fencing hire around Lot 7, 31 & 32 Hale Road, Forrestfield	2,380.00
20/12/2018	City of Kalamunda - SOK employee and plant costs for Woodlupine Brook Environmental upgrade	483.07
20/12/2018	Hawley's Bobcat Service - Provision of Skid Steer Loader and Truck Services	310.53
20/12/2018	Lo-Go Appointments – Temporary staff cost	143.88
20/12/2018	Western Power - Street lighting - Sheffield Rd & St John Rd Wattle Grove	27,965.00

STATUTORY AND LEGAL CONSIDERATIONS

16. Pursuant to Regulation 12(1) of the *Local Government (Financial Management) Regulations 1996* (WA), a 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:
- a) the payee's name; and
 - b) the amount of the payment; and
 - 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 of the *Local Government (Financial Management) Regulations 1996* (WA).

POLICY CONSIDERATIONS

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

Creditors

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

OFFICER COMMENT

31. Creditor payments for December 2018 are above the normal range due to the payment made for Emergency services levy.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. RECEIVES the list of payments made from the Municipal Accounts in December 2018 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).

2. RECEIVES the list of payments made from the Trust Fund Accounts in December 2018 as noted in point 15 above in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).
3. RECEIVES the outstanding debtors and creditors reports (Attachments 2 and 3) for the month of December 2018.

10.4.4. Rates Debtors Report for the Period Ended January 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 January 2019 [10.4.4.1]

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) has collected \$31.6 million (82.76%) in rates as at 31 January 2019.
3. It is recommended that Council receive the Rates Debtors Report for the month of January 2019 (Attachment 1).

BACKGROUND

4. Rate Notices were issued on 13 July 2018 with the following payment options available:

Options	Payment Dates			
Full Payment	17 August 2018			
Two Instalments	17 August 2018	17 December 2018		
Four Instalments	17 August 2018	17 October 2018	17 December 2018	18 February 2019

5. A total of 23,106 Rate Notices were sent on 13 July 2018. Rates Levied and Collectable for the 2018/19 Financial Year currently total \$38,879,177. As at 31 January 2019, a total of \$31,626,464 has been collected since Rate Notices were released. This represents a collection rate of 82.76% which is slightly higher than the 82.28% collected at the same time in the 2017/18 Financial Year.
6. A total of 9,099 ratepayers took up an instalment option last year. In the current financial year 9,019 properties are on instalment options. Of these, 1,698 have taken up the option to pay by two instalments and 7,321 have chosen to pay by four instalments.

7. 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 808 ratepayers signed up. This represents a 12.5% increase from the same time last year. It is expected that this will further increase as ratepayers respond to the final demand letters issued in November 2018.
 - b) eRates – there are 2,472 properties signed up for email delivery, compared to 2,158 in the previous year. This represents a 10% increase in this service and equates to approximately 10% of the rates database; and
 - c) BPay View – approximately 998 ratepayers have signed up for this service. At this time last year, 760 ratepayers had signed up, representing a 25% increase in this service.
8. It is expected that eRates registrations will increase throughout this financial year, as the City continues a promotional campaign to encourage ratepayers to register to receive their future rates notices electronically.
9. Interim Rating continued throughout January 2019 and is now up to date. As at 31 January \$660,884 has been raised in new charges and 74 new properties created in the system.
10. 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. Throughout the month of January 2019, the Rates Department handled 537 calls with a total call time of 27:55 hours.

DETAILS

11. For the 2017/18 financial year, legal action was ordered on properties where it was deemed necessary in accordance with the Debt Recovery Policy. A total of 167 properties were sent to the City's debt collection firm for a General Procedure Claim (GPC) to be issued through the Courts. The City has received a good response from properties served and further action will be taken on individual accounts where appropriate. Further action may include Property Seizure and Sales Orders (PSSO) being issued. Council will be notified of any PSSOs, prior to commencement.
12. Final Notices were due on 26 October 2018 of the 1,753 properties to receive a Final notice 878 have paid in full or have a balance under \$50.00, 170 have taken up a direct debit and 705 still have outstanding Rates. The majority of the 705 have made no payment and have outstanding rates greater than \$700.00. It would be considered prudent and best practice to commence recovery action on the 705 with the next step being a Letter of Demand.

STATUTORY AND LEGAL CONSIDERATIONS

13. 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

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

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

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

External Referrals

16. 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

17. 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

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.

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

SUSTAINABILITY

Social Implications

19. Debt collection can have implications upon those ratepayers facing hardship and the City must ensure equity in its debt collection policy and processes.
20. 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.

Economic Implications

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

Environmental Implications

22. 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

23.	Risk: Failure to collect outstanding rates and charges.		
	Likelihood	Consequence	Rating
	Likely	Moderate	High
	Action/Strategy		
	Ensure debt collections are rigorously maintained.		

OFFICER COMMENT

24. The City's debt collection strategy has proven to be very effective with a collection rate of 95.99% for the 2017/18 year.

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).

Voting Requirements: Simple Majority

RECOMMENDATION

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

10.4.5. Debtors and Creditors Report for the Period Ended January 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 Ending 31 January 2019 [10.4.5.1]
	2. Summary of Debtors for the month of January 2019 [10.4.5.2]
	3. Summary of Creditors for the month of January 2019 [10.4.5.3]

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 January 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 January 2019.
3. It is recommended that Council:
 - a) receive the list of payments made from the Municipal and Trust Fund Accounts in January 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 January 2019.

