



Ordinary Council Meeting

AGENDA

Tuesday 25 February 2020

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 25 February 2020 at 6.30pm.**



Rhonda Hardy
Chief Executive Officer
20 February 2020



Our Vision

Connected Communities, Valuing Nature and Creating our Future Together

Core Values

Service We deliver excellent service by actively engaging and listening to each other.

Respect We trust and respect each other by valuing our differences, communicating openly and showing integrity in all we do.

Diversity We challenge ourselves by keeping our minds open and looking for all possibilities and opportunities.

Ethics We provide honest, open, equitable and responsive leadership by demonstrating high standards of ethical behaviour.

Aspirational Values

Creativity We create and innovate to improve all we do.

Courage We make brave decisions and take calculated risks to lead us to a bold and bright future.

Prosperity We will ensure our District has a robust economy through a mixture of industrial, commercial, service and home based enterprises.

Harmony We will retain our natural assets in balance with our built environment.

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

kalamunda.wa.gov.au

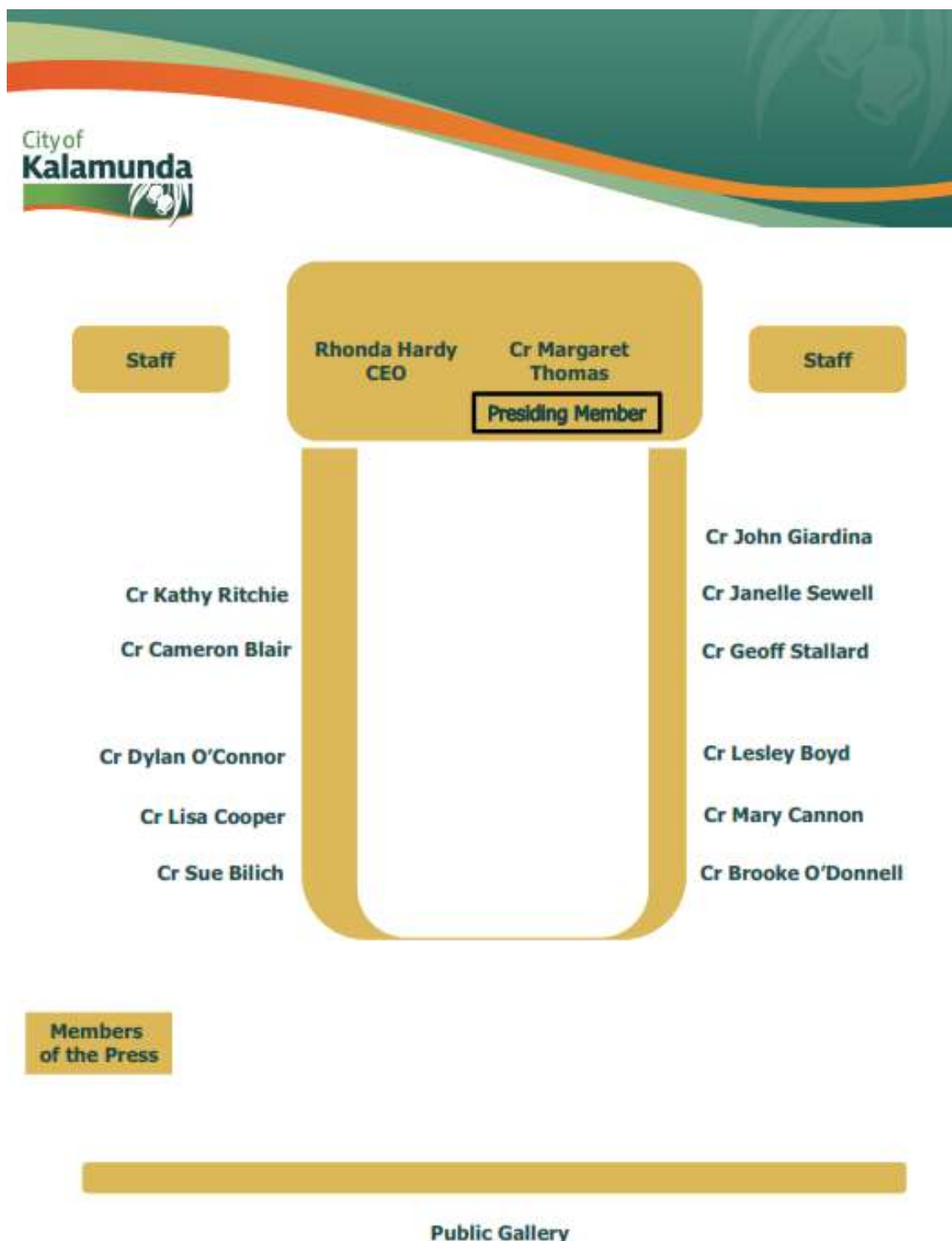


Information for the Public Attending

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**
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 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 Janelle Sewell be granted leave of absence for the period 14 April 2020 to 24 April 2020.

Moved:

Seconded:

Vote:

- 5.2 That Cr Kathy Ritchie be granted leave of absence for the period 30 April 2020 to 24 May 2020.

Moved:

Seconded:

Vote:

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

- 6.1 That the Minutes of the Ordinary Council Meeting held on 17 December 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 17 December 2019."

- 6.2 That the Minutes of the Public Agenda Briefing Forum held on 11 February 2020, 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 11 February 2020."

7. Announcements by the Member Presiding Without Discussion

8. Matters for Which the Meeting may be Closed

- 8.1 Item 10.2.3 Consideration of Tenders for Provision of General Electrical Maintenance Services and Provision of Irrigation Electrical Maintenance Services (RFT1907) – Confidential Attachment – Tender Evaluation Report – Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (c) - *"a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."*
- 8.2 Item 10.2.4 Consideration of Tenders for General Tree Services (RFT 1912) – Confidential Attachment – 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."*
- 8.3 Item 10.2.5 Consideration of Tenders for the Provision of Extruded Concrete Kerbing Services (RFT 1919) – Confidential Attachment- 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."*

- 8.4 Item 10.5.11 Forrestfield / High Wycombe Industrial Area Stage 1 - Development Contribution Plan Report - Adoption for Public Advertising- Confidential Attachment 1
Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (d) - "legal advice obtained, or which may be entered into, by the local government which relates to a matter to be discussed."*
- 8.5 Item 10.5.11 Forrestfield / High Wycombe Industrial Area Stage 1 - Development Contribution Plan Report - Adoption for Public Advertising- Confidential Attachment 2
Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (d) - "legal advice obtained, or which may be entered into, by the local government which relates to a matter to be discussed."*
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. Department of Planning, Lands and Heritage - Draft Residential Aged Care Position Statement - City of Kalamunda Submission

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

Previous Items N/A
Directorate Development Services
Business Unit Strategic Planning
File Reference 3.009297
Applicant N/A
Owner City of Kalamunda

Attachments

1. Draft Position Statement Residential Aged Care [10.1.1.1 - 5 pages]
2. City of Kalamunda - Submission [10.1.1.2 - 18 pages]
3. KACAC Comments from Members [10.1.1.3 - 4 pages]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is to note the release of the Western Australian Planning Commission's (WAPC) Draft Position Statement for Residential Aged Care (PSRAC) (Attachment 1) released for public comment in October 2019 and endorse the City's submission.
2. The City has prepared a submission for the WAPC to consider, which includes a table of comments, background information, and case studies of prominent aged care sites within the City (Attachment 2).
3. The Kalamunda Aged Care Advisory Committee (KACAC) was briefed on the PSRAC and the City's submission on the 4 December 2019 and some members have prepared additional comments for the Council's consideration (Attachment 3).

BACKGROUND

4. A position statement is intended to set out the policy position of the WAPC with respect to a particular matter. A position statement is similar to an information sheet (formerly called a Planning Bulletin) which is released by the State Government to help explain and guide the intent and objectives of planning legislation, policy and practice.

DETAILS AND ANALYSIS

5. In summary the key points of the City's response include:
 - a) Definitions are considered appropriate.
 - b) The strategic led approach to aged care needs through analysis in local housing and planning strategies is generally supported.
 - c) Identifying aged care development as a 'P' (Permitted) use may not result in faster approvals as the works component of developments will often require public advertising in any case.
 - d) The recommendation for Local Development Plans to guide design is supported.

- e) Further exploration of key industry trends in aged care like inter-generational aged care facilities and alternative forms of housing accommodation would help provide alternative options.
- f) The document could further assist by acknowledging the inherent constraints of delivering aged care in rural areas by providing specific technical guidance in relation to services such as minimum lot size requirements, minimum standards for effluent disposal where not connected to sewer, preferred built form outcomes or specifying typical ancillary uses.
- g) Further guidance around facilitating private-public partnerships is needed.

For further information on these points, refer to Attachment 2 - City of Kalamunda Submission.

- 6. One of the changes proposes the inclusion of definitions for 'Residential Aged Care Facility' and 'Retirement Village' to be included in Local Planning Schemes, and land use permissibility to include aged care as a 'P' use in a residential zone, 'X' use in an industrial zone, and 'D' or 'A' use in a rural zone.
- 7. 'P' = Permitted. Means that the use is permitted by the Scheme.
 'D' = Discretionary. Means the use is not permitted unless Council has granted planning approval.
 'A' = Advertise. Means the use is not permitted unless Council has granted planning approval after giving notice (advertise)
 'X' = Prohibited use
- 8. The City of Kalamunda Local Planning Scheme No. 3 (LPS3) currently has two definitions for considering proposals for aged care and accommodation proposals: 'Aged/Dependant Dwellings' and 'Aged Residential Care'. Current land use permissibility in the LPS3 is shown in Table 1 below:

Table 1. Local Planning Scheme No. 3 extract of land use Zoning Table

	District Centre	Commercial	Mixed Use	Residential	Residential Bushland	Light Industry	General Industry	Service Station	Private Clubs and Inst.	Special Rural	Rural Composite	Rural Agriculture	Rural Landscape Interest	Rural Conservation	Industrial Development
Aged/Dependent Dwellings	D	D	P	P	A	X	X	X	D	X	X	X	X	X	X

Aged Residential Care	D	D	A	A	A	X	X	X	P	X	X	X	X	X	X
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APPLICABLE LAW

- 9. The draft PSRAC notes that the WAPC will support amendments to incorporate the statutory content from the position statement into the *Planning and Development (Local Planning Schemes) Regulations 2015* as model or deemed provisions. This would ensure that Local Planning Schemes will be consistent with the definitions provided in the Draft PSRAC.

APPLICABLE POLICY

- 10. The Draft PSRAC is influenced by and is related to the following State Planning Policies (SPP):
- 11. **SPP 2.5 – Rural Planning**
A policy which guides planning and environmental health considerations for agricultural, horticultural and animal premises. Will apply to any future application for aged care in rural regions.
- 12. **SPP 2.7 – Public Drinking Water Source**
A policy to protect and manage public drinking water source areas from incompatible land uses and pollution in order to maintain the quality of the drinking water. Applicable if a proposed aged care site is located within a public drinking water source area.
- 13. **SPP 3.7 – Planning in Bushfire Prone Areas**
A policy to guide development in bushfire prone areas, in particular with relation to vulnerable land uses such as an aged care facility.
- 14. **SPP 5.1 – Land Use Planning in the Vicinity of Perth Airport**
A policy to guide development which is or may in the future be affected by aircraft noise.
- 15. **SPP 5.4 – Road and Rail Noise**
Guides development which may be affected by road or rail noise, which proposed aged care sites should avoid.
- 16. **SPP 4.1 – Industrial Interface**
Guides planning decisions with the aim of protecting the long-term future operation of industry and infrastructure facilities, by avoiding encroachment from sensitive land uses and potential land use conflicts. Applicable in cases where an aged cares site may be located adjacent to and industrial area such as Forrestfield North and Forrestfield Stage 1 Industrial area.

STAKEHOLDER ENGAGEMENT

17. The draft PSRAC is open for public comment and can be accessed via the Department of Planning, Lands and Heritage website.
18. KACAC reviewed the contents of the draft PSCRAC on 4 December 2019 and some members have prepared comments for Council's consideration (Attachment 3). The comments have been noted and integrated into the City's submission, where possible.

FINANCIAL CONSIDERATIONS

19. This submission has been prepared by the City and costs associated with the preparation of the submission have been covered under the Development Services Budget.

SUSTAINABILITY

Social Implications

20. The intent behind the PSRAC is to streamline and encourage the provision of an appropriate supply and diversity of residential aged care options by establishing a consistent, simplified and clear approvals framework supported by a strategically led planning system.

Economic Implications

21. Aged Care sites are largely delivered by the private sector. In this regard, providing guidance around site suitability and land permissibility would assist providers in making informed choices regarding feasibility of aged care developments.

Environmental Implications

22. Aged residential care developments are generally an intensive land use with a greater building bulk and scale and high numbers of residents, employees and visitors. Allowing aged residential care to be considered in rural areas requires careful consideration of the potential impact on amenity and environmental impacts, particularly in rural areas.

RISK MANAGEMENT

23.	Risk: The City's submission on the Draft Position Statement: Residential Aged Care is not given regard by the WAPC and results in the issues raised by the City not being considered by the WAPC.		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Low
	Action/Strategy		
	Council considers and endorses a submission prior to the comment period closing on 28 February 2020.		

CONCLUSION

24. Overall, the City is generally supportive of the intent and objectives of the draft PSRAC. The City's submission seeks greater clarification around the provision of aged care within rural areas with acknowledgement these are significantly more constrained than in residential areas.
25. The PSRAC is considered to have a narrow focus and could include more reference to contemporary trends and the diverse methods available for delivering aged care through: single story grouped dwellings, multiple dwellings, intensive care unit with lodgings, mixed-use or inter-generational living, cooperative aged care village, multi-generational at home care, or externally assisted home care. Further clarification is also sought on the market conditions and background research that has informed the recommendations.
26. The City has developed a working knowledge and expertise in the field of aged care developments from a local government perspective. As the WAPC finalises the document and considers possible policy and planning scheme requirements, the City would be prepared to work with and assist the department at a technical level.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. NOTE the release of the State Government Draft Position Statement for Residential Aged Care for public comment.
2. ENDORSE the City of Kalamunda comments to be forwarded to the Western Australian Planning Commission for consideration.
3. NOTE the comments provided by members of the Kalamunda Aged Care Advisory Committee.
4. ADVISE the Western Australian Planning Commission that the City of Kalamunda would be prepared to assist with the further development of the Position Statement and any subsequent policy or guidelines.

10.2. Asset Services Reports

10.2.1. Provision of Electric Vehicle Charging Stations

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

Previous Items	N/A
Directorate	Asset Services
Business Unit	Asset Services
File Reference	3.002622
Applicant	N/A
Owner	City of Kalamunda
Attachments	Nil

TYPE OF REPORT

<input type="checkbox"/>	Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
<input type="checkbox"/>	Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
<input checked="" type="checkbox"/>	Information	For Council to note
<input type="checkbox"/>	Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 2: Kalamunda Clean and Green

Objective 2.2 - To achieve environmental sustainability through effective natural resource management.

Strategy 2.2.2- Use technology to produce innovative solutions to reduce power and water usage.

Priority 3: Kalamunda Develops

Objective 3.2 - To connect community to quality amenities.

Strategy 3.2.2 - Provide and advocate for improved transport solutions and better connectivity through integrated transport planning.

EXECUTIVE SUMMARY

1. The purpose of this report is to inform Council of issues surrounding a proposal that the City of Kalamunda (City) installs an Electric Vehicle (EV) Charging Station (Station) within the City.
2. There are no technical barriers to installing such a Station. The report discusses other matters such as cost, demand for a Station and sustainability for consideration.
3. It is recommended that Council note this report.

BACKGROUND

4. During 2019/2020 budget workshops with Council, the Administration was requested to investigate and report on issues surrounding a desire to install a Station within the Kalamunda Town Centre.

DETAILS AND ANALYSIS

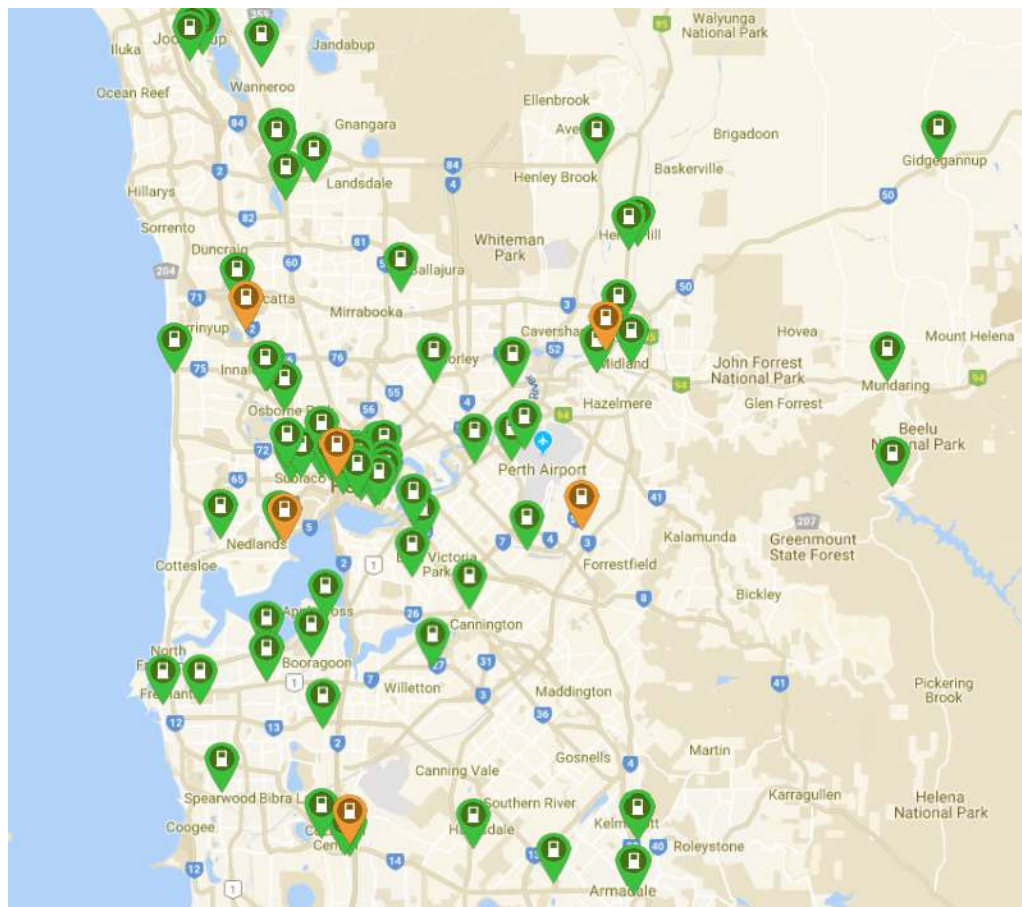
5. According to the Electric Vehicle Council of Australia, in 2018 there were ~2,200 new EVs purchased in Australia. Western Australia accounts for about 11% of all new passenger car sales in Australia¹, hence it could be estimated that there were ~240 new EVs in WA in 2018. The EV Council also reports similar new EV purchases in 2017. This provides an indication of the potential demand for Stations. In earlier years, the number of EVs was not significant.
6. Several suppliers within Australia provide Stations for use in both private and public spaces. The details within this report stem from one supplier who was open with their costs and technical details.
7. A Station essentially provides an electric power point that is suitable to charge electric vehicles whilst parked. The critical factor in selecting a Station is the desired electric recharge provided during each vehicle's parking time.

