



Ordinary Council Meeting

MINUTES

Tuesday 22 March 2022

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1. Official Opening

The Presiding Member opened the meeting at 6:32pm and welcomed Councillors, Staff and Members of the Public Gallery. The Presiding Member also acknowledged the Traditional Owners of the land on which we meet the Whadjuk Noongar people.

2. Attendance, Apologies and Leave of Absence Previously Approved

Councillors

South East Ward

John Giardina
Janelle Sewell
Geoff Stallard

South West Ward

Mary Cannon
Kellie Miskiewicz
Brooke O'Donnell

North West Ward

Lisa Cooper
Dylan O'Connor

North Ward

Andrew Osenton
Kathy Ritchie
Margaret Thomas JP (Mayor) Presiding Member

Members of Staff

Chief Executive Officer

Rhonda Hardy

Executive Team

Alida Ferreira - Acting Director Corporate Services
Brett Jackson - Director Asset Services
Peter Varelis - Director Development Services

Management Team

Andrew Fowler-Tutt, Manager Approval Services

Administration Support

Darrell Forrest - Governance Advisor
Donna McPherson - Executive Assistant to the CEO

Members of the Public 5

Members of the Press 1

Apologies

Cr Sue Bilich
Gary Ticehurst - Director Corporate Services

Leave of Absence Previously Approved Nil

3. Public Question Time

3.1. Questions Taken on Notice at Previous Meeting

3.1.1 Dick Lovegrove – Wattle Grove

Q. Why doesn't the City list preferred firebreak contractors on the website like they used to and other Councils do.

A. The City doesn't list contractors as it cannot guarantee any works undertaken, or the status of contractors (i.e. some may move on from the industry or not be in a position to take on works). Notwithstanding, contractors can be found online via search engines (such as Google, Bing) and within local directories (such as the Yellow Pages).

3.2. Public Question Time

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

3.2.1 Dan Pearce – Kalamunda Artisan Markets

Q. Will Councillors review the plan submitted by the Artisan Market to the Administration and form their own view about whether the current design enables a large market to continue to function in this space?

Q. If Councillors are concerned that the proposed space can no longer support its previous level of market activity, will the Administration clarify to Councillors how, or if, the issues we have identified will be addressed?

Q. Is Council prepared to intervene immediately, so the Stage 2 works are reviewed and modified to improve access and function before work commences?

Q. Are Councillors prepared to consider remedial works in Stage 1 to ensure it functions more effectively?

A. Questions taken on notice.

4. Petitions/Deputations

4.1 A deputation has been approved from Donna & John Pearce and Brett Curtis regarding Item 10.1.1 Proposed Scheme Amendment 108 -4 Kirkdale Road and 4 Orange Valley Road. Mr Curtis spoke in support of the recommendation.

5. Applications for Leave of Absence

5.1 RESOLVED OCM 23/2022

That Cr Janelle Sewell be granted leave of absence for the periods for the periods detailed in Confidential Attachment 5.1.1.

Moved: **Cr John Giardina**

Seconded: **Cr Brooke O'Donnell**

Vote: **CARRIED UNANIMOUSLY (11/0)**

6. Confirmation of Minutes from Previous Meeting

6.1 RESOLVED OCM 24/2022

That the Minutes of the Special Council Meeting held on 1 February 2022, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Kathy Ritchie**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (11/0)**

6.2 RESOLVED OCM 25/2022

That the Minutes of the Ordinary Council Meeting held on 22 February 2022, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Lisa Cooper**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (11/0)**

7. Announcements by the Member Presiding Without Discussion

7.1.1 City of Armadale Letter of Appreciation

The Mayor received a letter of appreciation from the City of Armadale in relation to an incident involving the Kalamunda Volunteer Bushfire Brigade. Letters of commendation would be provided to those identified in the letter from the Mayor.

7.1.2 Statement by Cr Janelle Sewell

The Presiding Member allowed a statement from Cr Sewell.

"I would like to apologise for a flippant comment I made on Facebook after the declaration of a climate emergency I did almost a year ago. I did not mean to cause any offence to anyone with that particular post. The resolution of this matter, as you are aware, has been long and impactful to me personally and I welcome the Behaviour Complaints Committee undertaking a review of the policy Governance 20 for consideration by council."

**OFFICE OF THE
MAYOR**

Our Ref: G/MO/1-05

21 February 2022

Mayor Margaret Thomas JP
City of Kalamunda
Margaret.thomas@kalamunda.wa.gov.au



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Dear Mayor Thomas

RE: Thank you to Kalamunda Volunteer Bush Fire Brigade Members

As you are aware, there was recently a fire near Canning Mills Road which threatened homes and burned through many hectares of bushland. As part of the emergency response, three Local Government Volunteer Fire Brigades attended. Those being the City of Armadale, City of Gosnells and the City of Kalamunda.

Unfortunately the City of Armadale truck, was involved in a serious incident referred to as 'a burn over'. All members of the truck's crew remained safe and managed to avoid significant injury during the incident, due to two important factors. Firstly, they followed all the safety protocols and enacted their training and secondly, the City of Gosnells and City of Kalamunda Volunteer Fire Brigades jumped into action and hosed down the truck. Thankfully due to their quick response no one was hurt.

I would like to take this opportunity to thank both brigades and specifically the following individuals.

Kalamunda Volunteer Bush Fire Brigade

- **2.4R Appliance**
 - 1st Lieutenant – John Idland
 - Firefighter – Liam Day
 - Firefighter – Tony Fowler
 - Firefighter – Al McPhail

Can I ask that you please extend our thanks and appreciation for their efforts and putting themselves in harm's way to help in an emergency situation? The people who volunteer to work on the fire ground at bushfire events are very brave. We thank them and wish them all the best with the summer season now upon us.

Kind regards

A handwritten signature in black ink that reads "R. Butterfield".

Cr Ruth Butterfield
Mayor, City of Armadale

8. Matters for Which the Meeting may be Closed

- 8.1 Item 9.3.1 Information Systems Audit Results for the year ended 30 June 2021 – Confidential Attachment - Final Management Letter - City of Kalamunda - 30 June 2021

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"*

- 8.2 Item 9.3.2 Internal Audit Report March 2022 – Confidential Attachments - Internal Audit Review of Records Management Audit Report and Internal Audit Review of the CEO Credit Card Audit Report

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

- 8.3 Item 16 Tabled Documents

SSRC Minutes 14 February 2022 Confidential
SSRC Minutes 21 February Confidential Attachment

- 8.4 Item 14.1 Award of RFT 2115 Provision of General Cleaning Services- South Zone – Confidential Attachment – Tender Evaluation Report

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."*

9. Disclosure of Interest

9.1. Disclosure of Financial and Proximity Interests

- a) Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.56 of the *Local Government Act 1995*.)
- b) Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)

