



Public Agenda Briefing Forum

10 August 2021

Our Vision



Connected Communities, Valuing Nature and Creating our Future Together

Core Values

Service: We demonstrate a 'can do' attitude, we listen, we understand, and we go above and beyond when we serve others.

Professionalism: We look, speak, act & do what it takes to show others we are reliable, respectful and competent.

Quality: We think clearly, plan mindfully, act decisively, measure carefully and review regularly everything we do.

Aspirational Values

Courage: We make brave decisions and take calculated risks to lead us to a bold and bright future. We show courage in our pursuit for the protection of the environment, for the well being of our people and to support the economy.

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

Innovation: We believe in a workplace where you're safe to try new things—where we can push the boundaries of the norm and learn from things that don't always go according to plan. We strive for a just and blameless culture that respects people as individuals and paves the way to genuine learning and improvement.

Our simple guiding principle will be to ensure everything we do will make the City of 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 City of Kalamunda commencing at 6.30pm.**

Agenda Briefing Forums will provide the opportunity for Elected Members to be equally informed and seek additional information on matters prior to the presentation of such matters to the next Ordinary Council Meeting for formal consideration and decision.

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.

Public questions will be accepted following presentations on each report by staff.

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.

Public Statements will be accepted following presentations on each report by staff.

7. Public Submissions Received in Writing

8. Petitions Received

9. Confidential Items Announced But Not Discussed

- 9.1 Item 10.1.3 Local Planning Policy 24 - Development Contribution Arrangements - Consideration of Submissions for Adoption - Confidential Submitters List

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

- 9.2 Item 10.1.5 Lot 501 (#10) Central Mall, Kalamunda - Cash in Lieu of Car Parking

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

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (d) - "legal advice obtained, or which may be entered into, by the local government which relates to a matter to be discussed."

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

- 9.3 Item 10.2.1 Award of RFT 2105 - Provision of Client-side Project Manager and Superintendent – Confidential Attachment – RFT 2105 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."

- 9.4 Item 10.4.1 Hartfield Park Master Plan Draft Stage 2 Confidential Attachment - HPMP Stage 2 Results of Public Comment Period 31 July

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

10. Reports to Council

10.1. Development Services Reports


10.1.1. Reimbursement for Bonser Road - Forrestfield / High Wycombe Stage 1 Industrial Area - Development Contribution Plan

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

Previous Items	OCM 137/2020
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	PG-STU-028
Applicant	Jeanetta Pty Ltd
Owner	Jeanetta Pty Ltd

Attachments	1. Forrestfield / High Wycombe Industrial Area Stage 1 Development Contribution Plan Report (excluding appendices) [10.1.1.1 - 21 pages]
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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 2031

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 businesses.

EXECUTIVE SUMMARY

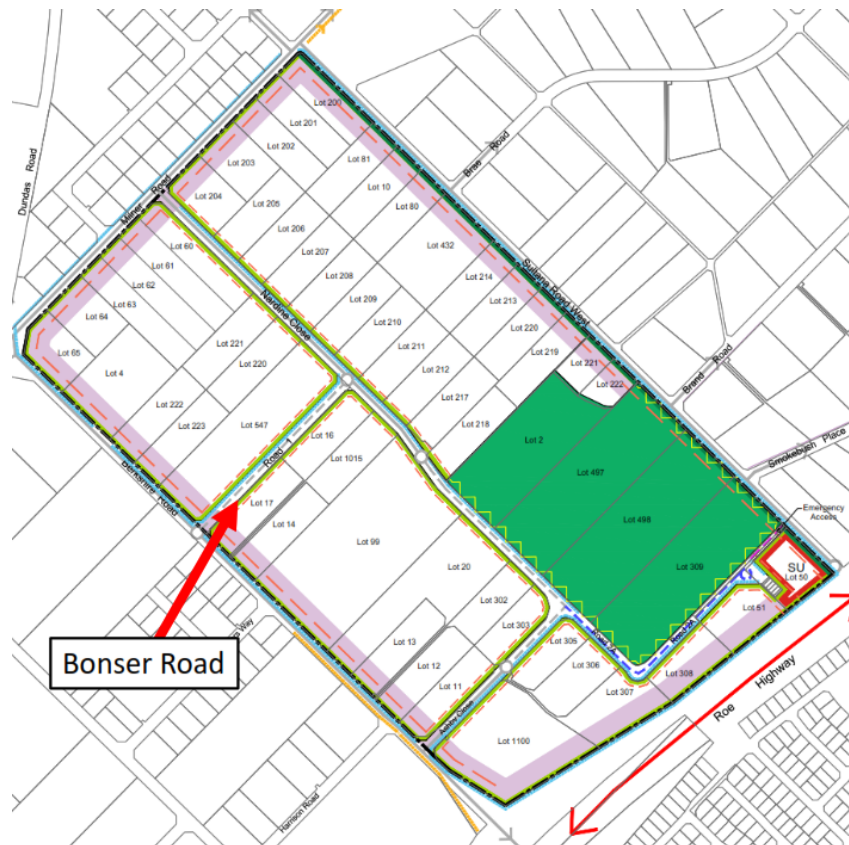
1. The purpose of this report is to consider a request to commence staged credit repayments from the Forrestfield / High Wycombe Stage 1 Development Contribution Plan (DCP) reserve to Jeanetta Pty Ltd, the landowner who ceded land for, and funded the construction of, Bonser Road, Forrestfield.
2. Bonser Road is an infrastructure item funded by the DCP, however it's land and construction costs were 'pre-funded' by the adjoining landowner, subject to a legal agreement with the City of Kalamunda (City). Under the agreement, the credit for Bonser Road, approximately \$1.64m, can only be repaid subject to the availability of funds in the DCP reserve account and Bonser Road being the next priority identified for delivery in the DCP Report (Attachment 1). Bonser Road is currently the third priority behind administrative costs, and the land acquisition and construction requirements associated with completing the Nardine Close cul-de-sac to a permanent standard and the emergency accessway at the end of Nardine Close (Nardine Close extension).
3. It is recommended that the Council support the commencement of the credit refund process subject to sufficient funds being retained in the DCP reserve account for administrative costs and the completion of the Nardine Close extension. It is necessary to amend the DCP Report to give Bonser Road and Nardine Close extension an equal level of priority to facilitate this outcome.

BACKGROUND

4. **Locality Plan:**



5. Bonser Road (previously referred to as "Road 1") is identified on the Forrestfield / High Wycombe Industrial Area Stage 1 (Stage 1) Local Structure Plan (LSP). Bonser Road connects Berkshire Road with Nardine Close and forms an important part of the heavy vehicle movement network in Stage 1. The LSP identifies Bonser Road over three lots; Lots 547, 16 and 17 Berkshire Road, Forrestfield. Lot 547 contains nearly all of the land required for Bonser Road, with Lots 16 and 17 containing only the truncations on the southern side of Bonser Road.



6. Land and construction costs associated with Bonser Road is included in, and funded by, the Stage 1 DCP. Bonser Road construction is divided into two stages under the DCP:
- a) Stage 1 - The construction of Bonser Road with the exception of road works (truncations) impacting Lots 16 and 17 Berkshire Road. This first stage would result in a road that is not to a standard suitable for a category Restricted Access Vehicle (RAV) 7. The acquisition of truncations for Lots 16 and 17 Berkshire Road is required in order to facilitate the full construction of an intersection for RAV 7 vehicles. This stage was completed in May 2020.
 - b) Stage 2 - Following the acquisition of truncations from Lots 16 and 17 Berkshire Road, upgrades to bring the intersections up to a standard suitable for category RAV7 vehicles.

7. In February 2018, the City granted development approval for a proposed Industry – Light (truck sales, parts and servicing facility) (Development) at Lot 547 (291) Berkshire Road, Forrestfield (currently Lot 301 – hereafter referred to as Lot 301). Bonser Road was required to be constructed to provide access.
8. In February 2019, the City and Jeanetta Pty Ltd, the landowner of Lot 301 (landowner) entered into an agreement that allowed the landowner to fund the construction of Bonser Road (Agreement) in advance of the order of priority identified in the DCP, and prior to the DCP having sufficient funds for the infrastructure item. The Agreement provides for the landowner to offset their Cost Contribution requirement against the cost of land road construction and for a credit to be issued to the landowner once:
 - a) There is sufficient funds available within the DCP reserve account; and
 - b) Such a payment is consistent with the DCP Report for the priority and timing of outstanding infrastructure and works.
9. Stage 1 of Bonser Road construction reached practical completion in May 2020. Stage 2 of Bonser Road incorporating the southern truncations, has not been progressed given the land is yet to be acquired from Lots 16 and 17 Berkshire Road, Forrestfield. In its current configuration and stage of construction, Bonser Road can safely function subject to controls on the Berkshire Road and Bonser Road intersection requiring a right turn only exiting Bonser Road. In this regard, it is not essential to complete Stage 2 of Bonser Road in the short term; it will be possible to wait until the landowners of Lots 16 and 17 cede the remaining land as part of their future development and for Stage 2 of Bonser Road to be completed at that time.
10. Under Schedule 4 (Priority and Timing Provision) of the DCP Report, Bonser Road is listed as the third priority behind administrative costs and the land acquisition and construction requirements associated with the Nardine Close extension.
11. In October 2020, a representative of the landowner wrote to the City requesting a credit refund for the land and road construction costs for Bonser Road, in four staged payments over the course of 1 year commencing on 31 December 2020. In November 2020, the City replied to the landowner advising that a staged refund would not be possible until sufficient funds were available in the DCP reserve account and the Nardine Close extension is completed. At the time of the City's response, the balance of the DCP reserve was approximately \$400,000. Two Cost

Contributions have since been received amounting to additional income of approximately \$800,000. The landowner's request for staged repayments is being reconsidered in this context.

12. Regarding the order of priority of infrastructure items identified in the DCP Report, the City is currently considering a development proposal that will bring about the completion the Nardine Close Extension. However, the timing of the works being completed, and land being acquired, will depend on when the development commences, and agreements are reached regarding the land and construction requirements. In this regard, the City is unable to provide certainty regarding the Bonser Road credit without the Council resolving to bring forward the priority of Bonser Road.

DETAILS AND ANALYSIS

13. Under the Prefunding Agreement, the credit requirements for the construction of Bonser Road is determined by adding the value of road land (a) with construction costs (b), minus the landowner's Cost Contribution (c), as follows:
- a) Road Land: $\$250/\text{m}^2$ (land value at the time of ceding Bonser Road) x $7,302\text{m}^2$ (land area of Bonser Road) = $\$1,825,500$.
 - b) Construction Costs for Bonser Road: The DCP currently allows for a maximum credit claim of $\$510,966.02$ for the construction of Bonser Road.
 - c) Cost Contribution: $\$20.97/\text{m}^2$ (applicable cost contribution rate) x $33,268\text{m}^2$ (net lot area) = $\$697,629.96$

Having regard to the above, the total credit will be approximately \$1.64m.

14. As at the 30 June 2021, the DCP reserve account currently holds approximately \$1.25m.
15. In order to consider the value of a potential staged refund, it is necessary to consider the cost of other priorities identified in the DCP ahead of Bonser Road. These are:
- 1) Administrative costs (including DCP management, land valuation, infrastructure estimate reviews, legal) - $\$115,000$ / year; and
 - 2) Nardine Close Extension (land and construction) - $\$770,000$.
16. It would be appropriate to retain sufficient funds in the DCP reserve for administrative costs and the Nardine Close Extension (total approximately $\$885,000$) and only consider refunding the balance (approximately $\$365,000$) as the first stage of repayments for Bonser Road.

17. It should be noted that the City is expecting to receive several Cost Contributions in the coming 6-12 months in light of a number of recent development approvals in the Stage 1 area. It would therefore be appropriate to continue staged repayments for Bonser Road as funds become available. Consistent with the landowner's request, it is proposed that staged repayments be considered, subject to the availability of funds, quarterly.

18. Of the principles included in the DCP Report for identifying priorities for the provision of infrastructure and land acquisition, the following relevant principle is noted:

"Ensuring a constant turnover of funds – By managing the cash flow of the DCP, the City can optimise the use of funds between land acquisition and civil works and recoupment of developer pre-funding."

19. In order to give effect to the staged refund, it will be necessary to amend the DCP Report by giving Bonser Road and the Nardine Close extension equal priority (Priority 2) to enable the release of funds for both infrastructure items concurrently.

APPLICABLE LAW

20. **Local Planning Scheme No. 3 (LPS3)**
The DCP is administered and determined in accordance with the provisions of Clause 6.5 and Schedule 12 of LPS3.

APPLICABLE POLICY

21. This matter has been considered in accordance with the requirements of State Planning Policy 3.6 – Infrastructure Contributions and there are no areas of inconsistency.

STAKEHOLDER ENGAGEMENT

22. There is no statutory or policy requirement for the City to undertake community engagement to modify the order of priority of infrastructure items. However, subject to the Council's adoption of the Officer Recommendation, the City will issue correspondence to landowners affected by the Stage 1 DCP advising of the amendments.

FINANCIAL CONSIDERATIONS

23. 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 manage the revenues and works.

- 24. The current balance of the DCP reserve is approximately \$1.25m. The total credit due for the land and construction costs associated with Bonser Road is \$1.64m.
- 25. The recommendation is to retain \$885,000 for administrative costs and the Nardine Close extension, and the balance of approximately \$365,000 will be refunded as the first instalment for Bonser Road. This will mean sufficient funds will remain in the DCP reserve for current priorities.

SUSTAINABILITY

- 26. 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 occupiers.

RISK MANAGEMENT

27.	Risk: The commencement of a staged refund for Bonser Road will result in insufficient funds being available for the other DCP priorities (ie. Administration)		
	Consequence	Likelihood	Rating
	Significant	Rare	Low
	Action/Strategy		
	Ensure sufficient funds are retained in the DCP reserve for the next priority of infrastructure and ongoing administrative costs.		

CONCLUSION

- 28. The DCP reserve contains more than the required funds to administer the DCP and deliver on the next (or equal) priority of infrastructure; the Nardine Close extension. It is considered appropriate and consistent with the guiding principles adopted under the DCP Report to utilise surplus funds to commence the refund process for Bonser Road.
- 29. The commencement of a staged refund is considered fair and reasonable having regard to the balance of the DCP Reserve. It will ensure there is a return of funds to the landowner who constructed and ceded land for Bonser Road while also ensuring there is sufficient funds for other priorities in the DCP.
- 30. The recommended progression of a staged refund for Bonser Road and associated amendments to the priority level in the DCP Report will not have any material impact on the infrastructure itself or the timing of infrastructure delivery.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:


1. SUPPORT a refund of \$365,000 as the first instalment of a staged credit to the landowner of Lot 308 (291) Berkshire Road for land and construction costs associated with Bonser Road.
2. AMEND the Forrestfield / High Wycombe Industrial Area Stage 1 Development Contribution Plan report, Schedule 4 (Scheduled Priorities) by giving existing Priorities 2 and 3, relating to the Nardine Close extension and Bonser Road respectively, equal priority.

10.1.2. Local Planning Policy 32 - Public Open Space - Consideration of Submissions and Modifications for Adoption

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

Previous Items	OCM 76/2018,
Directorate	Development Service
Business Unit	Strategic Planning
File Reference	3.009297 / PG-STU-03
Applicant	N/A
Owner	City of Kalamunda
Attachments	<ol style="list-style-type: none"> 1. Local Planning Policy - Public Open Space - Submission Table [10.1.2.1 - 17 pages] 2. Local Planning Policy 32 - Public Open Space - Schedule of Modifications [10.1.2.2 - 5 pages] 3. Local Planning Policy 32 - Public Open Space [10.1.2.3 - 29 pages] 4. Local Planning Policy - Schedule 1 Supporting Information [10.1.2.4 - 14 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 2031

Priority 2: Kalamunda Clean and Green

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

Strategy 2.1.4 - Increasing and protecting local biodiversity and conservation, wherever possible, through integrating ecosystem and biodiversity

protection into planning processes including schemes policies and strategies.

EXECUTIVE SUMMARY

1. The purpose of this Report is to consider adoption of Local Planning Policy 32 - Public Open Space (POS Policy), as outlined in Attachment 3 and 4, further to public advertising.
2. The City of Kalamunda (City) POS Policy was advertised for a period of 34 days between 1 April and 5 May 2021. A total of 10 submissions were received including 6 written submissions and 4 responses to the online survey (refer Attachment 1 – Submission Table).
3. Council is recommended to adopt Local Planning Policy 32 – Public Open Space in accordance with Schedule 2, Div.2. of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

BACKGROUND

4. Preparation of a POS Policy is a recommended action (2.8.1) from the Public Open Space (POS) Strategy adopted by Council on 22 May 2018 which reads:

“The City prepare a Local Planning Policy (LPP) which states the City is to adhere to Liveable Neighbourhoods – Element 4 Public Parkland design guidelines and includes provisions which are applicable to the local context.”
5. Council considered the draft POS Policy for the purpose of public advertising at the 9 March 2021 Ordinary Council Meeting and resolved:

“That Council ADOPT draft Local Planning Policy 32 – Public Open Space for the purposes of advertising for a period of 21 days pursuant to Schedule 2, Part 2, Clause 4(1) of the Planning and Development (Local Planning Schemes) Regulations 2015.”
6. The purpose of LPP32 is to ensure that there is adequate and well distributed Public Open Space (POS) throughout the City that is fit for purpose and sustainably developed and maintained.
7. The POS Policy covers topics including but not limited to:
 - a) The five classifications of POS: Regional Open Space (ROS), District Open Space (DOS), Neighbourhood Open Space (NOS) (A category and B category), Local Open Space (LOS) and Biodiversity Assets. These classifications form a hierarchy defined by their size and typical functions.

