

# Special Council Meeting

Agenda for Tuesday 29 October 2019



**NOTICE OF MEETING  
SPECIAL COUNCIL MEETING**

Dear Councillors

Notice is hereby given that a Special Meeting of Council will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on **Tuesday 29 October 2019 at 6.30pm.**



Rhonda Hardy  
**Chief Executive Officer**  
25 October 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

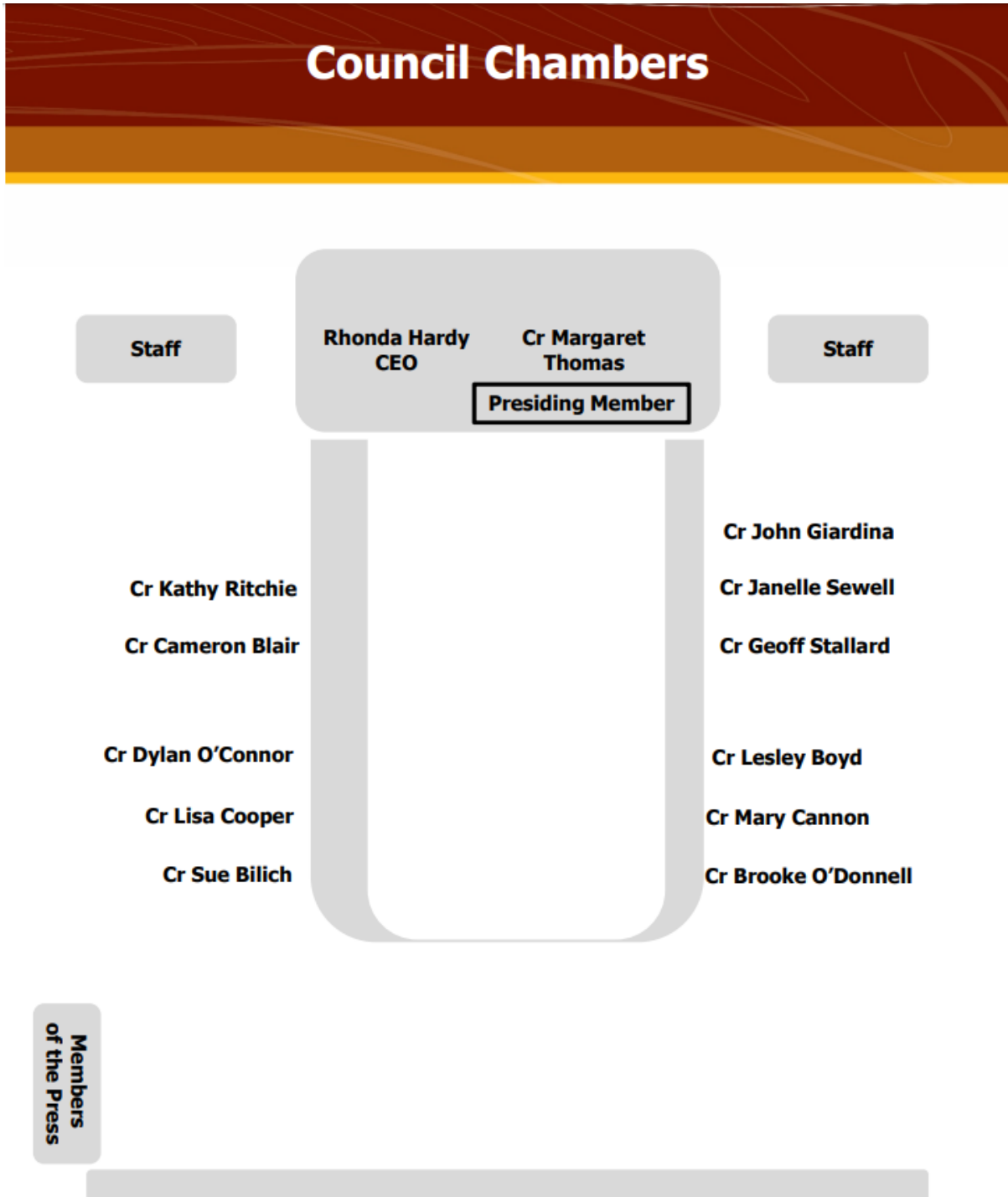
*Our simple guiding principle will be to ensure everything we do will make Kalamunda socially, environmentally and economically sustainable.*

## 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



## **Special 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 a Special Council Meeting during Public Question Time on matters relating to the functions of this meeting.
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**
- 2. Attendance, Apologies and Leave of Absence Previously Approved**
- 3. Public Question Time**

*A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this meeting. For the purposes of Minuting, these questions and answers will be summarised.*

- 4. Petitions/Deputations**
- 5. Announcements by the Member Presiding Without Discussion**
- 6. Matters for Which the Meeting may be Closed**
- 7. Disclosure of Interest**

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

- a. Members must disclose the nature of their interest in matter 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*.)