9.1.1 Nil

9.2. Disclosure of Interest Affecting Impartiality

- a) Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

9.2.1 Nil.

10. Reports to Council

10.1. Development Services Reports

10.1.1. Proposed Scheme Amendment 108 - 4 Kirkdale Road and 4 Orange Valley Road, Kalamunda

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

Previous Items	N/A
Directorate	Development Services
Business Unit	Approval Services
File Reference	PG-LPS-003/108; OR-03/004; KR-05/004
Applicant	State West Planning
Owner	Brett Murray Curtis, Donna Fay Pearce & John William Pearce
Attachments	1. Applicant Report [10.1.1.1 - 34 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 activity centres, housing, community facilities and industrial development to meet future growth, changing social, economic and environmental needs.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider adopting Local Planning Scheme Amendment 108 (A108) for the purpose of public advertising.
2. A108 proposes to amend Local Planning Scheme No.3 (the Scheme) to rezone Lot 32 (4) Kirkdale Road, Kalamunda and Lot 33 (4) Orange Valley Road, Kalamunda (subject lots) from Residential R10 to Residential R10/30.
3. The subject lots are located within a walkable catchment of the Kalamunda Activity Centre with good access to local open space, services and infrastructure necessary to support A108. The increased density will also support the City of Kalamunda (the City) in achieving the population targets detailed in the North-East Sub-Regional Planning Framework.
4. Importantly, the Applicant has demonstrated that the subject lots can connect to the reticulated sewer network necessary to support the increased density code.
5. Council is recommended to adopt A108 for the purposes of public advertising.

BACKGROUND

6. **Land Details:**

Land Area	2009m ² (total)
Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Residential R10

7. **Locality Plan:**



8. **Zoning Map:**



9. The land surrounding the subject site is characterised by residential zoned land predominately R10 to the south and west and R10/30 to the north and east.
10. The subject site is also adjoined by one commercial zoned (previously used as restaurant/café which closed in 2019 and is currently a vacant building) on Lot 34 (25) Cootherstone Road which includes a R10/30 R-Code. To the north of Cootherstone Road, the land is zoned public purposed (High School Reserve).
11. The subjects lots each comprise single residential dwelling and associated outbuildings with a mix of native and non-native vegetation over each lot with 6 "trees worthy of retention" identified across the lots.
12. The dual density R10/30 zoning to the surrounding land was established under Local Planning Scheme Amendment 82 (A82) to the Scheme which introduced the City's dual density zonings to the suburbs of Forrestfield, High Wycombe, Maida Vale and Kalamunda.
13. The subject site did not form part of A82 due to both lots falling outside the Water Corporation area identified as suitable for gravity fed reticulated sewer, and the need for a more detailed assessment to determine whether connectivity was possible.
14. The topography of the area consists of a moderate east to west slope gradually increasing in steepness as the land falls further west. The fall across the subject lots from the sewer line is approximately 2.3m.

DETAILS AND ANALYSIS

15. The Applicant is seeking Council approval to amend the Scheme to rezone the subject lots from Residential R10 to Residential R10/30 (dual density coded area).
16. In support of the proposal, the Applicant has provided a planning report and proposed scheme amendment documentation (refer Attachments 1). The applicant has also provided the following:
 - a) Engineering assessment of the options to connect the subject site to the existing Water Corporation sewerage network
 - b) Advice from the Water Corporation confirming that the site can connect to the sewerage network
 - c) A Bushfire Attack Level (BAL) Assessment
17. The applicant notes the following in support of the proposal:
 - a) The dual density code will support meeting the population targets for Kalamunda.
 - b) The dual density code represents a logical extension of the existing dual density zoning noting the surrounding dual density zone and the ability for the subject site to connect to reticulated sewerage.
 - c) The amendment is consistent with the Local Housing Strategy under Part 6: Criteria to Assess Future Applications for Increased Density.
 - d) The amendment is consistent with the Local Housing Strategy Action 6 within Part 4, which intends to review the dual density areas including the boundaries of these areas.
 - e) The location of the subject site has access to existing services, facilities and is located within the walkable catchments of Kalamunda (activity centre).
18. A108 will be generally consistent with the zone objectives within City's Scheme for the Residential zone, notably :
 - a) *To provide primarily for single residential development whilst allowing for a range of residential densities in order to encourage a wide choice of housing types within the Shire.*
 - b) *To give consideration to grouped dwelling development if the site is near amenities and can be integrated into the single residential environment.*
 - c) *To facilitate a range of accommodation styles and densities to cater for all community groups inclusive of the elderly, young people in transition and the handicapped. Such accommodation is supported where it is appropriately situated in proximity to other services and facilities.*

19. Through A108, the subject site will be required to address the provisions of Clause 5.24 of the Scheme pertaining to Dual Density Coded Areas. The subject sites, subject to the A108 being approved, will be capable of subdivision at the higher codes as both lots exceed the 1,000sqm and can be serviced by reticulated sewerage (as demonstrated in the applicant's report). Future development will also need to consider the City's Local Planning Policy 9 – Dual Density Design.
20. A108 has not been identified for future development/redevelopment, however, in accordance with the City's Local Housing Strategy Part 6: Criteria to Assess Future Applications for Increased Density, A108 is considered consistent with the following provisions:
- a) The amendment achieves the strategic intent of the North-East Sub-Regional Planning Framework in that:
 - i. The amendment will provide for additional housing to assist in accommodating the projected population growth.
 - i. The scale and nature of the amendment is logical due to the existing dual density to the north (lot 34 & 35).
 - ii. The location is well serviced by infrastructure and provides accessibility to transport and public open space within a walkable catchment.
 - iii. The amendment will also support housing diversity and has a low bushfire risk.
 - b) The scale and nature of the amendment is logical and orderly in that:
 - i. The subject lots are capable of being connected to reticulated sewerage;
 - ii. The subject lots are consistent with the zoning of the two lots to the north; and
 - iii. The remaining residential block bounded by Kirkdale Road, Orange Valley Road and Cotherstone Road is not capable of connection to reticulated sewerage by a gravity fed line.
 - c) The subject site is located within the walkable catchment of Kalamunda Activity Centre and includes access to services and public open space.
 - d) The subject site is located within close proximity to public transport (although not classified as high frequency).
 - e) The subject site is capable of being connected to existing services including connection to the reticulated network in accordance with the engineers options.
 - f) The future lot sizes possible through the amendment will provide further housing diversity.
 - g) Vegetation loss will have a minimal environmental impact given all native remnant vegetation was removed prior to 1970 and the vegetation on the subject lots today was all planted post 1974 and largely consists of non-native trees.

- h) The bushfire risk is low in accordance with the Bushfire Attack Level assessment.