¹ Australian Bureau of Statistics

8. A typical Station in a public domain looks like:



9. The image below shows the geographic location of Stations in publicly accessible areas, noting that there appear to be none in the immediate proximity to the Kalamunda Town Centre:



10. Type 1 Stations are predominantly used in domestic/long term parking areas. They typically would provide enough capacity to recharge a vehicle over an extended (typically 10 hour) parking period.
11. Type 2 Stations have higher electrical capacity and could recharge a typical EV in one hour. Some Stations can cater for two vehicle parking bays but used concurrently would double the time to fully charge both vehicles.
12. Type 3 Stations provide a rapid 20 to 30 minute full charge for an EV. They usually only service one vehicle at a time.
13. Two main costs are involved - the supply and installation of the Station itself and Western Power charges to provide sufficient electric capacity at the point of installation. Whilst the former is relatively known and independent of site, the latter is largely dependent on the Western Power network capacity at the proposed location for the Station.
14. A proposed site was selected in the public car park adjacent to Kalamunda Library to allow Western Power to provide a high-level cost estimate of their headworks. A Type 2 Station (capable of serving two vehicles concurrently) would cost \$5,500 for the Station and \$13,500 for Western Power headworks at a total cost of \$19,000. These costs are indicative and subject to competitive quotation.
15. The City of Swan has installed a Type 3 Station at their Civic Centre. This cost the City of Swan approximately \$47,000.
16. In a public space application either a Type 2 or Type 3 station should be used given the expected parking time versus recharge capacity provided. The significant additional costs, both in the Station and Western Power headworks make a Type 3 station significantly more expensive than a Type 2.
17. A decision would also need to be taken whether the City was to provide the power free or charge the user. For this purpose, if we assume a Type 2 Station that it is used for two hours per day, seven days per week this equates to an annual cost to the City of electricity consumed of \$4,800 based on a 'public tariff' of \$0.31 per kWh. Suppliers of Stations provide a 'smart card/phone app' compatible billing system for charging users. The City of Swan provide a publicly accessible Station and charge users \$0.40 per kWh. On this comparison, the City's margin for power charge/power cost would be \$1,500 pa.

18. It is believed that there are no grant funded schemes available to fund this project and as such would be solely from Municipal funding. If the City installed a Type 2 Station and charged for consumption the payback would be in the order of 13 years.
19. There is no supporting evidence at this time to suggest that there will be a significant take up of the EV charging station.
20. Consideration also needs to be given to converting one or two parking bays from 'open' use to 'restrictive' use for EVs only and whether this has unintended consequences of public backlash during busy parking periods.
21. Environmental considerations of this matter relate predominantly to the take up of Electric Vehicles over that of fossil fuel (petrol / diesel / LPG) vehicles. Industry reporting suggests that a typical fossil fuelled car emits 250g of CO₂ per km, whereas an EV requires (electricity from a power station) an equivalent emission of 170g of CO₂ per km. This figure will reduce as Australia moves further away from fossil fuel power stations towards renewable energy. In New Zealand (for example) where 84% of power generated is renewable, a typical EV requires 15g of CO₂ emissions from power generation.

APPLICABLE LAW

22. The *Parking and Public Facilities 2019* Local Law governs approvals for certain types of parking stalls.

APPLICABLE POLICY

23. Nil.

STAKEHOLDER ENGAGEMENT

24. At this stage of the proposal, no stakeholder engagement is warranted. The City may be able to work with the local businesses to determine if there is feasibility of a partnership approach to installing a Station in a privately operated car park, however this has not been explored.
25. The City has not undertaken any community consultation on this matter and would require Council direction to do so.

FINANCIAL CONSIDERATIONS

26. The potential costs for an EV Station are detailed in the report.

SUSTAINABILITY

- 27. It is uncertain if the provision of EV Stations would have any demonstrable benefit to the commercial businesses in the City through increased visitation.
- 28. In itself, the City providing one EV Station does not have reduced carbon footprint benefits for the City. However, if more consumers choose to purchase electric vehicles because of the increasing availability of charging stations throughout the greater Perth region, then there are demonstrable benefits in reduced usage of fossil fuels and greenhouse gases on a broader community scale.

RISK MANAGEMENT

29.	Risk: The take up of EV Stations falls below expectations leading to a longer payback period.		
	Consequence	Likelihood	Rating
	Insignificant	Possible	Low
	Action/Strategy		
	This risk is accepted as is.		

CONCLUSION

- 30. This report outlines the salient financial and environmental issues regarding an EV Station. The project may not be viable solely on financial grounds however consideration of longer-term environmental issues may be relevant.
- 31. Council may wish to refer for further reconsideration and advice this matter to the Kalamunda Environmental Advisory Committee (KEAC) or give further consideration itself through a strategy session of Council.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE this report into matters regarding an Electric Vehicle Charging Station for use by the public in the City of Kalamunda.

10.2.2. Pomeroy Road Traffic Assessment

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

Previous Items	N/A
Directorate	Asset Services
Business Unit	Asset Planning
File Reference	4.00009238, PM-01/GEN
Applicant	N/A
Owner	N/A
Attachments	1. Proposed Concept Designs - Pomeroy Road [10.2.2.1 - 1 page]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking is substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
- Information For Council to note
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STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

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

Strategy - 1.2.1 Facilitate a safe community environment.

Priority 3: Kalamunda Develops

Objective 3.2 - To connect community to quality amenities.

Strategy 3.2.2- Provide and advocate for improved transport solutions and better connectivity through integrated transport planning.

EXECUTIVE SUMMARY

1. The purpose of the report is to consider the result of a Traffic Treatments Assessment and subsequent public consultation in the immediate area for proposed traffic treatments on Pomeroy Road, between Welshpool Road East and Canning Road.
2. The majority of respondents to the consultation objected to the proposal. As a result of there not being a clear causal factor to the speeding and safety risk, and consequently not a clear solution, the City of Kalamunda (City) proposes at this time not to proceed with any treatments.
3. It is recommended that Council note the outcomes of this consultation and endorse a recommendation that no further works are listed on forward works programs at this time.

BACKGROUND

4. The City received a single complaint of speeding in July 2018 for Pomeroy Road, between Welshpool Road East and Canning Road.
5. Following this complaint and as resources permitted, a standard Traffic Treatments Assessment (TTA) was conducted, resulting in a score of 53 and a recommendation to investigate treatment options. Concept designs were prepared and sent to the surrounding residents for comment.

DETAILS AND ANALYSIS

6. The crash history of Pomeroy Road from 2014 to 2018 includes seven crashes at the Welshpool Road East intersection, four at the Canning Road intersection, one at McNabb Place and three along the road near Welshpool Road East. The Welshpool Road East intersection recently was the subject of a Road Safety Audit with recommendations for actions to improve safety which are in progress.
7. The City regularly addresses concerns regarding speeding and hooning by undertaking a TTA. The assessment produces a score after considering the 85th percentile speed, traffic volumes, crash history, road geometry, activity generators and the proportion of heavy vehicles using the road. The 85th percentile speed limit is used as it is an accepted industry-standard matrix to guide decisions relating to speed, safety and to minimise risk.

8. The assessment process recommends a level of treatment based on different thresholds. Scores above 50 identify the priority need for physical traffic treatments, scores ranging between 35 and 50 trigger only low-cost solutions, and scores below 35 do not warrant prioritised action by the City.
9. The assessment for Pomeroy Road resulted in a score of 53. The recommendation is that suitable solutions be found to address traffic issues.
10. There is no strong evidence to suggest the causes of the speeding so standard traffic calming measures were proposed for consideration.
11. Following the assessment, the City arranged for concept designs to be prepared. These are shown in Attachment 1. They show:
 - a) a blister island and traffic island in the centre of Pomeroy Road at the Reid Road intersection;
 - b) a deviation with traffic islands at the Pruiti Crescent intersection;
 - c) a single direction deviation traffic island near the McNabb Place intersection (labelled incorrectly as Rockdale Place); and
 - d) 60 km/hr speed zone sign at Canning Road end (a matching sign was proposed for the Welshpool Road East end).
12. To gauge local acceptance of the concepts, the City issued the three concepts listed above as (a) to (c) to the local residents for feedback in August 2019. The speed zoning sign was not sent as this is subject to demonstrated reduction in operating speed and requires separate Main Roads WA approval. Whether or not this would be proceeded with was considered to be a matter for decision at another time, once the traffic treatments had been installed.
13. Feedback was received from 26 residents, with 17 objecting to the proposal. The main areas for objection were:
 - a) not needed, lack of perceived effectiveness;
 - b) speeding perceived to be a minor problem with most people obeying the speed limit; and
 - c) longer travel times.
14. Generally, the City expects to receive some objections to any design, however the proportion of objections to support were unusually high.
15. Following the feedback, the City considered the relative merit of the designs. Although every method of slowing traffic provides benefits to road user safety, the specific designs proposed do not directly influence the causes of prior crashes. When considering the large number of other

roads in the City that have higher TTA scores and more severe crash histories, the City recommends not proceeding with traffic treatments at this time.

APPLICABLE LAW

- 16. a) *Local Government Act (1995);*
- b) *Main Roads Act (1930);* and
- c) *Road Traffic Code (2000).*

APPLICABLE POLICY

- 17. There are no policies directly related to this item.

STAKEHOLDER ENGAGEMENT

- 18. The proposal was sent to local residents for feedback.

FINANCIAL CONSIDERATIONS

- 19. At this stage, the proposed designs have not been incorporated into any forward works programs.
- 20. There would be limited sustainability benefits in adopting these works.

RISK MANAGEMENT

21.	<p>Risk: There may be crashes in the future that could have been avoided by delivering traffic calming treatments, which lead to reputational damage to the City.</p>		
	Consequence	Likelihood	Rating
	Moderate	Rare	Low
	Action/Strategy		
	The City regularly reviews crash histories and traffic data and recommends treatments where feasible.		

CONCLUSION

- 22. Although it is desirable to dramatically reduce crash risk by lowering operating speeds, it is recognised that this proposal would be considered a low priority and not able to be delivered for many years due to severe funding constraints.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ENDORSE the recommendation not to undertake traffic treatments on Pomeroy Road (Welshpool Road East to Canning Road) at this time noting the level of community objections to the proposals.

10.2.3. Consideration of Tenders for Provision of General Electrical Maintenance Services and Provision of Irrigation Electrical Maintenance Services (RFT1907)

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

Previous Items	OCM 06/2015
Directorate	Asset Services
Business Unit	Asset & Waste Operations
File Reference	AD-TEN-005
Applicant	N/A
Owner	City of Kalamunda
Attachments	Nil
Confidential Attachment	Tender Evaluation Report <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 s5.23 (c) "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."</i>

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council approval to award a tender seeking to engage a contractor for the Provision of General Electrical Maintenance Services and Provision of Irrigation Electrical Maintenance Services (RFT 1907).
2. This will be a services contract providing labour and materials to undertake a variety of preventative and reactive electrical maintenance tasks in City of Kalamunda (the City) owned building facilities and electrical systems used for irrigation of open spaces.
3. It is recommended Council accept the tender from Burgess Enterprises Australia Pty Ltd, t/a Kalamunda Electrics ACN 159 828 798 based on the schedule of rates for an initial three-year period with the option to extend two one-year options.

BACKGROUND

4. The Contract Term on the previous Electrical Maintenance Works (Tender RFT 1406) has expired. The City sought Tenders for General Electrical Maintenance Works for the next term as well as the option of Irrigation Electrical Maintenance works in order to improve efficiencies in this area.

DETAILS AND ANALYSIS

5. The City issued RFT 1907 seeking to engage a contractor to provide general electrical and/or irrigation electrical maintenance services for a three-year period, with two optional single year extensions at the City's discretion. Tenders closed on 28 October 2019, with seven tenders received by the closing date.
6. Tenders received by the closing date were from the following companies (in alphabetical order):
 - a) Burgess Enterprises Australia Pty Ltd t/a Kalamunda Electrics;
 - b) Electritech Industries;
 - c) Fault Finders WA Pty Ltd;
 - d) Northlake Electrical;
 - e) Ozwire Electrical Pty Ltd;
 - f) Paramount Electrical Services; and
 - g) Pearmans Electrical Mechanical Services.
7. An Evaluation Panel was convened of suitable qualified City officers to assess the tenders received.

8. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. Compliant tenders were then assessed against qualitative criteria (again set out in the tender invitation). The Qualitative Criteria and weighting were determined as follows:

Qualitative Criteria	Weighting
Relevant Experience	20%
Key Personnel & Subcontractors Skills & Experience	20%
Tenderer's Resources	20%
Demonstrated Understanding of Tasks	20%
Assessment of OH&S processes adopted in typical tasks	20%

9. Tenders which met or exceeded the qualitative pass mark of 60% were then assessed for price.
10. Four of the seven tender submissions met the required qualitative pass mark.
11. The four compliant tenders were ranked as follows regarding the Qualitative Criteria:

Tenderer	Score	Rank
Burgess Enterprises Australia Pty Ltd t/a Kalamunda Electrics	76%	1
Northlake Electrical	72%	2
Pearmans Electrical Mechanical Services	62%	3
Electritech Industries	60%	4

12. A price assessment was then undertaken for these four tenders to determine the best value for money outcome for the City.
13. The Tender Evaluation Report is provided as Confidential Attachment 1 to this report. This Attachment also assesses the anticipated costs for labour for the range of tasks anticipated by the City each year.
14. The recommended tender best satisfied the City's requirements in terms of:
- a) meeting or exceeding the qualitative assessment benchmark;
 - b) proven capacity and capability to undertake the work;
 - c) satisfying reference checks from previous clients;

- d) satisfying independent financial reference checks of the proposed contractor; and
- e) providing the best value for money outcome.

15. The contract term is proposed to be an initial three-year term with two further one-year extensions at the City's discretion. The schedule of rates will increase annually by CPI. Estimated expenditure in the first year is \$450,000 pa and generally similar amounts in subsequent years.

APPLICABLE LAW

16. Section 3.57 of *Local Government Act 1995*. Part 4 of the *Local Government (Functions and General) Regulations 1996*.

APPLICABLE POLICY

17. Policy C-PP01 – Purchasing, has been followed and complied with.

FINANCIAL CONSIDERATIONS

18. It is estimated that this Contract will be in the order of \$450,000 pa. Expenditure allocations will be funded from within operational and capital works budgets.

SUSTAINABILITY

19. Nil.

RISK MANAGEMENT

20.	Risk: The Contractor fails to fulfil the requirements of the contract, leading to increased costs to the City through re-tendering.		
	Consequence	Likelihood	Rating
	Insignificant	Unlikely	Low
	Action/Strategy		
	a) Corporate scorecard confirms financial viability of contractor.		
	b) Formal and detailed Qualitative criteria within Tender minimise risk.		

CONCLUSION

21. After evaluating all the submissions from the various suppliers and taking all the risks into consideration, it is believed that Kalamunda Electrics will be the best suitable supplier to provide the City with General Electrical Maintenance Services and Irrigation Maintenance Services.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ACCEPT the tender for both Part A & B – General Electrical Maintenance Services and Irrigation Electrical Maintenance Services (RFT 1907) from Burgess Enterprises Australia Pty Ltd t/as Kalamunda Electrics ACN 159 828 798, as per the schedule of rates set out in Confidential Attachment 1 to this report for an initial three-year term with two further one-year extensions at the City of Kalamunda’s discretion.

10.2.4. Consideration of Tenders for General Tree Services (RFT 1912)

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

Previous Items	OCM 127/2016
Directorate	Asset Services
Business Unit	Parks & Environmental Services
File Reference	AD-TEN-005
Applicant	N/A
Owner	City of Kalamunda
Attachments	Nil
Confidential Attachment	Tender Evaluation Report <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 s5.23 (c) "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."</i>

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking is substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 1: Kalamunda Cares and Interacts

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

Strategy - 1.2.1 Facilitate a safe community environment.

Priority 2: Kalamunda Clean and Green

Objective 2.1 - To protect and enhance the environmental values of the City.

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

Priority 3: Kalamunda Develops

Objective 3.2 - To connect community to quality amenities.

Strategy 3.2.1 - Optimal management of all assets.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council approval to award a tender seeking to engage a contractor to provide General Tree Services (RFT 1912).
2. This will be a services contract providing labour and materials to undertake general tree services including, target pruning, tree removal, chipping and stump grinding throughout the City of Kalamunda (the City).
3. It is recommended Council accept the tender from Beaver Tree Services Aust Pty Ltd ACN 093 584 788, based on the schedule of rates for an initial three-year period with the option to extend for two single year options.

BACKGROUND

4. The City undertakes tree maintenance of all cultured trees and some naturally occurring trees growing within its streetscapes, public open spaces and conservation areas. The volume of work in this area has necessitated the use of contractors to supplement the available inhouse staff and plant.
5. The contract Term for the previous General Tree Services (Tender RFT 1604) has expired. The City sought Tenders for General Tree Services.
6. This Tender is separate from the Powerline Vegetation Management (RFT 1909) recently awarded by Council that primarily deals with clearing vegetation away from electrical powerlines which requires different resourcing and expertise in working near powerlines.