**7.2. 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.

## **8. Reports to Council**

### **8.1. Chief Executive Officer Reports**

#### **8.1.1. Appointment of Councillors to External, Management and Advisory Committees 2019/2021**

*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	
Applicant	N/A
Owner	N/A

Attachments	1. Terms of Reference Advisory Committees 2019-2021 - October 2019 [ <b>8.1.1.1</b> - 61 pages]
	2. Management and Advisory Committees 2019 - Scheduling Information [ <b>8.1.1.2</b> - 2 pages]
	3. Councillor Delegates to Committees 2019-2021 [ <b>8.1.1.3</b> - 1 page]

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is for Council to appoint delegates and representatives onto External, Management and Advisory Committees the period October 2019 to October 2021.
2. Council has been provided with an overview of the Terms of Reference and roles and responsibilities associated with each of the committees to which appointments will be made.
3. This report requires Council to approve the appointments by absolute majority.

#### **BACKGROUND**

4. The appointment of Council delegates is to ensure Council is always fully and formally represented.

#### **DETAILS**

5. Representation on the City of Kalamunda Management and Advisory Committees is outlined in the terms of reference, including the membership, as provided as Attachment 1.
6. Information as to frequency, day, time and location on each Committee meetings is provided in Attachment 2.

7. A brief description of the other committees to which delegates are sought is provided below for information. The number of delegates required for each group is advised in Attachment 3.
8. Western Australia Local Government Association East Zone (Zone)  
The Zones is a group of geographically aligned Member Councils who are responsible for direct elections of State Councillors, providing input into policy formulation and providing advice on various matters.
9. Perth Airports Municipalities Group  
The Perth Airports Municipalities Group (PAMG) is a forum for local government and airport operators to discuss and resolve issues relating to airports which either directly or indirectly affect the local community.
10. Kalamunda History Village  
The Kalamunda Historical Society Committee has responsibility for the day to day operations of the History Village and Stirk Cottage, on behalf of the City, under a Lease Agreement. A Councillor Delegate sits on the Committee.
11. Parks of the Darling Range Community Advisory Committee  
The Parks of the Darling Range Community Advisory Committee is a regular forum to hear public opinion and exchange advice on management issues affecting the parks of the Darling Range.
12. Pickering Brook Taskforce Working Group  
Terms of reference is provided within Attachment 1.
13. Metropolitan Regional Road Group  
Purpose and membership provided within Attachment 1.

## **STATUTORY AND LEGAL CONSIDERATIONS**

14. *Section 5.8 of the Local Government Act 1995 – Establishment of Committees.*  
*Section 5.9(2)(c) of the Local Government Act 1995 – Types of Committees.*  
*Section 5.11(2)(d) of the Local Government Act 1995 – Tenure of Committee Membership.*

## **POLICY CONSIDERATIONS**

15. Nil.

## **COMMUNITY ENGAGEMENT REQUIREMENTS**

### **Internal Referrals**

16. Nil.



**External Referrals**

17. Nil.

**FINANCIAL CONSIDERATIONS**

18. The administration cost to the City of providing support to the average Advisory Committee, on the basis of four meetings a year, is approximately \$4,000 to \$6,000 per Committee.

**STRATEGIC COMMUNITY PLAN**

**Strategic Planning Alignment**

19. *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 1.3.1** - Support local communities to connect, grow and shape the future of Kalamunda.

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

**Priority 4: Kalamunda Leads**

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

**Strategy 4.1.1** - Provide good governance.

**SUSTAINABILITY**

20. Advisory Committees provides the Council with community expertise to enhance decision making.

**RISK MANAGEMENT CONSIDERATIONS**

21.	<b>Risk:</b> Council does not appoint delegates to various Regional Committees and Groups and City Management and Advisory Committees		
	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Unlikely	Significant	High
	<b>Action/Strategy</b>		
	Ensure Council recognizes the value-added benefit Advisory Committees bring to Council decision making.		

**OFFICER COMMENT**

22. Nil.

**Voting Requirements: Absolute Majority**

**RECOMMENDATION**

That Council APPOINT those delegates set out in Attachment 3 to each of the Regional Committees, Groups and City of Kalamunda Management and Advisory Committees listed therein.

## 8.1.2. Development Assessment Panels - Nomination of Members

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

Previous Items  
 Directorate  
 Business Unit  
 File Reference  
 Applicant  
 Owner

Development Services  
 Approval Services

Attachments 1. Development Assessment Panels - Local Government Nominations [**8.1.2.1** - 3 pages]

### EXECUTIVE SUMMARY

1. To consider nominations to the Development Assessment Panel (DAP) for the Metro East Region following City of Kalamunda Councillor elections.