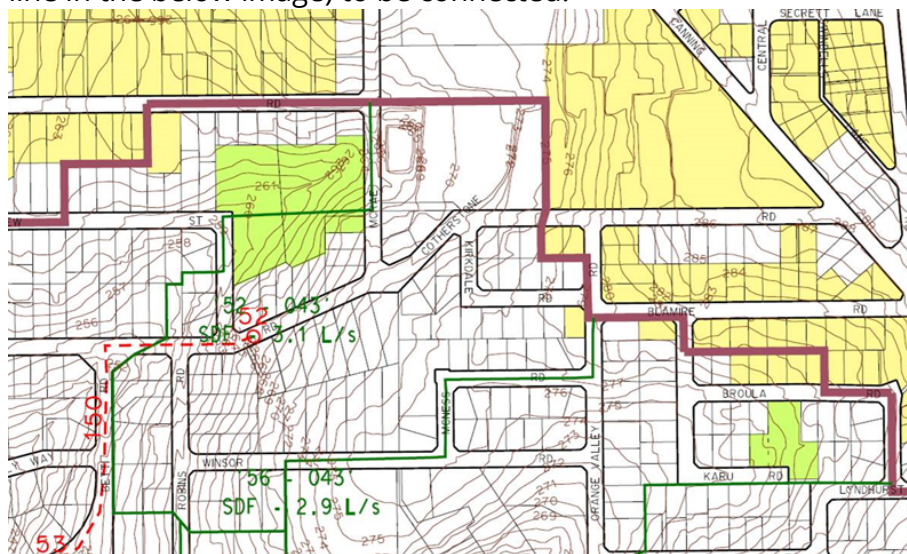
21. **Effluent Disposal**

The Government Sewerage Policy 2019 requires all lots under 1000sqm to be connected to the reticulated sewerage network.

- 22. In order to facilitate future development in accordance with the higher density, the subject site is required to be connect to the reticulated sewerage network. The Applicant has provided engineering options which illustrate future development can achieve connection with the reticulated sewerage network.

- 23. The Applicant has also provided correspondence from the Water Corporation to illustrate the proposed two lots are the only lots within the residential block (between Cotherstone Road, Kirkdale Road and Orange Valle Road) capable of being connect to the reticulated sewerage network for the following reasons:

- a) The capacity in the existing sewerage line will not allow for all the unserviced lots in the south-western catchment (south-west of purple line in the below image) to be connected.



- b) The levels of the remaining lots are two low to connect with the reticulated sewerage network, Lots 33 & 32 both require fill (up to 0.44m) to achieve the gravity connection. Continuing to fill for the remainder of the residential block would result in excessive fill and subsequent amenity impacts associated with retaining of the fill.

- 24. A conceptual sewer line is being explored for McRae Road, however, this would not reach Kirkdale Road.

25. **Residential Design Codes**

Future subdivision and development will be subject to the Residential Design Codes (R-Codes) which guide all residential development within Western Australia. The site will be subject to the following minimum and average lot areas as set out within the R-Codes:

Zoning	Minimum Area	Average Area	Est. No. of Dwellings/Lot
R10	875sqm	1000sqm	1
R30	260sqm	300sqm	3

26. Further to the existing R-Codes, the Medium Density Code is expected to be finalised by mid-2022 and apply to single houses and grouped dwellings R30 and above and to multiple dwellings coded R30 to R60.

27. The Medium Density Code will address mostly the same requirements as within the R-Codes, however, with some additional requirements and additional opportunities for developers:

- a) Opportunities for higher lot yields through reduced site area requirements within specific parameters.
- b) Primary garden areas per dwelling guided by site area, with the R30 development requiring a greater area than currently.
- c) Deep soil areas, tree root protection area and landscaping requirements.
- d) Greater consideration of liveability through solar access, natural ventilation, dwelling size and layout controls.

28. **Dual Density Design**

The City’s Local Planning Policy 9 – Dual Density Design (LPP9) will apply to all development where the higher code has been triggered (either by development or subdivision which achieves the lot area requirements of the higher code). The policy includes provisions to reduce the impact of increased density through greater consideration of interface with the street, the design and appearance of dwellings, and the sustainability of the new developments.

29. **Tree Retention**

The City’s draft Local Planning Policy 33 – Tree Retention (draft LPP33) provides guidance on trees considered worthy of retention and exemptions to remove these trees. The draft LPP33 also provides further tree planting requirements where trees have been removed or new developments are proposed.

APPLICABLE LEGISLATION

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

Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) requires a resolution of a local government to adopt or refuse to adopt an application to amend a local planning scheme, as well as justification for the type of amendment proposed (basic, standard or complex).

31. Pursuant to Regulation 34, the proposal is to be a standard amendment for the following reasons:

- a) *The amendment to the residential zone is considered to be generally consistent with the objectives of the zone as identified in the scheme;*
- b) *The amendment is considered to have minimal impact on land in the scheme area that is not the subject of the amendment; and*
- c) *The amendment is considered not to result in any significant environmental, social, economic or governance impacts on land in the scheme area.*

32. Pursuant to Regulation 47, and in accordance with s81 and s82 of the *Planning and Development Act 2005*, following adoption, the amendment must be referred to the Environmental Protection Authority (EPA) for their comments before being advertised in accordance with the requirements of the Regulations.

APPLICABLE POLICY

33. State Planning Policy 7.3 – Residential Design Codes

34. Local Planning Policy 9 – Dual Density Design

35. Draft Local Planning Policy 33 – Tree Retention

STAKEHOLDER ENGAGEMENT

36. **Internal Referrals**

A108 was referred to the City's internal service areas for comment. The only issue raised to the proposed Scheme amendment related to the objectives of the City's Urban Forest Strategy and draft LPP33 in regard to the identification of 6 "trees worthy of retention". It is likely only 1 will be possible of retention.

37. Given the nature and scale of development (residential), it was determined these concerns could be addressed through the subdivision or development stage of the planning process.

FINANCIAL CONSIDERATIONS

38. All costs associated with the processing of the Scheme amendment will be borne by the Applicant.

SUSTAINABILITY

39. **Social**
The proposed land use is consistent with the area to the east of the site with access to the Water Corporation sewer network. Some amenity issues however may arise from the proposed higher density and expectations on built form from areas to the west of Orange Valley Road currently zoned R10. The Residential Design Codes provide provisions to address amenity issues related to overlooking, overshadowing and site works/retaining.

40. **Economic**
The proposed amendment will increase the number of dwellings and population in close proximity to the Kalamunda town centre.

41. **Environment**
The subject site does not contain any remnant vegetation with all vegetation on site planted post development. Future development would likely require the majority of vegetation to be removed/cleared to accommodate the higher density. The location of a few trees may allow for their retention. This will be determined at the more appropriate subdivision/development stage of the planning process.

RISK MANAGEMENT

42.	Risk: The increase in residential density may result in amenity and environmental impacts associated with the future development of the site.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Consider submissions received through advertising and address concerns as appropriate. Ensure future subdivision/development applications for the site are assessed by the City having regard to the regulatory planning framework.		