DETAILS AND ANALYSIS

7. The City issued RFT 1912 seeking to engage a contractor to provide general tree services including, target pruning, tree removal, chipping and stump grinding, for a three-year period, with two optional single year extensions at the City's discretion. Tenders closed on 26 September 2019, with seven tenders received by the closing date.
8. Tenders received by the closing date were from the following companies (in alphabetical order):
 - a) Beaver Tree Services Aust Pty Ltd;
 - b) Geoff's Tree Service Pty Ltd;
 - c) Kennedys Tree Services;
 - d) MPK Tree Services;
 - e) Total Tree Services;
 - f) Tree Care Pty Ltd; and
 - g) WA Tree Works
9. An Evaluation Panel was convened of suitable qualified City officers to assess the tenders received.
10. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. Compliant tenders were then assessed against qualitative criteria (again set out in the tender invitation). The Qualitative Criteria and weighting were determined as follows:

Qualitative Criteria	Weighting
Ability to Carry Out the Work	40%
Tenderer's Resources	40%
Occupational Safety and Health, Environmental Management	20%

11. Tenders which met or exceeded the qualitative pass mark of 60% were then assessed for price.
12. Five of the seven tender submissions met the required Qualitative Pass Mark (QPM).

13. The five compliant tenders were ranked as follows regarding the Qualitative Criteria:

Tenderer	Score	Rank
Kennedys Tree Services	78%	1
Geoff's Tree Service Pty Ltd	76%	2
Tree Care Pty Ltd	72%	3
Beaver Tree Services Aust Pty Ltd	70%	4
MPK Tree Services	70%	4

14. This contract is a schedule of rates contract relating to tree removal (depending on size of tree), stump removal (depending on size of tree), limb / branch services (depending on height), emergency call out, termite control and traffic management.
15. It was decided to tabulate the schedule of rates for each service from each tender passing the QPM as the means of price assessment.
16. The tender assessment report is provided as Confidential Attachment 1 to this report.
17. The recommended tender best satisfied the City's requirements in terms of:
- a) meeting or exceeding the qualitative assessment benchmark;
 - b) proven capacity and capability to undertake the work;
 - c) satisfying reference checks from previous clients;
 - d) satisfying independent financial Corporate Scorecard check; and
 - e) providing the best value for money outcome.
18. The Evaluation Panel recommend that Beaver Tree Services Aust Pty Ltd as the preferred tender for RFT 1912 based on their tender schedule of rates.
19. Section 3.57 of *Local Government Act 1995*. Part 4 of the *Local Government (Functions and General) Regulations 1996*.

APPLICABLE POLICY

20. Policy C-PP01 – Purchasing, has been followed and complied with.

FINANCIAL CONSIDERATIONS

21. It is estimated that this Contract will be in the order of \$500,000 annually depending on approved budgets in each Financial Year.

SUSTAINABILITY

22. Effective tree management provides for sustainable environmental outcomes from having well maintained and healthy trees.

RISK MANAGEMENT

23.	Risk: The Contractor fails to fulfil the requirements of the contract, leading to increased costs to the City through re-tendering.		
	Consequence	Likelihood	Rating
	Insignificant	Unlikely	Low
	Action/Strategy		
	a) Corporate scorecard confirms financial viability of contractor. b) Formal and detailed Qualitative criteria within Tender minimise risk.		

CONCLUSION

24. After evaluating all the submissions from the various tenderers and taking all the risks into consideration, it is believed that Beaver Tree Services Aust Pty Ltd proved to be the best value for money for the provision of General Tree Services for the City of Kalamunda.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ACCEPT the tender for General Tree Services (RFT 1912) from Beaver Tree Services Aust Pty Ltd ACN 093 584 788, as per the schedule of rates set out in Confidential Attachment 1 to this report for an initial three-year term with two further one-year extensions at the City of Kalamunda's discretion.

10.2.5. Consideration of Tenders for the Provision of Extruded Concrete Kerbing Services (RFT 1919)

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

Previous Items	OCM 65/2016
Directorate	Asset Services
Business Unit	Asset Delivery
File Reference	AD-TEN-005
Applicant	N/A
Owner	N/A
Attachments	Nil
Confidential Attachment	Tender Evaluation Report <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 s5.23 (c) "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."</i>

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

Strategy 3.2.2 - Provide and advocate for improved transport solutions and better connectivity through integrated transport planning.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the acceptance of a tender for the provision of extruded concrete kerbing services for the City of Kalamunda (City).
2. The City issued a Request for Tender seeking to engage a contractor for Extruded Concrete Kerbing Services (RFT 1919).
3. It is recommended Council accept the schedule of rates tender from Glenview Machine Kerbing ACN 058 552 908 for a two-year period, with one single year option for extension.

BACKGROUND

4. The provision of extruded concrete kerbing services is currently undertaken under Contract 1605 which commenced on 26 April 2016 and is due to expire on 26 April 2020.
5. The scope of works for this tender is for the provision of extruded concrete services of various kerbing profiles for a period of two years with an option to extend by one year as per specification and drawings to areas directed by the City for both operational (maintenance) and capital works.
6. It would not be as cost effective for the City to undertake these works in house given the specialist plant required and the 'ad hoc' nature of the works.

DETAILS AND ANALYSIS

7. The City issued RFT 1919 seeking to engage a suitably experienced and qualified Civil Contractor to undertake the provision of extruded concrete kerbing services to areas directed by the City. Tenders closed on 3 January 2020, with three tenders received by the closing date.
8. Tenders received by the closing date were from the following companies (in alphabetical order):
 - a) Allstate Kerbing and Concrete;
 - b) Glenview Machine Kerbing; and
 - c) Hooza Pty Ltd the Trustee for the McCartney Family Trust t/as Kerb Doctor.

9. An Evaluation Panel was convened of suitable qualified City Officers to assess the tenders received.
10. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. Compliant tenders were then assessed against qualitative criteria (again set out in the tender invitation). The Qualitative Criteria and weighting were determined as follows:

Qualitative Criteria	Weighting
Relevant Experience	30%
Tenderer's Resources	20%
Key Personnel Skills & Experience	20%
Demonstrated Understanding of the Requirements	30%

11. Compliant tenders which met or exceeded the qualitative pass mark of 60% were then assessed for price.
12. The three compliant tenders were ranked as follows regarding the Qualitative Criteria:

Tenderer	Score	Rank
Allstate Kerbing and Concrete	68%	1
Glenview Machine Kerbing	60%	2
Kerb Doctor	55%	3

13. Two tenders achieved the required minimum of 60% as a Qualitative Pass Mark (QPM). The remaining tenderer below the required QPM was eliminated from further assessment.
14. A price assessment was then undertaken for the remaining two tenders to determine the best value for money outcome for the City.
15. The tender evaluation report is provided as Confidential Attachment 1 to this report.
16. The recommended tender best satisfied the City's requirements in terms of:
 - a) meeting or exceeding the qualitative assessment benchmark;
 - b) proven capacity and capability to the undertake the work;
 - c) satisfying reference checks from previous clients;

- d) satisfying independent financial reference checks of the proposed contractor; and
 - e) providing the best value for money outcome.
17. The Evaluation Panel has recommended Glenview Machine Kerbing as the preferred Tenderer based on having best satisfied all criteria in the Evaluation Process and having submitted the most competitive price for their services.
18. The basis of the contract is to engage the Contractor on an agreed set of rates to undertake works as needed and within budget provisions. As such, given the effort in scoping the necessary works from year to year, this is the preferred and most efficient way of undertaking works.
19. The contract is proposed to be for an initial term of two years with a further one-year extension option at the discretion of the City. Escalation of the schedule of rates has been set as changes in CPI for each year of the contract.

APPLICABLE LAW

20. Section 3.57 of *Local Government Act 1995*. Part 4 of the *Local Government (Functions and General) Regulations 1996*.

APPLICABLE POLICY

21. Policy C-PP01 – Purchasing, has been followed and complied with.

FINANCIAL CONSIDERATIONS

22. It is estimated that the annual spend on extruded concrete kerbing services will be in the order of \$100,000 to \$175,000 depending on the approved capital works infrastructure program and the extent of kerbing maintenance works. This cost forms part of the overall annual budget for both operational (maintenance) and capital works.

SUSTAINABILITY

23. Nil.

RISK MANAGEMENT

24.	Risk: The Contractor fails to fulfill the requirements of the contract, leading to increased cost to the City or delays in completing the works.		
	Consequence	Likelihood	Rating
	Unlikely	Moderate	Low
	Action/Strategy		
	a) Corporate Scorecard confirms financial viability of Contractor b) Formal and detailed qualitative criteria within tender minimises risk.		

CONCLUSION

25. Setting in place a contract with known costs for kerbing services for a potential three-year period is an effective and efficient process which overcomes the administrative burden of having to seek quotes on an ongoing basis for both ad hoc and programmed works.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ACCEPT the tender for the Provision of Extruded Concrete Kerbing Services (RFT 1919) from Glenview Machine Kerbing ACN 058 552 908 as per the schedule of rates set out in Confidential Attachment 1 for a two-year period from 26 April 2020, with the option of a one-year extension at the City of Kalamunda's discretion.

10.3. Corporate Services Reports

10.3.1. Proposed Road Reserve Realignment - Canning Road and Canning Mills Road, Carmel/Canning Mills

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

Previous Items	OCM 58/2013; OCM 115/2019; OCM 177/2019
Directorate	Corporate Services
Business Unit	Commercial and Cultural Services
File Reference	CN-01/GEN; CN-02/GEN
Applicant	City of Kalamunda
Owner	State of Western Australia
Attachments	1. Canning Road and Canning Mills Road Land Acquisition Plans [10.3.1.1 - 4 pages]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking is substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

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

Priority 3: Kalamunda Develops

Objective 3.2 - To connect community to quality amenities.

Strategy 3.2.1 - Optimal management of all assets.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with a progress report outline on OCM 177/2019, including timeframes, as required by paragraph 7 of OCM 177/2019.

BACKGROUND

2. On 23 July 2019, Council resolved as follows (OCM 177/2019):

That Council:

1. *REQUEST the Minister for Lands to permanently close those portions of the Canning Road and Canning Mills Road road reserve shown delineated and marked as "Proposed Future – Divested" on the plans attached to this report as Attachment 1, pursuant to section 58 of the Land Administration Act 1997 (WA).*
2. *REQUEST the Minister for Lands to excise and dedicate those portions of land shown delineated and marked as "Proposed Future – Acquired" on the plans attached to this report as Attachment 1, pursuant to section 56 of the Land Administration Act 1997 (WA).*
3. *CONFIRM the City of Kalamunda has complied with section 58(3) of the Land Administration Act 1997 (WA).*
4. *UNDERTAKE to comply with sections 56(2) and 58(2) of the Land Administration Act 1997 (WA).*
5. *AGREE that it will indemnify and keep indemnified the State of Western Australia, the Department of Planning, Lands and Heritage and the Minister for Lands (Indemnified Parties) and hold them harmless from and against all liabilities, obligations, costs, expenses or disbursements of any kind including, without limitation, compensation payable to any party under the Land Administration Act 1997 (WA) and/or the Native Title Act 1993 (Cth) which may be imposed on, or incurred by the Indemnified Parties relating to or arising directly or indirectly from the dedication of those portions of land shown delineated and marked as "Proposed Future – Acquired" on the plans attached to this report as*

Attachment 1 pursuant to section 56 of the Land Administration Act 1997 (WA).

6. *NOTE the dimensions and areas on the land acquisition plans (Attachment 1) are approximate. The deposited plans (Attachment 2) contain exact dimensions and areas.*
7. *REQUEST the Chief Executive Officer prepare a progress report outline on OCM 177/2019 including timeframes.*

DETAILS AND ANALYSIS

3. By letter dated 9 September 2019, the City requested the Department of Planning, Lands & Heritage (DPLH) to realign the Canning Road and Canning Mills Road road reserve. The City also requested an outline of the process that the DPLH needs to undertake in order to complete this matter, including estimated timeframes.
4. On 22 November 2019, the City followed up its request for an outline of the process.
5. The DPLH provided the requested information to the City on 27 November 2019. Details provided in the Stakeholder Engagement section of this report.

APPLICABLE LAW

6. Section 56 of the *Land Administration Act 1997*(WA) relates to the dedication of land as road. Section 56(1)-(2) states as follows:

56. Dedication of land as road

(1) If in the district of a local government —

(a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government; or

(b) in the case of land comprising a private road constructed and maintained to the satisfaction of the local government —

(i) the holder of the freehold in that land applies to the local government, requesting it to do so; or

(ii) those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land

abutting the private road, apply to the local government, requesting it to do so;

or

(c) land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years,

and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.

(2) If a local government resolves to make a request under subsection (1), it must —

(a) in accordance with the regulations prepare and deliver the request to the Minister; and

(b) provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.

7. Section 58 of the *Land Administration Act 1997*(WA) relates to closing roads. Section 58(1)-(3) states as follows:

58. Closing roads

(1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.

(2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.

(3) A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.

APPLICABLE POLICY

8. *Council Policy: Service 4: Asset Management* provides that “[i]n strategically managing the City’s asset portfolio, the City will... “[m]anage assets to support optimised service delivery.”

9. This proposal represents good asset management as:
- a) the portions of road reserve no longer required as road are proposed to be closed; and
 - b) the portions of land required as road are proposed to be dedicated.

STAKEHOLDER ENGAGEMENT

10. Council's request for a progress report outline for this proposal was referred to the DPLH.
11. The DPLH advised the City as follows:

The overarching proposal to realign Canning and Canning Mills Roads have been split into a number of different cases as they relate to differing tenure and have different requirements.

Job 152329 (Class 'A' Korung National Park) – Parts D, E, F, G, H

Now that the Council Resolution and indemnity has been provided, Land Use Management is awaiting the return of comments concerning both the closure and dedication of the new road sections. Once returned, the next steps will include:

- *Section 24KA notification process – Approximately 1 month;*
- *Briefing Note to the Director General requesting authorisation for advertising and subsequent advertisement in The West Australian inviting public comment – Approximately 2 months;*
- *Letters sent to local MPs;*
- *Submission to the Minister for Lands in anticipation of being tabled before both houses of Parliament – Approximately 3 – 6 months depending on Parliamentary schedule.*

Job 1902923 – Parts A and B

The Department is awaiting confirmation from the City that the Water Corporation (as Management Body) consents to the excision of the two portions of Reserve 10601 as registered over Lot 3462. Once received the next steps will include:

- *Internal and external referrals for comment – 1 to 2 months;*
- *(If s. 24KA process is required add a month);*
- *City to nominate a surveyor, survey instructions are issued and the deposited plan is lodged at Landgate – 3 months;*
- *Road is dedicated and Deposited Plan approved – 1 month*

Job 1902925 – Part C

The land subject to the excision (Lot 502 on Deposited Plan 412755, now Reserve 53447) has recently been vested pursuant to s. 152 of the

Planning and Development Act 2005 and I understand that [a] Management Order in favour of the City is in the process of being granted. However, excisions not exceeding 5% of the total area are generally permitted for road or public utility purposes being consistent with this proposal.

- *Internal and external referrals for comment – 1 to 2 months;*
- *(If s. 24KA process is required add a month);*
- *City to nominate a surveyor, survey instructions are issued and the deposited plan is lodged at Landgate – 3 months;*
- *Road is dedicated and Deposited Plan approved – 1 month*

Please note that these timeframes are indicative and may be subject to change dependent on a variety of factors. [DPLH] will keep you updated on the progress of these.

12. Plans showing the land referred to above are attached to this report as Attachment 1.
13. In respect of Job 1902923 (Parts A and B), the DPLH has commented above that it is awaiting confirmation from the City that the Water Corporation (as Management Body) consents to the excision of the two portions of Reserve 10601. The City subsequently received the Water Corporation's consent and provided it to the DPLH.
14. In respect of Job 152329 (Class 'A' Korung National Park) (Parts D, E, F, G, H), the DPLH has commenced the s. 24KA notification process.
15. In respect of Job 1902923 (Parts A and B) and Job 1902925 (Part C), the DPLH has stated above that "If s. 24KA process is required add a month". The DPLH has subsequently confirmed that Job 1902923 (Parts A and B) will be subject to s. 24KA of the *Native Title Act 1993* (Cth), which will require notification that the DPLH will begin the process of undertaking. Job 1902925 (Part C), on the other hand, will not be subject to s. 24KA of the *Native Title Act 1993* (Cth).
16. In respect of Job 1902923 (Parts A and B) and Job 1902925 (Part C), the DPLH has advised above that deposited plans are required to be prepared by the City's nominated surveyor. The City's nominated surveyor has already completed the deposited plans. These plans will still need to be reviewed by the DPLH and may require amendment. However, the survey process is unlikely to take as long as the 3-month period indicated above given that the bulk of the survey work has been completed.

17. Deposited plans have already been lodged at Landgate in respect of Job 152329 (Class 'A' Korung National Park) (Parts D, E, F, G, H). Once this Job has been approved by Parliament, the DPLH will lodge further documents at Landgate to enable the road closures and road dedications the subject of this Job to occur.

FINANCIAL CONSIDERATIONS

18. The costs of this proposal are outlined in the officer report for OCM 177/2019.
19. No costs are associated with the provision of this progress report outline.

SUSTAINABILITY

Social Implications

20. The proposed road reserve realignment will ensure the road reserve matches the constructed road.
21. The proposal will also enable the upgrade of the Canning Mills Road/Canning Road intersection, which will provide improved road alignment and sight lines at the intersection.

Economic Implications

22. The economic lives of residents will not be impacted by this proposal.

Environmental Implications

23. This proposal will have minimal environmental impact. Some trees will need to be removed to accommodate the proposed construction works.
24. Once the required road dedications have occurred, the design of the proposed realignment of the Canning Mills Road/Canning Road intersection and car parking area for the proposed roadside memorial at this intersection will be reviewed, with an application for a clearing permit to be made thereafter. The application will require a vegetation assessment to be undertaken in support, with this identifying the type and quantum of vegetation impacted.

