



Public Agenda Briefing Forum – 8 September 2020

Agenda

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 PUBLIC AGENDA BRIEFING

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

PROCEDURES FOR PUBLIC AGENDA BRIEFING FORUMS

The following procedures will apply to all Public Agenda Briefing Forums conducted by the City of Kalamunda:

- a. Public Agenda Briefing Forums will be open to the public except for matters of a confidential nature. Determining matters of a confidential nature shall be in accordance with the *Local Government Act 1995* (WA).
- b. The Chief Executive Officer will ensure timely written notice and an agenda for each Public Agenda Briefing Forum will be provided to all Elected Members, members of the public and external advisors (where appropriate).
- c. Relevant employees of the City of Kalamunda will be available to make a presentation or respond to questions on matters listed on the agenda for the Public Agenda Briefing Forum.
- d. All Elected Members will be given a fair and equal opportunity to participate in the Public Agenda Briefing Forum.
- e. The Presiding Member will ensure that time is made available to allow for all matters of relevance to be covered.
- f. Elected Members, employees and relevant consultants shall disclose their interests on any matters listed for the Public Agenda Briefing Forum. When disclosing an interest the following is required:
 - i. Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995*, the *Local Government (Rules of Conduct) Regulations 2007* and the City's *Code of Conduct*.
 - ii. Elected Members disclosing a financial interest will not participate in that part of the forum relating to the matter to which their interest applies and shall depart the room.
 - iii. Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered, however there is no legislative requirement to do so.
- g. Minutes shall be kept of all Public Agenda Briefing Forums. As no decisions are made at a Public Agenda Briefing Forum, the minutes need only be a general record of the items covered but shall record any disclosure of interests as declared by individuals. A copy of the minutes is to be tabled at the next Ordinary Meeting of Council.

PROCEDURES FOR PUBLIC QUESTION TIME

Questions Asked Verbally

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

- a. Questions asked at a Public Agenda Briefing Forum must relate to a matter contained on the agenda.
- b. A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and suburb.
- c. Public question time will be limited to two (2) minutes per member of the public, with a limit of two (2) verbal questions.
- d. Statements are not to precede the asking of a question during public question time. Statements should be made during public submissions.
- e. The Presiding Member may extend public question time in intervals of 10 minutes, but the total time allocated for public question time is not to exceed 50 minutes in total.
- f. Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or to be defamatory to any particular Elected Member or City of Kalamunda employee.
- g. The Presiding Member shall decide whether to:
 - i. accept or reject any question and his/her decision shall be final;
 - ii. nominate a City of Kalamunda employee to respond to the question (who make take such question on notice in which case, provision of a response shall be in accordance with the City's Standing Orders); or
 - iii. take a question on notice (in which case, a written response will be provided as soon as possible and included in the agenda of the next Ordinary Council Meeting).
- h. Where an Elected Member is of the opinion that a member of the public is:
 - i. asking a question at a Public Agenda Briefing Forum that is not relevant to a matter listed on the agenda; or
 - ii. making a statement during public question time, they may bring it to the attention of the Presiding Member who will make a ruling.
- i. Questions and any responses will be summarised and included in the notes of the meeting.

PROCEDURES FOR PUBLIC STATEMENT TIME

- a. Members of the public are invited to make statements at Briefing Forums.
- b. Statements made at a Briefing Forum must relate to a matter contained in the agenda.
- c. A register will be provided for those persons wanting to make a statement to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and full address.
- d. Public Statement Time will be limited to two (2) minutes per member of the public.

- e. Public Statement Time will be allocated a maximum time of ten (10) minutes. Public Statement Time is declared closed following the ten (10) minute allocated time period, or earlier if there are no further statements.
- f. Statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City of Kalamunda employee.
- g. A member of the public attending a Briefing Forum may present a written statement rather than make the statement verbally if he or she so wishes.
- h. Statements will be summarising and included in the notes of the Briefing Forum.

Questions in Writing

- a. Questions must relate to a matter contained in the Agenda Briefing Forum agenda.
- b. The City will accept a maximum of five written questions per member of the public. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- c. Written questions unable to be responded to at the Public Agenda Briefing Forum will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Ordinary Council Meeting.
- d. Questions and any response will be summarised and included in the notes of the meeting.
- e. It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of LG Act or the FOI Act.
- f. Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer will determine that it is an unreasonable impost upon the City and may refuse to provide it. The Chief Executive Officer will advise the member of the public that the information may be sought in accordance with the FOI Act.

Questions of Clarification

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

- a. Questions of clarification asked at a Public Agenda Briefing Forum must relate to a matter contained on the agenda.
- b. The period at which members of the public may ask questions of clarification must follow the presentation of reports.
- c. Questions of clarification will otherwise be governed by the same requirements and procedures as set out above from 5.1(i) to 5.1(n).

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**
3. **Declarations of Interest**
- 3.1. **Disclosure of Financial and Proximity Interests**
 - a. Members must disclose the nature of their interest in matter to be discussed at the meeting. (Section 5.56 of the *Local Government Act 1995*.)
 - b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)
- 3.2. **Disclosure of Interest Affecting Impartiality**
 - a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

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

5. **Public Question Time**

Public question time will be allocated a maximum of 10 minutes and will be limited to two (2) minutes per member of the public, with a limit of two (2) verbal questions per member of the public.