43. Risk: The proposed Scheme amendment receives interest to increase the catchment to include more lots.		
Consequence	Likelihood	Rating
Moderate	Possible	Medium
Action/Strategy		
Ensure future requests to increase the residential densities of lots are assessed on their merits having regard to Scheme and Policy requirements and the availability of the reticulated sewer network.		

CONCLUSION

- 44. The Applicant is seeking an amendment to the Scheme to rezone the subject lots from Residential R10 to Residential R10/R30. Given the applicant has demonstrated that the subject lots can connect to reticulated sewer, A108 is considered to represent a logical extension of the existing R10/30 dual density zone, noting the previous exclusion of the subject lots from A82, was due to the lack of detailed design to confirm connection is possible to the reticulated sewerage network.
- 45. The subject site is located within a walkable catchment of the Kalamunda Activity Centre with good access to local open space, services and infrastructure necessary to support the higher density code. The increased density will also support the City in achieving the population targets detailed in the North-East Sub-Regional Planning Framework.
- 46. Advertising the proposed amendment will provide the community and broader stakeholders an opportunity through the advertising process to outline any potential concerns and for these concerns to be addressed through the amendment process prior to A108 being brought back to Council for final approval.

Voting Requirements: Simple Majority

RESOLVED OCM 26/2022

That Council:

- 1. ADOPT proposed Local Planning Scheme Amendment No.108 to Local Planning Scheme No.3 –Lot 32 (4) Kirkdale Road and Lot 33 (4) Orange Valley Road, Kalamunda in accordance with Attachment 2, pursuant to Section 75 of the *Planning and Development Act 2005* for the purposes of public advertising.

2. CONSIDER proposed Local Planning Scheme Amendment No.108 to Local Planning Scheme No.3 as a Standard amendment under Clause 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:
 - a) The amendment to the residential zone is considered to be consistent with the objectives of the zone as identified in the scheme;
 - b) The amendment is considered to have minimal impact on land in the scheme area that is not the subject of the amendment; and
 - c) The amendment is considered not to result in any significant environmental, social, economic or governance impacts on land in the scheme area.
3. FORWARD proposed Scheme Amendment No.108 to Local Planning Scheme No.3 to the Environmental Protection Authority for comment pursuant to sec 81 of the *Planning and Development Act 2005*.
4. ADVERTISE proposed Scheme Amendment No.108 to Local Planning Scheme No.3 for a period of 42 days pursuant to Regulation 47 (Standard) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Local Planning Policy 11 – Public Notification of Planning Proposals and sec 81 an 82 of the *Planning and Development Act 2005*.

Moved: **Cr John Giardina**

Seconded: **Cr Lisa Cooper**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.2. Asset Services Reports

10.2.1. Pensioner Discount for Waste Services - Consideration for Future Budgets

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

Previous Items	SCM 224/2021
Directorate	Asset Services
Business Unit	Asset Waste and Operations
File Reference	
Applicant	N/A
Owner	N/A

Attachments 1. Engagement Report - Pensioner Discounts for waste [10.2.1.1 - 22 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 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

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

EXECUTIVE SUMMARY

1. The purpose of this report is to determine the position of Council regarding Residential Waste Fees for eligible pensioners (more commonly known as Pensioner Discount).
2. Community engagement has been undertaken regarding support or otherwise for continuing the existing arrangements for a discounted rate for Pensioner Waste Charges.
3. It is recommended Pensioner Discounts are maintained for the 2022/2023 Budget and ensuing years subject to further review as a result of Regulatory Changes imposed upon local government.

BACKGROUND

4. The City of Kalamunda (City) provides Waste Charges separate from the General Rates Charge provided to all ratepayers. For some time, Residents who are eligible Pensioners receive the benefit of a lower waste charge, with all other Residents making up the revenue shortfall in their own Waste Charge.
5. As part of the adoption of the 2021/2022 Annual Budget report considered by Council the City proposed to undertake community consultation on this issue to aid in the preparation of the 2022/2023 Budget.

DETAILS AND ANALYSIS

6. This report only deals with the matter of Pensioner discounts for waste charges. There are other waste management issues the City is dealing with which will be subject of subsequent reports to Council.
7. Ratepayers who meet criteria set out in the *Rates and Charges (Rebates and Deferments) Act 1992 (WA)* are eligible for rebates or deferment of various charges including Council Rates. The benefit varies depending on the classification of the applicant (Pensioner, Senior or Concession Card Holder). The City receives from the State Government equivalent funding as if the full Rate was paid hence is not 'out of pocket'.
8. Waste Charges are separately levied on ratepayers. There is no regulatory mechanism for the State to allow rebates and deferments on waste charges if separately levied.

9. For some time, the City has provided Resident Pensioners a discounted Waste Charge. For 2021/2022 this discount is \$230 per eligible Pensioner rated property. The full Residential waste charge is \$572 with the Pensioner waste charge being \$342. This is almost the same as a 40% discount for pensioners as compared to non-pensioners.
10. This scheme only applies to Full Pension Card Holders and not other categories of concessions that may access part of the *Rates and Charges (Rebates and Deferments) Act 1992 (WA)*.
11. Councillors have requested that the City engage with the community on this issue in order that they can determine how to proceed with waste charges in 2022/2023 (and beyond). This engagement was conducted during December 2021. The Engagement Report is provided as Attachment 1 to this report.
12. The key findings of the feedback were as follows:
 - a) 107 responses were received.
 - b) 97% of respondents supported a pensioner discount for waste.
 - c) 51% of respondents identified as a pensioner (48% not a pensioner).
 - d) 62% of survey respondents said the discount reduces the financial burden/cost of living for Pensioners on a reduced income.
 - e) 23% of respondents said Pensioners should receive the discount as the amount of waste they produce is lower than other ratepayers and/or they don't use the skip bin service.
 - f) 19% of respondents said that Pensioners have contributed their fair share during their working life and/ or paid full Rates, subsidising those who went before, and now deserve to receive a discount.
 - g) 50% of respondents thought the pensioners should receive a 50% discount on waste fees and charges.
 - h) 38% felt it should be 40%.
 - i) 5% of respondents opted for a discount of 30% or less.
13. Waste Charges are developed annually by the City to recover the costs of waste management. As such, any discount provided to resident Pensioners is effectively made up by the aggregate value of this discount being added to the resident non-pensioner charge.

14. There are approximately 3,000 residences which qualify for Pensioner waste discount and 20,000 residences which don't. The table below illustrates the impacts of various options for pensioner discount, (compared to the current (2021/2022) situation which is highlighted).