BACKGROUND

4. Trade Debtors and Creditors are subject to strict monitoring and control procedures and in the month of January 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 January 2019 were \$809,561 of which \$574,030 was made up of current debts and \$2,842 unallocated credits (excess or overpayments).
7. Invoices over 30 days total \$209,193; debts of significance are:
 - a) PJ Dujmovic, \$171,100, Developer Contribution invoice raised under Forrestfield Industrial Area Scheme Stage1;
 - b) High Wycombe Junior Football Club, \$20,000, Contribution towards electrical upgrade;
 - c) Berkshire Hathaway, \$14,456, Insurance – Employee claim; and
 - d) Zig Zag Gymnastics, \$2,923, Lease.
8. Invoices over 60 days total \$5,292; debts of significance are:
 - a) Zig Zag Gymnastics, \$2,923, Lease;
 - b) Private Citizen, \$2,500, Contribution to removal of verge tree.
9. Invoices over 90 days total \$23,227, debts of significance are:
 - a) Zig Zag Gymnastics Pty Ltd, \$7,378, Hall Hire; Instalment arrangement in place;
 - b) Evolution Cheer & Dance, \$4,927, Hall Hire - making regular payments and debt is reducing;
 - c) Forrestfield Sisdac, \$1,806, Hall Hire

Creditors

10. Payments totalling \$3,351,153.95 were made during the month of January 2019. Standard payment terms are 30 days from the end of the month, with local businesses and contractors on 14-day terms.
11. Significant Municipal payments (GST inclusive – where applicable) made in the month were:

Supplier	Purpose	\$
Eastern Metropolitan Regional Council (EMRC)	Domestic waste charges – disposal fees	385,689.97
Australian Tax Office	PAYG payments	380,072.49
BE Projects (WA) Pty Ltd	Construction of hockey club rooms facility – Hartfield Park – Forrestfield – Progress payment	247,707.41

WA Local Government Superannuation Plan	Superannuation contributions	193,708.00
Synergy	Power Charges – various locations	113,534.90
Western Australian Treasury Corporation	Loan instalment – Loan 221	96,590.44
Dowsing Group Pty Ltd	Supply and install new pathways at various locations	86,733.61
T-QUIP	Supply of vehicle parts	84,134.95
Kalamunda Electrics	Electrical maintenance repairs – various locations	68,176.15
Kennedys Tree Services	Tree removal and pruning – various locations	52,828.60

These payments total \$1,709,176.52 and represent 51% of all payments for the month.

Payroll

12. Salaries are paid in fortnightly cycles. A total of \$1,153,250.01 was paid in net salaries for the month January 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; and
 - e) Unclaimed Monies.
15. The following payments (GST exclusive) were made from the Trust Accounts in the month of January 2019.

BRB Levy		Amount (\$)
Date	Description	
16/01/2019	Building Services Levy – December 2018	10,253.19
BCITF Levy		
17/01/2019	Building Services Levy – November 2018	34,437.77
22/01/2019	Building Services Levy – December 2018	11,707.18
CELL 9		Amount (\$)

Date	Description	
24/01/2019	Brook & Marsh Pty Ltd – Identification survey – 268, Hale Road, Wattle Grove	750.00
24/01/2019	Lycopodium Infrastructure Pty Ltd - Detail design & documentation for Hale Road widening & enhancement	5,313.50
24/01/2019	Living Turf - Turf establishment test and report at Woodlupine Brook	565.00
24/01/2019	Hawley's Bobcat Service - Machine hire for levelling lawn sand for Woodlupine grassed area	2,000.00
31/01/2019	City of Kalamunda – reimbursement of CELL 9 project managers' employment cost	22,701.00
Unclaimed Monies		Amount (\$)
Date	Description	
31/01/2019	Australia Post – Payment error and returned the funds to Australia Post	607.96

STATUTORY AND LEGAL CONSIDERATIONS

16. Pursuant to Regulation 12(1) of the *Local Government (Financial Management) Regulations 1996* (WA), a payment may only be made from the municipal fund or the trust fund:
 - a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - b) 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:
 - a) the payee's name; and
 - b) the amount of the payment; and
 - 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. The City is bound by the 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.	Risk: The City is exposed to the potential risk of the debtor failing to make payments resulting in the disruption of cash flow.		
	Likelihood	Consequence	Rating
	Possible	Insignificant	Low
	Action/Strategy		
	Ensure debt collections are rigorously managed.		

Creditors

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

OFFICER COMMENT

31. Creditor payments for January 2019 are in the normal range in line with trend expenditure.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

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

10.4.6. City of Kalamunda - Draft Tourism Development Strategy: For the Purpose of Public Advertising

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

Previous Items	
Directorate	Corporate Services
Business Unit	Economic, Land & Property Services
File Reference	
Applicant	City of Kalamunda
Owner	N/A

Attachments 1. Draft Tourism Development Strategy [**10.4.6.1**]

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the Draft Tourism Development Strategy (the Draft Strategy) and advertise the Draft Strategy for a period of 30 days.
2. The purpose of the Draft Strategy is to position the City to achieve its full tourism potential by promoting investment and growth and providing a unique tourism offering.
3. It is recommended that Council receives the Draft Strategy and advertises it for a period of 30 days, with results then presented to Council prior to final adoption of the Strategy and consequent implementation.

BACKGROUND

4. The following is an extract from the City's Economic Development Strategy, Strategic Priorities:

"The Economic Development Strategy is designed to provide Kalamunda City with clear direction regarding priorities to be implemented that will assist in delivering the vision. There are five strategic priorities under which the action plan will be developed, which include:
 - a) *Industry expansion and attraction*
 - b) *Business capacity building*
 - c) *Tourism*
 - d) *Strong local identity*
 - e) *Create a welcoming environment*
5. As a strategic priority under the Economic Development Strategy, the requirement for a contemporary Tourism Development Strategy has been acknowledged and pursued.