Statements are not to precede the asking of a question during public question time. Statements should be made during public submissions.

For the purposes of Minuting, these questions and answers will be summarised.

6. **Public Statement Time**

A period of maximum 10 minutes is provided to allow public statements from the gallery on matters relating to a matter contained on the agenda or the functions of Council. Public Statement Time will be limited to two (2) minutes per member of the public.

Public Statement Time is declared closed following the 10 minute allocated time period, or earlier if there are no further statements.

For the purposes of Minuting, these statements will be summarised.

7. **Public Submissions Received in Writing**
8. **Petitions Received**
9. **Confidential Items Announced But Not Discussed**

10. Reports to Council

10.1. Development Services Reports

10.1.1. **Draft Local Planning Policy 29 - Unhosted Holiday Houses Adoption for Final Adoption**

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

Previous Items	OCM 60/2020
Directorate	Development Services
Business Unit	Approval Services
File Reference	3.009297
Applicant	N/A
Owner	N/A

Attachments	1. Draft Local Planning Policy 29 Unhosted Holiday Houses [10.1.1.1 - 3 pages]
	2. Submission - Draft Local Planning Policy 29 - Unhosted Holiday Houses [10.1.1.2 - 2 pages]
	3. Late Submission - Draft Local Planning Policy 29 - Unhosted Holiday Houses [10.1.1.3 - 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 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 3: Kalamunda Develops

Objective 3.3 - To develop and enhance the City's economy.

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

Priority 3: Kalamunda Develops

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the adoption of draft Local Planning Policy 29 – Un-hosted Holiday Houses (LPP29) for final approval (Attachment 1).
2. LPP29 will ensure un-hosted Holiday Houses are determined in a manner that maintains the amenity and character of the area while providing an opportunity for landowners to use residential properties for short-term accommodation.
3. It is recommended Council adopt LPP29 for final adoption.

BACKGROUND

4. The City of Kalamunda (the City) periodically reviews, revokes, and adds new policies to provide a level of consistency and transparency in decision-making and to ensure Council has a clear policy position regarding various planning matters.
5. The City has seen a recent increase in applications for un-hosted Holiday Houses, which warrants consideration of a policy to guide the use of delegation and set expectations for the community.

DETAILS AND ANALYSIS

6. The objectives of this Policy are to:
 - a) Ensure un-hosted Holiday Houses maintain the amenity and character of the areas where they are proposed
 - b) Ensure operators of un-hosted Holiday Houses can effectively manage the impact of short-term accommodation

- c) Ensure un-hosted Holiday Houses are effectively serviced in areas where reticulated sewer connection is not available
 - d) Streamline the assessment process for un-hosted Holiday Houses
7. The Policy states the following matters should be given due regard when considering applications for un-hosted Holiday Homes:
- a) Existing Amenity
 - b) Operational Management Plans

Additional Information

8. The matters to be given due regard reflect concerns raised during the consultation process for existing applications for un-hosted Holiday Houses.
9. The Policy has been drafted to provide consistency with the approach taken by many local governments to provide a policy framework for assessing un-hosted holiday houses in the Perth Metropolitan Region. It is also noted that the State Government has recently announced its intention to regulate short term accommodation such as Airbnb across the State.
10. The Policy will ensure un-hosted Holiday Houses are determined in a manner that maintains the amenity and character of the area while providing an opportunity for landowners to use residential properties for short-term accommodation.

APPLICABLE LAW

11. *Planning and Development (Local Planning Schemes) Regulations 2015*
- a) Schedule 2, Part 2 Clause 4(3) - review submissions and resolve to proceed with/without modifications or not proceed with the local planning policy
 - b) Schedule 2, Part 2 Clause 4(4) – local government to publish the local planning policy in the local newspaper
 - c) Schedule 2, Part 2 Clause 4(5) – the local planning has effect on publication
 - d) Schedule 2, Part 2 Clause 4(6) – the City to make a copy of the local planning policy available to the public

APPLICABLE POLICY

12. Nil

STAKEHOLDER ENGAGEMENT

13. The draft LPP29 was advertised in accordance with Local Planning Policy 11 - Public Notification of Planning Proposals for a period of 21 days, which is consistent with the period specified in Schedule 2, Part 2 Clause 4 (2) of the Regulations.
14. During the consultation period, one submission was received from the community (attachment 2). The submission is supportive that the City of Kalamunda is considering implementing a policy to control un-hosted Holiday Houses in the City of Kalamunda and comments on the following concerns that she should like to see addressed by the policy:
 - a) Management of keys to prevent parties;
 - b) Guests leaving shopping trolleys on the verge;
 - c) Increased traffic and parking;
 - d) Increased noise from holiday maker enjoying the evenings;
 - e) Overcrowding; and
 - f) When guests own prime movers and start them very early in the morning.
15. LPP 29 proposes to manage the aforementioned through the strong objectives of the policy and the requirement for applicants to submit an operational management plan which addresses the above listed major concerns of noise, preventing events, overcrowding, parking and traffic.
16. Following the closure of the advertising period, a second submission was received from the community (attachment 3). This submission was not supportive that the City of Kalamunda is considering implementing a policy to control un-hosted Holiday Houses in the City of Kalamunda. The following concerns were included within the submission:
 - a) The impact of un-hosted holiday houses on residential amenity;
 - b) Monitoring of compliance falls to the neighbouring properties;
 - c) Antisocial behaviour; and
 - d) Policy is weighted to promote additional tourism at a cost to existing residents amenity.
17. These concerns are consistent with those received during the neighbour consultation periods of each development application received for an un-hosted holiday house and were the basis of the development of LPP29.