RISK MANAGEMENT

25.	Risk: Main Roads Western Australia is not willing to consider transfer of portions of Canning Road and Welshpool Road East due to the constructed road not being wholly situated within the dedicated road reserve.		
	Consequence	Likelihood	Rating
	Possible	Significant	High
	Action/Strategy		
	Proceed with the road reserve realignment proposal.		

CONCLUSION

26. The purpose of this report is to provide Council with a progress report outline on OCM 177/2019, including timeframes, as required by paragraph 7 of OCM 177/2019.
27. The requested progress report outline is provided in the Stakeholder Engagement section of this report.
28. It is recommended that Council note the progress report outline.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE the progress report outline, including estimated timeframes, in respect of the proposed realignment of the Canning Road and Canning Mills Road road reserve (OCM 177/2019).

10.3.2. Establishment of the Economic Development Advisory Committee and Adoption of Terms of Reference

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

Previous Items	OCM 306/2019
Directorate	Corporate Services
Business Unit	Economic, Land & Property Services
File Reference	
Applicant	
Owner	
Attachments	1. KEDAC Terms of Reference [10.3.2.1 - 5 pages]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

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.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to:
 1. ESTABLISH the Economic Development Advisory Committee.
 2. ADOPT the Economic Development Advisory Committee Draft Terms of Reference.
 3. NOMINATE two elected members and their Deputies to the committee.
 4. REQUEST that the Chief Executive Officer commence the process for advertising for nominations from businesses and the community and provide a report to Council on the recommended nominees for approval.

BACKGROUND

2. Council has the ability, under the *Local Government Act 1995*, to establish Advisory Committees to assist in the provision of advice on various matters.
3. Advisory Committees provide an effective collaborative forum between the City of Kalamunda (the City) and the Community.
4. At the Ordinary Council Meeting of 17 December 2019, Council requested the Chief Executive Officer (the CEO) present a report in respect to the formation of an Economic Development Advisory Committee which is inclusive of a draft Terms of Reference and a process for implementation of the committee (OCM 306/2019).

DETAILS AND ANALYSIS

5. The City has an existing five-year Economic Development Strategy (EDS) which was endorsed by Council in November 2017 and is currently being implemented within the Corporate Services Directorate, Commercial and Cultural Services. The EDS expires in November 2022.
6. Within our city's community there are a wide range of skilled businesses and residents whose views may assist the City in the delivery of its' current Economic Development Strategy and also assist in the development of future strategies.

APPLICABLE LAW

7. *Local Government Act 1995*

APPLICABLE POLICY

8. Council Policy Governance 13: Appointment of Community Members to Advisory Committees and Reference Groups.

The application of this Policy ensures transparency in the selection and appointment of Community Members to the Economic Development Advisory Committee.

STAKEHOLDER ENGAGEMENT

9. Following Council approval of the establishment of the Committee and Terms of Reference, a call for expressions of interest will be advertised via media channels, the City's home page and by invitation, for a minimum of three weeks.

FINANCIAL CONSIDERATIONS

10. It is estimate that the financial cost to the City of providing resources to support an advisory committee of Council is \$5,000 which will be funded from existing resources.

SUSTAINABILITY

Social Implications

11. Advisory Committees provide an effective collaborative forum between the City and the Community.

Economic Implications

- 12. The formation of an Economic Development Advisory Committee will assist the City officers in their role of delivering the current Economic Development Strategy. The Economic Development Strategy is designed to support and facilitate economic growth.

Environmental Implications

- 13. Nil.

RISK MANAGEMENT

14.	Risk: The establishment of the Economic Development Advisory Committee fails to attract suitably skilled community members.		
	Consequence	Likelihood	Rating
	Insignificant	Unlikely	Low
	Action/Strategy		
	Appointment of community members to the Economic Development Advisory Committee is advertised and appointments are made against selection criteria		

15.	Risk: Committee goals are not aligned with the City's Economic Development Strategy goals and objectives.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Confirm Terms of Reference and roles and responsibilities of the Advisory Committee.		

CONCLUSION

- 16. The City of Kalamunda has a current Five-Year Economic Development Strategy that is being implemented. The Strategy expires in December 2022.
- 17. The formation of an Economic Development Advisory Committee will provide an opportunity for business and community input which will assist the City officers in their role of delivering relevant initiatives within the current Economic Development Strategy and for developing future strategies.

18. Upon adoption by Council of the Terms of Reference and the establishment of the Economic Development Advisory Committee, advertisements seeking nominations from business and the community will be sought. Following this, a report will be brought to Council at the next available ordinary council meeting to formalise the appointments with the first meeting to be held as per the required notice period.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council:

1. ESTABLISH the Economic Development Advisory Committee.
2. ADOPT the Economic Development Advisory Committee Draft Terms of Reference.
3. APPOINT :
 - i. Cr _____ and Cr _____ as the two elected members to the Economic Development Advisory Committee.
 - ii. Cr _____ and Cr _____ as the two Deputy elected members respectively to the Economic Development Advisory Committee.
4. REQUEST that the Chief Executive Officer commence the process for advertising for nominations from businesses and the community and provide a report to Council on the recommended nominees for approval as members of the Economic Development Advisory Committee.

10.4. Office of the CEO Reports

10.4.1. Scott Reserve Draft Master Plan

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

Previous Items	
Directorate	Office of the CEO
Business Unit	Leisure Planning
File Reference	
Applicant	City of Kalamunda
Owner	City of Kalamunda
Attachments	1. Scott Reserve MP Draft Report 22012020 FINAL - Attachment One [10.4.1.1 - 97 pages]

EXECUTIVE SUMMARY

1. The purpose of this report is to receive the draft Scott Reserve Master Plan (the Plan) for the purpose of seeking public comment (Attachment One).
2. The Plan outlines development opportunities and recommendations in terms of facility provision, and other future sport and recreation requirements to guide the sustainable development of Scott Reserve.
3. It is recommended that Council:
 - a) Endorses the Draft Scott Reserve Master Plan (Attachment One) for the purposes of public advertising.
 - b) Notes the community engagement process and strategy.

BACKGROUND

4. Scott Reserve is located on Newburn Road in High Wycombe, on Crown Land vested with the City for purposes of recreation. The reserve is approximately 7.12 ha in size.
5. Scott Reserve consists of two playing fields, a sports pavilion, High Wycombe Community Recreation Centre (HWCRC) and supporting infrastructure that services a diverse range of user groups and the local community. Edney Primary School also has a shared use agreement with the City for use of a portion of the reserve.

6. The key factors providing the catalyst for the development of the Plan include:
 - a) An increasing number of requests from user groups to improve and upgrade their facilities;
 - b) The ageing nature and functionality of the sports pavilion, HWCRC and supporting infrastructure;
 - c) The need to cater for increasing usage demands on the reserve;
 - d) The need to investigate potential options to maximise the efficient usage of the existing playing fields, sports pavilion, HWCRC and supporting facilities; and
 - e) The need to undertake a coordinated approach toward any future developments at Scott Reserve.

7. The Public Open Space Strategy, adopted by Council at the Ordinary Council Meeting 22 May 2018, indicated that High Wycombe has a Public Open Space shortfall for sporting reserves and that Scott Reserve serves as the primary sporting reserve for the suburb.

8. In June 2018, the City received a Community Sporting and Recreation Facilities Fund (CSRFF) grant of \$16,666 from the Department of Local Government, Sport and Cultural Industries to engage a consultant to assist in undertaking the Plan.

9. ABV Consultancy (the Consultant) were engaged in July 2018 to develop the Plan. The Plan is now presented to Council for consideration and endorsing for the purpose of seeking public comment.

DETAILS

11. The Plan aims to provide a clear framework and objectives to assist the City in planning, developing, implementing and evaluating sustainable sport and recreation facilities at Scott Reserve into the future.

12. During the development of the Plan, an audit and review of facilities was undertaken, involving a visual inspection of the sports pavilion, HWCRC and other supporting infrastructure. The information obtained from the audit has been analysed to determine future facility requirements and upgrades at the Reserve.

13. A summary of the key proposed improvements which have been recommended, in response to the issues identified are outlined below:
 - a) Construction of a new sports pavilion and community centre;
 - b) Relocation and extension of cricket practice nets.

- c) Expansion of car parking;
- d) Improved youth and play spaces;
- e) Upgrades sports floodlighting; and
- f) Refurbishment of playing fields.

STATUTORY AND LEGAL CONSIDERATIONS

14. *Local Government Act 1995* Section 3.18 (c) - Effective Management of Local Government Services and Facilities.

POLICY CONSIDERATIONS

15. Cash-in-lieu Assessment Criteria (GOV10) provides strategic direction to Council's decision-making on proposed cash in lieu projects.
16. Capital Grants Clubs & Community Groups (GOV11) provides key principles, priorities, needs and assessment criteria for future upgrades or new community and recreation infrastructure.
17. Reserve Sports Floodlighting Policy (SERVICE13) provides guidance on the provision and operational impact of sports floodlighting on the City's sporting reserves.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

18. The Consultant obtained input and feedback from various service areas within the City including Parks, Environment, Development Services, Asset Services and Asset Delivery.

The Consultant presented a summary of key consultation themes, demand analysis and potential proposals to Councillors in March, April and November 2019.

External Referrals

19. The following engagement strategy and process was undertaken in developing the Plan:
- a) A community survey was prepared for the broader community;
 - b) Two community drop-in sessions;
 - c) A community workshop;
 - d) Individual user group surveys;
 - e) Interviews with regular user groups of the Reserve;
 - f) Received comments through the City's website and Facebook page.

20. Following on from the initial consultation phase, the potential proposals were refined through further consultation including:
- a) A facilities site tour with the sporting user groups;
 - b) Four additional workshops and / or meetings with the sporting user groups;
 - c) One additional workshop with the HWCRC user groups; and
 - d) Two HWCRC gym member drop-in sessions.

FINANCIAL CONSIDERATIONS

21. The overall cost of implementing the recommendations outlined within the Plan is estimated at \$10.74 million. It should be noted that at this stage these figures are high level indicative costs only, inclusive of preliminaries, contingencies and professional fees. Detailed capital and whole of life costings will be developed prior to the implementation of each project identified within the Plan.
22. Implementation of components of the Plan will be considered as part of Council's Long Term Financial Plan and will continue to be subject to annual budget deliberation processes and competing priorities.
23. In order to implement the Plan an advocacy campaign will be developed in consultation with the user groups to help attract significant external funding.
24. It is reasonable to expect that a 15 year timeframe may be required to complete the implementation of the Plan, with the schedule of works being staged in such a manner that will ensure maximum opportunity for the City to leverage external funding through such sources as:
- a) Lotterywest - 'Community Spaces Outdoor', 'Community and Workplace Buildings' and 'Furniture and Equipment' grants;
 - b) Department of Local Government, Sport and Cultural Industries - CSRFF;
 - c) Department of Planning, Lands and Heritage - Cash in Lieu Funding;
 - d) Sport Australia - Community Sport Infrastructure Grants; and
 - e) Other - State/Federal Government Advocacy, potential contribution from user groups of the reserve.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

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

Priority 1: Kalamunda Cares and Interacts

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

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

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

Priority 2: Kalamunda Clean and Green

Objective 2.1 - To protect and enhance the environmental values of the City.

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

Priority 2: Kalamunda Clean and Green

Objective 2.2 - To achieve environmental sustainability through effective natural resource management effective natural resource management.

Strategy 2.2.1 - Facilitate the appropriate use of water and energy supplies for the City.

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

27. The Plan has identified current and future community needs in respect to sport and recreation infrastructure based on sport participation data and a community demographic analysis. The Plan will provide strategic direction, guidance and a long-term sustainable approach to the provision of sport and recreation facilities within the region.
28. Investment in Scott Reserve with updated sport and recreation facilities increases the value of the City's assets, provides benefits to the local community, improves community safety and enhances the user and player experiences for their training and competitions.

Economic Implications

29. The implementation of the Plan may assist in providing local job opportunities and provide increased economic activity to the High Wycombe community during the construction phase.

Environmental Implications

30. Whilst Scott Reserve is not a Bush Forever site, careful planning is required in order to ensure the protection of existing mature vegetation on the site.
31. Any new developments will need to ensure that any significant trees are identified through a detailed environmental assessment and where appropriate retained and protected.
32. The Plan identified that the site is also subject to high wind conditions and that the local community value the local environment, therefore additional tree planting has been recommended. This approach will help offset the removal of any trees identified through the detailed design stage.
33. The proposed new sports pavilion and community centre will be connected to the sewerage system.

RISK MANAGEMENT CONSIDERATIONS

34.	Risk: Without the Plan, the City’s approach to future upgrades would be adhoc and nor would it be able to advocate effectively for external funding.		
	Likelihood	Consequence	Rating
	Possible	Moderate	Medium
	Action/Strategy		
	To progress the Plan to ensure future upgrades are planned effectively and advocacy opportunities are maximised.		
	Risk: The Plan may raise community expectations for improvements that may not be affordable in the near future.		
	Likelihood	Consequence	Rating
	Possible	Moderate	Medium
	Action/Strategy		

Ensure community is informed as part of the communications process that improvements are subject to external funding and budget availability.

OFFICER COMMENT

35. The Plan will be a strategic planning tool that can be integrated with Council's other related plans and documents, providing clear direction for future developments at Scott Reserve.
36. The Plan has been developed in a manner that endeavours to coordinate, prioritise and stage components of any future developments.
37. The main outcomes for the community will be increased opportunities to participate in physical activities through the improved provision and quality of community facilities and services.
38. In particular, the key recommendations outlined in the Plan include:
- a) Construction of a new sports pavilion and community centre;
 - b) Relocation and extension of cricket practice nets.
 - c) Expansion of car parking;
 - d) Improved youth and play spaces;
 - e) Upgrade of sports floodlighting; and
 - f) Refurbishment of playing fields.

Construction of a new sports pavilion and community centre

39. The sports pavilion is an ageing asset that does not meet the functional requirements of the user groups and requires upgrades to essential services such as water and gas. For the sports pavilion to meet the functional needs of the user groups the facility would require:
- a) Changerooms that are accessible and unisex;
 - b) Additional players and umpires change rooms;
 - c) Storage rooms;
 - d) First aid room;
 - e) Larger kitchen; and
 - f) Universally accessible toilets.

To upgrade the existing pavilion will trigger works to meet the current building and accessibility requirements, which will prove costly.

40. The HWCRC is an ageing asset that does not meet the functional requirements of its user groups as it primarily operates as a community centre, in a recreation centre design. The HWCRC activity room, $\frac{3}{4}$ size indoor sports court, gymnasium, community stage and commercial

kitchen are used sparingly, due to design limitations. Overall the facility is considered to be significantly underutilised, which is a result of it not being functional to the needs of the community.

41. In February 2017, the HWCRC became an unstaffed facility, resulting in the reception and administration areas no longer being utilised and the gymnasium being converted to a 24/7 operation. As part of the Plan the Consultant completed an independent analysis of the HWCRC gym, which determined that there is not a sufficient need for a local government operated gymnasium in the High Wycombe area.

42. High Wycombe is well serviced by three private gymnasiums and other fitness businesses, which further increases when considering the surrounding suburbs of Forrestfield and Maida Vale. The HWCRC gymnasium has a continued low membership and utilisation base, which caters to a niche market. The analysis has determined that the provision of a “like for like” gymnasium within the new facility would significantly increase capital costs without improving its usage or viability as the current size of the gymnasium restricts any growth potential. In addition, the proposed community centre component is positioned in a constrained location, resulting in the facility likely needing to be double story, which will further increase capital costs.

43. It is proposed that the HWCRC gymnasium will continue to operate until the City secures a significant external funding source to implement the Plan. Upon the Plan being implemented it is proposed that the existing HWCRC gymnasium members, who are City residents are transitioned to either Hartfield Park Recreation Centre or to a private facility in High Wycombe.

44. As part of the proposed transition strategy the City may contribute towards a portion of their membership costs at either of these facilities for a period of up to two years. To understand if this option is amenable to members the City will workshop this proposal with them. The outcomes of the workshop will then be further considered by Council as part of the final Plan.

45. To substitute the provision of a gymnasium in the Plan it is proposed to provide outdoor fitness equipment and for the new community centre facility to provide an increased variety of group fitness classes including a gymnasium circuit and Living Longer Living Stronger programs for persons 55 years and over, which in addition will provide improved socialising opportunities.

Relocation and extension of cricket practice nets

46. In order to accommodate the new sports pavilion and community centre, the existing primary cricket practice nets will need to be relocated. The Plan proposes that they be relocated to the north western corner of the southern playing field, as the amenities will remain close to the new sports pavilion, which is important for players to access changerooms, equipment and toilets.
47. The proposed location of the cricket practice nets will require the removal of several mature native trees. This may require the City to apply for a tree clearing permit. The turf cricket practice nets will be extended by an additional two turf practice wickets (five in total). This will allow the users to better rotate the turf cricket practice wickets, therefore providing improved training opportunities.

Expansion of car parking

48. A detailed car parking demand analysis was undertaken by the Consultant which identified a shortage of parking across the site during peak demands periods, the need to formalise car parking and to provide traffic calming measures along Wycombe Road.
49. The removal of the existing HWCRC provides an opportunity for an expanded southern car parking area, which will provide approximately an additional 60 bays. The car parking improvements along Wycombe Road will approximately provide a further 50 formalised bays. The proposed additional car parking bays will increase the supply of available car parking during peak times, however it is unrealistic to achieve neutrality for car parking demand, considering peak demand periods only occur within a small timeframe each week.

Improved youth and play spaces

50. High Wycombe has a high portion of youth in the community, who often frequent Scott Reserve. The user groups, the community and the Edney Primary School each identified the need for improved youth and play spaces at Scott Reserve.

51. The Plan proposes a youth space including a mini basketball court with lighting, shade and seating and a nature play space in between the new sports pavilion and community centre. The collocated play space and proposed new sports pavilion and community centre will provide passive surveillance and increased activation opportunities.

Upgrade of sports floodlighting

52. The upgrade of sports floodlighting on the northern playing field is currently being delivered, having been funded entirely through external funding sources. The project is anticipated to be completed by June 2020. The early progression of this project will not impede the Plan. In addition, the Plan future proofs the site by identifying the need for a future sports floodlighting upgrades on the southern playing fields to AFL training standards.