- b) The three broad functions of POS: sport, environmental conservation and recreation.
- c) The location of POS to maximise environmental values onsite where appropriate.
- d) The restriction on siteworks occurring until designs are approved by the City.
- e) The limiting of turf in POS that is not identified for sports space to reduce water usage and long-term maintenance.
- f) The acceptance of water features only in areas with a permanent water source and an appropriate bore water license.

DETAILS AND ANALYSIS

- 8. The POS policy broadly identifies expected levels of service for future POS in the City in a sustainable manner. Levels of service refers to aspects such as gardens, tree planting, street furniture, turf, playground, and other elements commonly found in public parks. The level of service possible at any given site, generally relates to the size, classified use and catchment of the POS, e.g; regional, neighbourhood, district or local park.
- 9. The POS policy includes details on:
 - a) POS requirements at subdivision;
 - b) Information required at the various planning stages;
 - c) Allocation and distribution of POS;
 - d) Urban water management;
 - e) Location and design;
 - f) Development of POS, and;
 - g) Development, maintenance and handover provisions.
- 10. After two years of maintenance, the City assumes management of the POS, at which stage the POS Policy identifies which department is responsible for each aspect.
- 11. **POS Contribution**

The Western Australian Planning Commission's (WAPC) Development Control Policy 2.3 requires, where practicable, 10% of the gross subdivisible area of residential areas to be given up free of cost by the subdivider and vested in the Crown for POS.

12. In some cases, the amount of land resulting from 10% of the subdivision is too small or impractical, in which case the local government can instead request cash-in-lieu to the value of 10% of land. The WAPC has prepared a Position Statement - Cash-in-Lieu of Public Open Space to provide further detail on the process for collection and expenditure of cash-in-lieu funds

13. **When POS is Required**

The POS Policy recommends a minimum 10% POS contribution for a survey-strata, built strata or freehold subdivision application that creates three or more additional residential lots. The City will not seek a POS contribution for subdivisions of an additional one or two lots, boundary realignments where no additional lots are created, the amalgamations of lots, or where it has already been provided for through the implementation of a Structure Plan, Local Development Plan or Development Contribution Plan.

APPLICABLE LAW

14. *Planning and Development Act 2005*

Identifies that the local government may prepare local planning policies. Section 153 identifies that the WAPC may not impose a requirement for POS in respect of a plan of subdivision that creates fewer than 3 lots.

15. *Planning and Development (Local Planning Schemes) Regulations 2015*

Outlines the process for consultation and adoption of a local planning policy including the timeframe for public advertising:

Schedule 2, Part.2 (Cl.4) "The period for making submissions in relation to a local planning policy must not be less than a period of 21 days commencing on the day on which the notice of the policy is published..."

The Regulations also include the process to adopt a local planning policy further to advertising:

Schedule 2, Part.2 (Cl.4) 'After the expiry of the period within which submissions may be made,

the local government must —

(a) review the proposed policy in the light of any submissions made; and

(b) resolve to —

(i) proceed with the policy without modification; or

(ii) proceed with the policy with modification; or

(iii) not to proceed with the policy.

If the local government resolves to proceed with the policy, the local government must publish notice of the policy in a newspaper circulating in the Scheme area.'

APPLICABLE POLICY

16. **Local Planning Policy 11 – Public Notification of Planning Proposals:**
Identifies a minimum of 21 days advertising for a local planning policy.
17. **Development Control Policy 2.3 – Public Open Space in Residential Areas**
(DC Policy 2.3) DC Policy 2.3 states that the WAPC' normal requirement in residential areas is that, where practicable, 10% of the gross subdivisible area in residential areas is to be given up free of cost by the subdivider and vested in the Crown for POS.
18. Expenditure of cash-in-lieu is to be in accordance with DC Policy 2.3, Liveable Neighbourhoods and WAPC Position Statement - Cash-in-Lieu of Public Open Space, and is subject to the approval of the Minister for Planning.
19. The POS policy should be given due regard by the City when considering development, subdivision and strategic level planning proposals, and should be read in conjunction with:
 - a) Planning and Development Act 2005 (WAPC, November 2018).
 - b) Strata Titles Act (May 1985).
 - c) Liveable Neighbourhoods (WAPC, January 2009).
 - d) WAPC Position Statement - Cash-in-Lieu of Public Open Space (WAPC, 2020).
 - e) Development Control Policy 2.3 Public Open Space in Residential Areas (WAPC, May 2002) and;
 - f) Public Open Space Classification Framework (Department of Sport and Recreation, 2012).

STAKEHOLDER ENGAGEMENT

20. A total of 10 submissions were received. Six of which were written submissions (all from government authorities) and four online survey submissions. The website page was visited 76 times and the document was downloaded 31 times.
21. Results of the online survey submissions found two of the four submitters were supportive of the policy, while the two remaining were not sure.
22. Written responses noted no objection from the Department of Mines, Industry Regulation and Safety (DMIRS), Department of Primary Industry and Regional Development (DPIRD), Water Corporation, and Main Roads with some additional comments for note. The Shire of Mundaring provided more detailed comment relating to formatting and terminology and Department of Fire and Emergency Services (DFES) made comment in relation to assessment processes and Bushfire Management Plans.

23. Changes made in response to submissions are summarised as follows:
- a) Policy shortened to improve clarity and for easier implementation.
 - b) Schedule 1 – Supporting Information extracted to provide supplementary detail not necessarily required to be in the Policy.
 - c) Minimum percentage for POS types removed as considered addressed by minimum space requirements.
 - d) Formatting and grammatical corrections as needed.
 - e) Duplication of requirements within the document or in relation to State Planning Policy removed.

For more details refer Attachment 1 – Submission Table and Attachment 2 - Schedule of Modifications.

FINANCIAL CONSIDERATIONS

24. Applicants are responsible to installation and management of POS until handover after 2 years to the City. Therefore, design of POS is important to ensure it can be maintained to a high standard with existing staffing resources and budget.
25. Expenditure of cash-in-lieu for POS must be approved by the Minister for Planning and spent in the locality close to where the subdivision occurred in accordance with WAPC Position Statement - Cash-in-Lieu of Public Open Space.

SUSTAINABILITY

26. The POS Policy will assist with providing residents with high quality, functional and user-friendly POS by outlining minimum standards, specifying drought tolerant plant species and utilising water sensitive urban design principles. Public parks play a key role in the physical and mental health and wellbeing of the community and the POS Policy will guide efficient use of resources to meet community needs.

RISK MANAGEMENT

27.	Risk: The POS Policy is not adopted resulting in less consistent standards across public parks.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Recommend Council adopt the POS Policy to guide deliver of POS within the City.		

CONCLUSION

28. The purpose of the POS policy is to 'ensure that there is adequate and well distributed POS throughout the City that is fit for purpose and sustainably developed and maintained
29. Adoption of the POS Policy will assist with assessment of POS cash-in-lieu contributions, ceding of POS and the design and functionality. Council is recommended to adopt the final POS Policy.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:


1. NOTE the submissions received during public advertising in accordance with Attachment 1 – Submission Table.
2. ADOPT the Local Planning Policy 32 – Public Open Space in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* with modifications as shown in Attachment 2 – Schedule of Modifications, Attachment 3 – Public Open Space Policy and Attachment 4: Schedule 1 – Supporting Information.

10.1.3. Local Planning Policy 24 - Development Contribution Arrangements - Consideration of Submissions and Modifications for Adoption

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

Previous Items	OCM 108/2019
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	4.00009897
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none">1. Local Planning Policy 24 - Development Contribution Arrangements [10.1.3.1 - 9 pages]2. Submission Table [10.1.3.2 - 1 page]3. Draft Local Planning Policy 24 for Public Advertising [10.1.3.3 - 10 pages]4. Modifications Schedule [10.1.3.4 - 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 (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 2031

Priority 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

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

Priority 3: Kalamunda Develops

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider submissions and modifications to draft Local Planning Policy 24 (LPP24) Development Contribution Arrangements (DCA). For the purposes of this report and LPP24 DCA encompasses any cost sharing arrangements for development and community infrastructure, which may include a Development Contribution Plan (DCP).
2. LPP24 will establish a concise and transparent procedure for the establishment and review, and consistent management, of DCAs by the City of Kalamunda (City), and a transparent process for all stakeholders involved in infrastructure cost sharing arrangements and the community.
3. It is recommended the Council adopts LPP24.

BACKGROUND

4. LPP24 applies to all areas identified to be within a DCA.
5. The City currently has two existing infrastructure cost sharing and contribution arrangements; being the Cell 9 Wattle Grove and the Forrestfield / High Wycombe Stage 1 Industrial Area.
6. The City anticipate, over the short-medium term, additional contribution arrangements to be established within Forrestfield North (High Wycombe South) and the Maddington Kenwick Strategic Employment Area.
7. In 2018, the City engaged an auditor to review the practices and procedures relating to DCPs. The audit recommended that a policy be prepared to clearly define the roles, responsibilities and process for reviewing DCPs. The primary justification for this was to ensure continuity in the review process should there be a change in staff involved with DCPs.

DETAILS AND ANALYSIS

8. LPP24 is a local planning policy prepared and adopted pursuant to Part 2 of LPS 3. The Policy augments, and is to be read in conjunction with, the provisions of the Scheme relating to DCPs. If there is a conflict between LPP24 and LPS 3, then the provisions in LPS 3 prevail.

9. The primary objectives of LPP24 are to:
- a) Establish a DCA process that is transparent and understandable for the Council, the City, landowners, developers, and the community.
 - b) Establish a DCA process that can be easily implemented and consistently managed by the City.
 - c) Ensure that roles and responsibilities are well defined for the involved disciplines within the City.
 - d) Establish a set of criteria for determining when infrastructure items should be pre-funded.
10. **Public Advertising**
The draft LPP24 was advertised from the 20 June 2019 to 26 July 2019. One submission was received providing general comments on the process.
11. **Modifications**
The following modifications have been made to the Policy post advertising:
- a) Administrative.
 - b) Clarification that Cell 9 is not a DCP and is only subject to Schedule 11 of the LPS3.
 - c) Removal of specific roles and responsibilities of teams within the organisation. This is considered to be an internal process matter which can be subject to change rather than prescribed within a local planning policy.
 - d) Addition of terms introduced by the recently adopted State Planning Policy 3.6:
 - i. Capital Expenditure Plan
 - ii. Cost Apportionment Schedule
 - iii. Community Infrastructure Plan
12. The City has prepared an internal process for the allocation of roles and responsibilities during the DCA process.

APPLICABLE LAW

13. This Policy has been prepared under and in accordance with Schedule 2 of the Planning and Development (Local Planning Scheme) Regulations 2015 (Regulations).
14. Clause 6.5 of the Scheme outlines the Statutory provisions for DCAs within the City.
15. Schedule 11 of the Scheme outlines the relevant provisions for the Cell 9 Wattle Grove.

16. Schedule 12 of the Scheme outlines the relevant provisions for the Forrestfield / High Wycombe Stage 1 Industrial Area DCA.

APPLICABLE POLICY

17. SPP 3.6 sets out the principles and considerations that apply to development contributions for the provision of infrastructure in new and established development areas.

STAKEHOLDER ENGAGEMENT

18. The Draft Policy was advertised from the 20 June 2019 to 26 July 2019.
19. One submission was received providing general comments on the process.

FINANCIAL CONSIDERATIONS

20. The operation of DCAs presents a major administrative responsibility for the City. While DCAs are self-funded, the City has an implicit obligation to efficiently and effectively manage the revenues and works.

SUSTAINABILITY

21. 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 landowners. Impacts on the quality of life need to be considered along with individual's expectations. This Policy will ensure that Development Contribution Plan (DCP) reviews are undertaken efficiently and effectively to ensure the proposed infrastructure is to be delivered in an efficient and financially responsible manner.
22. The implementation of DCP's assist in the timely, efficient and equitable provision of infrastructure that may in turn facilitate economic growth and employment creation.
23. Environmental implications are taken into consideration during the detailed planning phase prior to the establishment of a DCA.

RISK MANAGEMENT

24.	Risk: The procedure detailed within this Policy is not adhered to.		
	Likelihood	Consequence	Rating
	Unlikely	Major	High
	Action/Strategy		
	Annual Reviews of DCP's must be undertaken in accordance with the Policy. The procedure to be outlined at the inception of each new review.		

25.	Risk: Not having a policy results in lack of transparency of the process and possible inefficiencies.		
	Likelihood	Consequence	Rating
	Possible	Major	High
	Action/Strategy		
	Adopt the Policy for the purpose of public advertising.		

CONCLUSION

26. In 2018, the City engaged an auditor to review the practices and procedures of the Development Contribution Arrangements. The audit recommended that a DCA Policy be prepared to clearly define the roles, responsibilities and process for reviewing DCA's.
27. The Policy will guide the establishment and operation of City administered DCA's.
28. The Policy will establish a concise and well documented procedure for the establishment and review of DCA's which provides consistent management of DCA's for employees, and provides a transparent process for Council and the community.

Voting Requirements: Simple Majority**RECOMMENDATION**

That Council:


1. NOTE the submission on the draft Policy.
2. ADOPT Local Planning Policy 24 – Development Contribution Arrangements.

10.1.4. **Wattle Grove South - Proposed Metropolitan Region Scheme Amendment - Western Australian Planning Commission Request for Preliminary Comment**

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

Previous Items	OCM 226/2020, OCM 195/2019, OCM 79/2019, OCM 35/2019
Directorate	Development Services
Business Unit	Statutory Planning
File Reference	PG-MRS-024
Applicant	Element Advisory Pty Ltd / Hesperia Projects Pty Ltd ATF Wattle Grove Trust
Owner	Various
Attachments	<ol style="list-style-type: none">1. WGS MRS Amendment Report [10.1.4.1 - 382 pages]2. City of Kalamunda Preliminary Submission - WGS MRS Amendment [10.1.4.2 - 28 pages]

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STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 2: Kalamunda Clean and Green

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

Strategy 2.1.2 - Development and Implementation of the Urban Forest Strategy.

Strategy 2.1.3 - Development and implementation of the Local Biodiversity Strategy

Strategy 2.1.4 - Increasing and protecting local biodiversity and conservation, wherever possible, through integrating ecosystem and biodiversity protection into planning processes including schemes policies and strategies.

Priority 3: Kalamunda Develops

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

Strategy 3.3.2 - Attract and enable new investment opportunities.

EXECUTIVE SUMMARY

1. The Western Australian Planning Commission (WAPC) is seeking preliminary comments for the proposed Metropolitan Region Scheme (MRS) Amendment for a portion of the Wattle Grove South project area (Attachment 1) prior to them undertaking the formal statutory process. The MRS Amendment request was lodged to the WAPC by Element Advisory Pty Ltd and Hesperia Projects Pty Ltd ATF Wattle Grove Trust (the applicant).
2. The purpose of this report is for Council to consider a preliminary submission (Attachment 2) for the proposed MRS Amendment.
3. The City of Kalamunda (City) will have another opportunity to provide a submission should the MRS Amendment be initiated by the WAPC and formally advertised. It is at that stage that the proposed MRS Amendment will also be advertised to the broader public.
4. It is recommended that Council endorse the preliminary submission to be forwarded to the WAPC.