FINANCIAL CONSIDERATIONS

17. All costs incurred during the advertising of the Policy will be met through the Approval Services budget.

SUSTAINABILITY

Social Implications

18. If the Policy is adopted, the City and Council will be provided with guidance in the assessment and determination of un-hosted Holiday House proposals to ensure the amenity and character of the area are maintained.

Economic Implications

19. The use of residential properties for un-hosted Holiday Houses, provides landowners with an opportunity to diversify their income base and more broadly supports the tourism industry.

Environmental Implications

20. Nil

RISK MANAGEMENT

21.

Risk: Un-hosted Holiday Houses may impact on the residential amenity of the area.		
Consequence	Likelihood	Rating
Moderate	Possible	Medium
Action/Strategy		
Ensure assessment against the relevant criteria of the policy.		

22.

Risk: The Policy is not adopted resulting in inconsistent application of planning principles and decisions.		
Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
Ensure Council is aware of the importance of having sound and robust planning policies to support the Scheme when assessing applications.		

CONCLUSION

23. It is recommended that Council adopt Local Planning Policy 29 – un-hosted Holiday Houses for final adoption.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ADOPTS the proposed Local Planning Policy 29 as outlined in Attachment 1, pursuant to Schedule 2, Part 2, Clause 4(3)(b)(i) and Clause 4(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

10.1.2. City of Kalamunda - Extractive Industries Local Law 2020

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

Previous Items	N/a
Directorate	Chief Executives Office
Business Unit	Governance and Legal
File Reference	
Applicant	N/A
Owner	N/A
Attachments	1. Extractive Industries Local Law 2020 [10.1.2.1 - 19 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)
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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. The purpose of this report is for Council to consider proposed new City of Kalamunda (City) Extractive Industries Local Laws.

2. The provisions of the *Local Government Act 1995* (the Act) require local governments to review local laws every eight (8) years. The current local laws were gazetted in 1963, with minor amendments in 1975, 1982 and 1988 and are now due for review.
3. It is recommended that the draft City of Kalamunda Extractive Industries Local Law 2020 be adopted for the purpose of seeking public comment.

BACKGROUND

4. The review has been undertaken to ensure compliance with the requirements of Section 3.16 of the Act to review local laws every eight years.
5. The City's review has identified amendments to improve the local law.

DETAILS AND ANALYSIS

6. The draft local law has been updated to reflect a more modern approach to current local government standards for extractive industries and to ensure all legislative and Australian Standards references are current.
7. Whilst the general principles of requiring a licence for an extractive industry has been retained, the requirements now meet current legislative provisions.
8. Environmental management requirements have been expanded and updated to meet current standards.
9. The other significant change is the introduction of modified penalties for breaches of the local law.

APPLICABLE LAW

10. *Local Government Act 1995, Local Planning Scheme No.3*

APPLICABLE POLICY

11. Nil

STAKEHOLDER ENGAGEMENT

12. The proposed new local law has been considered by the relevant Business Units and endorsed.
13. Community consultation will be undertaken through seeking public submissions of the proposed local law as required by the Act.

FINANCIAL CONSIDERATIONS

14. Advertising costs will be met from current operational budgets.

SUSTAINABILITY

Social Implications

15. Nil

Economic Implications

16. Nil

Environmental Implications

17. Environmental management requirements in the local law are designed to mitigate any impacted from extractive industry activity.

RISK MANAGEMENT

- 18.
- | | | |
|--|-------------------|---------------|
| Risk: If the proposed local law is not reviewed within the required time frames, the City may be non-compliant. | | |
| Consequence | Likelihood | Rating |
| Moderate | Unlikely | Medium |
| Action/Strategy | | |
| Ensure Council is aware that the legislation requires a review of local laws every eight years. | | |

CONCLUSION

19. The draft local law has been updated to reflect a more modern approach and current operational requirements of the City.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. GIVE local public notification that Council proposes to make a new local law, the *City of Kalamunda Extractive Industries Local Law 2020* (Attachment 1).
2. NOTE that:
 - (a) The purpose of the proposed local law is to
 - i. prohibit the carrying on of an extractive industry unless by authority of a licence issued by the local government;
 - ii. regulate the carrying on of the extractive industry in order to minimise damage to the environment, thoroughfares and other persons health and property; and
 - iii. provide for the restoration and reinstatement of any excavation site.
 - (b) The effect of the proposed local law is to require that any person wanting to carry on an extractive industry will need to be licensed and will need to comply with the provisions of this local law.

10.2. Asset Services Reports

10.2.1. Kalamunda Town Centre - Response to Petition

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

Previous Items	OCM 94/2019
Directorate	Asset Services
Business Unit	Asset Planning
File Reference	3.003065
Applicant Owner	Probus Club of Kalamunda City of Kalamunda
Attachments	1. Kalamunda Town Centre Petition [10.2.1.1 - 24 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 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 this report is to provide Council with information in response to a petition received regarding pedestrian matters within the Kalamunda Town Centre ('Town Centre').
2. This petition requests that the road system is changed to give pedestrians priority over vehicles with the justification that this will make the Town Centre commercially viable.
3. It is recommended that Council note this report responding to the petition.