DETAILS

6. The City recognises the important role a Tourism Development Strategy plays in supporting and facilitating direct and indirect economic benefits through the level of expenditure and the number of jobs created in the local area.

7. The City has capacity to provide the most effective support to their local tourism operators by contributing to region-wide marketing, information, planning, research and product development initiatives.
8. The Draft Strategy (Attachment 1) specifies how the City can best allocate its resources to support greater tourism opportunities, fostering further investment and growth.
9. The Draft Strategy aims to provide an achievable, community endorsed plan for the future whilst responding to the challenges and opportunities presented by the current tourism economy in Western Australia.
10. The Draft Strategy was predominantly prepared through community consultation with local tourism operators and the greater community.
11. In May 2018 the City held a Tourism Visioning Workshop at which around 50 community members and key stakeholders attended. This was to set a direction for developing the first Tourism Strategy for the City of Kalamunda.
12. Following the Tourism Visioning Workshop, a Tourism Community Reference Group was formed in June 2018 to engage interested community members and tourism operators to steer the direction of the Draft Strategy.
13. The development of the Draft Strategy under the input and guidance of the Tourism Community Reference Group included the following key steps:
 - a) Development of a methodology to engage with the broader community, key target markets and stakeholders.
 - b) Community workshops over the six key topic areas identified:
 1. Agri-Tourism, Retail, Food & Wine, Accommodation and Retail
 2. Active Adventures, Cycling and Sport
 3. Special Events
 4. Aboriginal Tourism
 5. Tourism Support Services, Infrastructure, Marketing & Planning
 6. Heritage Arts & Culture
 - c) Analysis of Raw Data.
 - d) Production of a draft Tourism Strategy for Reference Group review.
 - e) Development of a Mission and Vision for Tourism within the City of Kalamunda.
 - f) Development of a programme of activities.
 - g) Production of a draft Tourism Strategy for presentation to Council.

STATUTORY AND LEGAL CONSIDERATIONS

14. *Local Government Act 1995 Section 5.56 Planning for the future:*
 - (1) *A local government is to plan for the future of the district.*
 - (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*
15. The Draft Strategy is an informing document to enable sustainable tourism planning for the future.

POLICY CONSIDERATIONS

16. The programme of activities within the Draft Strategy suggests the need to consider and engage key stakeholders including The City of Kalamunda with regards to regulatory approvals processes.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

17. The administration will undertake a detailed review of the Draft Strategy during the public comment period and will incorporate any required changes into the final Strategy.

External Referrals

18. A significant amount of consultation with the Community was undertaken via the six community workshops.
19. The following methods were employed to promote involvement in the community consultation component:
- a) Targeted emails – informative and promotional communication was sent through to tourism operators, members of local sporting clubs and community organisations.
 - b) Traditional Media – informative and promotional communication via website, local newspaper advertisements, promotional flyers and the Engage Kalamunda portal.
 - c) Social Media – information and promotional posts were provided via City and local tourism operator networks.

FINANCIAL CONSIDERATIONS

20. A number of activities referenced within the Draft Strategy's programme of activities will be subject to annual budget processes and will be considered in the context of the City's strategic priorities.
21. Successful implementation of the Draft Strategy will be subject to both the availability of operational budget and staffing resources.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

22. *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.

Priority 3: Kalamunda Develops

Objective 3.4 - To be recognised as a preferred tourism destination.

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

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

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.

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

SUSTAINABILITY

Social Implications

23. The objective of facilitating, achieving and maintaining a vibrant, prosperous community also supports the social outcomes referenced in the Strategic Plan.

Economic Implications

24. The Development of a Tourism Strategy is designed to establish the City as a major tourist destination with a vibrant and sustainable future that will assist local tourism operators in the development of tourism products that enhance visitation to the region.
25. Additional training opportunities for the enhancement of tourism and the intention of increased employment through tourism will add to the sustainability of the local and regional economy.

Environmental Implications

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

RISK MANAGEMENT CONSIDERATIONS

27.	Risk: Draft Tourism Strategy fails to meet the needs of The City and local tourism operators and community.		
	Likelihood	Consequence	Rating
	Unlikely	Significant	Medium
	Action/Strategy		
	A significant amount of consultation has been undertaken with respect to the needs of the community through the detailed consultation process. Engaging both tourism operators and the wider community.		

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

OFFICER COMMENT

29. This Draft Strategy has been prepared with the input and guidance of the Tourism Community Reference Group.
30. The Draft Strategy has been prepared with broad stakeholder engagement at local tourism operator and wider community level. A programme of activities has been developed to address the key strategic priorities that have been identified.
31. The programme of activities has been clearly articulated, enabling measuring, monitoring and review of progress.
32. The programme of activities sets targets for each of the identified priorities, these will need to be reviewed annually to refine and ensure they are relevant and resourced.
33. The programme of activities has been developed to address five identified strategic priorities:
- a) Create and maintain welcoming inclusive places for all visitors to enjoy accessible public spaces within the natural and built environment.
 - b) Identify and encourage the development of lifestyle, heritage, aboriginal and cultural visitor experiences.
 - c) Develop arts and culture opportunities that engage creative investment, participation and community pride.
 - d) Encourage an innovative and forward thinking local and regional tourism industry.
 - e) The further development of a strong tourism brand with associated destination marketing.
34. In order to ensure that the Draft Strategy meets the needs of the tourism businesses and broader community, it is recommended that the Draft Strategy be provided for a 30 day period of public comment. Furthermore, the results of the public comment period will then be presented to Council prior to final adoption of the Tourism Development Strategy.