Pensioner Discount	Impact per Pensioner Residence	Impact per Non-Pensioner Residence
\$ 0	+\$230	-\$35
30% of full fee	+\$54	-\$7
\$270 (~ 40% of full fee)	\$0	\$0
50% of full fee	-\$52	+\$8

15. It is viewed that continued support for providing resident pensioners a reduced waste charge is an appropriate course of action.
16. It is recommended that the existing relativity in charges between Pensioner and Non Pensioner waste charges is maintained.
17. The most pragmatic manner in maintaining this relativity is to adjust the \$230 discount annually by CPI (All Groups – Perth) on the basis that waste expenses (which in turn set charges) are by and large linked to CPI.
18. It is known that the State Government is seeking to implement changes (Local Government Reform) to the regulatory framework under which Council operates. This includes proposed changes to how waste charges are imposed upon the community. There is no certainty as yet of these impacts. It is considered that any decision reached regarding pensioner discounts for waste charges have the capability to be reviewed subsequent to changes to the regulatory framework including any changes to the *Rates and Charges (Rebates and Deferments) Act 1992 (WA)*.

APPLICABLE LAW

19. Local Government Act
Rates and Charges (Rebates and Deferments) Act 1992 (WA)

APPLICABLE POLICY

20. Nil.

STAKEHOLDER ENGAGEMENT

21. Community consultation was undertaken as detailed in Attachment 1.

FINANCIAL CONSIDERATIONS

22. Consideration of this matter will have no impact upon the total revenue collected from Waste Charges, just the share of charges borne between Pensioners and Non Pensioners.

SUSTAINABILITY

23. This matter does not impact the City’s sustainability goals for waste management.

RISK MANAGEMENT

24.

Risk: City is criticised by parts of the community who are unhappy with the decision reached.		
Consequence	Likelihood	Rating
Moderate	Possible	Medium
Action/Strategy		
Messaging developed that reflects the community feedback provided and the balanced view adopted by the City.		

CONCLUSION

25. It is evident from the feedback provided that there is an appetite from the community to support Pensioners through reducing their costs for waste management. It is felt that maintaining the current relativity between Pensioner and Non Pensioner charges for the foreseeable future is a pragmatic outcome.

Voting Requirements: Simple Majority

RESOLVED OCM 27/2022

That Council:

1. DETERMINE that for the upcoming draft 2022/2023 Budget and for future budgets that the default discount for pensioners for residential waste charges shall be \$230 (adjusted annually for Consumer Price Index All Groups - Perth) below the full residential waste charge.

2. DETERMINE that if this default discount is not adopted in any ensuing budgets that the reasoning forms part of any subsequent decision of Council when adopting budgets.
3. NOTE that any subsequent changes to Regulatory matters relevant to waste charges may require Council to reconsider this matter.

Moved: **Cr John Giardina**

Seconded: **Cr Janelle Sewell**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.3. Corporate Services Reports

10.3.1. Corporate Business Plan - Quarterly Update - October to December 2021

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

Previous
Items

Directorate	Corporate Services
Business Unit	Director Corporate Services
File Reference	3.009509
Applicant	City of Kalamunda
Owner	City of Kalamunda

Attachments	1. Quarterly Corporate Plan Report October-December 2021 [10.3.1.1 - 67 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 (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 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the progress on the City of Kalamunda's (City's) achievement against "Kalamunda Achieving: Corporate Business Plan 2021-2025" for the period October to December 2021.
2. On average, actions from the Corporate Business Plan are 54.6% complete at the end of the second quarter, 31 December 2021.
3. It is recommended that Council notes the quarterly report for the Corporate Business Plan for the period October to December 2021.

BACKGROUND

4. Kalamunda Achieving: Corporate Business Plan 2021-2025 (the CBP) was endorsed by Council on 28 June 2021.
5. The CBP outlines the major projects, including capital works and operational recurrent services for the City. It then links those projects and services to the Asset Plans, Long Term Financial Plan and Workforce Plan.
6. The CBP is a component of the City of Kalamunda's integrated planning and reporting framework.
7. The Chief Executive Officer, Directors and Managers have individual performance objectives that are directly linked to their achievement of the CBP in 2020/21.

DETAILS AND ANALYSIS

8. The CBP is comprised of 4 Strategic Priority areas, referred to as 'goals' in this report, being:
 1. Kalamunda Cares and Interacts
 2. Kalamunda Clean and Green
 3. Kalamunda Develops
 4. Kalamunda Leads
9. There are 136 individual actions set out within the CBP for the 2021/22 year. Progress reporting is provided as Attachment 1 to this report.
10. The report reflects the management progress report against the work schedule for each of the individual actions, as at 31 December 2021.

11. The actions contained in the CBP are an average of 54.6% complete. For most actions, the target at the end of the second quarter is 50%, indicating that progress, on average, is ahead of schedule.
12. Achievement of target is measured by comparing the target completion % to the actual completion %. For example, if the target is 25%, but the action is actually 50% complete, this represents an achievement of 200%. The average achievement of target across the actions is 109.9%.

APPLICABLE LAW

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

APPLICABLE POLICY

15. Nil.

STAKEHOLDER ENGAGEMENT

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

19. Nil.

RISK MANAGEMENT

20.

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

CONCLUSION

21. The City is working to carry out the actions listed in the Corporate Business Plan. On average, actions from the Corporate Business Plan are 54.6% complete at the end of the first quarter.

Voting Requirements: Simple Majority

RESOLVED OCM 28/2022

That Council NOTE the quarterly report for the Kalamunda Achieving: Corporate Business Plan 2021-2025 for the period October to December 2021.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.4. Office of the CEO Reports

10.4.1. Freeman Policy

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

Previous Items	Nil
Directorate	CEO's Office
Business Unit	Customer & Public Relations
File Reference	
Applicant	N/A
Owner	N/A
Attachments	1. Council Policy Freeman [10.4.1.1 - 4 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
✓ Executive	When Council is undertaking 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 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 1: Kalamunda Cares and Interacts

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

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

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

Priority 4: Kalamunda Leads

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the draft City of Kalamunda Freeman Policy (Attachment 1).
2. The honour of Freeman of the City of Kalamunda, which is the highest award Council can bestow, should be extended exclusively to those who have shown outstanding, on-going and extensive community involvement.
3. The recommendation is to endorse the draft City of Kalamunda Governance 21 - Freeman of the City Policy (Attachment 1).

BACKGROUND

4. It was agreed and noted in previous Council reports that an important criteria is extensive volunteer work which could be identified by a large number of people as having been of benefit to the City of Kalamunda as a whole.
5. There are no financial benefits or rights associated with the honour, although it is a widely accepted and practised protocol persons honoured as Freeman are invited to official Council functions.
6. The following is a list of current Freeman of the City with the date of award:

Recipient	Year	Recipient	Year
Ray Owen (Dec)	1966	Donald McKechnie	2019
Betty Willmott	1998	Hon Gordon Masters	2019
Peter Willmot (Dec)	1998	Iris Jones	2019
George Spriggs (Dec)	1998	Frank Scardifield	2019

Ede Williams (Dec)	1998	Marian Rolfe	2019
Barry Oldfield (Dec)	1998	Mike Robinson	2019
Brian Burgess (Dec)	2001	Thomas Richard Hogg	2019
Eric Williamson (Dec)	2003	Noreen Townsend	2019
Lloyd Butcher (Dec)	2007	Greg Cannon	2019
June Butcher	2007	Norma Walsh	2021
Pat Hallahan	2007	Max Walsh (Dec)	2021
Chris Saligari	2019	Nita Sadler	2021

DETAILS AND ANALYSIS

- 7. A draft Policy has been developed.
- 8. The Policy aims to provide clear guidance on what kinds of contribution should be made by a community member to be nominated for the position of Freeman of the City.
- 9. The Policy provides examples of the types of contributions that should be considered and a criteria for those wishing to nominate.
- 10. The decision to award a Freeman is a decision of Council, with all nominations to be presented to Council for consideration.