BACKGROUND

4. The City has been well aware of concerns raised by the community regarding pedestrians being able to safely cross roads within the Town Centre. It has been reviewing and addressing issues as they are raised.
5. Council determined at the April 2019 Ordinary Council Meeting: (OCM 94/2019):
 1. *APPROVES that the Mayor and Chief Executive Officer advocates on behalf of the City of Kalamunda with Main Roads Western Australia, the State Government and Local Members to seek Main Roads Western Australia approval to allow the upgrading of designated crossing points to higher levels of control where the City considers there are public safety issues that are not satisfactorily addressed in existing Main Roads Western Australia approvals policies.*
 2. *NOTES that urgent advocacy is required for the proposed pedestrian crossing at Canning Road near Heath Road noting that works are due to commence.*
 3. *NOTES that upcoming streetscape design proposals within the Kalamunda Town Centre will include overt consideration of pedestrian safety.*
6. The most tangible improvement able to be implemented has been Main Roads Western Australia (MRWA) approval to construct a 'zebra' pedestrian crossing on Canning Road near the (now closed) IGA supermarket. All other requests to MRWA for protected crossings have not been approved.

DETAILS AND ANALYSIS

7. The petition is provided as Attachment 1 to this report with 233 signatories. It was provided to Council by representatives of the Probus Club of Kalamunda at the 28 July 2020 Ordinary Council Meeting (Item 4.1.1 of the minutes of the meeting refer).
8. The thrust of the petition is that the priority of the roads in the Town Centre are altered to give pedestrians priority over vehicles. The priority of pedestrians and vehicles is legislated by the *Road Traffic Act 1974* and *Road Traffic Code 2000*. As such to change the priority of pedestrians over vehicles for every road for full length would require an Act of Parliament which is unlikely to proceed.
9. To recap the situation with regards to pedestrian and vehicle movements, under the legislation in place, pedestrians are required to generally be responsible for minimal exposure to the general road lanes (part 196 of the Road Traffic Code).
10. As an alternate view, the City has been reviewing whether protected pedestrian crossing points can be provided, where vehicles have to give way to pedestrians.
11. As previously advised to Council, under current MRWA requirements, the City is not permitted to install any protected pedestrian crossings (where vehicles are required to stop to allow pedestrians to cross) due to the low volume of pedestrian and traffic counts in Haynes Street, Mead Street and Railway Road.
12. The City has adopted the new Kalamunda Town Centre Activity Centre Plan. As part of this plan, a key feature would be to allow Haynes Street to be redeveloped into a streetscape that encourages a very low speed traffic environment. This low speed environment means that pedestrians crossing the road are in a much safer environment and vehicles would be more aware of the mixed use environment.
13. Presently, funding has been provided only to undertake design and construction for Central Mall within the Town Centre. All other designs for adjacent roads will be undertaken when funding is provided.
14. Central Mall, currently under design, is aimed at achieving a mixed use area where traffic speeds are so slow (<20 kmh) that pedestrian safety will be vastly improved.

15. The City is also examining whether existing traffic conditions support reducing the speed limit on Canning Road (within the current 50 km/h section) down to 40 km/h and possibly extending the 40 km/h zoning further south along Canning Road.

APPLICABLE LAW

16. *Road Traffic Act 1974 and Road Traffic Code 2000.*

APPLICABLE POLICY

17. Nil

STAKEHOLDER ENGAGEMENT

18. Stakeholder engagement has been ongoing through the development of the Kalamunda Activity Centre Plan, especially in regard to street layouts.

FINANCIAL CONSIDERATIONS

19. Nil.

RISK MANAGEMENT

20.

Risk: The Community does not accept that the City cannot implement controlled pedestrian crossings under current MRWA standards leading to continued criticism.		
Consequence	Likelihood	Rating
Moderate	Possible	Medium
Action/Strategy		
City advocates further with State for reconsideration of the matter.		

CONCLUSION

21. It is acknowledged that concerns are raised regarding pedestrian safety. The streetscapes envisaged in the Kalamunda Activity Centre Plan should provide safer streets for pedestrians. There is no support at present from the State to install more controlled pedestrian crossing points in the Town Centre.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE this report in response to the petition provided by the Probus Club of Kalamunda.

10.3. Corporate Services Reports

No Reports presented.

10.4. Office of the CEO Reports

10.4.1. Events October - December 2020

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

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

Attachments	1. City of Kalamunda event impact assessment summary August 2020 [10.4.1.1 - 4 pages]
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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 1.3.2- Encourage and promote the active participation in social and cultural events.

EXECUTIVE SUMMARY

1. The City of Kalamunda (City) has, for many years, ran a very successful events program. Events are the City's key direct touch point with all segments of the community. They provide very positive and supportive connections to many aspects of City services.
2. In 2020 the City adopted a crisis COVID-19 Budget that does not include funding for community events.
3. The purpose of this report is for Council to endorse a revised position on events for the October to December 2020.