BACKGROUND

5. Land Details:

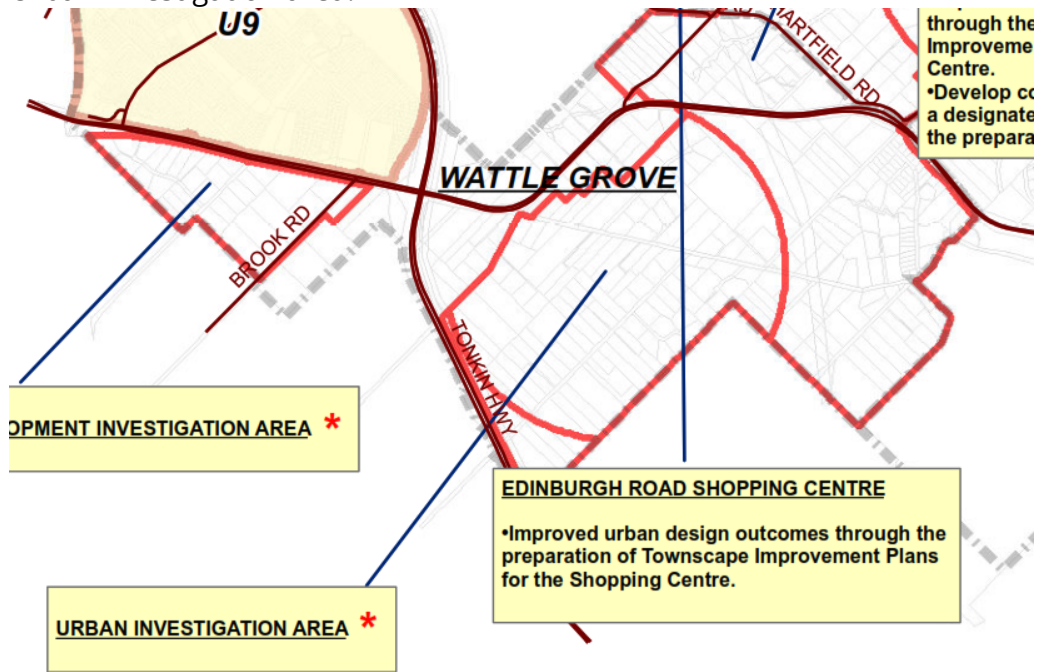
Land Area:	Approx. 106ha
Local Planning Scheme Zone:	Special Rural and Rural Composite
Metropolitan Region Scheme Zone:	Rural

6. Locality Plan:

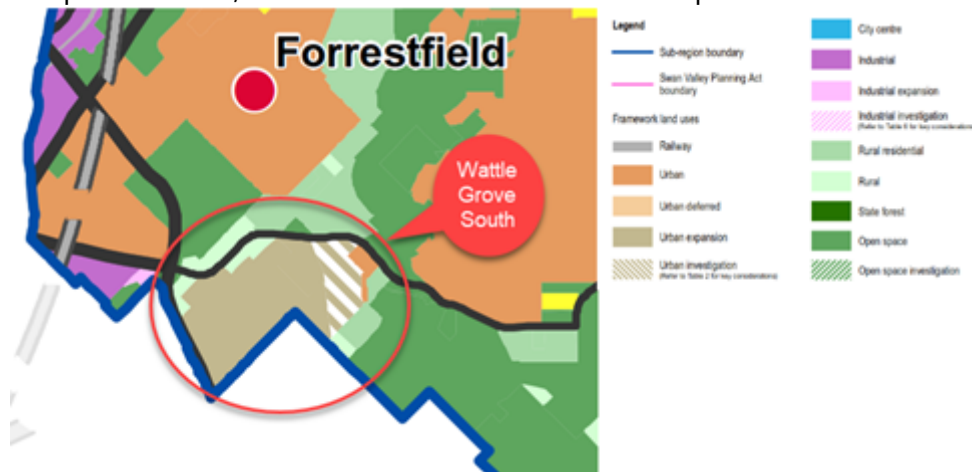


7. The proposed MRS Amendment area (the area) captures the southwestern portion of the Wattle Grove South (also known as Crystal Brook) project area. The area is generally bounded by Tonkin Highway, Welshpool Road East, Crystal Brook Road and the City of Gosnells local government boundary.

8. The City's Local Planning Strategy 2010 generally identifies the site as an Urban Investigation area.



9. The WAPC's North-East Sub-Regional Planning Framework (Framework), adopted in 2018, identifies the site as an Urban Expansion area.



10. Broadly, the purpose of the Framework is to provide guidance for:
- The preparation of amendments to the Perth metropolitan and Peel region schemes, local planning strategies/schemes, district, and local structure plans, and activity centre plans.
 - The staging and sequencing of urban development to inform public investment in regional community, social, and service infrastructure.
11. In September 2017, the City appointed a planning consultant to undertake the Wattle Grove Feasibility Study. The Study was completed in May 2018 and presented to Council in July 2018 to consider the recommendations of the Study.
12. Council Resolved to (OCM 127/2018):
- NOTE the Wattle Grove South Feasibility Study, as outlined in Attachment 1.*
 - SUPPORT continuing with the next phases of planning, subject to community consultation on the land use options as part of the preparation of the draft District Structure Plan.*
13. The community consultation process undertaken during August and September 2018, included two workshops and a survey.
14. The outcomes from community engagement were presented to a Special Council Meeting (SCM) on Monday 22 October 2018 to determine the next phase in the project. The resolution of Council was as follows: (SCM 177/2018)

Alternative Motion 2:

That Council:

- a) *ACCEPTS the community consultation outcomes shown in Attachments 1, 2 and 3.*
- b) *NOTES that community views vary in relation to the potential for commercial / light industry uses south of Crystal Brook Road, with most participants and submitters stating opposition to the proposal.*
- c) *NOTES that some community views support various forms of residential or a mixture of residential and commercial / light industry uses.*
- d) *NOTES the community engagement outcomes in relation to the environmental values of the area.*
- e) *REQUEST the Chief Executive Officer to prepare a report to Council, by May 2019, detailing the process and requirements, including cost, for establishing a Consultative Community Committee of Council to consider recommendations for the future of Wattle Grove South.*

15. A Special Electors Meeting (SEM) was called on 3 December 2018. The purpose of the meeting is as listed in the Public Notice of the Special Elector's Meeting published on 13 November 2018, being:

- a) *To consider the following motion in a Petition from Electors of the City of Kalamunda:*

"The Electors here present call upon the Council to immediately cease all efforts to rezone up to 310 hectares of the area described as Wattle Grove South in the draft Industrial Development Strategy for industrial purposes in order to reflect the outcome of recent community consultation which shows that an overwhelming majority of residents want Council to reject this environmentally destructive land use option".

A vote from electors was undertaken, with the result being 173 votes in favour of the motion and 17 votes being against the motion.

16. The following motion was adopted at the 26 February 2019 Ordinary Meeting of Council: (OCM35/2019)

That Council:

- a) *REQUEST the Chief Executive Officer to cease investigations into the establishment of a Consultative Community Committee of Council to consider recommendations for the future of Wattle Grove South.*
- b) *REQUEST the Chief Executive Officer to create a partial budget allocation in the 2018/2019 Mid-year Review, to commence the process, and the balance to be allocated in the 2019/2020 annual budget for engaging the services of suitably qualified consultants to conduct a comprehensive community consultation program to determine the level*

of community support for a variety of land use concept plans that incorporate the following design principles:

- i. Exclude any general or light industrial land uses.*
- ii. Reflect and acknowledge existing lifestyle and recreational opportunities of the area.*
- iii. A high-quality residential outcome that includes a range of densities.*
- iv. Include an appropriate amount of commercial development based on best practice design principles, including but not limited to public transport, technology, educational, medical and retail opportunities.*
- v. Retain existing vegetation and tree canopy cover where possible.*
- vi. Consider tourism development opportunities that embrace the environmental, social and financial aspects of the City of Kalamunda.*
- vii. Provide for modern sustainable housing design principles including renewable energy capture, water sensitive urban design, storage, sharing capabilities and smart city initiatives.*
- viii. The subject area 'Wattle Grove South' to also include the land to the north of Welshpool Road East bounded by Tonkin Hwy, Lewis Road and Hartfield Golf Course.*

17. The City prepared a scope of works in response to the resolution on 26 February 2019. On 30 April 2019 Council resolved (OCM 79/2019) as follows:

That Council:

- a) ENDORSES the scope of works as outlined in Attachment 1 subject to: The addition of the Department of Planning Perth Foothills Structure Plan (1992) as an additional 'Existing Reports and Studies' under Section 2.1 Background Research / Existing Reports and Studies.*
- b) REQUEST the Chief Executive Officer to seek quotations in accordance with the scope of works as outlined in Attachment 1 subject to: The addition of the Department of Planning Perth Foothills Structure Plan (1992) as an additional 'Existing Reports and Studies' under Section 2.1 Background Research / Existing Reports and Studies.*

18. On 8 May 2019, the City issued a Request for Quotation (RFQ) via to the Western Australian Local Government Association (WALGA) eQuotes panel. The request closed on 31 May 2019. Six (6) WALGA preferred suppliers were invited to provide submissions and four (4) responses were received.
19. On 27 August 2019, at the Ordinary Council Meeting (OCM 194/2019), the Council resolved to:
- That Council ACCEPT the proposal submitted by Roberts Day for Tender (eQuote) 2019-05 Wattle Grove South Concept Planning and Community Engagement in accordance with the proposal documentation for the lump sum value of \$79,850 (excl GST).*
20. In November 2019, Roberts Day commenced work on the Crystal Brook Concept Planning and Community Engagement project. The project area was renamed during the community engagement process from Wattle Grove South to Crystal Brook. These two names may be referred to interchangeably during the report, however both refer to the same project area.
21. On 24 November 2020, the Council considered the Concept Plan and associated report for the Crystal Brook project. Council (OCM226/2020) resolved to:
- a) *NOTE the outcomes of community engagement and public advertising and acknowledge that there are a range of views on the future planning for the project area.*
 - b) *NOTE the outcomes of the Ecological Report.*
 - c) *REQUEST the Chief Executive Officer to make modifications to the Concept Plan and Report in accordance with Attachment 1 and, in addition, include information regarding Voluntary Conservation Covenants on private land in accordance with Clause 11.1.3 of the City of Kalamunda – Local Biodiversity Strategy (2008), publish the modified document on the City's website and inform all landowners within the project area once completed.*
 - d) *NOTE the strategic outcomes of the Concept Plan and Report, as proposed to be modified.*
 - e) *CEASE further planning for the project as outlined in Option 2 of the Council Report.*

22. A key outcome from the engagement and concept planning process was that the Crystal Brook Concept Plan identified the area as an 'Urban Landscape'.



23. At the 27 July 2021 Ordinary Council Meeting, the Council adopted the Local Housing Strategy 2021 (LHS). The LHS identifies the site as a WAPC Urban Expansion and Investigation Area with further guidance for the planning for the area to be guided by the Crystal Brook Concept Plan.

DETAILS AND ANALYSIS

24. The WAPC is seeking preliminary comment on the proposed MRS Amendment. The WAPC will seek formal comment from the City when the MRS Amendment is initiated and advertised to the public.
25. Key details of the proposed MRS Amendment are detailed below. The proposed MRS Amendment seeks to rezone the site from Rural to Urban with the intent of facilitating the subdivision and development of the area for residential purposes.

30. Should the turf farm operations continue in the medium term, the applicant proposes that a number of interim measures will be required to be implemented to ensure the Department of Health (DoH), the Department of Water and Environmental Regulation (DWER), and the City are satisfied with the future release of residential lots. This includes:
- a) Implementation of a suitable design interface and spatial buffer between the turf farm and residential lots; and
 - b) Coordinated staged release of residential lots, providing a suitable spatial buffer from the turf farm.
31. The subject site abuts the Tonkin Highway road reserve. Provisions of the WAPC's State Planning Policy 5.4 - Road and Rail Noise (SPP 5.4) will need to be adhered to. The purpose of SPP 5.4 is to minimise the adverse impact of road and rail noise on noise-sensitive land-use and/or development within the specified trigger distance of strategic freight and major traffic routes and other significant freight and traffic routes.
32. A Transportation Noise Assessment will be prepared by the applicant at structure planning stage in accordance with the requirements of SPP 5.4 to assess noise levels in the vicinity of major roads. Any perceived potential impacts of noise emissions from the Highway can be directly addressed through a number of design and management tools when planning the future stages of the Wattle Grove South precinct, including but not limited to:
- a) Road traffic noise walls will be required to minimise road traffic noise from Tonkin Highway.
 - b) Design, orientation and configuration of lots.
 - c) Quiet House Packages will be incorporated as part of road traffic noise mitigation. These packages generally consist of upgraded glazing.
 - d) Notifications placed on lot titles where the noise level exceeds the assigned noise levels advising of the potential noise. Note that the extent of affected lots is to be determined when modelling includes road traffic noise walls and future buildings.
33. There are currently four dog kennels located outside of the subject site. The proposed urban development footprint of the Wattle Grove South precinct is located further away from the kennels and the existing sensitive receptors. Since each of these kennels is required to achieve noise emission compliance at existing residences (generally located within 60m of the kennels) the development itself does not encroach within the existing effective buffer.

34. **Vegetation**
Vegetation within the subject area is fragmented, consisting of limited areas of remnant native vegetation separated by significantly altered areas containing a combination of cleared and parkland cleared areas.
35. Some remnant native trees are scattered throughout the site, however, the majority of trees are non-native or exotic trees, such as planted eastern states species, including *Corymbia citriodora* (lemon scented gum) or foreign taxa such as *Melia azedarach* (cape lilac).
36. Vegetation within the subject site ranges from Completely Degraded to Excellent, with the Excellent and Very Good vegetation reflecting remnant vegetation occurring in limited localised areas within portions of some private lots. The applicant proposed that the areas of higher quality vegetation that have conservation value will be retained in Conservation Public Open Space, within public ownership for preservation and management by the City.
37. Due to the subject site being mostly cleared of native vegetation and used for rural purposes, the proponent advises that it is not likely that the area would offer large areas of valuable intact fauna habitat. The surrounding environment is also representative of clearing and rural land uses containing modified vegetation to the north, west and south of the site. Larger areas of intact vegetation area located to the east of the subject area and are considered to provide better fauna habitat than the area itself.
38. Banksia Woodlands on the Swan Coastal Plain (including limited areas of Threatened Ecological Communities (TEC) - FCT20a and SCP20b) were the only conservation significant ecological communities identified within the survey area. These listed ecological communities were highly fragmented and restricted to small patches of remnant vegetation amongst housing and semi-rural properties. Notwithstanding, these areas coincide with the areas of higher quality remnant vegetation and the applicant proposed to retain these areas in Conservation Public Open Space areas within public ownership for preservation and management by the City.
39. The applicant proposes the following project commitment:
- a) Portions of Lot 210 Crystal Brook Road and Lots 2 and 254 Victoria Road containing native vegetation with significant environmental values as identified in the Environmental Assessment Report are to be designated as Public Open Space – ‘Nature POS’ for the benefit of Conservation and ceded to the City in order to protect and preserve native vegetation or other special flora or fauna qualities.

- b) The acquisition and funding of the 'Nature POS' areas shall be undertaken in accordance with WAPC Development Control Policy 2.3 'Public Open Space in Residential Areas' (2002); WAPC Position Statement 'Cash-in-Lieu of Public Open Space'; and the City of Kalamunda Local Planning Policy 32 'Local Open Space'.

40. The applicant proposes the following project commitment:

- a) Prior to subdivision or development of Lot 210 Crystal Brook Road and Lots 2 and 254 Victoria Road, Wattle Grove a Vegetation and Fauna Management Plan(s) is required to be prepared and implemented for the applicable conservation areas. The Vegetation and Fauna Management Plan(s) is to address:
 - i. Fencing and any other measures required to limit public access;
 - ii. Initial rehabilitation and weed control;
 - iii. Educational signage; and
 - iv. Requirements for ongoing environmental management and maintenance (including bushfire control)
- b) Preparation of a Tree Retention Plan, which details location, species, size and structural health of significant trees (>300 DBH) within the site proposed to be retained during subdivision works.
- c) Preparation of a Tree Canopy Strategy that demonstrates that a minimum 20% tree canopy cover can be achieved and how this will be implemented within the rezoning area.

41. **Wetland Management**

Regional geomorphic wetland mapping (WALGA 2019) indicates that two Resource Enhancement Wetlands (REW) partially intersect the site:

- a) UFI 8037 - identified as a seasonally inundated sumpland located on the western boundary of the site which has been cleared and filled and no longer exists.
- b) UFI 15257 - identified as a seasonally waterlogged Plausplain, located in the northern corner of the site.

42. Two Conservation Category Wetlands (CCW) are located within Lot 501 immediately north of the site on the opposite side of Boundary Road. Land use planning typically requires a buffer of 50m between the boundary of a CCW and any potential development.

43. To the west of the site, on the opposite side of Tonkin Highway, there are a series of CCW, REW and Multiple Use Wetlands (MUW) associated with the Brixton Street Wetlands which is listed as a nationally important wetland. The wetland is seasonally inundated, with most of the water supply entering through direct precipitation. The wetlands support several threatened flora species and ecological communities.

44. The applicant proposes the following project commitment:

- a) Prior to subdivision or development of Lot 112 and 146 Brentwood Road, Wattle Grove an assessment of the portion of Resource Enhancement Wetland UFI 15257 that intersects with the site is to be undertaken to determine any environmental value of the wetland to the satisfaction of the Department of Biodiversity, Conservation and Attractions (DBCA).
- b) If it is determined by the DBCA that the wetland, or portions of the wetland within the site, is worthy of retention, a Wetland Management Plan shall be prepared and is to address as a minimum, actions to prevent and manage impacts of urban development on the wetland and associated wetland buffer, including any vegetation that has been identified for retention.

45. **Urban Water Management**

A District Water Management Strategy (DWMS) has been prepared by Hyd2o Hydrology consultants to support the MRS amendment proposal. The DWMS has been prepared in accordance with the principles and objectives of Better Urban Water Management (Western Australian Planning Commission, 2008) and following discussions with key agencies ultimately involved with its implementation including the City, DBCA, and DWER.

46. The applicant proposes the following project commitment:

A Local Water Management Strategy (LWMS) and Urban Water Management Plan(s) (UWMPs) are to be prepared and implemented in accordance with the DWMS (hyd2o, April 2021) and WAPC's 'Better Urban Water Management' (2008). The LWMS is to demonstrate the following:

- a) A reduction of predevelopment nutrient rates; and
- b) Maintenance of predevelopment flows to the satisfaction of the DWER.

47. **Bushfire Management**

A Bushfire Management Plan (BMP) has been prepared (Strategen-JBS&G) to support the MRS amendment, which includes an assessment of vegetation within and surrounding the site to determine applicable bushfire hazards, in accordance with Australian Standard 3959:2018 Construction of buildings in bushfire prone areas (AS 3959), and an assessment of the bushfire protection criteria outlined in the Guidelines.

48. At this strategic planning stage, provisions have not yet been made for future landscaping or designation of public open space (POS) and drainage areas within the project area. Other than the three discrete localised conservation areas that have been identified within the project area, the balance of the area has been predominantly parkland cleared with little to no understorey. It is expected that many of the existing large trees will be retained, generally within areas of POS, drainage/ road corridors and larger lots, and such that the bushfire risk can be appropriately managed in an urban setting.