35. The Draft Strategy is a working draft formulated by the City of Kalamunda Community Reference Group and was presented to Council at the Public Agenda Briefing Forum held on 5 February 2019 where it was requested the draft documents be circulated for community comment. A comprehensive administrative review and feasibility is yet to be undertaken and will occur concurrently with the public advertising period.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. RECEIVES the draft Tourism Development Strategy (Attachment 1).
2. REQUESTS the Chief Executive Officer to advertise the attached draft Tourism Development Strategy for a period of 30 days.

10.4.7. City of Kalamunda - Draft Arts Strategy: For the Purpose of Public Advertising

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

Previous Items	
Directorate	Corporate Services
Business Unit	Corporate Services
File Reference	
Applicant	N/A
Owner	N/A
Attachments	1. Draft Arts Strategy [10.4.7.1] 2. Draft Public Art Policy [10.4.7.2]

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the Draft Arts Strategy (the Draft Strategy) and Draft Public Art Policy.
2. The City of Kalamunda Arts Advisory Committee was formed by Council in 2018 and given terms of reference to develop strategies and a policy for delivering increased public art opportunities within the City.
3. It is recommended that Council receives the Draft Arts Strategy and Draft Public Arts Policy and requests the CEO to advertise the draft Strategy and Policy for a period of 30 days.

BACKGROUND

4. In early 2018, the KAAC was established by Council. Two of the key objectives were to:
 - a) Develop an Arts Vision for the City to provide a cohesive direction and consistent theme for all planning and development initiatives.
 - b) Provide advice to Council to guide the development and implementation of a City Art Policy and Strategy.
5. On 7 February 2018, the KAAC commenced its' first meeting with consideration of an action plan to guide activities through 2018.
6. For the last half of 2018 and early 2019 a major focus of the City of Kalamunda Arts Advisory Committee (KAAC) has been the development of, and community consultation around, developing an arts strategy and public art Policy. Committee Members believe that the strategy and policy are now at the point for wider community input.
7. The program of actions has been developed to address four high level objectives:
 1. Diversify the economy of the City by ensuring that the contribution by the arts is well recognised for its value and so that this part of the economy continues to grow;

2. Increase engagement by residents to become more involved in the many disciplines of the arts as creators, audience and the source of ideas;
3. Increase arts investment to the City from diverse external sources; and
4. Improve the visual appeal of communities and public places across the City so that they are used and valued by residents and so that visitors want to return to explore the City some more.

Overtime, achieving these objectives will add to the attractiveness and value of the City as a place to live, visit and where there is a strong community spirit. This aligns with the Priority 1 from the City's Corporate Business Plan - Kalamunda Cares and Interacts - Looking after our people and providing our people with social and cultural enjoyment.

5. As a priority action to encourage and promote the active participation of the community in social and cultural events, Council approved the establishment of an Arts Advisory Committee to develop an Arts Strategy and to undertake operational effectiveness reviews of KPAC and Zig Zag Gallery.

DETAILS

6. The City recognises the important role that the Draft Strategy and Draft Public Art Policy will play in activating our cultural facilities, encouraging more participation in the arts, diversifying the economy and improving the visual appeal of public places.
7. The Draft Strategy has the following three key Focus areas:
 - a) Place-making and Identity: Urban and Commercial Developments and Renewal.
 - b) Community Enrichment, Creativity and Pride: Shared experiences created by and for local residents and visitors to Kalamunda City.
 - c) The Kalamunda City Economy: The Arts Growing, Diversifying and Recognised as a Valued Part of Local Life.
8. The vision of the Draft Arts Strategy is to nurture and grow involvement by the community as spectators, motivators and creators of uplifting and transforming activities through arts events and experiences. To place creative practise at the heart of the City's communities and neighbourhoods. Each of these will add to the City's visual appeal, strengthen sense-of-place, diversify the economy and elevate arts practice that is accessible, challenging and engaging.

STATUTORY AND LEGAL CONSIDERATIONS

9. *Local Government Act 1995* Section 5.56 Planning for the future:
 - a) A local government is to plan for the future of the districts.
 - b) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the districts.
10. This Draft Strategy is an informing document to enable sustainable Arts and Public Art planning for the future.

POLICY CONSIDERATIONS

11. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

12. The Administration will undertake a detailed review of the Draft Strategy and Draft Arts Policy during the public comment period and will incorporate any required alterations into the final strategy.

External Referrals

13. To promote involvement in the community consultation component, targeted emails were distributed to known members of the Arts community, community associations and any organisations with involvement in artistic pursuits. In addition, these groups were invited to a Community Arts Forum held on Thursday 23 January. The event was very well attended (60 persons). The facilitated session provided ample opportunity for the local arts community to input into the Draft Art Strategy.

FINANCIAL CONSIDERATIONS

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

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

17. *Kalamunda Advancing Strategic Community Plan to 2027*

Priority 1: Kalamunda Cares and Interacts

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

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

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

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

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

SUSTAINABILITY

Social Implications

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

Economic Implications

19. The outcomes of this project will provide strategic direction and guidance for economic development that should assist local artists to flourish and prosper.