Refurbishment of northern playing fields

53. The Plan supports the refurbishment of the playing fields including new drainage and irrigation.
54. It is also noted that the presence of sting nematodes in the metropolitan area is widespread and that the current management program for the northern fields is proving adequate at this point in time, however shall need ongoing monitoring.

Community Engagement Process and Strategy

55. In order to determine that the Plan meets the needs of the community, it is recommended that the plan be advertised to the community.
56. The community engagement process and strategy will include the plan being promoted through:
- a) the City's website and other social media channels;
 - b) Facebook page;
 - c) Publish on *Engage Kalamunda*;
 - d) A feedback survey;
 - e) Contact with people who participated in the consultation process and all users of Scott Reserve;
 - f) A copy of the Plan will be located at key City of Kalamunda locations;
 - g) A copy of the Plan being provided to all affected user groups and stakeholders;
 - h) A media release and advertisement will be placed in the local newspaper;
 - i) A letter be provided to all current HWCRC gymnasium members;

- j) HWCRC gymnasium members be offered a one on one consultation meeting to discuss the Plan; and
- k) A further community workshop will be conducted by the Consultant with user groups and HWCRC gymnasium members.

57. In summary, it is recommended that Council receives the Draft Scott Reserve Master Plan and advertises it to the community, with results then presented to Council for final consideration.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. ENDORSE the Draft Scott Reserve Master Plan (Attachment One) for the purposes of public advertising.
2. NOTE the community engagement process and strategy.

10.5. Chief Executive Officer Reports

10.5.1. Draft Monthly Financial Statements to January 2020

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 2020 [10.5.1.1 - 2 pages]
	2. Statement of Net Current Funding Position 31 January 2020 [10.5.1.2 - 1 page]
	3. Statement of Financial Activity 31 December 2019 [10.5.1.3 - 2 pages]
	4. Statement of Net Current Funding Position 31 December 2019 [10.5.1.4 - 1 page]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the Statutory Financial Statements for the period ended 31 January 2020.
2. The Statutory Financial Statements report on the activity of the City of Kalamunda (City) with comparison of the period's performance against the first term review budget adopted by the Council on 26 November 2019 for the 2019/2020 financial year.
3. It is recommended that Council receives the draft Monthly Statutory Financial Statements for the period ended 31 January 2020, which comprise:
 - a) Statement of Financial Activity (Nature or Type) for the period ended 31 January 2020;
 - b) Statement of Financial Activity (Statutory Reporting Program) for the period ended 31 January 2020;
 - c) Net Current Funding Position, note to financial report as of 31 January 2020;
 - d) Statement of Financial Activity (Nature and Type) for the period ended 31 December 2019;
 - e) Statement of Financial Activity (Statutory Reporting Program) for the period ended 31 December 2019 and
 - f) Net Current Funding Position, note to financial report as of 31 December 2019

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 2018/2019.

DETAILS AND ANALYSIS

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 2020

7. This Statement reveals a net result surplus of \$22,547,382 compared to budget for the same period of \$24,114,956.

Operating Revenue

8. Total Revenue excluding rates is over budget by \$245,232. This is made up as follows:
- a) Operating Grants, Subsidies and Contributions are over budget by \$333,681. This variance is mainly attributable to the cost reimbursements received from CELL 9 of \$678,482 to cover the expenditure incurred on behalf of CELL9.
 - b) Fees and Charges are under budget by \$84,325. This is an aggregate result of minor variances in individual fee categories and considered to be a timing issue.
 - c) Interest Income is over budget by \$6,409. This is the result of a timing issue.
 - d) Other Revenue is under budget by \$12,721. This is mainly due to the lower than projected revenue from fines and enforcements.

Operating Expenditure

9. Total expenditure is under budget by \$1,513,825. The significant variances within the individual categories are as follows:
- a) Employment Costs are under budget by \$790,336, which is primarily due to vacant positions and aggregate result of minor variances in various business units and considered to be a timing issue.
 - b) Materials and Contracts are under budget by \$85,246. This is mainly due to Consultancy fees, various projects are under budget. This is considered to be a timing variance;

- c) Utilities are under budget by \$44,291, which mainly relates to street lighting costs which is lower than projected;
- d) Depreciation, although a non-cash cost, is tracking under budget, reporting a variance of \$517,949. Budgeted depreciation will be adjusted during the mid-term budget review.
- e) Insurance expense is under budget by \$14,926. The variance will be monitored in the coming months;
- f) Other expenditure is under budget by \$77,422. The variance is due to the timing difference of planned donations and contributions to various community groups.

Investing Activities

Non-operating Grants and Contributions

- 10. The non-operating grants and contributions are under budget by \$2,076,390. The variance is mainly due to the Capital grants income for building projects from various external funding agencies is lower than the budget by \$1,683,630 and considered to be a timing issue.

Capital Expenditure

- 11. The total Capital Expenditure on Property, Plant and Equipment and Infrastructure Assets (excluding Capital Work in Progress) is under budget by \$1,666,144. This is considered to be a timing issue.
- 12. Capital works-in-progress expenditure of \$1,407,734 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 \$612,210 which is mainly due to the reserve movements and developer contributions.

Rates Revenues

- 14. Rates generation is under budget with a variance of \$1,616,306. The variance is mainly due to the advance rates payment adjustment and timing of interim rates.

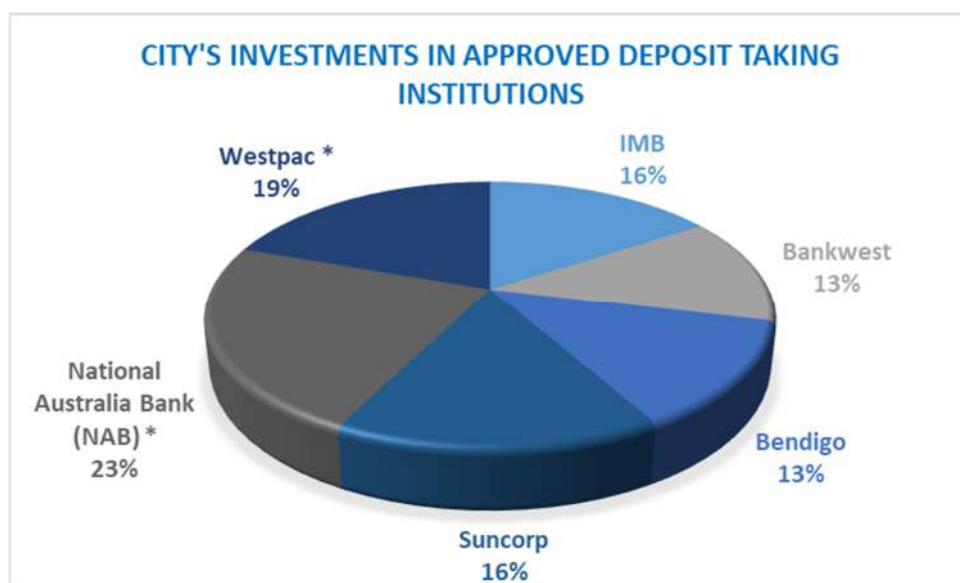
Statement of Financial Activity by Program for the period ended 31 January 2020

- 15. Generally, the net result of each Program is within the accepted budget except for 'Other Property Services', 'Recreation & Culture' and 'Transport'. Major variances have been reported by Nature and Type under points 8 to 14 above.

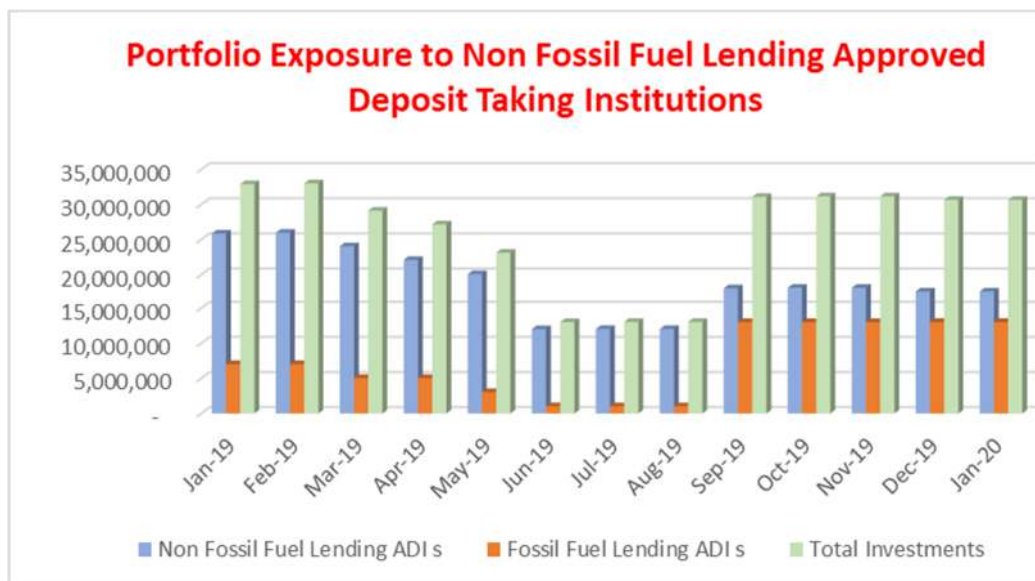
Statement of Net Current Funding Position as at 31 January 2020

- 16. The commentary on the net current funding position is based on comparison of the January 2020 to the January 2019 actuals.
- 17. Net Current Assets (Current Assets less Current Liabilities) total \$35.6 million. The restricted cash position is \$16 million which is lower than the previous year's balance of \$18 million. This is mainly attributed to the Forrestfield Industrial Area Scheme Stage 1 reserve with commencement of its major capital projects, amounts have been drawn down from the reserve to meet the necessary funding requirements.
- 18. The following table indicates the financial institutions where the City has investments as of 31 January 2020;

- 19.



*Financial Institutions with Investments in Fossil Fuel Industry



- 20. Trade and other receivables outstanding comprise rates and sundry debtors totalling \$7.2 million.
- 21. Sundry debtors have decreased from \$809,561 to \$315,886, of which \$88,746 consists of current debt due within 30 days. An amount of \$170,100 from the total sundry debtors are related to invoices raised for developer contributions from Forrestfield Industrial Area Scheme Stage 1.
- 22. Receivables Other represents \$2.3 million including:
 - a) Emergency Service Levy receivables \$1.1 million; and
 - b) Receivables sanitation \$0.7 million.
- 23. Provisions for annual and long service leave have increased by \$456,938 to \$3.4 million when compared to the previous year. The increase was mainly due to the increase in the leave provisions subsequent to the 2018/19 year-end adjustments.

APPLICABLE LAW

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

APPLICABLE POLICY

- 25. Nil.

STAKEHOLDER ENGAGEMENT

Internal Referrals

26. 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

27. As noted in point 24 above, the City is required to present to the Council a monthly statement of financial activity with explanations for major variances.

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

29. Nil.

Economic Implications

30. Nil.

Environmental Implications

31. Nil.

RISK MANAGEMENT

- 32.
- | | | |
|---|-------------------|---------------|
| Risk: Over-spending the budget. | | |
| Consequence | Likelihood | 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. | | |

33.	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. External Audit confirms compliance.		

CONCLUSION

34. The City's Financial Statements as at 31 January 2020 demonstrate the City has managed its budget and financial resources effectively.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council RECEIVE the Draft Monthly Statutory Financial Statements for the period ended 31 January 2020 which comprises:

- a) Statement of Financial Activity (Nature or Type) for the period ended 31 January 2020;
- b) Statement of Financial Activity (Statutory Reporting Program) for the period ended 31 January 2020;
- c) Net Current Funding Position, note to financial report as of 31 January 2020;
- d) Statement of Financial Activity (Nature and Type) for the period ended 31 December 2019;
- e) Statement of Financial Activity (Statutory Reporting Program) for the period ended 31 December 2019 and
- f) Net Current Funding Position, note to financial report as of 31 December 2019.

10.5.2. Debtors and Creditors Report for the period ended December 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	<ol style="list-style-type: none"> 1. Creditor Payments for the period ended December 2019 [10.5.2.1 - 33 pages] 2. Summary of Debtors for the month of December 2019 [10.5.2.2 - 2 pages] 3. Summary of Creditors for the month of December 2019 [10.5.2.3 - 1 page]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

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

BACKGROUND

4. Trade Debtors and Creditors are subject to strict monitoring and control procedures and in the month of December 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 AND ANALYSIS

Debtors

6. Sundry debtors as of 31 December 2019 were \$494,717. This includes \$234,526 current debts and \$1,803 unallocated credits (excess or overpayments).
7. Invoices over 30 days total \$2,675; no debts of significance:
8. Invoices over 60 days total \$5,594; debts of significance are:
 - a) Zig Zag Gymnastics, \$3,014, Lease Fees; and
 - b) High Wycombe Junior Football Club, \$1002, Utility Expenses.

9. Invoices over 90 days total \$253,724, debts of significance are:
- a) PJ Dujmovic, \$170,100, Developer Contribution;
 - b) Berkshire Hathaway, \$30,716, Insurance – Employee claim;
 - c) Kalamunda & District Rugby Union, \$14,218, Player Fees;
 - d) High Wycombe Amateur Football Club, \$12,690, Player Fees;
 - e) Kalamunda Club, \$8,529, Loan;
 - f) Zig Zag Gymnastics, \$3,708, Lease Fees;
 - g) Forrestfield Sisdac, \$3,708, Hall Hire;
 - h) Private Citizen, \$1,500, Contribution to removal of verge tree; and
 - i) Site & Planning Design, \$1,169, Planning Fees.
10. Payments totaling \$6,444,968.72 were made during the month of December 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	\$
Department of Fire and Emergency Services (DFES)	Emergency services levy – 2 nd quarter emergency services levy payment	2,153,772.35
Asphaltech Pty Ltd	Road materials for various locations	415,667.88
Eastern Metropolitan Regional Council (EMRC)	Domestic waste charges – disposal fees	395,042.01
Australian Tax Office	PAYG payments	388,919.88
Has Earthmoving	Earth moving services at Mundaring Weir Road widening - Progress claim - \$138,694.92 Forrestfield Industrial Area Intersection upgrades - \$241,468.77*	380,163.69
Cleanaway	Waste, recycling and bulk bin disposal fees	254,976.58
WA Local Government Superannuation Plan	Superannuation contributions	196,987.65
Western Australian Electoral Commission	Ordinary election expenses	142,741.02
Synergy	Power Charges – various locations	135,999.16
Dowsing Group Pty Ltd	Supply and lay concrete pathways and maintenance – various locations	82,676.21

Contraflow	Traffic management for various locations	75,042.02
Miluc Pty Ltd	Private works bond refund	69,608.00
Solution 4 Building	Toilet refurbishment – Ray Owen Stadium	68,496.34
West Tip Waste Control Pty Ltd	Removal and processing of gully educting, sweeping	54,579.57

These payments total \$4,814,672.36 and represent 74.7% of all payments for the month.

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

Payroll

12. Salaries are paid in fortnightly cycles. A total of \$1,185,796.16 was paid in net salaries for the month of December 2019.
13. Details are provided in (Attachment 1) after the creditor’s payment listing.

Trust Account Payments

14. The Trust Accounts maintained by the City of Kalamunda (City) relate to the following types:
 - a) CELL 9 Trust;
 - b) POS Trust;
 - c) BCITF Levy;
 - d) Building Services (Licence) Levy;
 - e) Unclaimed Monies;
15. The following payments (GST exclusive) were made from the Trust Accounts in the month of December 2019.

CELL 9		Amount (\$)
Date	Description	
20/12/2019	McKay Earthmoving Pty Ltd - Wire fence/limestone wall removal and disposal at 296 Hale Road Wattle Grove	4,975.00
20/12/2019	McLeods Barristers & Solicitors - Acquisition of Portion Lot 28 (296) Hale Road, Wattle	1,254.30
BCITF Levy		

17/12/2019	Building and Construction Industry Training fund levy – November 2019	8,972.03
BRB Levy		
1/12/2019	Building Services Levy – October 2019 – amended	579.51
1/12/2019	Building Services Levy – November 2019	17,070.43

APPLICABLE LAW

16. Regulation 12(1) of the Local Government (Financial Management) Regulations 1996 (WA).
17. Regulation 13 of the Local Government (Financial Management) Regulations 1996 (WA).
18. This report is prepared in accordance with the requirements of Regulation 13 the Local Government (Financial Management) Regulations 1996 (WA).

APPLICABLE POLICY

19. Debt Collection Policy S-FIN02.

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

23. Nil.

Economic Implications

24. Nil.

Environmental Implications

25. Nil.

RISK MANAGEMENT

Debtors

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

Creditors

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

CONCLUSION

28. Creditor payments for December 2019 are above the normal trend range due to the emergency services levy quarterly payment.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

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

10.5.3. Debtors and Creditors Report for the period ended January 2020

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	<ol style="list-style-type: none"> 1. Creditor Payments for the period ended January 2020 [10.5.3.1 - 27 pages] 2. Summary of Debtors for the month ended 31 January 2020 [10.5.3.2 - 2 pages] 3. Summary of Creditors for the month ended 31 January 2020 [10.5.3.3 - 1 page]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

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 2020, 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 2020.
3. It is recommended that Council:
 - a) receive the list of payments made from the Municipal and Trust Fund Accounts in January 2020 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 2020.

BACKGROUND

4. Trade Debtors and Creditors are subject to strict monitoring and control procedures and in the month of January 2020, 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 AND ANALYSIS

Debtors

6. Sundry debtors as of 31 January 2020 were \$315,886. This includes \$88,746 of current debts and \$3,783 unallocated credits (excess or overpayments).
7. Invoices over 30 days total \$8,263, debts of significance:
 - a) Zig Zag Gymnastics, \$3,014, Lease Fees; and
 - b) High Wycombe Junior Football Club, \$1,226, Utility Expenses
8. Invoices over 60 days total \$1,870, no debts of significance:

9. Invoices over 90 days total \$240,151, debts of significance:
- a) PJ Dujmovic, \$170,100, Developer Contribution;
 - b) Berkshire Hathaway, \$30,716, Insurance – Employee claim;
 - c) High Wycombe Amateur Football Club, \$12,690, Player Fees;
 - d) Kalamunda & District Rugby Union, \$9,220, Player Fees;
 - e) Zig Zag Gymnastics, \$6,722, Lease Fees;
 - f) Forrestfield Sisdac, \$3,708, Hall Hire;
 - g) Private Citizen, \$1,500, Contribution to removal of verge tree; and
10. Payments totalling \$3,722,453.71 were made during the month of January 2020. 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	409,068.41
Australian Tax Office	PAYG payments	402,592.97
Cleanaway	Waste, recycling and bulk bin disposal fees	289,909.20
Asphaltech Pty Ltd	Road materials for various locations	265,880.51
Has Earthmoving	Earth moving services at Mundaring Weir Road widening - Progress claim - \$16,796.35 Forrestfield Industrial Area Intersection upgrades - \$244,943.41*	261,779.76
WA Local Government Superannuation Plan	Superannuation contributions	206,560.65
Synergy	Power Charges – various locations	131,382.40
Western Australian Treasury Corporation	Loan instalment repayment – loan 226	96,590.44

These payments total \$2,063,764.34 and represent 55.4% of all payments for the month.