49. The applicant proposes the following project commitment:
A BMP is to be prepared to inform the local structure plan and implemented through the subdivision and development processes, including building setbacks and construction standards required to achieve a Bushfire Attack Level (BAL) 29 or lower in accordance with Australian Standards (AS3959-2009):

'Construction of buildings in bushfire prone areas'. Notifications will be required on the titles of those lots identified in the BMP as having a BAL rating of 12.5 or above.

50. **Heritage**

According to the Department of Planning, Lands & Heritage (DPLH) Aboriginal Affairs Aboriginal Heritage Inquiry System the subject site is partly affected by two registered Aboriginal Heritage sites located along the southern boundary near the Tonkin Highway reserve. These sites are identified as:

- a) ID 4343 Brentwood Road Swamp.Type: Artefacts/Scatter
- b) ID 4342 Brentwood Road Quarry.Type: Artefacts/Scatter

51. DPLH 4342 Brentwood Road Quarry is listed on the Register of Aboriginal Sites as an artefact scatter and quarry with a reliable location. The site was reallocated and recorded to a site identification level by Archae-aus Pty Ltd in 2019 while undertaking an archaeological heritage survey for proposed Tonkin Highway Upgrades and Grade Separation for Main Roads WA. Archae-aus identified a dense scatter of quartz and fossiliferous chert flaked artefacts in a deflated sand dune on the west side of Tonkin Highway, on the opposite side to the rezoning area (Horizon Heritage Management, 2021). As such, this site will not be impacted by development within the proposed Urban area.

52. A site assessment was undertaken by Horizon Heritage Management (2021) to verify the location of Brentwood Road Swamp (Site ID 4343). A reliable location for the site will be determined following DPLH being advised of the results of the site assessment. A reliable site location will be

made available in due course. As the site is a registered Aboriginal heritage site, it is afforded protection under the AH Act.

53. There are no registered State Heritage Sites or Other Heritage Sites (City of Kalamunda Municipal Heritage Places) located within the subject site. However, it is noted that there is one heritage listed site (Other Heritage Sites), known as 'White's home and store', located on the corner of Crystal Brook Road and Victoria Road.

54. **Design Considerations**

The applicant has stated that the future structure planning design for the 'Urban' zone will be progressed over the coming months. Broadly the project design ethos is to:

- a) Retain a 'rural-suburban' feel to streetscapes and open space which captures the essence of the wider setting.
- b) Retain existing areas of good quality vegetation and wherever practical enhancing visual connectivity between identified tree groups of significance.
- c) Provide visual connections to conservation areas and features of interest that assist in orientation and legibility.
- d) Integrate innovative sustainable urban drainage and use for passive irrigation of the public realm setting the benchmark for future development in the area.
- e) Create landscape linkages, recreational nodes and circuits of pedestrian routes within the site and promote connections to the surrounding landscape.
- f) Encourage community ownership and sense of pride through the creation of diverse urban landscapes that reflect the site's unique characteristics.

55. The applicant has identified the following key design principles:

- a) Maximise Tree Canopy
- b) Unique Public Open Space and Domain
- c) Connected Community

56. **Movement Network**

A Transport Impact Assessment (TIA) has been prepared by Cardno which outlines the transport aspects considered for the MRS amendment area. The assessment has been prepared in accordance with the WAPC Transport Assessment Guidelines for Developments: Volume 2 – Planning Schemes, Structure Plans and Activity Centre Plans (2016).

57. The following conclusions were made regarding the proposed MRS amendment:
- a) An analysis of expected daily traffic volumes on the external road network indicates that:
 - i. Welshpool Road East, between Tonkin Highway and Crystal Brook Road, will increase to over 30,000 vehicles per day. This can be accommodated within the existing road layout, but will require intersection upgrades (refer below).
 - ii. Crystal Brook Road will require upgrading to accommodate between 6,000 and 10,000 vehicles per day. The extent and form of upgrades will be subject to the location of access points to the site and the internal subdivisional road layouts and will be further assessed at Structure Plan stage.
 - iii. Kelvin Road is expected to have moderate increases in traffic volumes but remain within the Distributor B threshold.
 - b) Analysis of the key intersections on the external road network has been undertaken with the following conclusion:
 - i. The future interchange at Tonkin Highway / Welshpool Road East and Tonkin Highway / Kelvin Road is expected to be able to cater for the proposed development traffic. Note that the analysis is based on a concept design and MRWA has yet to confirm the final design for these interchanges;
 - ii. Welshpool Road East and Crystal Brook Road intersection would need upgrades to cater for the proposed development; and
 - iii. Crystal Brook Road and Kelvin Road can cater for the proposed development and no upgrade requirement is identified at this stage.
 - c) To support the sites development, modifications to bus routes in the area should be investigated in collaboration with the Public Transport Authority. There is an opportunity to provide for Route 283, or a new route, to operate through the site.
 - d) Well-connected pedestrian and cycling networks should be provided within the site, as well as convenient connections to the Tonkin Highway Principle Shared Path (PSP). Welshpool Road East and Crystal Brook Road upgraded sections should include high-quality pedestrian and cycling facilities.

58. **Servicing**

There is no reticulated gas supply within the site or generally within the immediately adjacent area. However, an ATCO Gas high-pressure gas main is located in Welshpool Road East to the west of the site, terminating near the Lancelot Garden cul-de-sac, Wattle Grove. Welshpool Road East also contains a medium-pressure gas main that extends through the existing Wattle Grove residential development north of Welshpool Road East and west of Tonkin Highway. The applicant has stated that in discussions with

ATCO, a connection to and extension of the existing high-pressure main in Welshpool Road East will allow a reticulated gas network to be provided to the site.

59. Though the Wattle Grove subject area is not currently serviced by a wastewater scheme, the site is within the Water Corporation license area and covered by the Wattle Grove Sewer District (SD) conceptual wastewater planning.
60. Though within the Wattle Grove SD, the site is located on the planned boundary between the Corporation's Wattle Grove and Forrestfield sewer districts. Crystal Brook Road is the topographical boundary between the sewer districts. In September 2020, Water Corporation wastewater planners conducted a review of planning and an assessment of the relative costs and merits of servicing this land either through the Wattle Grove SD downhill to the south west, as per the Water Corporation long-term planning (identified as Option 2), or pumping northwards through the Forrestfield SD on a temporary basis (identified as Option 1).
61. Option 1, the proposed option of a temporary/interim WWPS pumping northwards into the Forrestfield SD is not supported because of a lack of conveyance capacity in the Forrestfield sewer network and because additional out-of catchment pumped flows into the Forrestfield SD would immediately trigger a requirement to extend the DN1500 Maida Vale main sewer and install a section of the DN1050 and DN750 Forrestfield branch sewers.
62. As such, the Water Corporation's assessment concluded that the preferred longer-term Option 2 option, in terms of capital and operating cost and technical feasibility, is to service the entire future 'Urban Expansion' area plus the MKSEA industrial area westwards into the Wattle Grove SD. The major works required to service the Wattle Grove SD are currently identified as:
- a) 1.4km of DN750 gravity sewer along Bickley Brook Road;
 - b) 830m of DN600 gravity sewer along Bickley Brook Road;
 - c) 1.5km of DN600 gravity sewer along Brentwood Road; and
 - d) 750m of DN450 sewer along Brentwood Rd up to Tonkin Highway.
63. Notwithstanding, through the further detailed planning for the locality, there is an opportunity to review and optimise the sewer infrastructure required for this locality.
64. The ultimate discharge from the area being a gravity connection to the existing 900mm Branch Sewer located in Bickley Road, near Dulwich Street in Maddington.

65. As previously noted, the site is within the Water Corporation license area. With respect to water planning, the site is situated at the eastern edge of the Trunk Mains PRV scheme. As the site is currently zoned 'Rural', the Corporation's water planning is based on this zoning, which arose from the WAPC's Foothills Structure Plan. The Water Corporation has advised the water planning will be revised as and when the land is rezoned to 'Urban'.
66. The site has a 66kV high voltage (HV) overhead power line extending along the south-eastern side of Brentwood Road. The site also has 22kV HV overhead power lines running along the north-western side of Brentwood Road and Victoria Road and a low voltage (LV) overhead power line on the south-eastern side of Boundary Road. The existing cables will be able to provide power to the proposed development of the site.
67. The site is within the NBN network footprint and NBN fixed line services are available within the site.
68. **Structure Planning**
The subsequent structure plan being prepared for the subject site will address the detailed planning for the land, including:
- a) Density of residential lots,
 - b) Road layout,
 - c) Location and size of public open spaces,
 - d) Landscape strategy,
 - e) Conservation lot management plan,
 - f) Noise mitigation measures, and
 - g) Heritage and place planning design considerations.
69. Having regard for the information provided as part of the preliminary referral process, the City has prepared a preliminary submission with the key components of the submission detailed below.
70. **MRS Amendment Report**
Comments in the submission should be factored into the proposed project commitments of the MRS Amendment. The proposed project commitments are supported by the City subject to submission comments factored in, and it is the City's expectation that these commitments are followed through at structure plan and implementation stage.
71. The site vegetation is described as highly fragmented. The City recommends that a feature survey is provided at structure plan stage where all natural assets are mapped and prioritised to determine which natural assets are to be retained in through corridors of POS and road

reservations. The linkages should be designed having regard for ecological principles, that is to ensure they are appropriate for the movement of target organisms.

72. Quenda are known to co-habitate in the this area with a high likliehood that a significant population of quenda occurs outside the higher quality remant vegetation. It is recommend additional surveys are undertaken to better understand the population of quenda, and measures should be put in place at structure plan stage to ensure their population is not detrimentally impacted.
73. It is important that the remnant areas of high ecological value are not only retained but buffered with suitable landuses that increase the capacity of the remnants to be resilient to the impacts of the altered landscape. Analysis to determine the optimum size of the remnants, including the buffers, should be undertaken to ensure the remnant areas will not degrade over time, be manageable by the City without large amounts of management inputs, and will be suitable to contain and support populations of critical flora and fauna.
74. The tree retention plan should provide details of all trees, and not just those greater than 300mm DBH (diameter at breast height). Trees currently less than 300mmDBH are established and will become trees greater than 300mmDBH. A comprehensive plan on retention, buffering and connection and rehabilitation of important linkages should be undertaken as part of the structure planning process. It is important to recognise these features first and best attempt to integrate them as part of the broader urban design process.
75. Supplemental Street Tree planting should consider the biodiversity and ecosystem benefits of the species as well as amenity value of trees planted. Local native species should be used in preference of other species, where appropriate.
76. Landscape design should enhance the “gateway to the Perth Hills” and not detract from the visual amenity people have when entering the Perth Hills. Detrimental visual amenity could detract from tourism to the Hills area.
77. The City notes that in the report, it is recommended that the City recommend that a concurrent rezoning of the LPS3 to a development zone is undertaken. The City at this preliminary stage reserves it’s right to make comment on this recommendation until the MRS Amendment is formally initiated and formally advertised.

78. The City supports the structure plan and implementation provisions as identified in the MRS Amendment report with consideration of the points provided in the submission factored in. The City also recommends that the Crystal Brook Concept Plan implementation strategies, items for further investigation and technical considerations are properly addressed at the structure plan phase. This is further outlined in the Crystal Brook Concept Plan section of the submission.
79. TIA figures for Crystal Brook Road at the eastern end shows 2031 total traffic nearing/exceeding capacity. The intersection of Crystal Brook Road and Welshpool Road East (eastern) should be modelled for performance. Noting that it is likely that Crystal Brook Road east of Kelvin would have to remain in the same format due to site constraints, as would the intersection. The implication for the MRS amendment (and structure plans) is there needs to be a redistribution of traffic in the network.
80. **The Framework.**
The proposed MRS Amendment is consistent with the designation of Urban Expansion under the Framework. Future Structure Planning will address the technical requirements regarding protection of significant environmental attributes, basic raw materials, water resources, bushfire risk, servicing, community and social infrastructure, movement networks and employment as identified in the Framework.
81. **Local Planning Strategy 2010**
The proposed MRS Amendment is consistent with the Urban Investigation designation under the Local Planning Strategy. The Local Planning Strategy identifies the following key matters that should be addressed (but not limited to):
- a) Bushfire risk.
 - b) Transport/movement networks.
 - c) Infrastructure/servicing.
 - d) Environmental and landscape impacts.
 - e) Urban water management.
82. These items have been addressed for the purposes of the proposed MRS Amendment in the supporting reports and will be further addressed in future structure planning.

83.

Local Housing Strategy 2021

The proposed MRS Amendment is consistent with the WAPC Urban Expansion and Investigation Area under the City's LHS. The LHS estimates between 510 and 2725 additional dwellings and up to 7085 additional persons for the Wattle Grove South area. The Traffic Impact Assessment (TIA) for the proposed Amendment indicates approximately 1300 dwellings at this initial planning stage which would be consistent with the LHS estimate.

84.

Crystal Brook Concept Plan

The proposed Urban MRS Amendment boundaries do not align with the 'Urban Landscape' boundaries of the Crystal Brook Concept Plan. It is recommended that the Urban boundaries of the MRS Amendment align with the Urban Landscape boundaries of the Crystal Brook Concept Plan in so far as they bound Crystal Brook Road, Victoria Road and the local government boundary with the City of Gosnells as outlined in the below image.



85. Key reasons for requesting this boundary change are as follows:
- a) Ensures a coordinated planning outcome.
 - b) Provides a logical boundary utilising Crystal Brook Road.
 - c) Aligns with the Urban Landscape designation in the Crystal Brook Concept Plan.
 - d) Includes areas of noteworthy environmental value that need to be planned for and ultimately managed.
86. The Concept Plan defines Urban Landscape: Identifies areas where environmental and servicing constraints may be present but on assessment does not, at this high level of analysis, impede development, subject to meeting the strategic objectives of the concept plan and ensuring sensitive interface treatments between land use typologies. These areas are generally suited to lots in the order of 2000sqm due to current servicing constraints. Smaller lot sizes could be explored subject to the availability of services. Captures an array of uses (including but not limited to):
- a) Residential (Starting from R2)
 - b) Commercial (Any commercial land to be commensurate to the density of the population, to be defined at future detailed planning, subject to community consultation and subject to retail needs and sustainability assessment).
 - c) Not to include industrial.
87. Structure planning will need to ensure that the planning and implementation of the site will align with the Concept Plan's 'Urban Landscape' typology.
88. The Crystal Brook Concept Plan includes a set of technical considerations, issues for further investigation and recommended implementation strategies to be addressed at future detailed planning. The proposed MRS Amendment addresses some of these matters at a preliminary level, however they will need to be fully addressed at the future structure planning stage.
89. It is recommended that the proposed MRS Amendment should outline whether these matters are being addressed and how they are being addressed. If they are to be addressed at a later planning stage (such as structure plan stage), then that should be stated in the supporting planning report. This could be undertaken in a table style format.

90. At the 24 November 2020 OCM in consideration of the Concept Plan, the Council resolved to cease further planning for the project. As the MRS Amendment has been prepared by a developer and private consultant with no direct involvement from the City, the preparation of this proposal is consistent with Council's resolution.
91. **Perth Airport Submission on the Concept Plan**
An assessment of the project area with the New Runway in place using the National Airports Safeguarding Framework (NASF) recognised the area will experience up to 100 aircraft noise events above 65 decibels across an average day.
92. Guidelines used by NASF state the benchmark of 50 noise events to be the point where the frequency and level of aircraft noise events should be considered as impacting planning decisions. This 50-event trigger is met (and exceeded) in this area.
93. As part of their submission, Perth Airport recommended that insulation to mitigate these noise impacts be considered to be made mandatory. The City recommends that this recommendation is considered through the structure planning phase.
94. **Department of Education Submission on the Concept Plan**
The Department of Education (DoE) provided a submission that stated the additional population generated in the area plus existing pressures on existing schools may require up to an additional two primary schools and one high school.
95. The City recommends that the applicant liaise with DoE on school requirements for the site and acknowledges that this will be further detailed at structure planning stage.
96. **Draft Urban Forest Strategy**
The City's Draft Urban Forest Strategy (UFS) targets to retain at least 20% canopy cover in areas earmarked for, but yet to undergo, urban development.
97. Stated within the MRS Amendment report is that a key objective of the project is to maximise tree retention within new public open space areas, streetscapes and larger lots and introduce substantial street tree planting to achieve significant tree canopy areas and local amenity as the site develops. Substantial tree planting shall be undertaken as part of the future redevelopment of the existing and proposed 'Urban' zone to achieve significant tree canopy areas as the site develops and which will result in an increase to the current area of tree canopy.