Environmental Implications

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

RISK MANAGEMENT CONSIDERATIONS

- 21.
- | | | |
|---|-------------------|---------------|
| Risk: The Draft Arts Strategy fails to meet the needs of the City and local business community. | | |
| Consequence | Likelihood | Rating |
| Unlikely | Moderate | Low |
| Action/Strategy | | |
| A significant amount of engagement and consultation has been undertaken with respect to the needs of the community by the Arts Advisory Committee and City Officers to ensure the Arts Strategy is reflective of needs. | | |
- 22.
- | | | |
|--|-------------------|---------------|
| Risk: The Draft Arts Strategy may raise community expectations regarding activities that may not all affordably be resourced. | | |
| Consequence | Likelihood | Rating |
| Possible | Moderate | Medium |
| Action/Strategy | | |
| Ensure community and local business is informed as part of communications process that all activities are subject to resourcing. | | |

OFFICER COMMENT

23. This Draft Strategy has been prepared with the input and guidance of the Arts Advisory Committee which included broad stakeholder engagement with the local Arts community.
24. The recommended strategies will need to be reviewed and prioritised on an annual basis to ensure they are relevant and adequately resourced.
25. The program of actions has been developed to address four identified strategic priorities:
- a) Diversify the economy of the City by ensuring that the contribution by the arts is well recognised for its value and so that this part of the economy continues to grow;
 - b) Increase engagement by residents to become more involved in the many disciplines of the arts as creators, audience and the source of ideas;
 - c) Increase arts investment to the City from diverse external sources; and
 - d) Improve the visual appeal of communities and public places across the City so that they are used and valued by residents and so that visitors want to return to explore the City some more.
26. In order to ensure that the Draft Strategy meets the needs of the Arts businesses and broader community, it is recommended that the Draft Strategy be provided for a 30-day period of public comment. Furthermore, the results of the public comment period then be presented to Council prior to final adoption of the Strategy.
27. If Council is supportive of the above process, it is proposed that the Draft Arts Strategy be promoted via local newspaper, Engage Kalamunda and that a copy be available on the City's website. In addition, key local stakeholders and community members who attended workshops will be made aware of the Draft Strategy for review and encouraged to comment should they wish.
28. The Draft Strategy is a working draft formulated by the City of Kalamunda Arts Advisory Committee and was presented to Council at the Public Agenda Briefing Forum held on 5 February 2019 where it was requested the draft documents be circulated for community comment. A comprehensive administrative review and feasibility is yet to be undertaken and will occur concurrently with the public advertising period.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. RECEIVES the Draft Arts Strategy (Attachment 1) and Draft Public Art Policy (Attachment 2).
2. REQUESTS the Chief Executive Officer to advertise the attached Draft Arts Strategy and Draft Public Art Policy for a period of 30 days.

10.4.8. City of Kalamunda - Draft Local Environment Strategy: For the Purpose of Public Advertising

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

Previous Items	N/A
Directorate	Asset Services
Business Unit	Parks & Environmental Services
File Reference	EV-EPP-077
Applicant	N/A
Owner	City of Kalamunda
Attachments	1. Kalamunda Clean and Green Local Environment Strategy [10.4.8.1]

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council endorsement of the draft Kalamunda Clean and Green: Local Environment Strategy (LES) for the purposes of community consultation.
2. The draft LES reflects the values the community have for their cultural and natural environment, to be demonstrated through quality environmental stewardship by the City of Kalamunda (City) and envisaged in a series of programs and projects aimed at sustainability and maintaining the integrity of the natural environment.
3. It is recommended that the draft LES is now presented to the community for their feedback on how the City has responded to their views, such that a final LES is then to be adopted by Council.

BACKGROUND

4. Development of the LES is a priority action for 2018/2019 within the City's Corporate Business Plan, endorsed by Council on 25 June 2018.
5. The City worked closely with the Kalamunda Environmental Advisory Committee (KEAC) to draft a project plan and document framework plan for development of this strategy, commencing with a workshop in September 2017.
6. The project plan was implemented and the draft LES document prepared and endorsed by KEAC as suitable for final community review at their meeting of 7 February 2019.

DETAILS

7. The draft strategy was developed as follows:
 - a) LES framework development by KEAC workshop, September 2017;
 - b) development and implementation of Communication and Engagement plan to gather data regarding community values associated with their local environment and what priorities the City should focus on; and
 - c) reviews of draft document and feedback from the community and workshop with KEAC, leading to a final draft LES document in February 2019.
8. The community engagement process included surveys, social media, community face to face engagement and public open days.
9. The City received 152 responses to the draft LES.
10. The clear message from community and officers during the development of the draft LES, was that the City should focus on:
 - a) protecting and better managing natural areas, streetscapes and green spaces;
 - b) conserving our natural resources;
 - c) reducing waste and improving waste management practices; and
 - d) managing impacts from urban development and human activities upon our environment.
11. The draft LES responds to these desires through proposals for short and long term strategies and initiatives for our:
 - a) green spaces, water catchments, protecting our unique landscapes and ensuring healthy landscapes;
 - b) increasing recycling and reducing waste to landfill;
 - c) environmental leadership, community education and partnerships; and
 - d) environmental values built into the City's business plans and actions.
12. The current draft of the LES is shown as Attachment 1. Subject to final proofing of the document and Council endorsement, it will become the document for the basis of community consultation.
13. It is appropriate that the draft LES document is now released to the community to ensure that the City has properly captured the community's aspirations with suitable responses.

STATUTORY AND LEGAL CONSIDERATIONS

14. Section 1.3 (3) of the *Local Government Act (1995)*
In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

POLICY CONSIDERATIONS

15. Adoption of the LES may lead to review and development of City of Kalamunda policy where appropriate.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

16. The development of the draft LES was undertaken through workshops and conversations in consultation with other service units, including Asset Services and Planning Business Units.

External Referrals

17. At the commencement of the current term of KEAC in February 2018, the LES project communication and engagement plan was endorsed and launched with a program of multiple workshops, feedback surveys and pop-up conversation booths.
18. No external agencies were consulted during the preparation of the draft LES. Relevant agencies will be asked to comment on this draft LES at the next stage of community engagement during the public comment period.