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

Payroll

12. Salaries are paid in fortnightly cycles. A total of \$1,302,020.48 was paid in net salaries for the month of January 2020.
13. Details are provided in (Attachment 1) after the creditor's payment listing.

Trust Account Payments

14. The Trust Accounts maintained by the City of Kalamunda (City) relate to the following types:
 - a) CELL 9 Trust;
 - b) POS Trust;
 - c) BCITF Levy;
 - d) Building Services (Licence) Levy;
 - e) Unclaimed Monies;
15. The following payments (GST exclusive) were made from the Trust Accounts in the month of January 2020.

CELL 9		Amount (\$)
Date	Description	
23/01/2020	Western Power - HV Pole Relocation, Arthur Road, Wattle Grove and Variation Fee - Design Revision - Hale Road, Wattle Grove widening	952.65
23/01/2020	MPK Tree Services - Removal and disposal of stump at 296 Hale Road, Wattle Grove	10,990.00
23/01/2020	Brook & Marsh Pty Ltd - Preparation of application to subdivide Lots 2 and 28 Hale Road, Wattle Grove	600.00
BCITF Levy		
24/01/2020	Building and Construction Industry Training fund levy - December 2019	10,870.66
BRB Levy		
14/01/2020	Building Services Levy - December 2019	11,291.25

APPLICABLE LAW

16. Regulation 12(1) of the Local Government (Financial Management) Regulations 1996 (WA).
17. Regulation 13 of the Local Government (Financial Management) Regulations 1996 (WA).
18. This report is prepared in accordance with the requirements of Regulation 13 the Local Government (Financial Management) Regulations 1996 (WA).

APPLICABLE POLICY

19. Debt Collection Policy S-FIN02.

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

23. Nil.

Economic Implications

24. Nil.

Environmental Implications

25. Nil.

RISK MANAGEMENT

Debtors

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

Creditors

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

CONCLUSION

28. Creditor payments for January 2020 are within the normal trend range.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. RECEIVE the list of payments made from the Municipal Accounts in January 2020 (Attachment 1) in accordance with the requirements of the Local Government (Financial Management) Regulations 1996 (Regulation 13).
2. RECEIVE the list of payments made from the Trust Fund Accounts in January 2020 as noted in point 15 above in accordance with the requirements of the Local Government (Financial Management) Regulations 1996 (Regulation 13).
3. RECEIVE the outstanding debtors and creditors reports (Attachments 2 and 3) for the month of January 2020.

10.5.4. Rates Debtors Report for the period December 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 December 19 [10.5.4.1 - 1 page]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with information on the rates collection percentage and the status of recovery actions.
2. The City of Kalamunda (City) levied rates for 2019/2020 on 1 July 2019 totalling of \$37,459,034, and as at 31 December 2020 \$30,259,640 has been collected for current and outstanding rates for the 30 June 2019 period.
3. It is recommended that Council receive the Rates Debtors Report for the month of December 2019 (Attachment 1).

BACKGROUND

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

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

DETAILS AND ANALYSIS

5. A total of 20,128 Rate Notices, 934 BPAY View and 2,116 eRates were issued on 12 July 2019. Rates Levied and Collectable for the 2019/20 Financial Year currently total \$39,183,405. As at 31 December 2019, a total of \$30,259,640 has been collected since Rate Notices were released. This represents a collection rate of 78.77%.
6. Three additional services have been introduced in recent years to better assist ratepayers in paying their amounts due. These are:
 - a) A Smarter Way to Pay – with approximately 922 ratepayers signed up. It is expected that this will further increase as debt collection processes continue.
 - b) eRates – there are a total 2,360 properties signed up for email delivery, compared to 2,116 in the previous year.
 - c) BPay View – approximately 998 ratepayers have signed up for this service.

7. It is expected that eRates registrations will increase throughout the year, as the City continues a promotional campaign to encourage ratepayers to register to receive their future rates notices electronically.
8. Interim Rating has commenced for 2019/2020 and will continue throughout the financial year, as at 31 December 2019 a total of \$47,395 has been raised for 2019/20 and \$5,503.00 for 2018/19.
9. The City issued 1058 Letters of Demand in November for ratepayers who had not taken up the instalment option or paid rates in full. The recovery of outstanding Rates will be carried out in accordance with the debt collection policy.
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. For the period 01 December 2019 to 31 December 2019 there was a total of 765 incoming calls and 109 outgoing calls, equating to 20hrs call time.

APPLICABLE LAW

11. 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.

APPLICABLE POLICY

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

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

14. 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

- 15. 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.

SUSTAINABILITY

Social Implications

- 16. Debt collection can have implications upon those ratepayers facing hardship and the City must ensure equity in its debt collection policy and processes.
- 17. The City has introduced “a smarter way to pay” to help ease the financial hardship to its customers. This has proved very effective with a growing number of ratepayers taking advantage of this option. A “Smarter Way to Pay” allows ratepayers to pay smaller amounts on a continuous basis either weekly or fortnightly, helping to reduce the financial burden.

Economic Implications

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

Environmental Implications

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

RISK MANAGEMENT

- 20.

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

CONCLUSION

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

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

Voting Requirements: Simple Majority

RECOMMENDATION

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

10.5.5. Rates Debtors Report for the period ended January 2020

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 2020 [10.5.5.1 - 1 page]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with information on the rates collection percentage and the status of recovery actions.

2. The City of Kalamunda (City) levied rates for 2019/2020 on 1 July 2019 totalling of \$37,459,034, and as at 31 January 2020 \$31,820,905 has been collected for current and outstanding rates for the 30 June 2019 period.
3. It is recommended that Council receive the Rates Debtors Report for the month of January 2020 (Attachment 1).

BACKGROUND

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

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

DETAILS AND ANALYSIS

5. A total of 20,128 Rate Notices, 934 BPAY View and 2,116 eRates were issued on 12 July 2019. Rates Levied and Collectable for the 2019/20 Financial Year currently total \$39,214,106. As at 31 January 2020, a total of \$31,820,905 has been collected since Rate Notices were released. This represents a collection rate of 82.77%.
6. Three additional services have been introduced in recent years to better assist ratepayers in paying their amounts due. These are:
 - a) A Smarter Way to Pay – with approximately 922 ratepayers signed up. It is expected that this will further increase as debt collection processes continue.
 - b) eRates – there are a total 2,360 properties signed up for email delivery, compared to 2,116 in the previous year.
 - c) BPay View – approximately 998 ratepayers have signed up for this service.
7. It is expected that eRates registrations will increase throughout the year, as the City continues a promotional campaign to encourage ratepayers to register to receive their future rates notices electronically.
8. Interim Rating has commenced for 2019/2020 and will continue throughout the financial year, as at 31 January 2020 a total of \$77,517 has been raised for 2019/20 and \$5,503.00 for 2018/19.

9. Following the issue of 1058 Letters of Demand in November the City is now at the next stage of the collection process and intend to issue 48 General procedure Claims to recover the outstanding rates for 2019/2020. The 48 ratepayers have made no payments and have not attempted to contact the City to discuss or make arrangements to pay. A further 261 ratepayers that have made small payments will receive a seven-day Notice of Intention prior to proceeding with recovery through the courts.
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. For the period 01 January 2020 to 31 January 2020 there was a total of 325 incoming calls and 104 outgoing calls, equating to 21 hrs call time.

APPLICABLE LAW

11. 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.

APPLICABLE POLICY

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

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

14. 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

15. 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.

SUSTAINABILITY

Social Implications

16. Debt collection can have implications upon those ratepayers facing hardship and the City must ensure equity in its debt collection policy and processes.
17. The City has introduced “a smarter way to pay” to help ease the financial hardship to its customers. This has proved very effective with a growing number of ratepayers taking advantage of this option. A “Smarter Way to Pay” allows ratepayers to pay smaller amounts on a continuous basis either weekly or fortnightly, helping to reduce the financial burden.

Economic Implications

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

Environmental Implications

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

RISK MANAGEMENT

20.

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

CONCLUSION

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

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

Voting Requirements: Simple Majority

RECOMMENDATION

That Council RECEIVE the Rates Debtors Report for the Period Ended 31 January 2020 (Attachment 1).

10.5.6. Corporate Business Plan - Quarterly Update - October to December 2019

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

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

Attachments 1. Quarterly Corporate Plan Report Oct- Dec 2019
[10.5.6.1 - 46 pages]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the progress on the City of Kalamunda's (City) achievement against "Kalamunda Achieving: Corporate Business Plan 2018-2022" for the period October to December 2019.
2. At an aggregate level, the Corporate Business Plan is 107.5% complete as at 31 December 2019. This is on track for completion by 30 June 2020.
3. It is recommended that Council notes the quarterly report for the Corporate Business Plan for the period October to December 2019.

BACKGROUND

4. Kalamunda Achieving: Corporate Business Plan 2018-2022 (CBP) was endorsed by Council on 25 June 2018.
5. The CBP outlines the major projects, including capital works and operational recurrent services for the City. It then links those projects and services to the Asset Plans, Long Term Financial Plan and Workforce Plan.
6. The CBP is a component of the City of Kalamunda's integrated planning and reporting framework.
7. The Chief Executive Officer, Directors and Managers have individual performance objectives that are directly linked to their achievement of the CBP in 2019/20.

DETAILS AND ANALYSIS

8. The CBP is comprised of 4 priority areas, referred to as 'goals' in this report, being:
 1. Kalamunda Cares and Interacts
 2. Kalamunda Clean and Green
 3. Kalamunda Develops
 4. Kalamunda Leads
9. There are 75 individual actions set out within the CBP.
10. The report reflects the management progress report against the work schedule for each of the individual actions, as at 31 December 2019.

11. At an aggregate level, the CBP is 107.5% complete. This is the average completion percentage of each action as compared to the target completion percentage at 31 December 2019. At an aggregate level the City's project progress is currently tracking at around 7% ahead of schedule.

The CBP is on track for completion by 30 June 2020.

APPLICABLE LAW

12. All local governments are required, by legislation, to develop a Corporate Business Plan to fulfil the statutory obligations of section 5.56 of the *Local Government Act 1995 (WA)*, which is effectively the City's 'plan for the future'.
13. The *Local Government (Administration) Regulations 1996* provides detail as to the content of the Corporate Business Plan.

APPLICABLE POLICY

14. Nil.

STAKEHOLDER ENGAGEMENT

15. This report reflects input from Directors and Managers throughout the City.
16. Various external stakeholders and community members have been involved in the achievement of the CBP.

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

18. Nil.

Economic Implications

19. Nil.

Environmental Implications

20. Nil.

RISK MANAGEMENT

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

CONCLUSION

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

23. At an aggregate level, the CBP is 107.5% complete. This is the average completion percentage of each action as compared to the target completion percentage at 31 December 2019. At an aggregate level the City's project progress is currently tracking at around 7% ahead of schedule.

Voting Requirements: Simple Majority

RECOMMENDATION

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

10.5.7. Annual General Meeting of Electors 2018/2019 Report

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

Previous Items	Nil
Directorate	Office of the Chief Executive Officer
Business Unit	Governance and Legal
File Reference	N/A
Applicant	City of Kalamunda
Owner	City of Kalamunda
Attachments	1. Annual General Electors Meeting - Minutes -4 February 2020 [10.5.7.1 - 5 pages]

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
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STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. To consider the outcomes of the 2018/19 Annual General Meeting of Electors (AGM).

2. Three motions were considered at the AGM, with two being passed and one defeated.
3. It is recommended that Council notes the decisions made at the AGM and requests the Chief Executive Officer prepare a report with respect to Resolution AGM 03/2020.

BACKGROUND

4. As required by section 5.27 of the *Local Government Act 1995* (the Act), the 2018/19 AGM was held on Tuesday 4 February 2020 to receive the City's Annual Report and consider and other General Business which might be raised by those attending the meeting.

DETAILS AND ANALYSIS

5. 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.
6. The following motions were considered at the AGM:
 - (1) AGM 01/2020:

That the 2018/19 Annual Report of the City of Kalamunda be received.
Carried Unanimously (with two dissenters}.
 - (2) AGM 02/2020 –

That this meeting of Electors express No confidence in the Management of Development as recorded in the Annual Report 2018/2019. Referring to 5 specific examples:

 1. Activity Plan for the Townsite of Kalamunda
 2. Industrial Development Strategy
 3. Age Friendly Strategy and Action Plan
 4. Fees paid to numerous Independent Private Consultancies for Development-related projects
 5. Community Engagement

Lost 7/19
 - (3) AGM 03/2020:

That the Kalamunda City Council signs the July 2018 Western Australian Local Government Association Climate Change Policy Statement and thereby declares we are in a state of climate emergency that requires urgent action at all levels of government to develop locally appropriate mitigation and adaptation strategies
Carried 54/4.

7. No further action is required on AGM 01/2020 and AGM 02/2020, however for Council to be fully informed of the issues and consequences of AGM 03/2020 a report by the Administration will be required prior to a final decision by Council.

APPLICABLE LAW

8. *Local Government Act 1995*

APPLICABLE POLICY

9. None.

STAKEHOLDER ENGAGEMENT

10. Community engagement and consultation occurred as part of the AGM. There will be additional community engagement if the Council endorses resolution 03/2019 passed at the AGM.

FINANCIAL CONSIDERATIONS

11. Costs will be incurred to present a further report to Council, however these will be covered in the normal operational budget.

SUSTAINABILITY

Social Implications

12. None directly from this report.

Economic Implications

13. None directly from this report.

Environmental Implications

14. None directly from this report.

RISK MANAGEMENT

15.	Risk: Council does not consider the resolution passed at the AGM as required by the Act.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	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.		

CONCLUSION

- 16. It is recommended that Council notes the resolutions passed at the AGM and requests a report from the Chief Executive Officer with respect to AGM 03/2019.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

- 1. NOTE Resolutions AGM 01/2020. AGM 02/2020 and AGM 03/2020 passed at the Annual General Meeting of Electors held on 4 February 2020, as contained in the Minutes of the Meeting (Attachment 1.)
- 2. REQUEST the Chief Executive Officer, in response to AGM 03/2020, prepare a report on the implications for the Council and City of Kalamunda prior to a final decision on the resolution.

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

- 1. AGM 01/2020 – Receiving of the 2018/19 Annual Report – As the Annual Report was received with only two dissenters, no further action required.
- 2. AGM 02/2020 – as this motion was lost no further action is required.
- 3. AGM 03/2020 – A report from the Administration has been requested to enable Council to be fully informed on this issue, prior to a final decision on the motion carried at the AGM.

10.5.8. City of Kalamunda Policies and CEO Directives

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

Previous Items	OCM 204/2019
Directorate	Office of the Chief Executive Officer
Business Unit	Governance and Legal
File Reference	
Applicant	City of Kalamunda
Owner	City of Kalamunda
Attachments	<ol style="list-style-type: none"> 1. Draft policy - Attendance at Events [10.5.8.1 - 3 pages] 2. Draft policy - Payments to Employees (Recognition of Service) [10.5.8.2 - 3 pages] 3. Draft CEO Directive - Waiving of Fees and Charges for Community Groups CEO I 10 [10.5.8.3 - 1 page]

TYPE OF REPORT

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- Executive When Council is undertaking is substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to adopt two new Council Policies and to note a CEO Directive.
2. The new policies have been developed to meet legislative requirements and strategic objectives of the City of Kalamunda (the City).
3. The report recommends adoption of the draft policies and the noting of the CEO Directive.

BACKGROUND

4. The City periodically reviews, revokes and adds new policies to ensure that the policies meet the City's current operational and strategic objectives and to meet legislative requirements.

DETAILS AND ANALYSIS

5. The two new policies to be adopted by Council are:
 1. Elected Member and Chief Executive Officer Attendance at Events Policy.
 2. Payments to Employees (Recognition of Service).
6. The requirement for the Elected Member and Chief Executive Officer Attendance at Events Policy has arisen as a consequence of amendments to the *Local Government Act 1995* (the Act) passed in 2019. All local governments in Western Australia are required to adopt this type of policy.
7. The Department of Local Government, Sport and Cultural Industries provided information and guidance with respect to the minimum content of the policy and the draft policy reflects those requirements.
8. The second policy had inadvertently been converted to a CEO Directive during the comprehensive review of the City's Policies carried out in 2018/19 instead of being retained as a Council Policy as required by section 5.50 of the Act.
9. The draft Policy reflects the contents of the previous Council Policy (C HR01 – Recognition of Service).

10. The CEO Directive - Waiving of Fees and Charges for Community Groups, provides clear and understandable expectation as to the requirements of requests from community groups to waive fees established by the Council.

APPLICABLE LAW

11. *Local Government Act 1995*

APPLICABLE POLICY

12. These are new policies to add to the City's Policy register.

STAKEHOLDER ENGAGEMENT

13. Not required for this matter.

14.

FINANCIAL CONSIDERATIONS

15. There are no financial considerations as the result of this report.

SUSTAINABILITY

Social Implications

16. Nil.

Economic Implications

17. Nil.

Environmental Implications

18. Nil.

RISK MANAGEMENT

19.

Risk: Lack of compliance with the Local Government Act that requires Council to have policies updated and reviewed regularly or new policies adopted.		
Consequence	Likelihood	Rating
Possible	Moderate	Medium
Action/Strategy		
Ensure that Council’s Policy Manual is current through regular review process.		