### BACKGROUND

2. 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.
3. 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

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

Members	Alternate Members
Cr Dylan O'Connor	Cr Kathy Ritchie
Cr Sara Lohmeyer – Retired	Cr Brooke O'Donnell

5. Current DAP members will remain appointed for the balance of the current term expiring 26 January 2020. New DAP members will be appointed for the upcoming term expiring 26 January 2022.
6. 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.

7. 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.
8. 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**

9. The Planning and Development (Development Assessment Panels) Regulations 2010 provide for the operation, constitution and administration of DAP's.

### **POLICY CONSIDERATIONS**

10. Nil.

### **COMMUNITY ENGAGEMENT REQUIREMENTS**

#### **Internal Referrals**

11. Nil.

#### **External Referrals**

12. Nil.

### **FINANCIAL CONSIDERATIONS**

13. 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**

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

**OFFICER COMMENT**

- 19. Membership on a DAP will provide those with the training, the opportunity to consider development applications of a significant nature.
- 20. The City acknowledges Cr Dylan O’Connor, Cr Kathy Ritchie and Cr Brooke O’Donnell are nominated as a member until 26 January 2020.
- 21. New members and alternative members nominated will be appointed to 26 January 2022.

**Voting Requirements: Absolute Majority**

**RECOMMENDATION**

That Council:

- 1. NOMINATES Cr\_\_\_\_\_ as the City of Kalamunda’s member for the Metro East Region Development Assessment Panel.
- 2. NOMINATES Cr\_\_\_\_\_ as the City of Kalamunda’s member for the Metro East Region Development Assessment Panel.
- 3. NOMINATES Cr\_\_\_\_\_ as the City of Kalamunda’s alternative member for the Metro East Region Development Assessment Panel.
- 4. NOMINATES Cr\_\_\_\_\_ as the City of Kalamunda’s alternative member for the Metro East Region Development Assessment Panel.

### **8.1.3. Community Appointment on City of Kalamunda Advisory Committee Nominations 2019/2021**

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

Previous Items	
Directorate	Office of the CEO
Business Unit	Customer & Public Relations
File Reference	
Applicant	N/A
Owner	N/A
Attachments	1. CONFIDENTIAL ATTACHMENT - Community Appointments Only - October 2019 [ <b>8.1.3.1</b> - 10 pages]

#### **EXECUTIVE SUMMARY**

1. The purpose of this report is to consider community member nominations for all City of Kalamunda (City) Advisory Committees for the term of 2019/2021.
2. The City has developed a very clear and relevant vision 'Connected communities, valuing nature and creating our future together.' Advisory Committees are imperative to achieving this vision.
3. This report recommends Council endorse membership for its Advisory Committees for the period October 2019 to October 2021 as set out in Attachment 1.

#### **BACKGROUND**

4. Advisory Committees provide an effective collaborative forum between the City and the community.
5. The City of Kalamunda currently has the following Advisory and Management Committees:
  - a) Bush Fire Advisory Committee
  - b) Community Safety and Crime Prevention Advisory Committee
  - c) Disability and Carers Advisory Committee
  - d) Kalamunda Aged Care Advisory Committee
  - e) Kalamunda Arts Advisory Committee
  - f) Kalamunda Environmental Advisory Committee
  - g) Kalamunda Tourism Advisory Committee
  - h) Strategic Sport and Recreation Committee
  - i) Lesmurdie School Community Library Management Committee
  - j) Ray Owen Sports Centre Management Committee
6. The purpose of each of the City of Kalamunda Management and Advisory Committees is outlined in the terms of reference, including the membership, and is provided as Attachment 1 to report 8.1.1 Appointment of Councillors to External, Management and Advisory Committees 2019/2021.

**DETAILS**

7. The City published a full-page advertisement in The Echo newspaper 31 August 2019 calling for nominations, issued a media release, promoted the call for nominations via social media channels, listed details on the website and opened nominations via the Engage portal. The City distributed flyers detailing each of the advisory committees and nomination forms to all City locations to ensure maximum exposure to the community.
8. Nominations closed for six of the seven committees on 18 September and an extension to 1 October was advertised for the Community Safety and Crime Prevention Advisory Committee.
9. The Bushfire Advisory Committee, Ray Owen Management Committee and Lesmurdie School and Community Library Management Committee all have nominations from their respective membership groups.
10. The following table showcases the positions available and nominations received for each of the Committees seeking community representation.