98. The City is supportive of this objective and recommends that a minimum of 20% canopy cover is committed to and achieved through structure planning and implementation during the project's development. This should be achieved through the application of retention of trees on private property (City's Environmental Land Use Planning Strategy (ELUPS)) and streetscapes as per the UFS to ensure a balanced approach between public and private land.
99. **Local Biodiversity Strategy 2008 and Draft Local Biodiversity Strategy 2020**
It is stated within the MRS Amendment Report that the intention of the project is to retain biodiversity values in Conservation Public Open Space areas within public ownership for preservation and management by the City as part of the structure planning and subdivision design stages of the project. Local Structure Plan provisions will provide a statutory mechanism to ensure that these areas are identified and vested in the City for conservation management.
100. Stated within the MRS Amendment Report is the following project commitment:
- a) Prior to subdivision or development of Lot 210 Crystal Brook Road and Lots 2 and 254 Victoria Road, Wattle Grove a Vegetation and Fauna Management Plan(s) is required to be prepared and implemented for the applicable conservation areas. The Vegetation and Fauna Management Plan(s) is to address:
 - i. Fencing and any other measures required to limit public access;
 - ii. Initial rehabilitation and weed control;
 - iii. Educational signage; and
 - iv. Requirements for ongoing environmental management and maintenance (including bushfire control)
 - b) Preparation of a Tree Retention Plan, which details location, species, size and structural health of significant trees (>300 DBH) within the site proposed to be retained during subdivision works.
 - c) Preparation of a Tree Canopy Strategy that demonstrates that a minimum 20% tree canopy cover can be achieved and how this will be implemented within the rezoning area.
101. The City supports the commitment of the project to protect medium-high biodiversity rated vegetation in conservation public open space and implement a Flora and Fauna Management Plan(s), and it is the expectation that this commitment is fulfilled. The City recommends that the structure plan identifies networks of public open space which link biodiversity assets.

102. **Local Planning Policy 28 – Delivery of State and Local Strategies Through the Preparation of Structure Plans (LPP28)**
Local Planning Policy 28 (LPP28) Appendix 1 identifies the information required to be submitted with a planning proposal.

103. In accordance with LPP28 the following information is required to be submitted with a MRS Amendment:

Information Required	Provided?
District Structure Plan (DSP)	X
Transport Impact Assessment	ü
Geotechnical Investigations	ü
District Water Management Strategy	ü
Groundwater Monitoring	ü
Surface Water Monitoring	ü
Environmental Assessment Report	ü
Flora and Vegetation Survey	ü
Fauna Survey	ü
Bushfire Management Plan	ü

104. Additional to the requirements of LPP28 an Infrastructure and Servicing Strategy has been provided.
105. It is noted that a DSP has not been provided in accordance with the requirements of LPP28. The City accepts the decision not to provide a DSP and that going straight to a LSP/s is acceptable in this instance as long as the LSP/s address the broader area in consideration of environmental matters infrastructure delivery, amenity impacts, traffic impacts, noise impacts, traffic, cycling and pedestrian networks and interface treatments.
106. It is also noted that the Crystal Brook Concept Plan provides broad overarching development principles and implementation strategies not dissimilar to the role of a DSP and that those matters can be carried through at a LSP phase.
107. During the subsequent planning stages including Local Planning Scheme Amendment and Local Structure Planning, the requirements of Appendix 1 of LPP28 are to be addressed.

APPLICABLE LEGISLATION

108. The MRS may be amended in accordance with Part 4, Division 2, Section 37 (1) of the Planning and Development Act 2005.

109. As the MRS is a State Government Region Scheme, it is the responsibility of the WAPC to resolve to amend a region planning scheme subject to Section 36 of the Planning and Development Act 2005.
110. The Planning and Development Act 2005 allows amendments to the MRS to be processed as either “minor” or “major” amendments depending on whether they are considered to constitute a substantial alteration to the MRS or not. This amendment is considered to meet the WAPC’s ‘minor’ amendment criteria for the following reasons:
- a) The size and scale of the proposed amendment is not considered regionally significant as it does not reflect a regional change to the local planning strategy or philosophy for the metropolitan region.
 - b) The proposal aligns with the WAPC’s North-East Sub-Regional Planning Framework which identifies the rezoning area as an Urban Expansion area.
 - c) All service infrastructure can be readily provided to service the development via extensions to the existing network within the adjacent neighbourhood.

APPLICABLE POLICY

111. **Liveable Neighbourhoods**

Liveable Neighbourhoods is a WAPC operational policy that guides the structure planning and subdivision for greenfield and large brownfield (urban infill) sites.

The Local Structure Plan(s) will be required to address the requirements of the Policy.

112. **Development Control Policy 2.2 Residential Subdivision**

This policy sets out the WAPC’s requirements for landowners intending to subdivide residential land. It assists to create a diversity of lot and housing types throughout the State.

The Local Structure Plan(s) will be required to address the requirements of the Policy.

113. **Development Control Policy 2.3 Public Open Space**

The basic component of this policy is the requirement that 10 per cent of the gross subdivisible area of a conditional subdivision shall be given up free of cost by the subdivider for public open space.

The local structure plan(s) will need to address this policy by providing adequate and usable open space for a variety of users and functions including sport, recreation and nature.

114. **State Planning Policy 2.0 Environment and Natural Resources**
State Planning Policy 2.0 (SPP 2.0) defines the principles and considerations that represent good and responsible planning in terms of environment and natural resource issues within the framework of the State Planning Strategy. Supplemented by more detailed planning policies on particular natural resource matters. SPP 2.0 objectives are to:
- a) Integrate environment and natural resource management with broader land use planning and decision making;
 - b) Protect, conserve and enhance the natural environment; and
 - c) Promote and assist in the wise and sustainable use and management of natural resources.
115. State Planning Policy 3.7 Planning in Bushfire Prone Areas
This policy directs how land use planning should address bushfire risk management in Western Australia.

STAKEHOLDER ENGAGEMENT

116. The WAPC has provided the proposed MRS Amendment to the City for preliminary comment.
117. Following the consideration of preliminary comments and any changes submitted by the applicant, the WAPC may resolve to initiate the MRS Amendment, following which the WAPC will refer the proposed MRS Amendment to the Environmental Protection Authority (EPA) for environmental review decision.
118. The EPA may either decide that:
- a) Environmental review is not required;
 - b) Environmental review is required – process followed according to EP Act.
 - c) Scheme Amendment cannot be made environmentally acceptable – process followed according to EP Act.
119. Following environmental review from the EPA, should the Amendment be environmentally acceptable, the WAPC will release the proposed MRS Amendment for public advertising and formal comment once the Minister consents to advertise. The WAPC makes the Amendment available for public inspection and advertises for submissions for not less than 3 months.

FINANCIAL CONSIDERATIONS

120. The planning for the site is being undertaken by a private planning consultant engaged by a prospective developer, therefore there are no costs to the City apart from officer time on this matter.
121. There will be future financial considerations in regards to the services and needs to future populations. The City's Long-Term Financial Plan (LTFP) in this regard has considered future population growth and the need to review services that the City provides in response to that population growth. The population growth envisaged through the area has been factored into the LTFP.

SUSTAINABILITY

122. The population of the area is expected to increase over time, resulting in an increased demand for community facilities and infrastructure. An appropriate hierarchy of community facilities and infrastructure will need to be explored in greater detail during the structure planning phase to ensure that all demographic groups are accommodated.
123. An increase population to the area will see demand for retail and commercial uses and provide a greater population catchment for existing businesses in the area. The necessity of non-residential land allocation within the project area will be determined during the structure planning process and be subject to appropriate justification through assessment.
124. It is stated within the MRS Amendment Report that biodiversity values will be retained in Conservation Public Open Space areas within public ownership for preservation and management by the City. Local Structure Plan provisions will provide a statutory mechanism to ensure that these areas are identified and vested in the City for conservation management.
125. Stated within the MRS Amendment Report is that a key objective of the project is to maximise tree retention within new public open space areas, streetscapes and larger lots and introduce substantial street tree planting to achieve significant tree canopy areas and local amenity as the site develops. Substantial tree planting shall be undertaken as part of the future redevelopment of the existing and proposed 'Urban' zone to achieve significant tree canopy areas as the site develops and which will result in an increase to the current area of tree canopy.

RISK MANAGEMENT

126.

Risk: The City does not provide a preliminary submission to the WAPC therefore potentially resulting in a formally initiated MRS Amendment proposal which does not take into consideration the views of the City.

Consequence	Likelihood	Rating
Significant	Unlikely	Medium

Action/Strategy

Council endorse the submission in Attachment 2 and forward to the WAPC to ensure the City's views are taken into consideration prior to formally initiating the MRS Amendment.

127.

Risk: The development of the area causes unacceptable impacts to the natural environment.

Consequence	Likelihood	Rating
Major	Possible	High

Action/Strategy

Council endorse the submission in Attachment 2 and forward to the WAPC to ensure the City's views on protecting high value vegetation, retention of tree canopy and creating environmental corridors is taken into consideration during the different planning phases and implementation.

128.

Risk: The proposed MRS Amendment receives significant community opposition.

Consequence	Likelihood	Rating
Significant	Likely	High

Action/Strategy

Council endorse the submission in Attachment 2 which captures the outcomes in the Crystal Brook Concept Plan which captured the views of the community and forward to the WAPC. Noting that the community will have the opportunity to provide their views when the MRS Amendment and Structure Plan(s) are advertised.

CONCLUSION

- 129. The WAPC is seeking preliminary comments for the proposed MRS Amendment for a portion of the Wattle Grove South project area.
- 130. The City has prepared a preliminary submission (Attachment 2) which considers the contents of the MRS Amendment Report and reviews the proposal against relevant strategies and policies.
- 131. The City will have another opportunity to provide a submission when the MRS Amendment is initiated and formally advertised. It is at this stage, the proposed MRS Amendment will also be advertised to the public.
- 132. It is recommended that Council endorse the submission as outlined in Attachment 2 and forward its submission to the WAPC.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ENDORSE the Preliminary Submission (Attachment 2) and REQUEST the Chief Executive Officer forward it to the Western Australian Planning Commission for consideration.

10.1.5. Lot 501 Central Road, Kalamunda - Parking Cash in Lieu

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

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (d) - "legal advice obtained, or which may be entered into, by the local government which relates to a matter to be discussed."

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

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

Previous Items	OCM 73/2012, OCM 02/2013, OCM 203/2013, and OCM 47/2014
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	CN-11/010
Applicant	Cagen Holdings Pty Ltd
Owner	Cagen Holdings Pty Ltd
Attachments	Nil

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
^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

Provided under separate cover.

10.2. Asset Services Reports

10.2.1. Award of RFT 2105 - Provision of Client-side Project Manager and Superintendent


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 Delivery
File Reference	AD-TEN-005
Applicant	N/A
Owner	City of Kalamunda

Attachments Nil

Confidential Attachment Reason for Confidentiality: 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."

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 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

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

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the acceptance of a tender for the Provision of Client-Side Project Manager and Superintendent – RFT 2105, for specific projects within the City of Kalamunda (City).
2. It is recommended that Council accept the tender from Brett David Investments Pty Ltd ACN 078 054 305 trading as Successful Projects based on the schedule of rates included as Confidential Attachment 1 to this report.
3. The award is for a three-year contract with the option of two one-year extensions at the discretion of the City.

BACKGROUND

4. The City undertakes a substantial annual Capital Works projects each Financial Year. Normally these projects are delivered and the contracts managed by inhouse personnel. However, some projects due to issues of timing, risk, complexity, ad hoc nature of these or value require the City to engage external resources to assist in this area rather than expand City resources which may or may not be fully deployed over the relevant year.
5. Usually, the City engaged these external resources on a case by case basis. This is proving ineffective from a time and cost perspective to seek quotes each time for what is, effectively, the same services.
6. It was determined to call Tenders for a firm to be appointed to provide these services on a case-by-case basis on the basis of an enduring contract over the coming years whereby rates and contract conditions are set once.

DETAILS AND ANALYSIS

7. Tenders were invited for RFT 2105 Client Side Project Manager and Superintendent services through the City's tendering portal and advertisement in The West Australian newspaper on Saturday 1 May 2021. Tender submissions closed at 2:00 pm AWST on Monday 31 May 2021.

8. Tenders received by the closing date were from the following companies (in alphabetical order):

1	APP Corporation
2	Brett David Investments Pty Ltd T/A Successful Projects
3	Cardno (WA) Pty Ltd
4	Constructive Project Solutions Pty Ltd
5	DIZ Pty Ltd T/AS Cushman and Wakefield
6	Greg Rowe PTY LTD
7	Hub Property Group
8	JDSI Consulting Engineers Pty Ltd
9	Johnstaff Projects Pty Ltd
10	Jones Lang LaSalle (NSW) Pty Ltd
11	Lackon Pty Ltd
12	Rapallo
13	Turner & Townsend
14	Zorostar Pty Ltd

9. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. All 14 tenders met this compliance criteria.
10. A Tender Assessment Panel was formed comprising management staff from the City who oversee Capital Projects with the City's Coordinator Procurement providing overall probity support.
11. Tenders were then assessed against qualitative criteria (as set out in the tender invitation). The qualitative criteria and weighting were determined as follows:

Qualitative Criteria	Weighting
Relevant Experience	40%
Key Personnel & Subcontractors Skills and Experience	30%
Tenderers Resources	30%

12. A qualitative pass mark (QPM) to pass to the next stage of assessment was set at 60%. The QPM scores for each compliant tender were as follows:

	Company Name	Qualitative Total Score (Weighted @ 100%)	Rank
1	APP Corporation	77%	1
2	Brett David Investments Pty Ltd T/A Successful Projects	74%	2
3	Cardno (WA) Pty Ltd	47%	7

4	Constructive Project Solutions Pty Ltd	68%	4
5	DIZ Pty Ltd T/AS Cushman & Wakefield	43%	8
6	Greg Rowe Pty Ltd	40%	9
7	Hub Property Group	0%	14
8	JDSI Consulting Engineers Pty Ltd	70%	3
9	Johnstaff Projects Pty Ltd	63%	5
10	Jones Lang LaSalle (NSW) Pty Ltd	40%	9
11	Lackon Pty Ltd	30%	12
12	Rapallo	30%	12
13	Turner & Townsend	60%	6
14	Zorostar Pty Ltd	31%	11

Six tenders met the 60% QPM pass mark as highlighted above.

13. The next stage of assessment was in regard to the price of the services. The City could not fully detail each project in the coming years that would require these services which would have given price certainty for this contract. As an alternate, it sought from the Tenderers to provide costs for three 'typical' projects that the City may assign being:

1. Park Improvement Plan of \$0.5m budget
2. Sports Pavilion Refurbishment of \$1.5m budget
3. Streetscape Enhancement Project with long lead time for design with an overall budget of \$3.0m

Tenderers were required not only to determine the hourly rates for staff engaged in these projects but also the hours to be applied over the project duration. This analysis allowed value for money assessment to be taken.

14. The Tender Evaluation Report provided as Confidential Attachment 1 details further the analysis of prices and issues that led the Tender Assessment Panel to their recommendation.
15. Once this Tender is awarded, the City's Manager Asset Delivery will determine which approved projects in any budget year need to be resourced from this contract for Project Management and/or Superintendent services. The Manager will then formalise a scope with the Consultant and seek a fixed price in line with the hourly rates set in the Contract.
16. Whilst the value of the contract over the term cannot be certain and very much depends on the quantum of large-scale projects or high-risk projects coming in ensuing years, having this Tender awarded by Council ensures that the appropriate delegation is maintained, even if the actual spend is below expectations. It is suggested that this contract may be in the order

of \$900,000 to \$1.5m over the five years (again depending on the size of adopted capital works programs).

APPLICABLE LAW

17. *Local Government Act 1995.*

APPLICABLE POLICY

18. CEO Purchasing Instruction CEOI7 has been complied with.

FINANCIAL CONSIDERATIONS

19. As each specific project budget is created, allowance is made for project management costs either as internal or external service providers.

SUSTAINABILITY

20. N/A

RISK MANAGEMENT

21.	Risk: That Projects fail to meet cost, time or scope deliverables due to insufficient resourcing		
	Consequence	Likelihood	Rating
	Moderate	Likely	Medium
	Action/Strategy		
	Engagement of a contracted supplier of Project Management or Superintendent Services allows the City to flexibly adapt to changing needs within the Capital Works program.		

CONCLUSION

22. Engaging with one Consultant firm to provide ‘ad hoc’ Project Management and Superintendent services over the coming years makes the City more efficient and effective. It also allows for more accurate budget forecasting as experience is built up as to the typical cost of these services.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ACCEPT the Tender RFT 2105 Provision of Project Manager and Superintendent Services from Brett David Investments Pty Ltd ACN 078 054 305 trading as Successful Projects based on the schedule of rates included as Confidential Attachment 1 to this report.

10.3. Corporate Services Reports

10.4. Office of the CEO Reports

10.4.1. Hartfield Park Master Plan Draft Stage 2

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

Previous Items 57/2021 and 235/2020

Directorate Office of the CEO

Business Unit Leisure Planning

File Reference

Applicant City of Kalamunda

Owner City of Kalamunda

- Attachments
1. Attachment 3 HPMP Stage 2 Minor Club Requests From Public Consultation [**10.4.1.1** - 2 pages]
 2. Attachment 4 Hartfield Park Development Overview [**10.4.1.2** - 1 page]
 3. Attachment 1 - HPMP Stage 2 - Final Report [**10.4.1.3** - 166 pages]

- Attachment
1. Draft Hartfield Park Master Plan Stage 2 - Co-location Strategy
 2. Draft Hartfield Park Master Plan Stage 2 - Co-location Strategy - Results of Public Comment Period.
 3. Draft Hartfield Park Master Plan Stage 2 - Co-location Strategy – Minor Club Requests - Public Consultation Period.
 4. Draft Hartfield Park Master Plan - Stage 2 (Co-location Strategy) - Phases of Development.
Reason for confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (b) - "the personal affairs of any person".