APPLICABLE LAW

- 11. *Local Government Act 1995*

APPLICABLE POLICY

- 12. Nil

STAKEHOLDER ENGAGEMENT

- 13. Council may wish to consider the draft policy being advertised for the purposes of gaging support for the policy provisions.
- 14. Advertising would take place for a minimum of 28 days, with members of the community encouraged to make comment.

FINANCIAL CONSIDERATIONS

- 15. Ther are no financial implications unless public advertising is required which would be minimal and funded from the City’s advertising budget.

SUSTAINABILITY

- 16. This Policy provide a social element to the role of council.

RISK MANAGEMENT

17.	Risk: Development of a Policy not supported.		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Low
	Action/Strategy		
	Consider reasons for lack of support and review policy provision where necessary.		

CONCLUSION

- 18. Freeman honours are a good example of recognising active citizenship.
- 19. A Policy will assist to ensure clear guidance for those withing submit a nomination for a Freeman into the future.

Voting Requirements: Simple Majority

RESOLVED OCM 29/2022

That Council ENDORSE the draft City of Kalamunda - Governance 21 Freeman of the City Policy (Attachment 1).

Moved: **Cr John Giardina**

Seconded: **Cr Kathy Ritchie**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.5. Chief Executive Officer Reports

10.5.1. Draft Monthly Financial Statements to February 2022

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FIR-SRR-006
Applicant	N/A
Owner	N/A

Attachments	1. Statement of Financial Activity for the period ended 28 February 2022 [10.5.1.1 - 2 pages]
	2. Statement of Net Current Funding Position as at 28 February 2022 [10.5.1.2 - 1 page]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
□ Legislative	Includes adopting Local Laws, Town Planning Schemes, and Policies. When the 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 licenses, other permits or licenses 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 4.1.1 - Provide good governance.

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

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the Statutory Draft Financial Statements for the period ended 28 February 2022.
2. The Statutory Financial Statements report on the activity of the City of Kalamunda (City) with the comparison of the period's performance against the first term budget review adopted by the Council on 23 November 2021 for the 2021/2022 financial year.
3. It is recommended Council receives the draft Monthly Statutory Financial Statements for the period ended 28 February 2022, which comprise:
 - a) Statement of Financial Activity (Nature or Type);
 - b) Statement of Financial Activity (Statutory Reporting Program);
 - c) Net Current Funding Position, note to financial report

BACKGROUND

4. The Statement of Financial Activity (Attachment 1), incorporating various sub-statements, has been prepared in accordance with the requirements of the *Local Government Act 1995 (Act)* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

DETAILS AND ANALYSIS

5. The Act requires the Council to adopt a percentage or value to be used in reporting variances against Budget. Council has adopted the reportable variances of 10% or \$50,000 whichever is greater.
6. The opening funding position in the Statement of Financial Activity reflects the audited surplus carried forward from 2020/2021.

FINANCIAL COMMENTARY

Draft Statement of Financial Activity by Nature and Type for the period ended 31 January 2022

7. This Statement reveals a net result surplus of \$19,683,573 compared to the budget for the same period of \$12,813,965.

Operating Revenue

8. Total Revenue excluding rates is over budget by \$3,029,607. This is made up as follows:
 - a) Operating Grants, Subsidies and Contributions are over budget by \$2,295,067. The variance is mainly attributable to \$1,943,443 received

from the CELL 9 trust for the reimbursements of expenditure incurred on behalf of the trust.

- b) Fees and Charges are over budget by \$593,168 Which mainly relates to building applications and pool inspection fees.
- c) Interest earnings are under budget by \$3,809. The variance is considered to be a timing issue.
- c) Other Revenue is over budget by \$97,883. The variance is mainly due to the payments received from prosecution of un-authorised developments.

Operating Expenditure

- 9. Total expenditure is under budget by \$2,054,013. The significant variances within the individual categories are as follows:
 - a) Employment Costs are under budget by \$873,632, which is primarily due to delays in filling vacant positions and the aggregate result of minor variances in several business units.
 - b) Materials and Contracts are under budget by \$454,877. The variance is mainly due to lower consulting costs than budgeted for non-current projects under the development and traffic management business unit. The variance is considered to be a timing issue.
 - c) Utilities are under budget by \$79,177, the variance is mainly due the aggregate result of minor variances in several business units.
 - d) Depreciation, although a non-cash cost, is tracking under budget, reporting a variance of \$1,222,394.
 - e) Interest and Insurance expenses are tracking below the reportable variance threshold.
 - f) Other expenditure is over budget by \$25,010. The variance is due to the timing difference of planned donations and contributions to various community groups.

Investing Activities

Non-operating Grants and Contributions

- 10. The non-operating grants and contributions are over budget by \$1,064,224. The variance is mainly due to the timing of receiving grant funding related to various roads capital projects.

Capital Expenditure

11. The total Capital Expenditure on Property, Plant, and Equipment, and Infrastructure Assets (excluding Capital Work in Progress) is under budget by \$2,648,038. This is considered to be a timing issue.
12. Capital works-in-progress expenditure of \$1,771,456 represents the costs expended on Forrestfield Industrial Area Scheme Stage 1 and CELL 9 Wattle Grove development. The relevant expenditure is funded by the Forrestfield Industrial Area Scheme Stage 1 reserve account and the CELL 9 trust account. These assets once constructed will be passed over to the City for management.

Financing Activities

13. The amounts attributable to financing activities show a variance of \$1,424,269 which is mainly due to the developer contributions and reserve transfers.