BACKGROUND

4. In 2019/2020 the City of Kalamunda coordinated the following events:
 - Corymbia Festival
 - Perth Hills Spring Festival
 - Seniors Week
 - Christmas Festival
 - Summer Movie Series
 - Ramp it up (youth events)

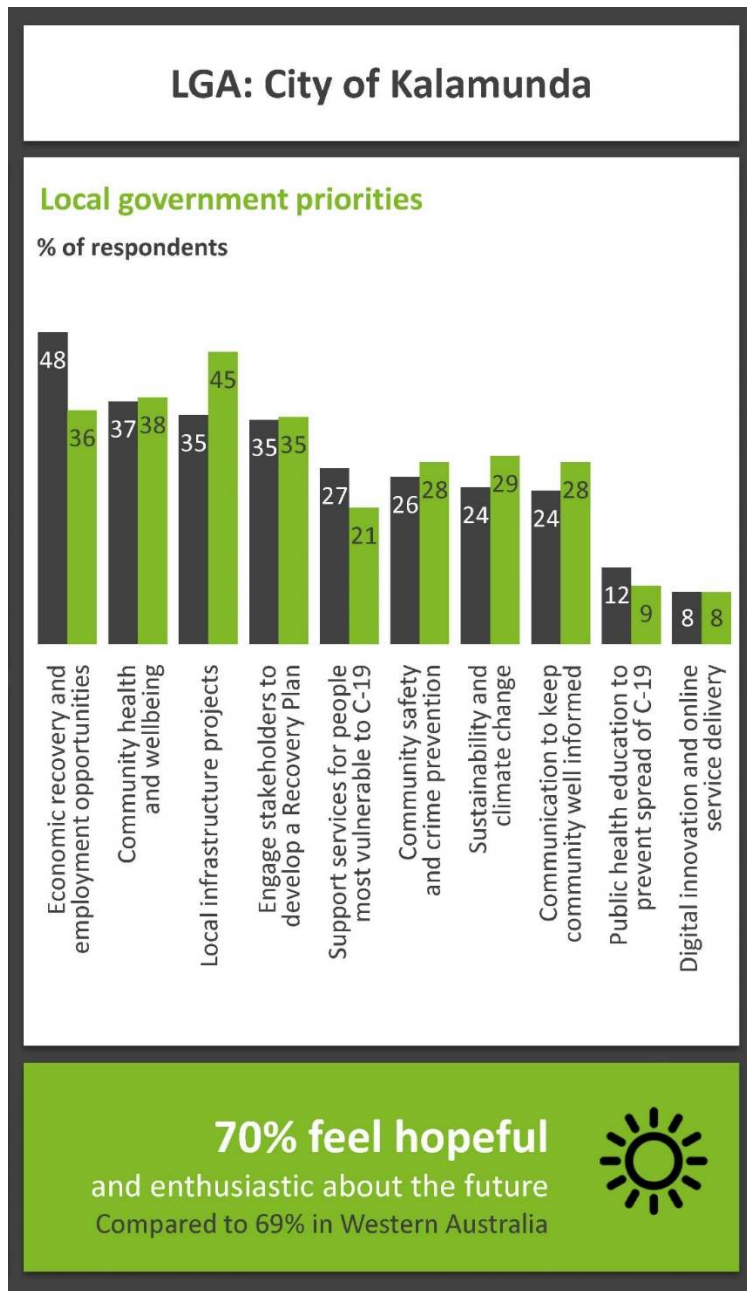
The City also assisted with several significant Community Events and undertook support and approvals.

5. Additionally, other smaller events which are service area specific also take place, achieving specific objective and goals. Events are being utilised to drive social change, provide community support, educate community across a broad range of areas and reduce social isolation. They can be to provide recognition, for entertainment or to increase cultural awareness.
6. Events connect people to other like-minded individuals who share the same passions as them, and they are a way to celebrate the community you live in.
7. Community events – whether free, family-friendly, or ticketed events – present an opportunity to showcase the local businesses. Enlisting people from our region as suppliers helps drive revenue to small businesses, attracting those in the community to support them.

8. Many studies have shown building healthy relationships and spending time with family, friends, and others in your community can help improve mental well-being.

9. This year the City participated in Statewide research into the impacts of COVID-19 in the community, as a part of the Community Resilience Scorecard. Community health and well-being was rated by the City of Kalamunda’s community as a Key priority, following Local Infrastructure Projects.

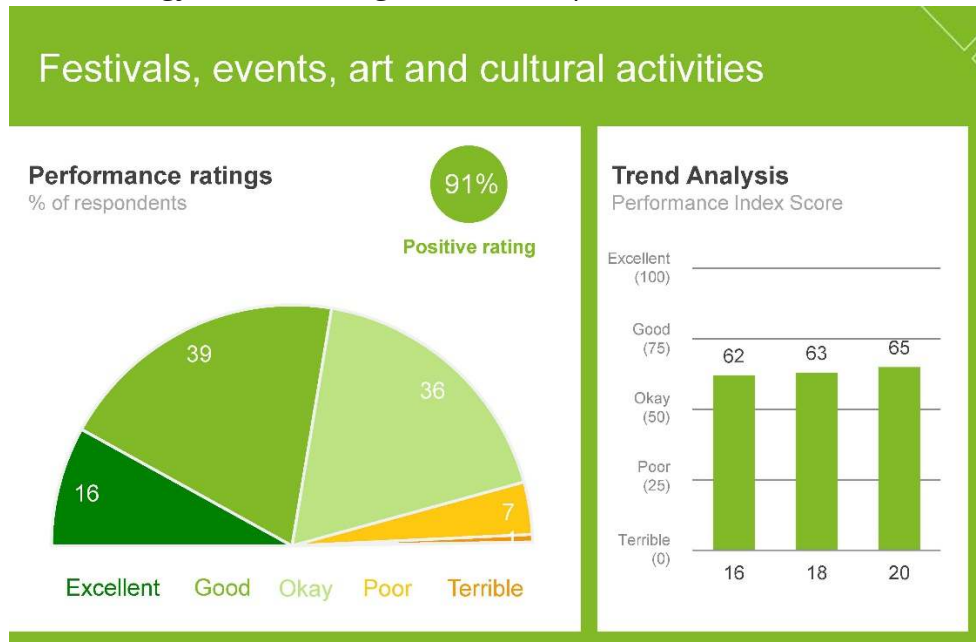
10.