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 (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
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STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 1: Kalamunda Cares and Interacts

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

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

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

Priority 1: Kalamunda Cares and Interacts

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

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

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

Priority 2: Kalamunda Clean and Green

Objective 2.2 - To achieve environmental sustainability through 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.

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 inform Council of the feedback received during the public comment period on the Draft Hartfield Park Master Plan Stage 2 - Co-location Strategy (the Plan).
2. The Plan was advertised to the public for comment for a period of 28 days concluding on 26 May 2021. A total of 130 survey responses and eleven written submissions were received from various Hartfield Park user groups. The majority of the responses were in favour of the plan with most clubs requesting some amendments to better suit their operations into the future. The amendment requests were considered and where sufficient justification exists were incorporated into the final Plan.
3. This report recommends that Council adopts the final Draft Hartfield Park Master Plan - Stage 2 - Co-location Strategy (Attachment 1).

BACKGROUND

4. Hartfield Park is a Class A Reserve, located in Forrestfield, on Crown Land vested with the City of Kalamunda (City) for the purposes of recreation. The reserve is approximately 159 hectares in size and is a registered Bush Forever and Aboriginal Heritage site with known heritage value.
5. Dave Lanfear Consulting was engaged in September 2019 to develop the Plan focusing on a co-location strategy for the multiple single use sporting facilities at Hartfield Park. The Plan endeavours to provide a clear framework and objectives to assist the City in planning, developing, and implementing sustainable sport and recreation improvements at Hartfield Park Reserve.
6. The Plan was presented to Council at the April 2021 Council meeting, where the following resolution (OCM 57 /2021) was carried:

That Council:

1. *ENDORSES the Draft Hartfield Park Reserve Master Plan - Stage 2 (Attachment One) for the purposes of public consultation.*
2. *NOTES the community engagement process and strategy.*

7. The key recommendations outlined in the Plan include:
 - a) New co-located clubroom facilities for AFL / Little Athletics, Bowls / Tennis and Rugby Union / Cricket.
 - b) New unisex changerooms for Rugby League and Football (soccer).
 - c) New Little Athletics infrastructure including long jump pits at Reid Oval.
 - d) Extension of Morrison Oval with new sports floodlighting.
 - e) A new facility for the Foothills Men's Shed (FMS).
 - f) Expanded and realigned car parking across Hartfield Park.
 - g) New cricket nets.
 - h) Conversion of a grass bowling green to synthetic.
 - i) Development of two new tennis courts.
 - j) Additional tree planting.

8. The implementation of the above developments have been prioritised in the Plan, across two distinct development stages being Stage 2A and Stage 2B.

9. Stage 2A aligns to Council resolution (OCM235/2020) endorsing the allocation of the \$2m Federal Government grant commitment and the City submitting a Community Sport and Recreation Facilities Fund (CSRFF) grant application to the State Government. Stage 2B will form part of the City's advocacy program. Attachment 4 outlines the various development stages of Hartfield Park Master Plan.

DETAILS AND ANALYSIS

10. The Plan was advertised to the public for comment for a period of 28 days concluding on 26 May 2021. There were 519 visitors to the projects engagement portal, 130 survey responses and eleven written submissions were received based on workshops held with the affected user group.

11. Nine written submissions from the Committee's of the following user groups endorsed the Plan, noting specific requests for amendment:
 - Kalamunda & Districts Rugby Union Club (KDRUC);
 - Kalamunda Bulldogs Rugby League Club (KBRLC);
 - Forrestfield Football Club (FFC);
 - Forrestfield & Districts Bowling Club (FDBC);
 - Forrestfield Tennis Club (FTC);
 - Forrestfield Cricket Club (FCC);
 - Forrestfield Little Athletics Club (FLAC);
 - Forrestfield Flyers Tee ball Club (FFTBC); and
 - Forrestfield Mens Shed (FMS).

12. Two written submissions from Forrestfield United Football Club (FUFC) and Kalamunda Districts Hockey Club (KDHC), did not believe their needs were adequately addressed in the Plan and requested some specific inclusions.
13. The Plan did not include KDHC and FFTBC as its primary focus was to co-locate the multiple single use sporting facilities at Hartfield Park. Noting these two users were co-located through HPMP Stage 1.
14. A total of 130 survey responses were received from predominately individual members of the various sporting user groups. Their comments reiterated the feedback received from the club written submissions.
15. A total of 62% of responses were either 'very satisfied' or 'satisfied' with the Plan. A further 26% of respondents were either unsure or somewhat disagreed with the Plan, noting specific improvement requests. These requests were the same as those made by the user groups in their written submissions, which are outlined below. The final Plan addresses the majority of these requests, which will likely result in an increased level of support.
16. A summary of the public comments received in relation to the Plan have been included in this report as confidential Attachment 2.
17. The key theme arising through the community consultation period, and stated in the club written submissions received, is that there is strong support for the co-location of facilities and entering into joint use lease agreements at Hartfield Park. In addition, it was noted that the existing single use club infrastructure lacks functionality, is ageing, is in poor condition and does not meet the needs of users.
18. A summary of the specific major requests for inclusion within the Plan from the affected user groups is outlined below, along with the justification or otherwise for their inclusion:
19. **Request 1: Provision of Two Additional Changerooms each for KDRUC and KBRLC & Larger Changerooms for KDRUC**
 - a) An analysis of changerroom provision across the site supports the provision of only two additional changerrooms at the centrally located Rugby Union / Cricket facility, on the proviso that these amenities are able to be shared amongst other site users ie. KBRLC and FUFC.
 - b) The proposed changerroom sizes for KDRUC meet the Rugby Union facility guidelines (between 55 and 80 sqm each). Increasing the size of only two changerrooms to 70sqm each is supported to provide improved flexibility in particular to hosting Premier League Rugby Union matches.

20. **Request 2: Provision of a 20 sqm Gymnasium within the Rugby Union / Cricket facility**

- a) This request is not supported by the City, however if KDRUC require a gymnasium within the new Rugby Union / Cricket facility, then they can fund this portion of the project separate to any advocacy funding received by the City.
- b) The provision of gymnasiums within community level sporting facilities is not supported as it is considered above the level of provision required. In addition, the City already operates a gymnasium at Hartfield Park Recreation Centre (HPRC).
- c) It's inclusion would also set a precedence across the City and lift standards for provision.

21. **Request 3: Increase sports floodlighting on Morrison Oval from 50 to 100 lux & Re-prioritise**

- a) KDRUC and FUFC both requested that the sports floodlighting to Morrison Oval be 100 lux across the site and to re-prioritise this project from Stage 2B to Stage 2A.
- b) The increase to 100 Lux lighting is supported as it will provide additional usage of the fields and facilitate the KDRUC being co-located with cricket at the proposed building location.
- c) The reprioritisation of the Morrison Oval lighting from Stage 2B to Stage 2A is noted, however is not supported as priority project for Stage 2A, as these projects have already been endorsed by Council.

22. **Request 4: Increased storage area for AFL / Little Athletics Clubrooms**

- a) This request is not supported as the Plan proposes a total of 140sqm of both internal and external storage space for the AFL / Little Athletics Clubrooms, which is deemed to be sufficient for both user groups. The storage area is similar in size to the storage areas proposed for the Kalamunda and Lesmurdie Little Athletics Club at Pat Moran Pavilion, Kostera Oval.

23. **Request 5: 2nd AFL Oval for FFC**

- a) The FFC have proposed developing a 2nd AFL Oval at Hartfield Park, over a section of the adjacent Hartfield Park Golf Course (HPGC).
- b) This request is not supported given the significant impacts on the HPGC who are a long-term tenant at the site and that the project will require the clearing of Bush Forever sites.
- c) It is noted that additional sports space will be required across the City into the future to meet growing demand, however Hartfield Park is a significantly constrained site that is maximised. This places greater importance of delivering new sports space in the future at sites under investigation as part of the Forrestfield North District Structure Plan.

24. **Request 6: Increased size of FUFC Away Changerooms and Storage and inclusion of a Universally Accessible Toilet (UAT) within the main FUFC facility**
- a) Increasing the size of the away changerooms from 45sqm to 60sqm is supported as it will improve the clubs operations and alignment to Football Federal Australia National Premier League standards. It also better standardises the changeroom infrastructure across the site.
 - b) The inclusion of a UAT in the main FUFC facility (ground level) is supported, noting an existing storage space will be required to be converted to the UAT and is to be managed by FUFC.
 - c) Increasing the size of the storage area in the away changerooms is also supported as it will facilitate the inclusion of a UAT in the main FUFC facility, without reducing storage opportunities.
25. **Request 7: Increased size of the FUFC Social Space and Stadium Development**
- a) FUFC did not support the proposed design of the increased social space within the draft Plan and requested the social space be extended into the adjacent HPRC squash courts (Courts 3 and 4). This request is not supported as it would impact on the HPRC operations and the existing squash users.
 - b) FUFC also requested the City investigate the idea of a boutique stadium at Hartfield Park. This could be considered as part of a future stage 3 of the HPMP or a review of the entire HPRC facilities.
26. **Request 8: KDHC requested inclusion within the Plan**
- a) KDHC outlined that they have experienced a period of growth since their relocation to the new hockey / teeball facility and that they have additional facility needs such as a synthetic turf pitch and additional sports floodlighting.
 - b) The focus of the Plan is on the co-location of clubs that are currently in single use facilities.
 - c) The Plan does not preclude other user groups at Hartfield Park i.e. KDHC from future developments at the site.
 - d) In 2020, KDHC completed business case into a synthetic turf at Hartfield Park, with the outcomes revealing that this would not be viable for at least another ten years.
 - e) KDHC sports lighting improvements can be considered through the City's annual Capital Grants program. This would include a lighting design considerate of both short and long term needs.
27. **Request 9: Increased provision of carparking at Hartfield Park .**
- a) This was a common theme identified throughout the consultation process.
 - b) Hartfield Park is a constrained site with limited car parking expansion opportunities available.

- c) A detailed car parking assessment has been completed, which determined it was not viable or practical to meet peak car parking demand which is the same at all major City reserves. HPMP Stage 2 proposes an estimated additional 116 bays.
- d) Further to the draft Plan additional car parking opportunities at Reid Oval and the existing FDBC site have been identified and will increase car parking by a further 35 parking bays.

28. In addition to the above major requests from affected user groups, several minor requests relating predominately to the detailed design stage were received during the consultation process. Several of these requests were able to be incorporated into the final Plan, whilst others will be resolved during the detailed design phase. The minor requests are outlined in Attachment 3.
29. As part of the consultation process, the City presented the Plan to the City's Reconciliation Action Plan (RAP) Working Group, which consists of local Aboriginal elders. The RAP working group endorsed the Plan noting that further consultation will be undertaken as part of the Aboriginal Heritage approval process.

APPLICABLE LAW

30. *Local Government Act 1995* Section 3.18 (C) – Effective Management of Local Government Services and Facilities.

APPLICABLE POLICY

31. Capital Grants Clubs & Community Group (Governance 11) provides key principles, priorities, needs and assessment criteria for future upgrades or new community and recreation infrastructure.
32. Reserve Sports Floodlighting Policy (Service 13) provides guidance on the provision and operational impact of sports floodlighting on the City's sports reserves.
33. Community Group Leases (Service 9) provides guidance on the management of community assets through lease arrangements with community groups.

STAKEHOLDER ENGAGEMENT

34. The following engagement strategy and process was undertaken to promote the Plan and seek public comment:
- a) A series of community consultation workshops were conducted by the Consultant with affected user groups within the Plan.
 - b) Letters were sent to residents within a 200m radius of the Reserve.

- c) A copy of the Plan was provided to all affected user groups and stakeholders.
- d) A copy of the Plan on the City's website and other social media channels.
- e) A copy of the Plan Publish on Engage Kalamunda.
- f) A copy of the Plan was located at key City of Kalamunda locations.
- g) A media release and advertisement were placed in the local newspaper.
- h) A community feedback survey was conducted.
- i) Presentation to the City's Reconciliation Action Plan working group.

FINANCIAL CONSIDERATIONS

35. The revised overall cost of implementing the recommendation outlined within the Plan (Stage 2A and 2B) is estimated at \$14,763,071. It should be noted that at this stage all 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.

36. The Federal Government has committed \$2m funding at Hartfield Park. At the November 2020, OCM (235/2020) Council resolved to leverage the \$2m funding commitment by submitting a State Government grant application to the CSRFF for the following priority projects being:

- a) AFL / Little Athletics' Clubrooms (unisex changerooms) - at Reid Oval.
- b) Little Athletics Infrastructure – New long jump pits at Reid Oval.
- c) Rugby League Clubrooms refurbishment and (unisex changerooms).
- d) Collocation of Tennis with Bowls and minor car parking amendments.
- e) Two new tennis courts.

The priority projects are effectively known as HPMP Stage 2A. All remaining projects identified within the Plan, will be known as HPMP Stage 2B and will be subject to the City securing future advocacy funding.

37. The proposed funding strategy for HPMP Stage 2A is:

Funding Source	Estimated Amount
Federal Government Election Commitment	\$2,000,000
State Government – CSRFF Program	\$1,287,333
City of Kalamunda (2022/23 & 2023/24)	\$ 574,667
TOTALS	\$3.862M

38. Any City of Kalamunda funding contributions 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.

39. It is reasonable to expect that a 15 - 20-year timeframe may be required to complete the implementation of the entire Plan, with the schedule of works being staged in such a manner that will ensure maximum opportunity for the City to leverage external funding.

SUSTAINABILITY

Social Implications

40. 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.
41. Investment in Hartfield Park Reserve with updated sport and recreation facilities and a new Men's Shed (FMS), will increase the value of the City's assets, provides benefits to the local community, improve community safety and enhance the user and player experiences for their training and competitions.
42. Aboriginal Heritage approval is required for all projects identified within the Plan, as per the Aboriginal Heritage Act 1972, noting that confirmation will be sought to confirm that the FMS development is exempt.
43. The City intends to seek Aboriginal Heritage approval for all projects identified within the HPMP Stage 2 and develop a Standard Noongar Heritage Agreement for the site, to aid in future approval processes. This may include the development of a new Cultural Heritage Management Plan for the site.
44. The City has allocated \$30,000 in the 2021/22 Financial Year to commence consultation with local elders on the Plan, as the initial step in commencing the Aboriginal Heritage approval process.

Economic Implications

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

Environmental Implications

46. Hartfield Park is a registered Bush Forever site and is home to a variety of rare flora and fauna. The Plan has considered these areas of high conservation value at the site.
47. Any new developments will need to ensure that any significant trees are identified through a detailed environmental assessment and, where appropriate, retained and protected. Where practical, tree clearing permits will need to be sought through the State Government.
48. The Plan supports the planting of additional native trees in suitable passive recreation or existing nature areas across the site.
49. Any new developments will need to ensure appropriate connection to the local sewerage system or installation of modern wastewater affluent systems, such as Aerobic Treatment Unit's, which provide enhanced environmental benefits.
50. During the detailed design stage, sustainability measures such as the installation of solar panels, will be investigated for inclusion within the individual project budgets.

RISK MANAGEMENT

51.

Risk: Without the Plan, the City's approach to future upgrades at Hartfield Park Reserve would be adhoc and nor would it be able to advocate effectively for external funding.		
Consequence	Likelihood	Rating
Possible	Moderate	Medium
Action/Strategy		
To adopt the Plan to ensure future upgrades are planned effectively, in a efficient manner cognisant of the benefits of colocation and advocacy opportunities are maximised.		
52.

Risk: The CSRFF grant application for Stage 2A is not successful in receiving grant funding		
Consequence	Likelihood	Rating
Possible	Moderate	Medium
Action/Strategy		
Develop a detailed CSRFF grant application for Stage 2A developments. Note: Stage 2A projects align to the CSRFF priorities being unisex changerooms and co-located facilities.		

53.

Risk: The Plan may raise community expectations for improvements that may not be affordable in the near future.

Consequence	Likelihood	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.

CONCLUSION

54. The Plan is a strategic planning tool that can be integrated with Council's other related plans and documents to provide a clear direction for future developments on the Reserve.
55. The Plan has been developed in a manner that endeavours to prioritise and stage components of any future developments.
56. The main outcomes for the community will be increased opportunities to participate in recreational and social activities and improved provision and sustainability of facilities and services in an efficient manner.
57. The Plan was advertised to the public for comment for a period of 28 days concluding on 26 May 2021. 130 survey responses and eleven written submissions were received.
58. In summary, considering the support received for the Plan, along with the fact that many of the suggested major changes from user groups have been included within the final Plan, it is recommended that Council receives the public comments and adopts the final Draft Hartfield Park Reserve Master Plan Stage 2 - Co-location Strategy.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. RECEIVE the public comment on the Draft Hartfield Park Master Plan Stage 2 - Co-location Strategy. (Attachment 2 and Attachment 3).
2. ADOPT the Hartfield Park Reserve Master Plan Stage 2 - Co-location Strategy (Attachment 1).
3. NOTE that all the capital projects identified within the Hartfield Park Reserve Master Plan Stage 2 - Co-location Strategy shall be considered by Council for inclusion within future City of Kalamunda advocacy campaigns, the Long-Term Financial Plan and subjected to annual budget deliberation processes.


10.4.2. Customer Service Strategy Implementation Report 2021/2022

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

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

Attachments Nil

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 2031

Priority 1: Kalamunda Cares and Interacts

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

Strategy 1.1.2 - Empower, support and engage all of the community.