Rates Revenues

14. Rates generation is over budget with a variance of \$729,450. The variance is mainly due to the interim rates.

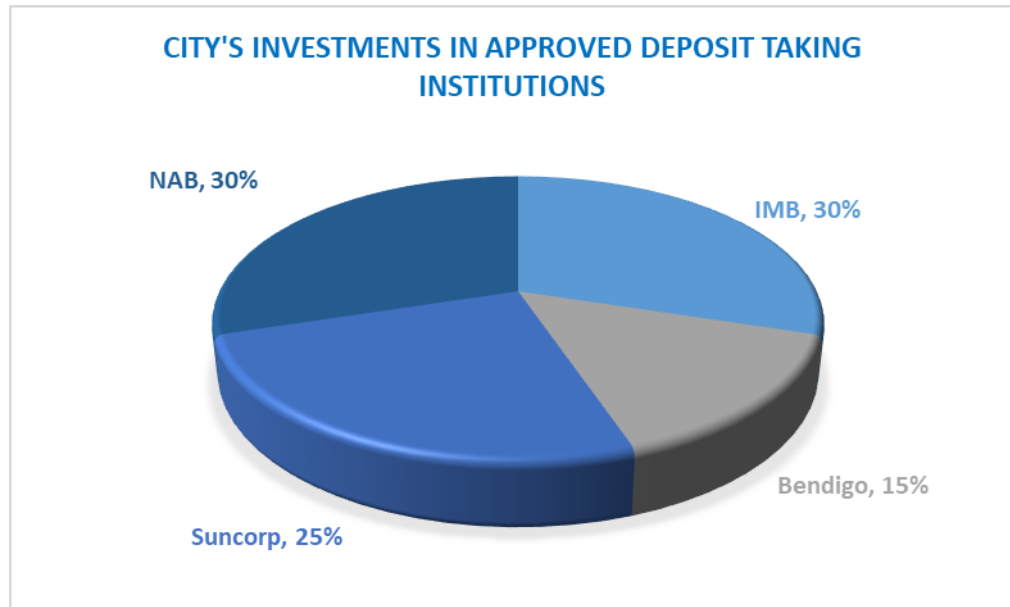
Statement of Financial Activity by Program for the period ended 28 February 2022

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

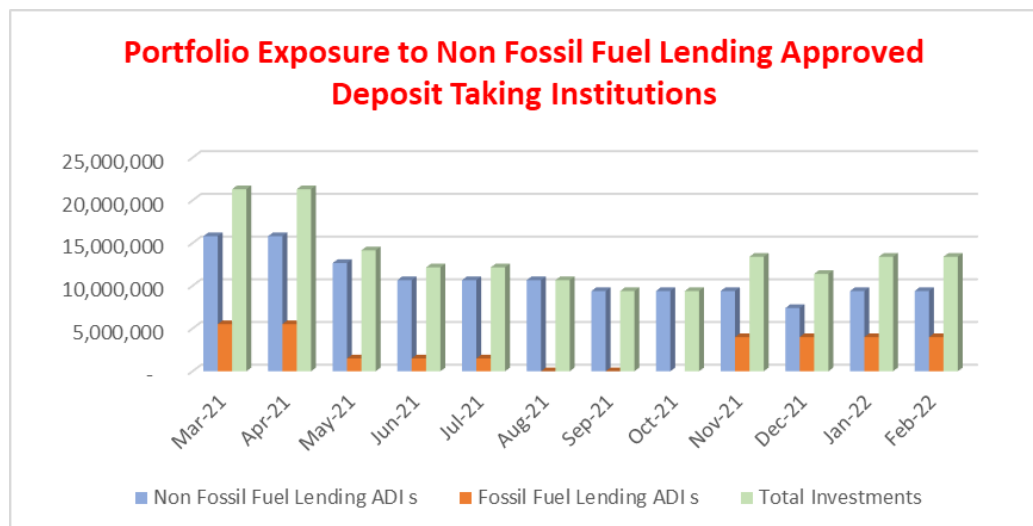
Statement of Net Current Funding Position as of 28 February 2022

16. The commentary on the net current funding position is based on a comparison of February 2022 to the February 2021 actuals.
17. Net Current Assets (Current Assets less Current Liabilities) total \$40 million. The restricted cash position is \$24.5 million which is higher than the previous year's balance of \$17.1 million. The variance is mainly due to the increased reserve balances in unexpended capital works, and specific purpose grants reserve and waste management reserve.
18. The following graph indicates the financial institutions where the City has investments as of 28 February 2022;

19.



*Financial Institutions with Investments in the Fossil Fuel Industry



20. Trade and other receivables outstanding comprise rates and sundry debtors totalling \$5.9 million.

21. Sundry debtors have increased from \$573,179 to \$615,110, of which \$580,247 consists of current debt due within 30 days. Details are contained in the Debtors and Creditors Report to Council.

22. Receivables Other represents \$2.3 million including:
 a) Emergency Service Levy receivables \$0.8 million;
 b) Receivables sanitation \$0.8 million

23. Provisions for annual and long service leave have increased by \$0.2 million to \$4.3 million when compared to the previous year.

APPLICABLE LAW

24. *The Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996.*

APPLICABLE POLICY

25. Nil.

STAKEHOLDER ENGAGEMENT

Internal Referrals

26. The City's executive and management monitor and review the underlying business unit reports which form the consolidated results presented in this report.

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

29. Nil.

Economic Implications

30. Nil.

Environmental Implications

31. Nil.

RISK MANAGEMENT

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

33.	Risk: Non-compliance with Financial Regulations		
	Likelihood	Consequence	Rating
	Unlikely	Moderate	Low
	Action / Strategy		
	The financial report is scrutinised by the City to ensure that all statutory requirements are met. Internal Audit reviews to ensure compliance with Financial Regulations. External Audit confirms compliance.		

CONCLUSION

34. The City’s Financial Statements as at 28 February 2022 demonstrate the City has managed its budget and financial resources effectively.

Voting Requirements: Simple Majority

RESOLVED OCM 30/2022

That Council RECEIVE the Draft Monthly Statutory Financial Statements for the period ended 28 February 2022 which comprises:

- a) Statement of Financial Activity (Nature or Type);
- b) Statement of Financial Activity (Statutory Reporting Program);
- c) Net Current Funding Position, note to financial report

Moved: **Cr Geoff Stallard**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.5.2. Debtors and Creditors Report for the period ended 28 February 2022

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Creditor Payments for the period ended February 2022 [10.5.2.1 - 25 pages] 2. Summary of Debtors for the month of February 2022 [10.5.2.2 - 3 pages] 3. Summary of Creditors for month of February 2022 [10.5.2.3 - 1 page]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking 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 licenses, other permits or licenses 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 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the list of payments made from Municipal and Trust Fund Accounts in February 2022, in

accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).

2. The Debtors and Creditors report provides Council with payments made from Municipal and Trust accounts together with outstanding debtors for the month of February 2022.
3. It is recommended that Council:
 - a) Receive the list of payments made from the Municipal and Trust Fund Accounts in February 2022 in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13); and
 - b) Receive the outstanding debtors and creditors report for the month of February 2022.

BACKGROUND

4. Trade Debtors and Creditors are subject to strict monitoring and control procedures.
5. In accordance with *the Local Government (Financial Management) Regulations 1996* (Regulation 13) reporting on payments made from Municipal Fund and Trust Fund must occur monthly.