11. Community groups have been in discussions with the City around holding and the hosting of events as an important way to reconnect the community.

12. Community-wide events bring people from all walks of life together, strengthening the bonds between them. Those bonds act to improve mental well-being, while helping to alleviate personal struggles.

13. In February to May 2020 the City of Kalamunda conducted its Community Satisfaction Survey. The survey is undertaken using a random sample methodology. The following results were provided in relation to events:



14. Community events build relationships and ‘social connectedness’ within the community and exposes members to diversity and multiculturalism.

15. Community events develop an increased sense of social responsibility – a global view of society and a heart for ‘giving back’ and helping others.

16. According to Lewis and Sears, “The economic benefits of festivals are easiest to see and most often attract visitors, which stimulates the growth of tourism and other businesses in a town or region. The social benefits of festivals are less visible, but they are just as important. Besides being fun, well-managed festivals and events offer a host of economic and social benefits to communities.” Please see Attachment 1 City of Kalamunda Economic Impact of Events Summary for further detail in this regard.

DETAILS AND ANALYSIS

17. It is proposed to reinstate the following key events in the October to December 2020 period to facilitate continued economic and social benefits to the community:

- a) Perth Hills Spring Festival
- b) Seniors Week
- c) NAIDOC Celebrations
- d) Thank a Volunteer Day
- e) Christmas Festival and Lights

18. **Perth Hills Spring Festival**

It is proposed to go ahead with this festival albeit with no formal budget allocated.

In previous years the full 5 week festival program has been a culmination of events by the City of Kalamunda and events by local Tourism Businesses.

In 2019 the City's financial contribution was \$40,000.

In 2020 the City will undertake all marketing in house, with a slightly reduced program. There continues to be a strong focus on nature and self-guided walks and there already is a large number of events proposed for inclusion in the program through the expression of interest program. No additional funds are being sought for 2020.

19. **Seniors Week**

The City is proposing to host a modified program for this year's Seniors Week celebrations with events planned from Friday 6 November to Friday 13 November 2020.

Seniors Week is a great opportunity to celebrate the valuable contributions of older people within our community.

It is proposed that the City's Seniors Week 2020 program starts with the opening of the Senior Residents Art Exhibition - A Fanciful Vision - at the Kalamunda Performing Arts Centre on Friday 6 November. The exhibition will continue until Sunday 15 November.

Complementing the exhibition will be a program of three events.

- a) Tuesday 10 November fish'n'chips at Cicerello's (With Pick up from Forrestfield and Kalamunda);
- b) Thursday 12 November Supper Club Variety Show in High Wycombe: and,

c) Friday 13 November bingo, games and refreshments at the Woodlupine Community Centre, in Forrestfield.

20. One of the changes proposed is to charge a fee of \$5.00 to Seniors attending events, with the exception of Bingo which has its own license provisions and requirements.

21. To further celebrate seniors, Forrestfield's Hartfield Park Recreation Centre is offering a free active seniors' program from 2 to 13 November.

22. In 2019/2020 the Seniors Week Budget was \$20,000. For 2020/2021 a reduced budget of \$15,000 is proposed.

23. **NAIDOC Celebrations**

NAIDOC celebrations are proposed to go ahead, with budget from the City's Arts Strategy included in the 2020/21 Budget Adoption.

The City has also submitted for funding from the 2020 NAIDOC Local Grants Round to compliment the program. The Draft NAIDOC program is attached as Annexure 2. Funding of \$10,000 has been sought to complement existing funds in the 2020/2021 Budget for NAIDOC.

24. **Thank a Volunteer Day**

The City proposed to host Thank a Volunteer Day on Friday 4 December 2020.

The event will move from being outdoors in Stirk park, to an indoor venue, as it did in 2019, as this reduces costs relating to an outdoors option such as marquee infrastructure.

Venues are currently operating at 50% normal capacity and this will be taken into account, along with all necessary COVID restrictions in the planning.

In 2019 the Thank a Volunteer Budget was \$10,893. The budget has been reduced and the event is proposed to be undertaken with a budget of \$6,267.00.

25. **Christmas Festival and Lights**

The City of Kalamunda Christmas Festival is an annual program of Community led events, in partnership with the City. Christmas lighting is installed in the City as a part of this event program.