FINANCIAL CONSIDERATIONS

19. The 2018/2019 adopted budget included \$25,000 for the development of the Local Environment Strategy. This project will be delivered within this budget.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

20. *Kalamunda Advancing Strategic Community Plan to 2027*

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

21. The draft LES has sought to capture community opinion and priorities using feedback collected by open and guided questions, to guide the development of the document.

Economic Implications

22. Nil.

Environmental Implications

23. The draft LES will assist in developing projects and programs aimed at increasing sustainability and protecting the natural values of the environment.

RISK MANAGEMENT CONSIDERATIONS

24.	Risk: The City fails to develop a strategic direction with regard to environmental stewardship, leading to adverse reputational impacts.		
	Likelihood	Consequence	Rating
	Possible	Moderate	Medium
	Action/Strategy		
	Development of a LES that meets the community's expectations of environmental stewardship by the City.		

OFFICER COMMENT

25. The draft LES differs from the Environmental Land Use Planning Strategy (ELUPS) in that the latter document focusses on the environmental context for guiding decisions for any changes to zoning, land use classification and development standards. The draft LES is envisaged as a much broader document encapsulating the City's and its community's values for environmental management. The ELUPS is seen as the prevailing document that considers environmental issues within economic development of the City.
26. The current draft document has been prepared using information provided by the City and KEAC. Some editing of the document is still to occur however the document in its current form is still meeting the intent of the draft LES.
27. The Draft Local Environmental Strategy is a working draft formulated by the City of Kalamunda Environmental Advisory Committee and was presented to Council at the Public Agenda Briefing Forum held on 5 February 2019 where it was requested the draft documents be circulated for community comment. A comprehensive administrative review and feasibility is yet to be undertaken and will occur concurrently with the public advertising period.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council

1. RECEIVES the draft Environmental Strategy (Attachment 1).
2. REQUESTS the Chief Executive Officer to advise the attached draft Environmental Strategy for a period of 30 days, with results then presented to Council prior to final adoption of the Strategy.

10.4.9. Kalamunda Aged Care Advisory Committee - Recommendations February 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

Confidential Attachments	Confidential Recommendation to Council – 13 February 2019
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Reason for Confidentiality: - Local Government Act 1995 (CW) Section 5.23 (2)(e) – "a 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."

EXECUTIVE SUMMARY

1. To consider the recommendations of the Kalamunda Aged Care Advisory Committee (KACAC).
2. The KACAC meets quarterly to provide advice to Council on issues, trends and other matters in relation to aged care services.
3. At the meeting of the KACAC held on 13 February 2019, a confidential motion was passed and is now presented to the Council for consideration.

BACKGROUND

4. Council established the Kalamunda Aged Care Advisory Committee in 2015 in response to the critical shortage in aged care beds in the City.

DETAILS

5. The purpose of the Aged Care Advisory Committee, as set out in the Terms of Reference updated 29 March 2016), 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. It was with this purpose in mind the Committee passed a confidential motion, which relates to a commercial in confidence request from an aged care provider, is now referred to Council as a recommendation of the Committee. The confidential recommendation is provided under separate cover.

STATUTORY AND LEGAL CONSIDERATIONS

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

POLICY CONSIDERATIONS

8. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

9. Nil.

External Referrals

10. Nil.

FINANCIAL CONSIDERATIONS

- 11.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

12. *Kalamunda Advancing Strategic Community Plan to 2027*

Priority 1: Kalamunda Cares and Interacts

Objective 1.1 - To be a community that advocates, facilitates 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

13. Retirement living and Aged Care Accommodation is a serious social issue which requires all levels of Government, community and industry to work together collaboratively to find solutions.

Economic Implications

14. Nil.

Environmental Implications

15. Nil.

RISK MANAGEMENT CONSIDERATIONS

16.	Risk: Lost opportunities for the provision of aged care accommodation.		
	Likelihood	Consequence	Rating
	Possible	Moderate	Medium
	Action/Strategy		
	Continue to meet with aged care providers to pursue aged care developments within the City.		

OFFICER COMMENT

17. The provision of aged care within the City is a key priority for Council to continue its advocacy and planning to facilitate opportunities to enable aged care providers to see benefit in investing in the City of Kalamunda.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council:

1. NOTES the Confidential Attachment 1.
2. REQUESTS the Chief Executive Officer to meet with the aged care provider to further discussions regarding aged care accommodation in the City of Kalamunda.

10.4.10. Development Assessment Panels - Replacement Member for the City

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

Previous Items
 Directorate Office of the CEO
 Business Unit Governance & Legal Services
 File Reference
 Applicant
 Owner
 Attachments Nil

EXECUTIVE SUMMARY

1. To consider nomination of a replacement member for a Development Assessment Panel (DAP) for the Metro East Region following the resignation of Cr Tracy Destree.
2. The City of Kalamunda's (the City) current members on the above DAP are:

Members	Alternate Members
Cr Tracy Destree	Cr Brooke O'Donnell
Cr Sara Lohmeyer	Cr Dylan O'Connor

3. It is recommended that Council nominate a replacement member.

BACKGROUND

4. The *Planning and Development (Development Assessment Panels) Regulations 2011* (DAP Regulations) commenced on 24 March 2011. DAPs commenced operation on 1 July 2011. The role of DAPs is to determine significant development applications in an attempt to simplify planning approvals.
5. A DAP comprises a mix of three technical experts and two local government representatives with the power to determine applications for development approval in place of the relevant decision maker. The local government representatives will only be required to sit on a DAP where the application is for a development in their local government area.