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 to provide an update on the Customer Service Results for 2020/2021.
2. Results have showcased continual improvement.
3. The Customer Service Strategy outlines the key principles, strategies, actions, and performance measures for improved customer service standards.
4. It is recommended that Council NOTE the Customer Service results for 2020/2021.

BACKGROUND

5. Council adopted the Customer Service Strategy in November 2017.
6. The key objectives of the Customer Service Strategy are to:
 - a) Strive to achieve a new customer service ethos and deliver on the customer service promise and principles
 - b) Culturally optimise the organisation to achieve best practice customer service outcomes
 - c) Support and train staff to feel empowered, be proactive and work collaboratively toward business objectives and customer service excellence
 - d) Effectively communicate with our customers, internally and externally
7. The Customer Service Ethos is: *We will focus on a combination of concepts including; cultural change, technological and process improvement, and a centralised service model - with increased self-service options and improvements based on customer feedback.*
8. Our customers are the 'key influencers' in the development, improvement and delivering of our services.
9. The Customer Service Promise is, "Supported by innovative technology solutions and regular best practice training, staff will be proactive, focus on future planning to meet business objectives and work collaboratively, with the customer experience always in mind."

"All City interactions with customers will be timely and meaningful."

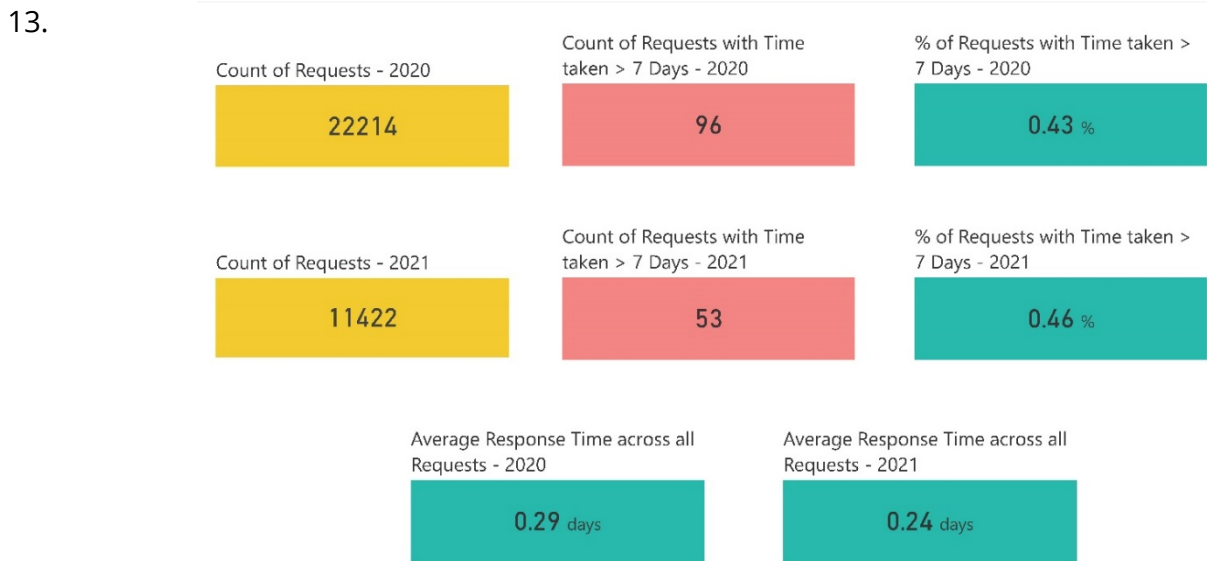
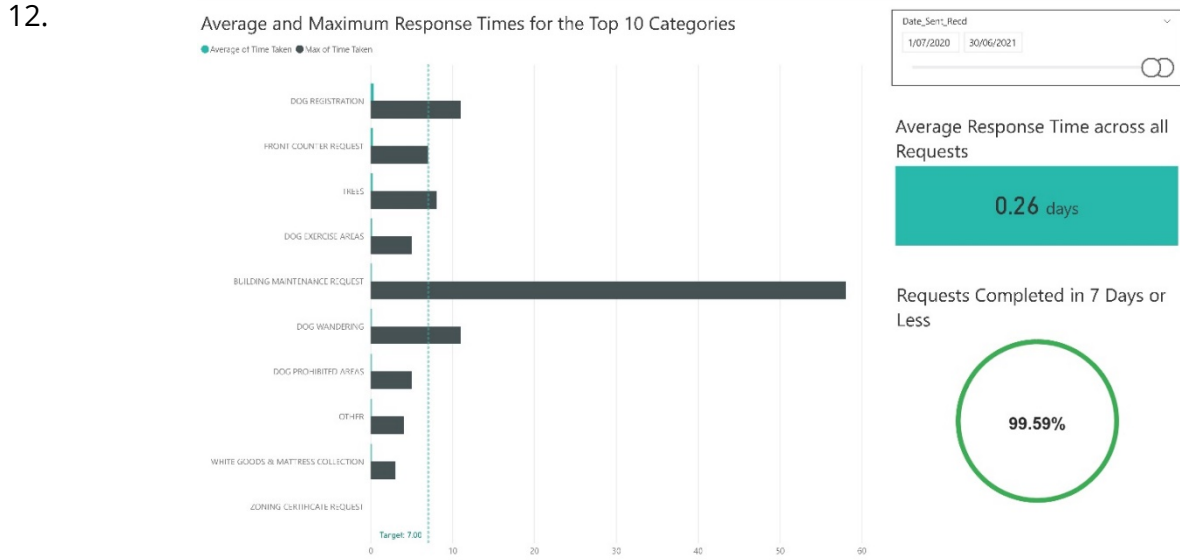
10.

The adopted City of Kalamunda principles of Customer Service are:

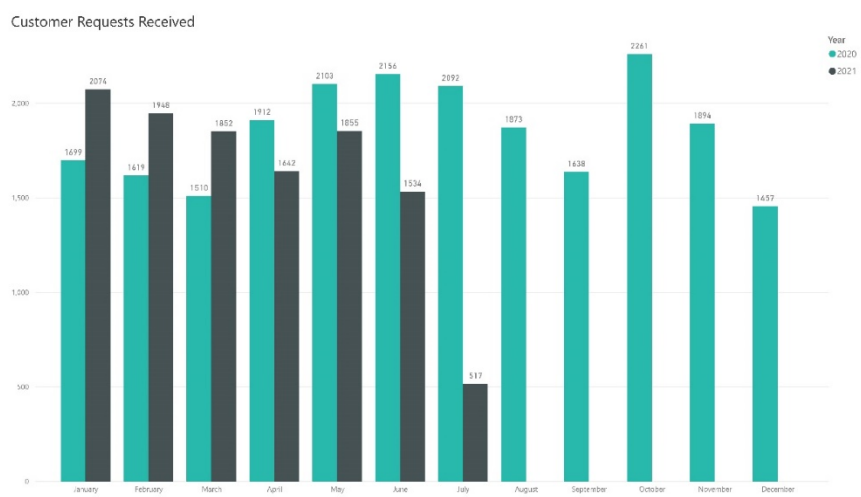
1.	Customers will receive timely responses	<ul style="list-style-type: none"> a) We will always provide an estimation of timeframe for response at each interaction b) We will update customers on the status of their enquiry at regular intervals c) Customers referrals across business units will be as minimal as possible d) We monitor the timeliness of our correspondence
2.	Customer interactions will be meaningful	<ul style="list-style-type: none"> a) We aim to handle enquiries at first point of contact b) All staff will have access to accurate and up-to-date information c) Staff will seek to understand enquiries to the deepest possible level before responding d) All responses to customers will be personalised and professional e) Even when we may need to say 'we can't' we will offer options for things we 'can do'.
3.	Each customer will be made to feel like the only customer	<ul style="list-style-type: none"> a) We will ask our customers how they like to receive information and deliver it accordingly b) We recognise 'one-size does not fit all' and we will be flexible in our service offerings c) We will do more to exceed expectations d) Complex requests and complaints will be handled with priority
4.	We will help our customers to help themselves	<ul style="list-style-type: none"> a) We offer and promote integrated self-service options b) We explore and use innovative technology solutions that makes accessing information easy c) Online information will be available 24/7 and enabled for mobile devices d) As many transactions as possible will be automated e) Develop simple guides and instructions to help customers understand our processes
5.	Our customers are informed and will help inform our services	<ul style="list-style-type: none"> a) We will consider the customer's perspective and actively seek feedback often, in different ways b) We will admit when we get it wrong, reviewing and improving our processes each time c) We will communicate on any new service (or fee) or expected change in levels of service as early as possible d) Our people and our customers will be our best advocates

DETAILS AND ANALYSIS

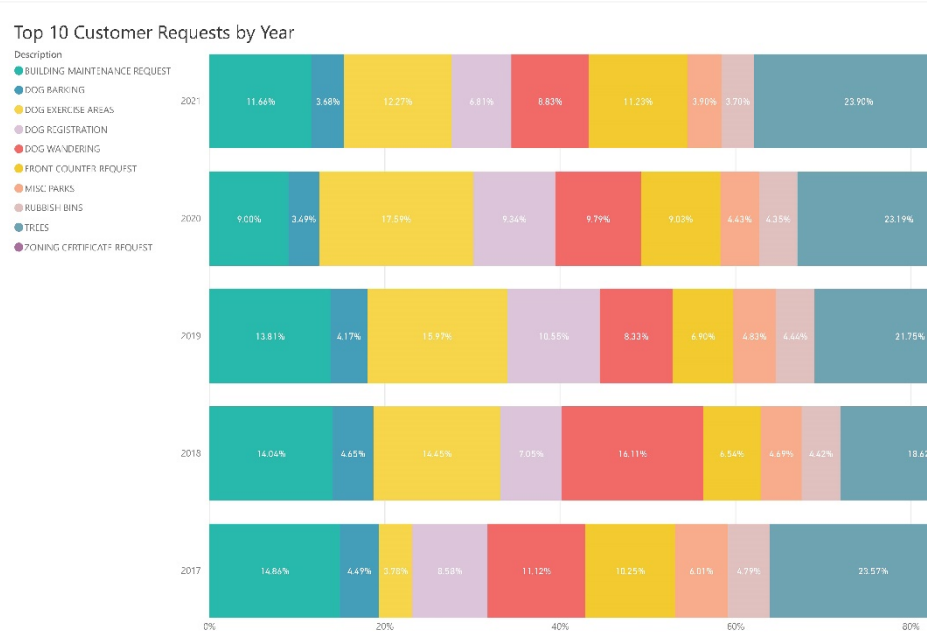
11. Results for 2020/2021 financial year are as follows:



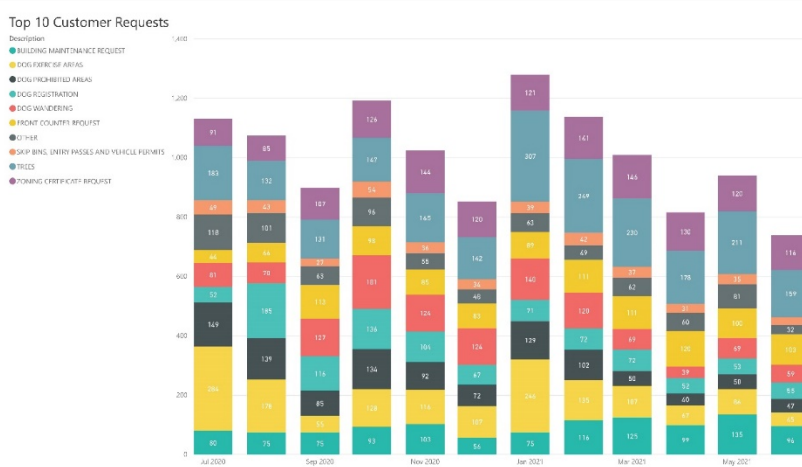
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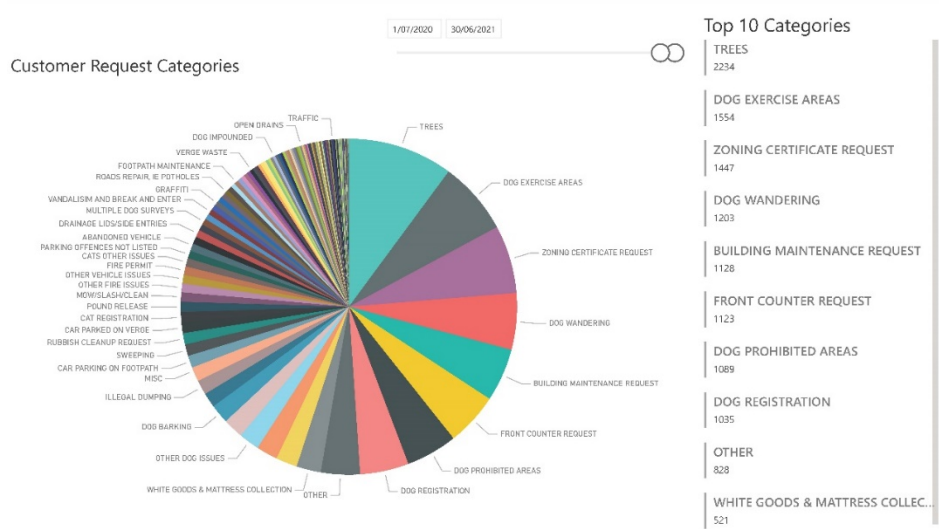
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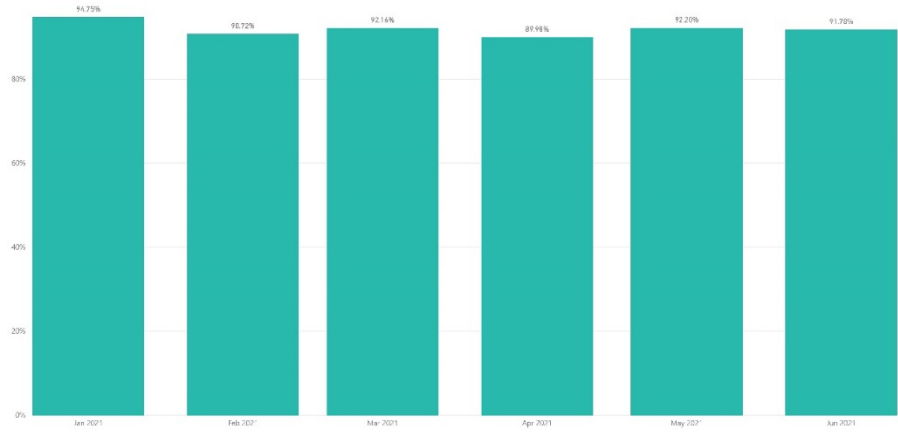


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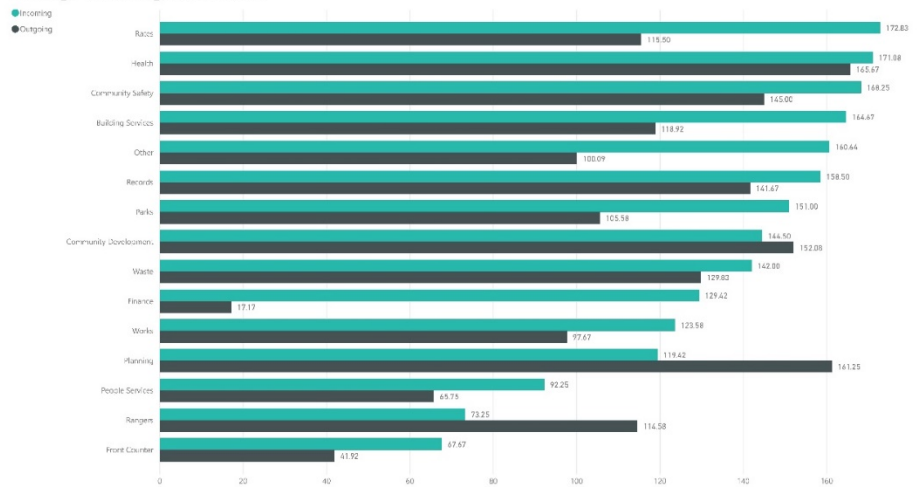
18.

Answered calls - % answered in 120 seconds or less

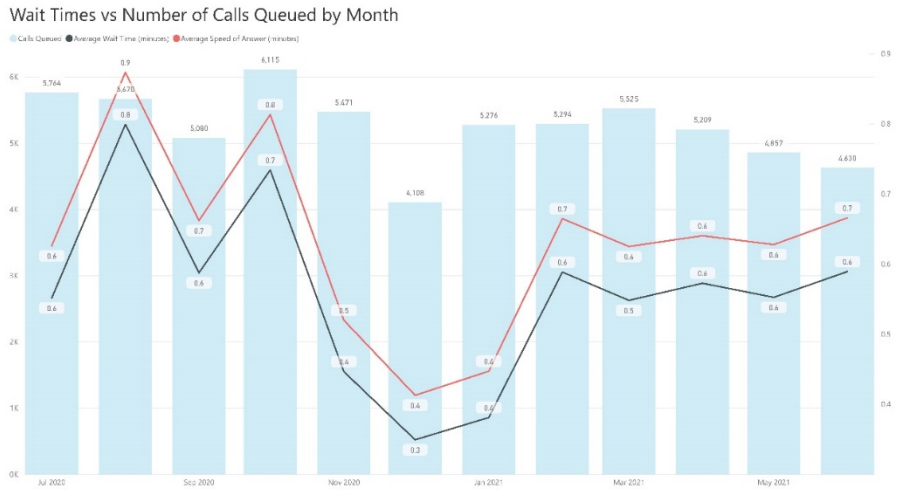


19.