The total value of the program in 2019/2020 was \$35,000 for the Festival program and \$30,000 for the Christmas Lights (\$65,000 total.) A reduced program with a budget of \$45,000 is proposed for 2020/2021.

Events are held throughout the City as a part of the Christmas Festival.

26. **COVID-19 safety requirements**

All COVID-19 safety requirements in accordance with Phase 4 would be undertaken. It is possible that the State may enter into Phase 5 prior to Seniors Week.

Current Phase 4 restrictions have been extended until 24 October 2020.

The City is carefully monitoring any changes to COVID-19 restrictions and has a program of events focused on no large gathering, social distancing and a series of smaller events across a number of days and times throughout its programming.

APPLICABLE LAW

27. *Local Government Act 1995*

APPLICABLE POLICY

28. Nil

STAKEHOLDER ENGAGEMENT

29. The City of Kalamunda has called for expressions of interest from Tourism operators in the region who are planning to host events as a part of the Perth Hills Spring Festival, which will form the substantive program.

30. Community engagement has been undertaken with Aboriginal Community members in regard to the proposed NAIDOC program, with community members putting forward events which have formed the basis of the program.

31. The Seniors week program is based on feedback from previous years, with a high level of community satisfaction at Seniors Week events in the City for many years.

32. Thank a Volunteer Day invitees are volunteers of the City of Kalamunda programs and services throughout the year and Local Hero Award winners only.

33. The Christmas Festival program would be finalised following a call out for interested community groups who would like to host an event.

FINANCIAL CONSIDERATIONS

34. Financial implications considered as a part of the next Budget review. The costs to considered are as follows:
- Seniors Week \$ 15,000.00
 - Thank a Volunteer Day \$ 6,267.00
 - City of Kalamunda Christmas Festival \$ 45,000.00
- Total: \$ 67,267.00

SUSTAINABILITY

35. N/A

RISK MANAGEMENT

36.

Risk: Tightening of COVID restrictions impacts viability of events		
Consequence	Likelihood	Rating
Major	Possible	High
Action/Strategy		
The City is carefully monitoring the COVID Pandemic and directions from the State Government of Western Australia. Events have been planned at a small scale, with a series of activities spread over time, and taking into account all current COVID restrictions. It is possible we may enter phase 5, however Phase 4 requirements have been factored in along with contingency planning should we see any regression in the stages. Events for 2021 will not be considered until closer to the time.		

CONCLUSION

37. This report has been presented to Council with a view to reinstating some City of Kalamunda events, and associated budget, that was not considered as a part of the Crisis Budget adopted for 2020/2021. The Budget also did not include funding for Community Sponsorship and Events.
38. It is considered that conducting these community-wide events will bring people from all walks of life together, strengthening the bonds between them. Those bonds act to improve mental well-being, while helping to alleviate personal struggles and encourage a strong sense of community.

39. The proposed City of Kalamunda events program October – December 2020 will have a strong emphasis on the utilisation of local suppliers, providing further economic benefits.
40. Officers plan to bring a future report to Council to consider events for January – June 2021, towards the end of the 2020 calendar year.
41. The City continue to carefully review COVID-19 restrictions.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council:

1. ENDORSE the proposed City of Kalamunda Events for October to December 2020.
2. APPROVE the proposed event budgets for inclusion in the next budget review as follows:

• Seniors' Week	\$ 15,000.00
• Thank a Volunteer Day	\$ 6,267.00
• City of Kalamunda Christmas Festival	\$ 45,000.00
Total	\$ 67,267.00
3. Pursuant to section 6.16 (3) of the *Local Government Act 1995*, ADOPT a \$5.00 fee for 2020 Seniors' Week events.

10.4.2. Funerals in Public Open Spaces Policy

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

Previous Items	SCM 165/2020
Directorate	Office of the CEO
Business Unit	Customer and Public Relations
File Reference	
Applicant	
Owner	
Attachments	<ol style="list-style-type: none">1. Community Engagement Report - Funerals in Public Places [10.4.2.1 - 43 pages]2. Funerals in Public Open Space Policy [GOZT] [10.4.2.2 - 2 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
- R 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.

Priority 1: Kalamunda Cares and Interacts

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

Strategy - 1.2.1 Facilitate a safe community environment.

Priority 1: Kalamunda Cares and Interacts

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

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

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

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. The purpose of this report is for Council to consider a proposed Policy to facilitate the conduct of funerals in Public Open Spaces (POS).
2. The City of Kalamunda (City) undertook community engagement with respect to funerals in public places in early 2020 which showcased community support.
3. It is recommended that the 'Funerals in Public Open Spaces Policy' be adopted for a 12-month trial, with a report brought back to Council at the end of the 12-month period.