DETAILS

6. The City's current members on the Metro East Region DAP are:

Members	Alternate Members
Cr Tracy Destree	Cr Brooke O'Donnell
Cr Sara Lohmeyer	Cr Dylan O'Connor

7. The replacement DAP member will be appointed for the balance of the current term expiring on 26 January 2020.

8. All members will be required to attend a training workshop on planning law and Codes of Conduct. Local government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.
9. It has become mandatory to refer a development proposal which has a total value of more than \$10 million to a DAP for determination. Exclusions to this mandatory requirement are for a single house, less than 10 grouped or multiple dwellings and development by the local government or WA Planning Commission.
10. When an application is lodged with the City, which has a value between \$2 million and \$10 million, the applicant may nominate it be determined by a DAP rather than the responsible authority.

STATUTORY AND LEGAL CONSIDERATIONS

11. The *Planning and Development (Development Assessment Panels) Regulations 2010* provide for the operation, constitution and administration of DAPs.

POLICY CONSIDERATIONS

12. Nil

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

13. Nil

External Referrals

14. Nil

FINANCIAL CONSIDERATIONS

15. The DAP Regulations prevent a DAP member from attending a meeting without first completing mandatory training. Any DAP member who successfully completes training is entitled to be paid for their attendance at DAP training and DAP meetings.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

16. *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

17. Nil

Economic Implications

18. Nil

Environmental Implications

19. Nil

RISK MANAGEMENT CONSIDERATIONS

20.	Risk: Nomination for a replacement member on the Metro East Region DAP is not made.		
	Consequence	Likelihood	Rating
	Unlikely	Low	Moderate
	Action/Strategy		
	Ensure Council is aware of the implications for development approvals if there are not sufficient members appointed to the DAP		

OFFICER COMMENT

21. Membership on a DAP will provide those with the training the opportunity to consider development applications of significant nature.
22. Although due to the development threshold of \$10 million, there have been very few development proposals in the City of Kalamunda it is anticipated that this situation will change particularly as a consequence of the Forrestfield Railway Station project.
23. It is recommended that Council nominates a replacement member to attend DAPs for the Metro East Region.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOMINATES Cr_____ as the City of Kalamunda's replacement member for the Metro East Region Development Assessment Panel.

10.4.11. Annual General Meeting of Electors 2017/2018 Report

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	Governance & Legal Services
File Reference	
Applicant	
Owner	

Attachments	1. Minutes - Annual General Meeting of Electors - 5 February 2019 [10.4.11.1]
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EXECUTIVE SUMMARY

1. The purpose of this report is to consider the outcomes of the 2017/2018 Annual General Meeting of Electors (AGM).
2. The purpose of the AGM is to receive the City of Kalamunda Annual Report 2017/2018 and consider any other General Business which might be raised by those attending the meeting.
3. The Annual Report was received without dissent and two other motions were considered under General Business.
4. It is recommended Council endorse the Resolution receiving the Annual Report 2017/2018 and note the other Resolutions.

BACKGROUND

5. As required by section 5.27 of the *Local Government Act 1995* (the Act), the 2017/2018 AGM was held on Tuesday 5 February 2019 in the Council Chambers, City of Kalamunda, 2 Railway Road Kalamunda.

DETAILS

6. Section 5.33 of the Act requires all decisions made at the AGM to be considered at the next available Ordinary Council Meeting. In addition, the reasons for a decision made at a Council Meeting in response to a decision made at an AGM are to be recorded in the minutes of the Council Meeting.
7. Three motions were considered at the meeting, with the outcome being:

AGM 12/2019

1. *That the 2017/2018 Annual Report of the City of Kalamunda be received.*

Passed Unanimously 216/0 (and without dissent)

AGM 13/2019

1. *That this meeting of Electors express No Confidence in Mayor John Giardina and respectfully requests that he immediately stand down from his elected position of Mayor to ascertain whether he still enjoys the full support of the majority of Councillors to remain Mayor and Spokesperson for the City at this very difficult time in the City's history.*

Lost 87/163

AGM 14/2019

1. *That this meeting has full confidence in the City of Kalamunda Mayor and all Councillors, and respects the decisions made by the electors of the City of Kalamunda at the Ballot Box.*

Carried 122/26

STATUTORY AND LEGAL CONSIDERATIONS

8. Section 5.27 of the Act requires that an AGM be held not more than 56 days after the local government accepts the Annual Report 2017/2018. The Annual Report was accepted at the Ordinary Council Meeting of 18 December 2018.
9. Section 5.33 of the Act requires consideration of decisions made at the AGM.

POLICY CONSIDERATIONS

10. Nil

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

11. Nil

External Referrals

12. Community engagement and consultation occurred as part of the AGM.

FINANCIAL CONSIDERATIONS

13. Nil

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

14. *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

15. Nil

Economic Implications

16. Nil

Environmental Implications

17. Nil

RISK MANAGEMENT CONSIDERATIONS

18.	Risk: Decisions made at the AGM are not considered.		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Low
	Action/Strategy		
	Sufficient information is provided to Council to ensure there is compliance with the requirements of the legislation with respect to resolutions passed at the AGM.		

OFFICER COMMENT

19. The recommendations of this report meet the statutory requirements of the Act.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. ENDORSES Resolution AGM 12/2019 passed at the Annual General Meeting of Electors held on 5 February 2019 as contained in the Minutes of the Meeting at Attachment 1.
2. NOTES Resolutions AGM 13/2019 and AGM 14/2019.