Risk: Without policies in place the Council does not have a consistent and transparent approach to decision making.		
Consequence	Likelihood	Rating
Possible	Moderate	Medium
Action/Strategy		
Ensure that Council’s Policies reflect a consistent application to Councils decisions.		

CONCLUSION

20. The draft policies to be adopted by Council reflect the City’s current operational and strategic objectives and to meet legislative requirements.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. ADOPT the following policies:
 - (a) Elected Member and Chief Executive Officer Attendance at Events (Attachment 1).
 - (b) Payments to Employees (Recognition of Service) (Attachment 2).

2. NOTE the CEO Directive - Waiving of Fees and Charges for Community Groups (Attachment 3).

10.5.9. Request to Waiver Planning Application Fees - Lesmurdie Community Care

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

Previous Items	N/A
Directorate	Development Services
Business Unit	Approval Services
File Reference	VR-01/001
Applicant	Town Planning Innovations
Owner	Lesmurdie Community Care
Attachments	Nil

TYPE OF REPORT

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- Executive When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
- Information For Council to note
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STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council approval to waive the requisite fees for two planning applications, exempting advertising costs incurred by the City of Kalamunda (City), totalling \$5,485.00.
2. The applicant on behalf of Lesmurdie Community Care has sought a full waiver of the total fees for the two planning applications.
3. It is recommended that in this instance, a 50% reduction to the planning fees be provided, being \$2,742.50.

BACKGROUND

4. The Chief Executive Officer (CEO) has previously supported a request from Lesmurdie Community Care to waive fees for a development application for a nature-based playground for an amount of \$224.00.

DETAILS AND ANALYSIS

5. The applicant on behalf of Lesmurdie Community Care is seeking Council approval to waive the requisite application fees, exempting advertising costs incurred by the City, totalling \$5,485.00 for the following planning applications:
 - a) \$2,500.00 - Local Planning Scheme amendment to rezone Reserve 29190 from Local Reserve 'Local Open Space' Reserve to 'Local Reserve 'Civic and Community'.
 - b) \$2,985.00 - Development Application – Community Purpose Building.
6. The City's current practice with respect to requests for local community groups seeking the waiving of fees or charges is for the CEO to approve a donation to the group equivalent to the amount requested.

This practice serves a twofold purpose of enabling the City to keep track of the support provided to local community groups, whilst also ensuring that the true revenue for the services it provides is recorded in the accounts.
7. A revised CEO Instruction for the waiving of fees and charges for community groups has been drafted for consideration by Council at the February OCM. The CEO Instruction will establish the limit (\$1,000) of the CEO's delegated authority to waive fees and charges. Requests exceeding this amount will require the approval of Council.

8. As a community group, Lesmurdie Community Care will through the future use of the planned community building, offer programmes, activities and services that will provide opportunities for people who need additional support.
9. Whilst the City has previously supported a request to waiver a previous development application fee for Lesmurdie Community Care, the current request involves planning applications which are more complex and will require a considerable amount of officer and administrative time to process.
10. The Scheme amendment process for a standard application can take between 12 and 18 months, requiring approximately 40 hours+ of officer time. A complex development application can take a minimum of 20 hours of officer time to process.
11. In addition to the above, the City needs to consider the financial implication from the loss of revenue. Planning administration fees contributes to the operating costs of the Approval Services business unit and the overall expenditure of the City's administration and accounts for cost recoup of these services.
12. Noting the above, it is recommended that a 50% reduction to the planning fees, being \$2,742.50, be supported in the context of the community services provided and existing infrastructure provided to the community through the nature playground on the adjoining site.

APPLICABLE LAW

13. *Local Government Act 1995*

APPLICABLE POLICY

14. LPP 17 – Planning Administration:
The Policy states that statutory planning and building application fees will not be waived under any circumstances except with the approval of the Chief Executive Officer.
15. Draft CEO instruction: Waiving of fees and Charges for Community Groups (CEO110):
The purpose is to provide clear and understandable expectation as to the requirements of requests from community groups to waive fees established by the Council.

STAKEHOLDER ENGAGEMENT

16. N/A

FINANCIAL CONSIDERATIONS

17. Approval of the Officer Recommendation result in lost revenue of \$2,742.50.

SUSTAINABILITY

Social Implications

18. The waived fees are funds that the Lesmurdie Community Care could use for the planned community building which will have a social benefit for the wider community.

Economic Implications

19. N/A

Environmental Implications

20. N/A

RISK MANAGEMENT

21.	Risk: Refusal to waiver the planning applications fees, may cause the Community group financial hardship.		
	Consequence	Likelihood	Rating
	Insignificant	Unlikely	Low
	Action/Strategy		
	A 50% reduction on the requisite planning applications fees is considered an appropriate compromise between the applicants request and the administrative obligations of the City.		

CONCLUSION

22. Noting the officer time likely to be incurred in the administrative process associated with the two planning applications, and loss of revenue for the City which is used to cover the cost of providing this service, it is recommended that a 50% reduction to the planning fees being \$2,742.50 be supported.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. APPROVE a 50% reduction on the combined planning applications fees of \$5,485.00.
2. REQUEST the Chief Executive Officer advise the Lesmurdie Community Care the fees for the following planning applications shall apply:
 - a. \$1,250.00 - Local Planning Scheme amendment to rezone Reserve 29190 from Local Reserve 'Local Open Space' Reserve to 'Local Reserve 'Civic and Community'.
 - b. \$1,492.50 - Development Application – Community Purpose Building.

10.5.10. Kalamunda Arts Advisory Committee - Recommendations Meeting 10 February 2020

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

Previous Items	N/A
Directorate Business Unit	Corporate Services
File Reference	
Applicant	
Owner	
Attachments	Nil

TYPE OF REPORT

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STRATEGIC PLANNING ALIGNMENT

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.

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.

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.

EXECUTIVE SUMMARY

1. To consider the recommendations of the Kalamunda Arts Advisory Committee (KAAC) made at its meeting of 10 February, 2020.
2. It is recommended that Council accepts and endorses the decisions of the KAAC.

BACKGROUND

3. Council established the Kalamunda Arts Advisory Committee in September 2017 for the purpose of providing information and advice about current and emerging arts related matters to the Council for the purpose of decision making and planning.

DETAILS AND ANALYSIS

4. The Committee made the following recommendations to Council and seeks Council approval of them:
 - a) That the Chief Executive Officer and Mayor write to the late Celia Cheffins' husband, Michael Cheffins to acknowledge the contribution of her Community work within the City.

Moved: Annette Eassie
Seconded: Cr Kathy Ritchie
Vote: Carried Unanimously

- b) Council appoint the two following candidates to the Kalamunda Arts Advisory Committee.
 - Michelle White
 - Jessica Wellman

Moved: Cr Kathy Ritchie
Seconded: Steve Castledine
Vote: Carried Unanimously

- c) The City to proceed with funding requests from the State Government for Iceland - Yarra Yakkim Theatre Company and Perth Symphony Orchestra projects.

Moved: Claire Eden
Seconded: Annette Eassie
Vote: Carried Unanimously

- d) The Chief Executive Officer investigate the feasibility of working in Partnership with Kalamunda Rotary Club for an interpretive statement inside and outside the Library regarding the window and to remove a section of the existing awning alongside the Stained Glass Window at Kalamunda Library.

Moved: Cr Ritchie
Seconded: Claire Eden
Vote: Carried Unanimously

5. The appointment of the two new candidates to KAAC will fill two recently created vacancies. Further, the two new candidates will bring geographical diversity to KAAC.
6. The request to undertake improvements in interpretive signage and lighting to the Stained Glass Window at Kalamunda Library has been put forward by the Rotary Club of Kalamunda.
7. Although the City is currently undertaking a roof replacement project at the Kalamunda Library, there is no scope in the current budget for the additional works requested.

APPLICABLE LAW

8. *Local Government Act 1995.*

APPLICABLE POLICY

9. There are no policies directly related to this item.

STAKEHOLDER ENGAGEMENT

10. There was no stakeholder engagement.

FINANCIAL CONSIDERATIONS

11. The operations of Council Advisory Committee are provided within each Directorates adopted budget.

SUSTAINABILITY

12. There are no sustainability implications.

RISK MANAGEMENT

13.	Risk: That Council does not approve the appointment of the proposed two new Advisory Committee members.		
	Consequence	Likelihood	Rating
	Unlikely	Insignificant	Low
	Action/Strategy		
	Provide biographies of the two new Advisory Committee members.		

14.	Risk: That Council does not undertake improvements in interpretive signage and lighting to the Stained Glass Window at Kalamunda Library.		
	Consequence	Likelihood	Rating
	Possible	Insignificant	Low
	Action/Strategy		
	City officers to provide Council with a report into the feasibility of undertaking the improvement to the stained-glass window as proposed by Rotary.		

CONCLUSION

15. The purpose of this report is to provide Council with the recommendations of the Kalamunda Arts Advisory Committee (KAAC) held on the 10 February 2020 and the City's administrative response.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council:

1. REQUEST the Chief Executive Officer to write to the late Celia Cheffins' husband, Michael Cheffins to acknowledge the contribution of her work within the City amongst the Community.
2. APPROVE the appointment of Michelle White and Jessica Wellman to the vacant positions on the Kalamunda Arts Advisory Committee

3. NOTE the Kalamunda Arts Advisory Committees supports the City of Kalamunda in progressing with funding requests to the State Government for Iceland - Yarra Yakkim Theatre Company and Perth Symphony Orchestra projects.

4. REQUEST the Chief Executive Officer investigate the feasibility of working in Partnership with Kalamunda Rotary Club for an interpretive statement inside and outside the Library regarding the window and to remove a section of the existing awning alongside the Stained-Glass Window at Kalamunda Library.

10.5.11. Forrestdfield / High Wycombe Industrial Area Stage 1 - Development Contribution Plan Report - Adoption for Public Advertising

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

Previous Items	SCM 230/2018
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	PG-STU-028
Applicant	City of Kalamunda
Owner	Various

Attachments	1. Draft Development Contributions Plan Report [10.5.11.1 - 40 pages]
Confidential Attachment	1. <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 (WA) Section 5.23 (2) (d) - "legal advice obtained, or which may be entered into, by the local government which relates to a matter to be discussed."</i> 2. <u>Reason for Confidentiality:</u> <i>Local Government Act 1995 (WA) Section 5.23 (2) (d) - "legal advice obtained, or which may be entered into, by the local government which relates to a matter to be discussed."</i>

TYPE OF REPORT

- Advocacy When Council is advocating on behalf of the community to another level of government/body/agency
- Executive When Council is undertaking is substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
- Information For Council to note
- Legislative Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

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.

EXECUTIVE SUMMARY

1. The purpose of this report is for the Council to consider and adopt the Forrestfield / High Wycombe Industrial Area Stage 1 – Development Contribution Plan (DCP) Report annual review (Attachment 1) for the purposes of public advertising.
2. As a consequence of matters arising from the 2018 DCP Report annual review, the City of Kalamunda (City) has undertaken a thorough review and analysed the DCP to determine compliance with relevant Local Planning Scheme No. 3 (LPS3) provisions and the requirements established through State Planning Policy 3.6 – Development Contributions for Infrastructure (SPP3.6).
3. In this regard, the City has undertaken a review of the method of calculation of the contribution rate for the DCP. As a result of this review, the methodology for the DCP has had to be amended to ensure that it is equitable to all landowners within the arrangement (early contributors and later contributors).
4. It is recommended that the Council adopt the DCP Report and the interim Cost Contribution rate of \$23.00/m² for the purposes of public advertising. In the context of the findings of the review and change in rate, it has also proposed that the revised interim rate be used immediately as the applicable rate for new developments being approved within the DCP area.

BACKGROUND

5. **Locality Plan:**



6. The Scheme Amendment to include the DCP Scheme within the City's LPS3 was gazetted in May 2013. This allowed the City to place on development and subdivision approvals, the obligation to pay a Cost Contribution for common infrastructure and administration costs to manage the DCP.
7. Following the gazettal of the DCP, the Council was required to adopt a DCP Report and cost apportionment schedule. The DCP Report and the associated cost apportionment schedule sets out, in detail, the calculation of cost contributions for development in accordance with the methodology shown in the DCP.

8. The DCP Report needs to be a dynamic document to maintain the currency of the cost of infrastructure, land and other DCP items. The DCP Report does not form part of LPS3 but, once adopted by the Council, is required by Clause 6.5.11.2 of LPS3 to be reviewed at least annually.

9. **Previous Reviews**

Historical rates for the DCP Report review are as follows:

Date Adopted	Cost Contribution Rate
December 2012	\$23.03/m ²
December 2013	\$28.49/m ²
June 2015	\$31.23/m ² Reduced to \$29.66/m ² to account for only 50% of the cost of Sultana Road West.
December 2016	\$29.79/m ²
December 2018	\$17.01/m ² Comprehensive review of utility cost estimates resulting in significant reduction in cost.

10. At its Special Meeting held 3 December 2018, the Council resolved to adopt the DCP Report and the Cost Contribution rate of \$17.01/m².

11. Prior to undertaking the most recent annual review, the City sought advice on the interpretation of the provisions of the LPS3 and SPP 3.6 relating to the calculation and application of the DCP rate. The confidential advices are comprehensive and provide for a way forward which meets the intent and principles of the DCP, LPS3 and SPP3.6. The advices are included as a Confidential Attachment for the benefit of Council.

12. The most recent DCP review and procedural adjustments to the operation of the DCP have been undertaken having regard to the advices received. It is recommended that the Council note the advice.

DETAILS AND ANALYSIS

13. **Method for Calculating Contributions**

The Method for Calculating Contributions (Method) is contained within Schedule 12 of LPS3. This section contains an equation and supplementary notes used for calculating the Cost Contribution Rate as follows:

$$\text{Contribution Rate} = \frac{\text{Cost of Infrastructure Items} + \text{cost of administrative items (A)}}{\text{Net lot area (m}^2\text{)}}$$

EQUATION

$$\text{Net lot area} = \text{Contributor Area} - (\text{Cost of Road Reserve} + \text{Developed Area})$$

NOTES

Cost Contribution Schedule adopted by the local government for DCP 1 which will be reviewed annually.

$$\text{Cost of Infrastructure Items} = \text{remaining infrastructure costs} - \text{funds held as money}$$

14. Since the inception of the DCP in 2012, the City has taken into account the 'funds held as money' in the DCP reserve account and divided the outstanding infrastructure and administrative costs by the remaining landowners who were yet to develop.
15. Based on the City's review, this also occurs in several other DCPs around the metropolitan area.
16. The application of the above equation, together with the supplementary notes, means that after each landowner makes their cost contribution over time, the developed area is deducted from the 'net lot area'. The constructed infrastructure and money collected is also removed from the equation, leaving only the remaining (estimated) infrastructure and administrative costs to be divided by the net lot area of undeveloped land.
17. Since the reduced Cost Contribution Rate from \$29.79 to \$17.01, the City extensively analysed the DCP to determine compliance with relevant LPS3 provisions and the principles established through SPP3.6.
18. The matter was also brought to the City's attention by some early contributors and was identified as a result of significant changes in infrastructure estimates as they relate to utility services.
19. The approach undertaken resulted in some landowners who had developed early, with a rate based on preliminary cost estimates, contributing at a higher rate than landowners who have developed at a later time and with a rate based on the actual cost of infrastructure or more refined estimates.
20. The inclusion of contributions collected, based on higher estimates, as part of the equation also reduced the cost contributions of later landowners, raising issues of equity to those early contributors.
21. In addition to the equity issues, the calculation method applied results in the landowners, who are yet to contribute, only making a contribution towards infrastructure that is yet to be built, and not infrastructure that has already been built, and to which the landowner and the development receives a benefit.

22. In summary, the cost of all infrastructure required to be delivered by the DCP has not been evenly distributed amongst all landowners over the course of the DCP's operation.
23. The approach has resulted in a situation that is inconsistent with the overarching principles of determining infrastructure contributions (outlined in SPP3.6) and specifically the principle of equity. Accordingly, the interpretation and application of the calculation methodology is required to be reviewed to ensure the arrangement is administered in an equitable manner.
24. Previous DCP reviews did not highlight the issue in relation to the use of contributions collected in the equation. Based on the City's review, the use of contributions collected also occurs in several other DCPs within the metropolitan area. However, what is evident in these DCPs is that there have not been any significant drops in infrastructure estimates as has occurred in this instance.
25. In order to comply with the requirements of LPS3 and SPP3.6, and to proceed with the operation of the DCP in a practical and equitable manner, the equation included in the above Method should still be used, but the City should not have regard to the supplementary notes included below the equation (in particular the use of 'funds held as money' or contributions collected).
26. This will result in all infrastructure and administrative costs (based on both estimates and on actual costs) being divided by the net lot area (all developable area minus road reserves) and will address the equity issues.
27. **Reconciliation of Interim Cost Contributions**
The major infrastructure items within the DCP have been constructed, including the Ashby / Nardine Close connection, Stage 1 of the Nardine Close extension, and major intersection upgrades for Restricted Access Vehicle Classification (RAV) 7. The construction of Bonser Road has also commenced.
28. There are some infrastructure items (ie. Stage 2 of the Nardine Close extension, Milner Road, Sultana Road West and the bush forever fencing) that are yet to be constructed. These items will progressively be constructed as priorities in the DCP are reviewed and funds become available.

29. In addition, there are some other infrastructure items that have either been previously removed or modified (ie. Dundas Road and the Berkshire / Milner intersection) as part of reviews to the planning framework for the area, or that may no longer be required, resulting in changes to the infrastructure items within DCP over time.
30. The changes over time have affected the contribution rates that have applied over the same period, along with the transition from estimated costs to actual costs as the rate is continuously reviewed and infrastructure is progressively delivered.
31. LPS3 and SPP3.6 establishes that the contributions that have been paid, or the initial contributions to be paid, are an interim payment based on estimated costs, or a combination of estimated and actual costs unless, pursuant to Clause 6.5.11.4 of LSP3, the City enters into a specific agreement with the owner stipulating the payment based on estimates is a final payment.
32. In the absence of a specific agreement, it is only once all the final infrastructure costs have been established (constructed and paid for) can a final contribution rate for all landowners be determined.
33. At this time, which is estimated to be in approximately three years (at the conclusion of the 10-year DCP operative timeframe outlined in Schedule 12 of LSP3), final invoices or credits for the interim Cost Contributions made will need to be issued. This will mean that some landowners who have paid higher amounts will be provided a credit and some landowners who have paid lower amounts may be required to make an additional contribution.
34. In relation to the landowners who have paid a lower amount, this matter will be considered by Council at the conclusion of the operation of the DCP when all infrastructure costs and the final financial position of the DCP is known.
35. At the conclusion of the DCP (approx. three years), there may still be some landowners who have not yet developed. The City will have to establish a separate agreement with those landowners to ensure contributions are collected at a future time when they, or a future owner of the land, decide to develop.
36. As part of the review, it has been identified that the owner of any proposed development will be required to enter into an agreement with the City as a condition of development approval.