BACKGROUND

4. A Special Council Meeting was held in July 2019 in regard to a request to hold a Funeral in Stirk Park, Kalamunda. The Council resolution was as follows:

That Council:

1. *REQUEST the Chief Executive Officer develop a Policy for Council consideration in regard to the holding of Funerals in Public Places and that be put to the public for its consideration.*
2. *REQUEST the Chief Executive Officer to undertake community consultation in regard to development of the policy - Funerals in Public Places.*

3. *APPROVE the request to conduct a funeral service in Stirk Park, Kalamunda on Monday 22 July 2019 at 2.00pm, subject to acceptance of the following event conditions by the applicant:-*
- a) the completion and return a 'Venue Hire to secure the Stirk Park Sound Shell & surrounding area for private use;*
 - b) completion of a 'Certificate of Testing for Portable Electrical Equipment' by a licensed electrical contractor, if any electrical equipment is to be used;*
 - c) all flexible cords, portable outlet devices and residual current devices require certification of testing and be tagged as such within 6 months of the event;*
 - d) appropriate management of electrical cabling, or such cabling be kept away from the public;*
 - e) the obtaining of permits for event related vehicles pursuant to the City (Shire) of Kalamunda Local Government Property Local Law, which would include strict conditions including appropriate marshalling into and out of the park to ensure the safety of the general public and event patrons;*
 - f) event noise, if amplified, is required to be kept to within 85dB(A) as measures 1m from the microphone;*
 - g) Certificates of Structural Integrity is required for any marquee or tent;*
 - h) a site plan of the event showing the proposed layout of the event noting all exits, toilets, stages, tents, marquees and the like is required to be submitted to the City by 12.00pm Friday 19 July 2019;*
 - i) a parking plan showing the proposed locations of all event patron parking and how the organisers would manage parking on the day is required to be submitted to the City by 12.00pm Friday 19 July 2019;*
 - j) an approved event notification letter is required to be provided to all surrounding residents by 12.00pm Friday 19 July 2019, which is to include details of the nature and times of the event and a contact telephone number that would be manned at all times during the event; and*
 - k) Installation of notification signage.*

5. The City undertook community consultation to understand the level of interest in the specific topic of Funerals in Public Places.

DETAILS AND ANALYSIS

6. Consultation ran from 26 January to 10 March 2020 through:
 - a) an integrated marketing campaign
 - b) published on the City's online engagement platform and website
 - c) promoted via the City's social media channels, and
 - d) advertisements in the local newspaper.

7. It received attention on social media channels with heightened engagement on each post across both Facebook and Instagram.

8. The survey received 117 responses, demonstrating that funerals in public places is a topic of interest in the community.

Key findings are as follows:

 - 38% strongly agree that holding funerals in public places is something the City should approve
 - 41% feel funerals should be able to take place in public places on any day of the week
 - 57% do not think it is necessary to deliver an Event Notification Letter for surrounding residents
 - 57% agree that any funeral in a public place needs to be carefully located away from main thoroughfares and areas of higher public use
 - 64% feel there should be a 12-month trial period.

9. The majority of respondents feel that the following are 'very important';
 - a) parking for attendees,
 - b) hearse parking and access,
 - c) limitations on event size,
 - d) assurances that no alcohol will be consumed on site,
 - e) shared use of disabled access pathways, shelters & lavatories, and
 - f) noise restrictions.

Whilst the majority feel that restrictions on the visibility of the funeral gathering and proceedings is 'not important'.

10. A copy of the consultation report is attached as Appendix 1.

11. The policy proposes that the City will consider on its merits any application for a funeral service to be conducted at the following recommended and preferred Parks and Reserves, which are under the control and management of the City:

- a) Stirk Park (Kalamunda)
- b) Jorgensen Park (Kalamunda)
- c) Hartfield Park (Forrestfield)

12. Each application will take into account the following criteria:

- a) the public use of the Reserve or Public Open Space at the time the service is requested;
- b) the expected size of the funeral

Applications to hold a funeral service at any of the approved locations as defined above must be lodged at the City's Administration Office at least three working days prior to the time requested for the funeral service.

13. The approval for the funeral service at the requested time will be at the sole discretion of the City.

14. A copy of the proposed Policy, Service 12 Funerals in Public Open Spaces is attached as Attachment 2.

15. The Policy is proposed to be utilised for a 12-month trial period, with a future report to Council on the results of the trial.

APPLICABLE LAW

16. *Local Government Act 1995*

APPLICABLE POLICY

17. There is no current policy in relation to this matter.

STAKEHOLDER ENGAGEMENT

18. Out of the 117 responses:

- a) 17% were male,
- b) 82% female,
- c) 1% undisclosed.
- d) 26% were between the ages of 36-45,
- e) followed closely by 25% in the 56-65 age bracket, and
- f) 22% in the 46-55 bracket.
- g) 59% were residents.

The top four responses came from the suburbs of Kalamunda, Lesmurdie, High Wycombe, and Forrestfield & Gooseberry Hill tied.

FINANCIAL CONSIDERATIONS

19. There is no financial cost to the City in allowing this type of event to be held.

SUSTAINABILITY

Social Implications

20. Funerals are an important part of society and are ceremonial.

Economic Implications

21. Not applicable.

Environmental Implications

22. All environmental issues to be managed as a part of the application and assessment of each request.

RISK MANAGEMENT

23.

Risk: Community members are concerned about the hosting of funerals in public places		
Consequence	Likelihood	Rating
	Possible	
Action/Strategy		
Undertake a trial of the Policy for a 12-month period to determine any issues.		

CONCLUSION

24. Community consultation has indicated support for the holding of Funerals at Public Places.
25. The Policy is proposed for adoption, with a 12-month trial.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. NOTE the Community Consultation Report.
2. ADOPT Service 12 Funerals in Public Open Spaces Policy.
3. NOTE a 12-month Trial will be undertaken in relation to Funerals in Public Open Spaces.

11. Closure