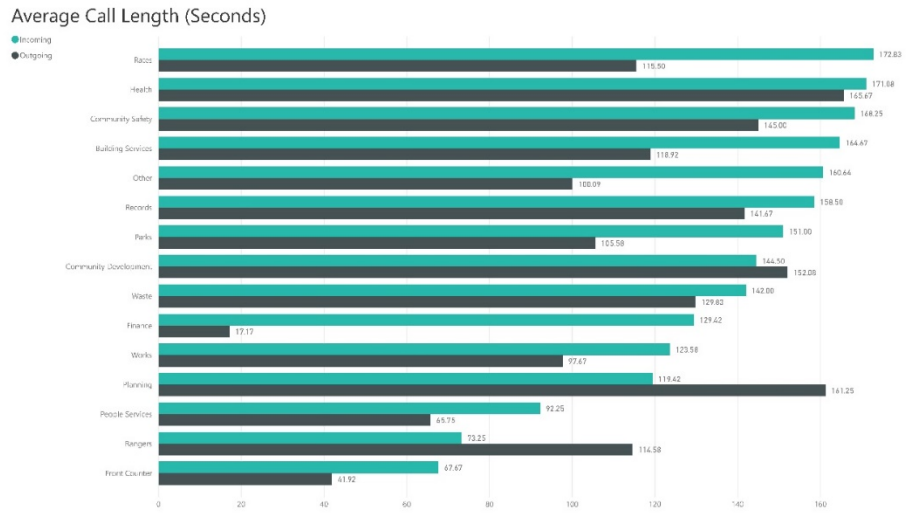
Average Call Length (Seconds)



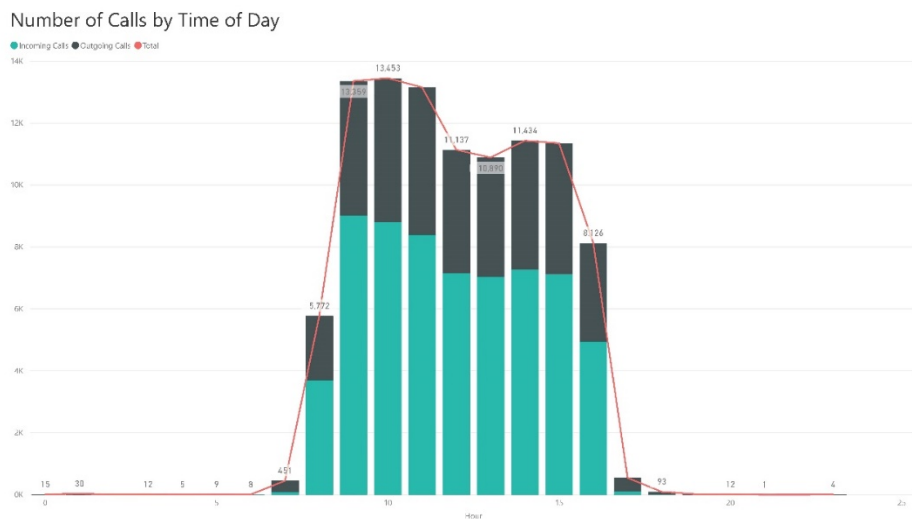
20.



21.



22.



APPLICABLE LAW

23. *Local Government Act 1995*

APPLICABLE POLICY

24. Service 5 Communication and Engagement

25. Service 1 – Managing Unreasonable Conduct by Customers

STAKEHOLDER ENGAGEMENT

26. The report details the volume of engagement with customers via phone and also via customer requests over 2020/2021.

FINANCIAL CONSIDERATIONS

27. Nil

SUSTAINABILITY

28. Nil

RISK MANAGEMENT

29.

Risk: Customer Service Strategy is not implemented by the due date		
Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
An annual implementation plan is developed each year and reported against, to ensure that over the lifetime of the strategy all objectives are successfully achieves. This is tracked monthly.		

CONCLUSION

30. The success of the Customer Service Strategy Implementation to date is a credit to the entire organisation. There is a strong customer centric focus and culture that is continuing to strengthen.

31. In 2021 Council endorsed a tender for the development of a Customer Relationship management System, which once implemented will produce further efficiencies and improvements in service levels.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE the Customer Service Results for 2020/2021.


10.4.3. Community Engagement Report

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

Previous
Items
Directorate
Business Unit
File Reference
Applicant
Owner

Attachments 1. Community Engagement Overview 2020 [**10.4.3.1** - 118 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 1: Kalamunda Cares and Interacts

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

Strategy 1.1.2 - Empower, support and engage all of the community.

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 to provide Council with the City of Kalamunda Community Engagement Campaigns 2020 Overview report (Report).
2. In 2020 the City of Kalamunda (City) had a total of 49 projects open for public comment, excluding Road Notices, Closures and Works, Expressions of Interest for Reference Groups or Committees.
3. In 2020 the City undertook strategy development with the community providing feedback on several significant policies for Council including the Activity Centres Strategy, City of Kalamunda Strategic Plan, Draft Urban Forest Strategy, Central Mall and Activity Centre Plan and Public Art Strategy. The recommendation is for Council to receive the report.

BACKGROUND

4. Local government is the most effective tier of government for engaging with the community by having existing networks and relationships which enable engagement with the people directly affected.
5. The City's first four-year Community Engagement Strategy was adopted in 2013, and revised in 2017, to support Council to deliver quality community engagement and provide a process giving transparency to the Community on how the City will engage.
6. "Kalamunda Engages – Community Engagement Strategy 2017" provides direction, definition and critical information for staff and the community to use when determining how to engage on the many and various topics that confront the City.
7. The City uses the *iap2 Spectrum* to assist and guide in the communication and engagement process. The model identifies five levels where communication and interactive opportunities are selected, depending on project purpose, audience and the expected influence of each.
8. Each project or issue being managed may have varying resource implications and various levels of potential influence within one activity, with a need to move up and down the engagement spectrum.

DETAILS AND ANALYSIS

9. In 2020 the City of Kalamunda had 49 projects open for public comment.

10. In 2020 the City undertook strategy development with the community providing feedback on several significant Strategies and Plans including
- a) the Activity Centre Strategy,
 - b) City of Kalamunda Strategic Plan,
 - c) Draft Urban Forest Strategy,
 - d) Central Mall and Activity Centre Plan and
 - e) Public Art Strategy.
11. Each Strategy was developed in consultation with the community, with multiple workshops, meetings, and drop-in sessions held for community members to seek information and provide feedback.
12. Additionally, hard copy surveys and feedback forms were developed and distributed to all locations, adverts ran in local newspapers and on social media, and submissions sought. The City also utilised direct mail for various campaigns throughout the year.
13. The City continues to use the online engagement portal engagementHQ to promote, educate and engage with community members in an interactive way.
- The engagement portal continued to be very popular, with the total visits at 50,500, up from 28,600 in 2019.
- The max visitors per day at 934 up from 529 in 2019, and engaged visitors at 3,100, up from 1,700 in 2019.
14. New registrations totalled 2,500, up from 1,400 in 2019. However, it should be noted that this is only ever one element of our overall engagement strategy. Shopping centre interactions, workshops and opportunities for dialogue continue to be very popular.
15. Some of the communications tools utilised include:
- City of Kalamunda website (www.kalamunda.wa.gov.au).
 - Engage Kalamunda website (engagementHQ)
 - City of Kalamunda Facebook pages:
 - City of Kalamunda
 - Kalamunda Libraries
 - Kalamunda Performing Arts Centre
 - Kalamunda History Village
 - Experience Perth Hills
 - Zig Zag Gallery
 - The Influence
 - Kala Youth Services

- Social media: LinkedIn, YouTube, Instagram, TikTok
- Online Teams meetings
- Mentimeter
- Monthly eNews
- Local events
- Community Networks, Services and Partners
- Promotional flyers
- Direct Mail and Electronic Direct Mail (EDM)
- Newspaper/Digital Newspaper Promotions
- Workshops
- Drop-in sessions
- Pop-ups
- Activations

16. With the onset of COVID-19 the City saw the Community Engagement team adapt the way consultations and workshops were delivered.

This included engagement with the community via online workshops and utilisation software to compliment digital presentations and encourage both qualitative and quantitative feedback

17. Top 6 surveys based on contributions:

Zig Zag Scenic Drive	3,018	1,373
Plants for Residents Feedback Form	329	210
Annual Commemorative Tree Planting 2020 Application Form	445	193
Fenced Dog Exercise Parks	410	204
Strategic Community Plan Review - Have Your Say!	718	344
Youth Safety	275	268

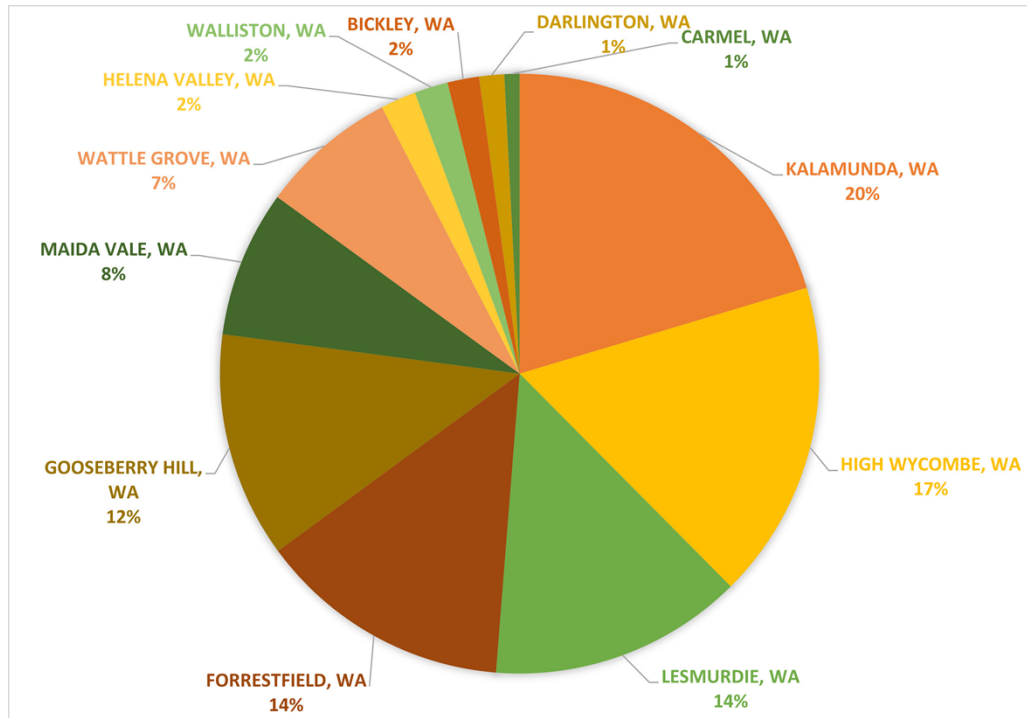
18. The top three documents downloaded by the community on the engagement portal were:

- Central Mall Draft Concept Plan 1,499
- Structure Plan Policy - Adopted for Advertising 922
- Elmore Way Park Proposed Concept 640

19. **The top three FAQs based on views:**

Zig Zag Scenic Drive	367
Hale Road/Woolworths Drive Improvement Project	205
Local Planning Policy 28 (LPP28)	209

20. **Engagement by suburb over the year:**



21. The full list of engagement projects completed, engagement overview and a summary is contained in Attachment 1.

22. When looking at the engagement portal statistics direct sources generated the highest number of visits with 15,884 in 2020 compared to 11,236 visits in 2019

23. In 2020, more than 3,139 participants were engaged, with 3,127 users participating in surveys. This is up from 1,704 in 2019.
 Note: This does not include those who also attended a workshop or spoke with staff at shopping centres and events and is based on online or hard copy interactions. Further information on additional engagement activities is included for each project in the attachment.

APPLICABLE LAW

24. *Local Government Act 1995*

APPLICABLE POLICY

25. Community Engagement Strategy

STAKEHOLDER ENGAGEMENT

26. The Report details the stakeholder engagement that has been undertaken in 2020.

FINANCIAL CONSIDERATIONS

27. All community engagement is undertaken within the approved Budget.

SUSTAINABILITY

28. Community members are 'engaged' when they play a meaningful role in the deliberations, discussions, decision-making and/or implementation of projects or programs affecting them.
29. Community engagement is critical for the City community. The report showcases that Community members are engaged, ensuring the City is authentic and transparent in community engagement across a broad range of topics, at both a strategic and operational levels.
30. Community engagement increases the likelihood that projects or solutions will be aligned with community expectation. People who participate in these processes show significant commitment to help make the projects happen. It also can create more effective solutions. Drawing on local knowledge from a diverse group creates solutions that are practical and effective.

RISK MANAGEMENT

31.	Risk: Community engagement activities are not reviewed on an ongoing basis		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Low
	Action/Strategy		
	Ensure annual reporting to Council, with engagement reports and de briefs following each campaign.		

CONCLUSION

- 32. The City continues to see an increase in the use of digital technologies for submitting feedback and community views across a broad range of topics, resulting in an increase in engagement in 2020 compared to 2019.
- 33. In 2020 we saw a budding emphasis on internal training to enhance the overall delivery of and understanding on delivering on community Engagement projects. This was very well received.
- 34. Well-designed community engagement effort enables the City to identify and understand:
 - Differing values and priorities
 - Differing frames, or ways citizens view the community or a particular project
 - Various alternatives and consequences
 - Perceptions of benefits and risks
 Different ideas and potential solutions and actions.

Voting Requirements: Simple

RECOMMENDATION

That Council RECEIVE the 2020 Community Engagement Overview Report (Attachment 1).

11. Closure

12. Public Information

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 matters of a confidential nature will not be presented. The guide in determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995 (WA)*.
- b. Dates and times for Public Agenda Briefing Forums will be set more than one (1) week in advance where practicable, and appropriate notice given to the public.
- c. 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).
- d. Ordinarily, the Mayor is to be the Presiding Member at Public Agenda Briefing Forums. However, should Elected Members wish to rotate the role of Presiding Member for a particular meeting, those Elected Members present may select, by consensus, a Presiding Member for the relevant Public Agenda Briefing Forum from amongst themselves to preside at that Public Agenda Briefing Forum.
- e. Relevant employees of the City of Kalamunda will be available to make presentation or respond to questions on matters listed on the agenda for the Public Agenda Briefing Forum.
- f. All Elected Members will be given a fair and equal opportunity to participate in the Public Agenda Briefing Forum.
- g. The Presiding Member will ensure time is made available to allow for all matters of relevance to be covered.
- h. 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.
- i. 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 attached to the following Ordinary Council Meeting for Council of the preceding forum.
- j. At any Public Agenda Briefing Forum, Elected Members may foreshadow a request to the Chief Executive Officer for the Chief Executive Officer to prepare a

report on a matter they feel is appropriate to be raised and which is to be presented at a future Public Agenda Briefing Forum.

- k. Requests of this nature may not be accepted by the Chief Executive Officer at forums, but instead, Elected Members wishing to formalise such a foreshadowed request, shall submit a Notice of Motion to that effect to the Chief Executive Officer in accordance with the *City's Standing Orders Local Law 2015 (City's Standing Orders)*.

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 full address.
- c. Public question time 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.
- d. Statements are not to precede the asking of a question during public question time. Statements should be made during public submissions.
- e. Members of the public are encouraged to keep their questions brief to enable others who desire to ask a question to have the opportunity.
- f. Public question time will be allocated a minimum of 30 minutes. Public question time is declared closed following the expiration of the allocated 30 minute time period, or earlier if there are no further questions.
- g. 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.
- h. 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.
 - i. 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).
- j. 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.
- k. Questions and any responses will be summarised and included in the minutes of the meeting.
 - l. It is not intended that question time should be used as a means to obtain information that would not otherwise be made available if the information was sought from the City's records under Section 5.94 of the *Local Government Act 1995 (WA) (LG Act)* or the *Freedom of Information Act 1992 (FOI Act)*.
 - m. 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 of Kalamunda 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.

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. Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- f. 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.
- g. 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.
- h. Where an Elected Member is of the opinion that a member of the public is make a statement at a Briefing Forum that is not relevant to a matter listed on the agenda, they may bring it to the attention of the Presiding Member who will make a ruling.
- i. 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.
- j. 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. Questions lodged by the close of business on the working day immediately prior to the scheduled Agenda Briefing Forum will be responded to, where possible, at the Agenda Briefing Forum. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- d. The Presiding Member shall decide to accept or reject any written question and his/her decision shall be final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- e. The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- f. 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.
- g. A person who submits written questions may also ask questions at a Public Agenda Briefing Forum and questions asked verbally may be different to those submitted in writing.
- h. Questions and any response will be summarised and included in the minutes of the meeting.
- i. 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.
- j. 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. Questions of clarification 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.
- c. The period at which members of the public may ask questions of clarification must follow the presentation of reports.
- d. Statements are not to precede the asking of a question of clarification. Statements should be made during public submissions.
- e. The period for questions of clarification will be allocated a minimum of 15 minutes. This time is declared closed following the expiration of the allocated 15 minute time period, or earlier if there are no further questions. The Presiding

- Member may extend public question time in intervals of 5 minutes, but the total time allocated for public question time is not to exceed 30 minutes in total.
- f. 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).