37. The agreement will be to formalise the contribution process and ensure security over future payments, as well as providing certainty for any potential credits that may be due at the end of the operation of the DCP.
38. The costs for preparing these agreements have been estimated and are included within the administrative costs within the DCP.
39. Based on the City's analysis to date, many landowners that have developed have contributed at a rate higher than the draft Cost Contribution rate outlined in this report, and are envisaged to be eligible for a credit at the conclusion of the operation of the DCP.
40. For those that have made contributions at the lower rate, as noted above, the Council will consider the requirement for any possible future payment at the conclusion of the operation of the DCP.
41. Initial versions of the DCP calculated contributions based on a gross area (calculated based on total land area) and collected on a net area (deducting areas for road reservations). This resulted in a short fall of contributions of approximately \$195,463.
42. Under the previous DCP calculation methodology, the short fall was proposed to be dealt with by Council at the end of the DCP. As a result of the most recent review, and with payments being considered interim until the conclusion of the DCP, the shortfall will no longer occur as all contributions will be reconciled to the final DCP amount. In this context, the deduction that was previously included has been removed from the calculation of the DCP rate.
43. In summary, based on the requirements of LPS3 and SPP3.6, Cost Contributions that have been made to date are considered interim payments (in the absence of any formal agreement. Furthermore, all future contributions will be considered interim payments until the end of the DCP.
44. At the conclusion of the DCP, when the final contribution rate is known (based on actual costs of all infrastructure), all previous interim contributions made will need to be reconciled against the final rate based on actual costs of the final list of infrastructure items delivered.
45. **DCP Review**
At each DCP Report review, all factors contributing to the contribution rate must be revised. The significant factors reviewed are as follows:
- a) Remaining developable land;
 - b) Land requiring acquisition;

- c) Land valuation;
- d) Estimated and actual costs of infrastructure works;
- e) Administration costs; and
- f) Priority of infrastructure works.

Further discussion regarding these factors are provided below.

46. **Remaining developable land**

The future developable area is expected to provide the Cost Contributions necessary to account for the infrastructure and administrative costs. As of the end of January 2020, 31 of the 52 lots (approx. 60% of lots) within the Development Contribution Area were undeveloped equating to approximately 328,538m² of 652,084.5m² (approx. 50% of land area).

47. **Land Requiring Acquisition**

As at 13 February 2020, 16,277.5m² has been acquired and 12,041m² requires acquisition, representing approximately 57% of all land required for road construction.

Acquired Area (m²)	Cost (\$)
16,277.5	\$4,225,510
Requiring Acquisition (m²)	Cost (\$)
12,041	\$2,889,840

48. **Land Valuation**

Land to be acquired has been identified in the DCP. In July 2019, an independent valuer provided an estimated rate at which land should be acquired at through the DCP. The valuation concluded on a land value rate of \$240/m², increasing from \$220/m² at the December 2018 DCP review.

49. Lot 51 Sultana Road West requires the partial demolition of an existing masonry garage to permit the construction of stage 2 of Road 2A to facilitate development of the area.

50. In March 2017, the City engaged a quantity surveyor to estimate the cost of demolishing the garage, partial reimbursement for the loss of the built form and costs required to “make good” the remaining parts of the residence.

51. This was again reviewed when updating the cost estimates following advertising of the DCP report. The cost has been estimated at approx. \$100,000. This cost has been included in the estimate to construct stage 2 of Road 2A.

52. **Estimated and Actual Costs of Infrastructure Works**
As at the end of January 2020, approximately \$3.37m is required to complete the remaining infrastructure works, with \$3.62m spent on infrastructure works to date. Details of these estimates are provided in Attachment 1.
53. **Administrative Items**
As at the end of January 2020, \$562,328.55 of administrative costs have been spent from the DCP and an estimated \$405,000 is required to administer the DCP for the remaining 3 years, until the conclusion of the 10-year DCP operative timeframe under Schedule 12 of LPS3. Details of these estimates are provided in Attachment 1.
54. As part of the revised process, the applicant/owner of any proposed development will be required to enter into an agreement with the City as a condition of development approval for the provision of cost contributions. The administrative costs have been reviewed to include the cost of the preparation of the agreement for the remaining properties to be developed within the DCP area.
55. To avoid any further under-payments, it is recommended that the new rate, and requirement for agreements, be applied immediately as a condition of development approval. This approach will also avoid unnecessary delays to the issue of development approvals and building licences.
56. **Priority of Infrastructure Works**
The following items were identified as priorities in the previous DCP reviews and are either completed works or under construction:
- a) Nardine / Ashby Close design, land acquisition and construction;
 - b) Nardine Close / Milner Road intersection design and construction;
 - c) Ashby Close / Berkshire Road intersection design and construction;
 - d) Berkshire / Milner Road intersection design and construction; and
 - e) Nardine Close Extension (Road 2A: Stage 1) design and construction.
57. Subject to the availability of funding, the following items are now considered current priority items:
- a) Ongoing administration costs, including designs to support detailed cost estimates;
 - b) Bonser Road (previously referred to as Road 1), land acquisition, design and construction. The construction of Bonser Road is currently underway and, with the City's agreement/supervision, being prefunded by a landowner.

- c) Nardine Close Extension (Road 2A: Stage 2) design, land acquisition and construction. In the event that Stage 2 is not required, given land use changes in the area, this item will be replaced with the design, land acquisition and construction of an emergency accessway on the north-west side of Lots 50 and 51 Sultana Road West.
- d) Milner Road construction; and
- e) Sultana Road West construction.

58. With regard to Stage 2 of the Nardine Close extension (Road 2A), the City is currently considering a development application for a place of worship on Lot 50 Sultana Road West that would utilise Sultana Road West as access entirely, and would not require internal light industrial oriented access to the Forrestfield / High Wycombe Industrial area, via Nardine Close.
59. It is therefore possible that, if this development proposal proceeds, Stage 2 of the Nardine Close extension will not be required. The City will consider, at the time the building has commenced construction, amending the Local Structure Plan and DCP to remove Stage 2, however will maintain an emergency access way for bushfire purposes.
60. If Stage 2 is removed from the DCP, it will reduce the overall infrastructure and land acquisition costs and be another matter that is required to be settled as part of the reconciliation process.

APPLICABLE LAW

61. **Local Planning Scheme No. 3**
The Cost Contributions are administered and determined in accordance with the provisions of Clause 6.5 and Schedule 12 of LPS3.
62. Clause 6.5.11.2 of LPS3 requires the DCP cost estimates to be reviewed at least annually.
63. Clause 6.5.11.4 of LPS3 requires the adjustment of Cost Contributions that are calculated on the basis of an estimated cost (and revised estimated cost), contemplates an agreement between the City and the landowners to establish a final Cost Contribution based on estimated costs.

APPLICABLE POLICY

64. The review of the DCP has been undertaken in accordance with the requirements of the Western Australian Planning Commission's (WAPC) State Planning Policy 3.6 – Development Contributions for Infrastructure.

STAKEHOLDER ENGAGEMENT

65. Following the Council's adoption of the draft DCP Report and an interim Cost Contribution rate, advertising will be undertaken with the landowners within the Development Contribution Area in accordance with *Local Planning Policy 11 – Public Notification of Planning Proposals*. Specific correspondence explaining the process will be issued to landowners along with an offer for a one-on-one meeting to explain the outcomes and process.
66. Consulting were engaged to undertake an independent and comprehensive review of infrastructure cost estimates, these estimates have formed the basis of unconstructed works within the DCP Report.
67. Prior to undertaking the most recent annual review, the City sought advice on the interpretation of the provisions of the LPS3 and SPP 3.6 relating to the for the calculation and application of the DCP rate. The confidential advices are comprehensive and provide for a way forward which meets the intent and principles of the DCP, LPS3 and SPP3.6. The advices are included as a Confidential Attachment for the benefit of Council.
68. The most recent DCP review and procedural adjustments to the operation of the DCP have been undertaken having regard to the advices received. It is recommended that the Council note the advice.

FINANCIAL CONSIDERATIONS

69. The operation of the DCP presents a major administrative responsibility for the City. While the DCP is self-funded, the City has an implicit obligation to efficiently and effectively manage the revenues and works.
70. The remaining developable area is reliant on the DCP to provide the necessary infrastructure to facilitate development. In particular, the timely provision of roads and drainage is critical for industrial precincts as most developments rely on these improvements for suitable access.
71. As noted in the Details and Analysis Section of this report, the reconciliation of costs will be required at the end of the DCP's 10 year operative life (2023). This process will involve a credit to those landowners who have paid at a higher rate, with the funds necessary to make this credit being available in the DCP reserve account.
72. Additional contributions may be required from those landowners who have paid at a lower rate. Based on the proposed interim rate, the anticipated payments would total approximately \$300,000.

- 73. The Council will consider the reconciliation of any possible future payment at the conclusion of the operation of the DCP.

SUSTAINABILITY

Social Implications

- 74. The provision of infrastructure in a timely, coordinated and responsible manner can have a significant impact on the quality of life for both existing and future residents.
- 75. Impacts on the quality of life need to be considered at both a micro and macro level, with infrastructure planning needing to deliver net community benefits and recognising that the expectations of not every single landowner will be able to be satisfied.

Economic Implications

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

Environmental Implications

- 77. The proposed DCP infrastructure is identified in areas where vegetation is predominantly cleared. A portion of road reservation abuts a Bush Forever Reserve and during the construction phase, due consideration will have to be given to ensure impacts to this area are minimised.

RISK MANAGEMENT

78.	Risk: Not undertaking the review so the Development Contribution Plan is not in alignment with current infrastructure and administrative costs.		
	Consequence	Likelihood	Rating
	Rare	Significant	Medium
	Action/Strategy		
	Ensure the Council is aware that a DCP review is required to ensure the new rate is reflective of projected costs to deliver infrastructure works and land purchases. Additionally, Clause 6.5.11.2 of LPS3 requires the DCP		

Report is reviewed at least annually.

79.	Risk: There is insufficient money collected in the DCP to fund infrastructure upgrades.		
	Consequence	Likelihood	Rating
	Possible	Major	High
	Action/Strategy		
	Ensure that the City enters into agreements with landowners to ensure the adjustment of Cost Contributions at the end of the DCP's operational life. Undertake annual reviews to ensure the scope of infrastructure remains relevant and to maintain the currency of the cost of infrastructure, land and other DCP items.		

80.	Risk: Errors are contained within the DCP estimates and calculation.		
	Consequence	Likelihood	Rating
	Possible	Moderate	Medium
	Action/Strategy		
	Ensure figures are audited and sourced from financial statements. Ensure cost estimates are reviewed annually and provided by an independent consultant.		

CONCLUSION

- 81. The recommendations contained within this report regarding the interpretation of the Method and establishing an interim Cost Contribution is necessary to ensure an equitable DCP for the remainder of the DCP's operative life (until approx. 2023).
- 82. A process has been proposed to reconcile Cost Contributions only once a final cost contribution is established (i.e. when all the infrastructure is built, and the actual cost of the infrastructure is known). This exercise will involve credits being issued to some landowners who made a higher contribution, and the City may seek additional Cost Contributions from other landowners who contributed at a lower rate.
- 83. The Council will consider the reconciliation of any possible future payment from these owners at the conclusion of the operation of the DCP.

84. It is important to establish an interim rate to ensure that the DCP does not continue to under collect Cost Contributions, and to minimise the risk of there being a shortfall of funds to deliver the remaining infrastructure identified in the DCP.
85. Accordingly, it is recommended that the Council adopt the DCP Report and the interim Cost Contribution rate for the purposes of public advertising.
86. It is also recommended that the interim rate and requirement for an agreement for new developments be applied to current development applications as a condition of approval.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. NOTE the confidential advice in the Confidential Attachment.
2. NOTE the interpretation of the Method for Calculating Contributions in Schedule 12 of Local Planning Scheme No. 3.
3. NOTE the approach to deem all Cost Contributions as interim, until the final Cost Contribution rate is known based on actual costs of infrastructure, as outlined in this report.
4. NOTE the proposed process to reconcile Cost Contributions for all landowners at the conclusion of the of the Development Contribution Scheme (scheduled for 2023), as outlined in this report.
5. ADOPT the Forrestfield / High Wycombe Industrial Area Development Contribution Plan Report (Attachment 1) for the purposes of public advertising.
6. ADOPT the interim Cost Contribution Rate of \$23/m², for the purposes of public advertising.
7. NOTE that the interim rate will be applied immediately to enable the timely issue of development approvals and building licences.
8. AUTHORISE the Chief Executive Officer advertise the interim Cost Contribution Rate and issue correspondence to landowners accordingly.

11. **Motions of Which Previous Notice has been Given**

11.1. **Request to Provide Funding to Perth Observatory**

MOTION

Voting Requirements: Simple Majority

That Council approves the payment of a donation of \$3000 to support the Perth Observatory to fund the launch of the Worl Wangkiny Opening Ceremony.

Moved: **Cr Margaret Thomas**

Seconded:

Vote:

Rationale

1. Worl Wangkiny ('Sky Stories' in Noongar) is the impressive new Aboriginal art installation painted onto a large part-constructed telescope dome at Perth Observatory. It celebrates 60,000 years of Noongar sky knowledge and culture through story-telling.
2. The artwork was created by Noongar artists Sharyn Egan, Kylie Graham, Peter Farmer Jnr, and James Egan in a project led by internationally renowned artist Peter Farmer.
3. The artists worked with young Follow the Dream Aboriginal students from Governor Stirling Senior High School to paint the artwork and share traditional knowledge of the sky and constellations.
4. Guidance and leadership were provided by an Advisory Panel, led by Dr Noel Nannup, caretakers of the land Vivienne and Morton Hansen, and Brendan Moore of SWALSC.
5. Already acknowledged as ground-breaking, Worl Wangkiny will attract ever increasing number of visitors, domestic and international, to Kalamunda and the wider Perth Hills region. This will be enhanced through the beautiful short documentary film showcasing the creation of Worl Wangkiny. The documentary will be shared through various organisations across the globe and will work to cement Kalamunda and the

Perth Hills as a key destination for anyone wanting to learn about Aboriginal culture.

6. Tours of Worl Wangkiny will be operated by Aboriginal Nature rekz (ANTZ), a subsidiary of Koya Aboriginal Corporation, in collaboration with the Perth Observatory Volunteer Group (POVG). The focus of ANTZ will be on sharing Aboriginal culture and stories with international and local visitors and training young Aboriginal people to become tour guides and bush rangers, caring for country and learning about their own cultural heritage. It will be the first training facility of its kind in Australia.
7. The Perth Observatory is an iconic tourist attraction for the Perth Hills and is operated solely by volunteers. Funding for the project was granted by Lotterywest however that funding did not cover the ability to hold a sophisticated launch of the iconic project.
8. The City has been advised the total cost of the launch will be \$10,000 and the Observatory will be approaching local Members of Parliament, and the Perth Airport to assist in raising the funding for the launch.

Officer Comments

1. The Administration is supportive of this project and the wider benefit that it will bring to the City of Kalamunda (the City) region, providing cultural heritage knowledge and understanding. The project aligns with both the City's adopted Reconciliation Action Plan and Tourism Development Strategy 2019/2025 which highlights the Perth Observatory as a major tourism opportunity.
2. The Strategy recommends collaboration with the Perth Observatory to promote their Aboriginal Astronomy Centre which aims to celebrate 60,000 years of Noongar sky stories. A strong connection is envisioned with City staff and Observatory volunteers.
3. There is a commitment to develop arts, heritage and culture opportunities that engage creative investment, participation and community pride.

4. The City will be further exploring opportunities for partnerships and utilisation of the Site for events and activities.

Financial Implication:

1. The Donations budget has been fully expended to date and the Council will be required to fund this expense through a reallocation at the mid-year review.

11.2. Working Title - Forrestfield Train Station

MOTION

Voting Requirements: Simple Majority

That Council REQUEST the Chief Executive Officer to write to the Premier of Western Australia requesting that the 'working title' for the Forrestfield Train Station be changed to the permanent name of High Wycombe Station, reflecting the station's actual location.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Sue Bilich**

Vote:

Rationale

1. In 2016, the state and federal governments announced the funding for the Forrestfield Airport Link. Planning quickly began and shortly after, council sought clarification that the title given to the project was simply a working title. The head of the Public Transport Authority (PTA) confirmed to council multiple times that the name was just a working title. In the beginning of 2018, the City of Kalamunda, following direction from the council, engaged with the community seeking the residents' views on the name for the precinct with the current working title of, 'Forrestfield North'. The comprehensive engagement process was conducted with valuable input from Landgate and their naming policies and practices.
2. After a year of consultation and based on the results of the consultation, the Council resolved not to make any changes to the current names or boundaries. The area referred to as Forrestfield North is wholly in the suburb of High Wycombe

and the Council agreed not to initiate a suburb name change process based on the community consultation.

3. The train station referred to as Forrestfield Train Station and the nearby train station precinct are both wholly located in the suburb of High Wycombe.
4. The train station name must reflect its actual location as it does with most other stations around Perth and indeed around the world.

12. Questions by Members Without Notice

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

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

15. Meeting Closed to the Public

16. Tabled Documents

16.1 Minutes of the Kalamunda Environmental Advisory Committee – 16 February 2020

16.2 Minutes of Kalamunda Arts Advisory Committee – 19 August 2019

16.3 Minutes of Kalamunda Arts Advisory Committee – 16 September 2019

16.4 Minutes of Kalamunda Arts Advisory Committee – 14 November 2019

16.5 Minutes of Local Emergency Management Committee – 5 December 2019

16.6 Minutes of Community Safety and Crime Prevention Advisory Committee – 27 November

17. Closure