NOTE - In accordance with section 5.33 (2) of the *Local Government Act 1995*, reasons for this decision of Council are:-

1. The receiving of the 2017/18 Annual Report – As the Annual Report was received without dissent, no further action required.
2. Neither of Resolutions AGM 13/2019 or AGM 14/2019 ,have any statutory standing in the *Local Government Act 1995* and therefore no further action is required by the Council.

10.4.12. Visual Identity Steering Committee

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

Reason for Confidentiality: - *Local Government Act 1995 (CW) Section 5.23 (2)(b) – "the personal affairs of any person."*

Previous Items

Directorate

Office of the CEO

Business Unit

Customer & Public Relations

File Reference

Applicant

Owner

Attachments

Nil

Provided under septate cover

10.4.13. CEO Performance Review 2017/2018 and 2018/2019

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

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (a) - "a matter affecting an employee or employees."

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."

Previous Items	
Directorate	Office of the CEO
Business Unit	People Services
File Reference	
Applicant	
Owner	
Attachments	Nil

Provided under separate cover

10.4.14. Supreme Court Appeal - Lot 150 (720) Welshpool Road East, Wattle Grove

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

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

Previous Items	N/A
Directorate	Chief Executive Office
Business Unit	Legal
File Reference	WEL-1/720
Applicant	N/A
Owner	ACN 605 729 995 Pty Ltd
Confidential Attachments	<ol style="list-style-type: none">1. Copy of initial letter of advice following acquittal from Kott Gunning dated 10 Dec 20182. Copy of second letter of advice from Kott Gunning dated 19 Dec 2018.3. Copy of preliminary advice from Dr Henderson dated 14 January 2019.4. Copy of memorandum of advice from Dr Henderson dated 18 January 2019.5. Copy of Appeal Notice filed with the Supreme Court.6. Copy of one of the letters sent to the Accused advising that Council needed to consider the Appeal.

Provided under separate cover

11. Motions of Which Previous Notice has been Given

11.1. Telecommunications Tower Strategy - Cr O'Donnell

MOTION

Telecommunications Tower Strategy

Voting Requirements: Simple Majority

That Council REQUESTS the Chief Executive Officer to investigate and report back to Council, by June 2019, on the process, information and costs required for the City to prepare a Telecommunications Tower Strategy that identifies potential telecommunication tower locations for telecommunication companies within the City.

Moved: **Cr Brooke O'Donnell**

Seconded:

Vote:

Rationale

In conversations relating to the High Wycombe new train townsite area it has been refuted that the suggestion that the phone tower in that area or close proximity would be sufficient enough to cater for the huge influx of residents planned for this area.

I think it is a great idea to demonstrate to the community we are trying to control the towers and locations and to make provisions for these towers prior to residents moving into areas (and then there are disputes about the locations) and as the Planning guidelines suggest towers are just as essential as utilities being planned for in new areas.

11.2. Wattle Grove South - Cr Thomas

MOTION

Voting Requirements: Simple Majority

That Council:

1. REQUEST the Chief Executive Officer to cease investigations into the establishment of a Consultative Community Committee of Council to consider recommendations for the future of Wattle Grove South.
2. REQUEST the Chief Executive Officer to create a budget allocation for the 2019/2020 annual budget for engaging the services of suitably qualified consultants to conduct a comprehensive community consultation program to determine the level of community support for a variety of land use concept plans that incorporate the following design principles:
 - a) Exclude any general or light industrial land uses.
 - b) Reflect and acknowledge existing lifestyle and recreational opportunities of the area.
 - c) A high-quality residential outcome that includes a range of densities.
 - d) Include an appropriate amount of commercial development based on best practice design principles, including but not limited to public transport, technology, educational, medical and retail opportunities.
 - e) Retain existing vegetation and tree canopy cover where possible.
 - f) Consider tourism development opportunities that embrace the environmental, social and financial aspects of the City of Kalamunda.
 - g) Provide for modern sustainable housing design principles including renewable energy capture, water sensitive urban design, storage, sharing capabilities and smart city initiatives.
 - h) The subject area 'Wattle Grove South' to also include the land to the north of Welshpool Road East bounded by Tonkin Hwy, Lewis Road and Hartfield Golf Course.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Dylan O'Connor**

Vote:

Rationale

To be provided.

Officer Comments

The Administration can support operating within these parameters.

12. Questions by Members Without Notice

13. Questions by Members of Which Due Notice has been Given

13.1 Bushfire Advisory Committee - Recommendations to Council - November 2018
(Special Council Meeting 22 January 2018 - Item 8.1.2) Cr Brooke O'Donnell

Q1. With respect to the process for the \$19,000 GST that we are not able to work out what is the process and the timeframe when we will work this out and adjust?

A2. The \$19,000 relates to an amount of money held in the City's clearing account for approximately a month due to a mismatch in the calculated GST component in the invoice provided by the BFB. The mismatch occurred due to errors in the calculation of the GST when the BFB included the cost of the administration fee charged by the City for administering the service. The mismatch requires the BFB to reissue the invoice to the City. It is my understanding the mismatch, no matter how small or large must be rectified before the accounts can be cleared. This is an auditable item and such errors will show up in the annual audit trail.

14. Urgent Business Approved by the Presiding Member or by Decision

15. Meeting Closed to the Public

16. Tabled Documents

16.1 **Local Emergency Services Committee**
Minutes 29 November 2018

16.2 **Community Safety and Crime Prevention Advisory Committee**
Minutes 10 December 2018

16.3 **Disability & Carers Advisory Committee**
Minutes 10 December 2018

16.4 **Kalamunda Aged Care Advisory Committee**
Minutes – 13 February 2019

16.5 **Kalamunda Environmental Advisory Committee**
Minutes – 7 February 2019

17. Closure