Committee Name	Nominations Received	Nominations Required
Community Safety and Crime Prevention Advisory Committee	6	4
Disability and Carers Advisory Committee	6	7
Kalamunda Aged Care Advisory Committee	7	7
Kalamunda Arts Advisory Committee	12	10
Kalamunda Environmental Advisory Committee	8	6
Kalamunda Tourism Advisory Committee	11	8
Strategic Sport and Recreation Committee	11	9

**STATUTORY AND LEGAL CONSIDERATIONS**

11. *Section 5.8 of the Local Government Act 1995 – Establishment of Committees.*
- Section 5.9(2)(c) of the Local Government Act 1995 – Types of Committees.*
- Section 5.11(2)(d) of the Local Government Act 1995 – Tenure of Committee Membership.*

## POLICY CONSIDERATIONS

12. Council Policy – Appointment of Community Members to Advisory Committees and Reference Groups

## COMMUNITY ENGAGEMENT REQUIREMENTS

### Internal Referrals

13. Significant internal referrals have been undertaken, with Business Units in the City of Kalamunda consulted.

### External Referrals

14. Nil.

## FINANCIAL CONSIDERATIONS

15. The cost to administer an advisory committee is in the order of \$5,000 to \$6,000 per year based on four meetings per year. This can vary depending on requirement of the committee.

Meeting agenda preparation	2 hours/meeting	\$ 400.00
Briefing Papers prepared and research	8 hours/meeting	\$ 1,600.00
Meeting attendance x 3 staff	2 hours/meeting	\$ 1,200.00
Minutes	2 hours/meeting	\$ 400.00
Senior Officers review and signoff	3 hours/meeting	\$ 900.00
Ongoing Liaison	2 hours/meeting	\$ 400.00
Reporting to council	4 hours/meeting	\$ 800.00
	<b>Total estimate</b>	<b>\$ 5,700.00</b>

Costings based on previous meeting statistics and information provided by the City's financial management team.

## STRATEGIC COMMUNITY PLAN

### Strategic Planning Alignment

16. *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 1.3.1** - Support local communities to connect, grow and shape the future of Kalamunda.

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

#### Priority 4: Kalamunda Leads

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

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



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

**SUSTAINABILITY**

**Social Implications**

17. Nil

**Economic Implications**

18. Nil

**Environmental Implications**

19. Nil

**RISK MANAGEMENT CONSIDERATIONS**

20.	<p><b>Risk:</b> Reputational risk where an Advisory committee’s goals do not align with the City’s objective and strategies.</p>		
	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Possible	Moderate	Medium
	<p><b>Action/Strategy</b></p> <p>Provide guidance to all the members at the first meetings to communicate the City’s strategic plan and objectives to ensure the Committee understands its role and works within its Terms of Reference.</p>		

**OFFICER COMMENT**

- 21. The standard of applications from the community for positions on the various committees was very high.
- 22. A cross-directorate panel was established to review all nominations.
- 23. The proposed appointments are contained in Attachment 1.

**Voting Requirements: Absolute Majority**

**RECOMMENDATION**

That Council:

1. ENDORSE successful Nominations as per Attachment 1.
2. NOTE the City will write to all nominees and advise of the outcome for all Advisory Committees.
3. NOTE the stakeholder representatives for the City of Kalamunda's management committees.

**9. Meeting Closed to the Public**

**10. Closure**



**NOTICE OF SPECIAL MEETING  
Audit & Risk Committee**

Councillors

Notice is hereby given that a Special Meeting of the Audit & Risk Committee will be held in the Council Chambers, 2 Railway Road, Kalamunda on Tuesday 29 October 2019, at 7:30pm.

A handwritten signature in blue ink, appearing to read "Rhonda Hardy".

Rhonda Hardy  
**Chief Executive Officer**

25 October 2019

**AGENDA**

- 1.0 OFFICIAL OPENING
- 2.0 ATTENDANCE AND APOLOGIES
- 3.0 ELECTION OF PRESIDING MEMBER
- 4.0 ELECTION OF DEPUTY PRESIDING MEMBER
- 5.0 CLOSURE



**NOTICE OF SPECIAL MEETING  
Chief Executive Officer's Performance Review Committee**

Councillors

Notice is hereby given that a Special Meeting of the Chief Executive Officer's Performance Review Committee will be held in the Council Chambers, 2 Railway Road, Kalamunda on Tuesday 29 October 2019, at 7:45pm.

A handwritten signature in blue ink, appearing to read "Rhonda Hardy".

Rhonda Hardy  
**Chief Executive Officer**

25 October 2019

**AGENDA**

- 1.0 OFFICIAL OPENING
- 2.0 ATTENDANCE AND APOLOGIES
- 3.0 ELECTION OF PRESIDING MEMBER
- 4.0 ELECTION OF DEPUTY PRESIDING MEMBER
- 5.0 CLOSURE