DETAILS AND ANALYSIS

Debtors

6. Sundry debtors as of 28 February 2022 were \$615,110. This includes \$580,247 of current debts and \$11,748 unallocated credits (excess or overpayments).
7. Invoices over 30 days total \$8,444 debts of significance:
 - a) Zig Zag Gymnastics, \$3,198, Lease Fees; and
 - b) Hills District Callisthenics, \$2,156, Hall Hire.
8. Invoices over 60 days total \$7,598 debts of significance:
 - a) N-Com, \$3,671, Lease Fees; and
 - b) Zig Zag Gymnastics, \$3,198, Lease Fees.
9. Invoices over 90 days total \$30,569 debts of significance:
 - a) Zig Zag Gymnastics, \$7,877, Lease Fees;
 - b) Kalamunda & Districts Junior Football Club, \$5,250, Contribution to Extension Project
 - c) Private Citizen, \$4,950, Fire Break – Reimbursement;
 - d) Dome Coffee Australia, \$1,558, Lease Fees;

- e) Hills Karate Club, \$1,550, Hall Hire; and
- f) Private Citizen, \$1,187, Hall Hire.

Creditors

- 10. Payments totalling \$4,591,444 were made during the month of February 2022.
Standard payment terms are 30 days from the end of the month, with local businesses and contractors on 14-day terms.
- 11. Significant Municipal payments (GST inclusive – where applicable) made in the month were:

Supplier	Purpose	\$
Fulton Hogan Industries Pty Ltd	Supply of road materials for various locations	835,350.86
Australian Tax Office	PAYG payments	389,608.14
Eastern Metropolitan Regional Council (EMRC)	Domestic waste charges – disposal fees	380,654.16
Cleanaway	Waste, recycling & bulk disposal services fees	344,935.20
BOS Civil Pty Ltd	Central mall street scape – progress claim 2	338,443.88
Daimler Trucks Perth	Purchase of Flocon Truck for Operations Centre – assets replacement program	228,503.00
AWARE Super Pty Ltd	Superannuation contributions	193,279.05
Synergy	Power charges – various locations	137,080.34
Hill Top Group Pty Ltd	Building maintenance for various locations	97,212.58
Belgravia Health & Leisure Group Pty Ltd	Management fees Kalamunda water park – operating deficit October 2021- December 2021	94,653.90
Martins Environmental Services	Weed control at various locations	62,084.00
Major Motors Pty Ltd	Purchase of Isuzu single cab waste truck – assets replacement program	61,622.96

These payments total \$3,163,428.07 and represent 69% of all payments for the month.

Payroll

- 12. Salaries are paid in fortnightly cycles. A total of \$1,234,631.16 was paid in net salaries for the month of February 2022.
- 13. Details are provided in (Attachment 1) after the creditor’s payment listing.

Trust Account Payments

- 14. The Trust Accounts maintained by the City of Kalamunda (City) relate to the following types:
 - a) CELL 9 Trust;
 - b) Public Open Space funds;
 - c) NBN Tower Pickering Brook Trust.
- 15. The following payments (GST exclusive) were made from the Trust Accounts in February 2022.

CELL 9		Amount (\$)
Date	Description	
24/02/2022	Tree Watering Services – tree watering along Hale Road	3,366.00
24/02/2022	City of Kalamunda – employee and plant operating costs	1,113.79

APPLICABLE LAW

- 16. Regulation 12(1) of the *Local Government (Financial Management) Regulations 1996*.
- 17. Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

APPLICABLE POLICY

- 18. Debt Collection Policy S-FIN02.
- 19. Register of Delegations from Council to CEO.

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

- 23. Nil.

RISK MANAGEMENT

Debtors

24.	<p>Risk: The City is exposed to the potential risk of the debtor failing to make payments resulting in the disruption of cash flow.</p>						
	<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 33%;">Consequence</th> <th style="width: 33%;">Likelihood</th> <th style="width: 33%;">Rating</th> </tr> </thead> <tbody> <tr> <td>Possible</td> <td>Insignificant</td> <td>Low</td> </tr> </tbody> </table>	Consequence	Likelihood	Rating	Possible	Insignificant	Low
Consequence	Likelihood	Rating					
Possible	Insignificant	Low					
	<p>Action/Strategy</p> <p>Ensure debt collections are rigorously managed.</p>						

Creditors

25.	<p>Risk: Adverse credit ratings due to the City defaulting on the creditor.</p>						
	<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 33%;">Consequence</th> <th style="width: 33%;">Likelihood</th> <th style="width: 33%;">Rating</th> </tr> </thead> <tbody> <tr> <td>Possible</td> <td>Insignificant</td> <td>Low</td> </tr> </tbody> </table>	Consequence	Likelihood	Rating	Possible	Insignificant	Low
Consequence	Likelihood	Rating					
Possible	Insignificant	Low					
	<p>Action/Strategy</p> <p>Ensure all disputes are resolved in a timely manner.</p>						

CONCLUSION

- 26. Creditor payments are within the normal trend.

Voting Requirements: Simple Majority

RESOLVED OCM 31/2022

That Council:

1. RECEIVE the list of payments made from the Municipal Accounts in February 2022 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).
2. RECEIVE the outstanding debtors and creditors report (Attachment 2 & 3) for the month of February 2022.

Moved: **Cr Lisa Cooper**

Seconded: **Cr Brooke O'Donnell**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.5.3. Rates Debtors Report for the Period Ended February 2022

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-DRS-004
Applicant	N/A
Owner	N/A
Attachments	1. Rates Report February 2022 [10.5.3.1 - 1 page]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
□ Executive	When Council is undertaking 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 4.1.1 - Provide good governance.

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

EXECUTIVE SUMMARY

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

2. The City of Kalamunda (City) levied rates for 2021/2022 on 1 July 2021 totalling \$38,954,466. As of 28 February 2022, \$37,073,686 has been collected for current and outstanding rates for the 28 February 2022 period.
3. It is recommended that Council receive the Rates Debtors Report for the month of February 2022 (Attachment 1).

BACKGROUND

4. Rate Notices were issued on 22 July 2021 with the following payment options available:

Options	Payment Dates			
Full payment	26 August 2021			
Two instalments	26 August 2021	29 December 2021		
Four instalments	26 August 2021	27 October 2021	29 December 2021	2 March 2022

DETAILS AND ANALYSIS

5. A total of 23,697 notices were issued on 22 July 2021. This consisted of 20,223 mailed rate notices, 742 Bpay View and 2,732 eRates notices. Rates Levied and Collectable for the 2021/2022 Financial Year currently total \$42,903,586.
6. As of 28 February 2022, a total of \$37,073,686 has been collected since Rates Notices were released, representing a collection rate of 88.28%.
7. A total of 7,934 ratepayers have taken up the instalment option. The first due date was 26 August 2021. A total of 156 ratepayers have chosen to pay via direct debit. Refer to the table below:

Option	Description	Number
Option 2 on Rate Notice	Two instalments	1,559
Option 3 on Rate Notice	Four instalments	6,335
A Smarter Way to Pay	Pay by Direct Debit over a mutually agreed period.	43
Direct Debit	Payment to be received by April 2021	113
Total	Ratepayers on payment options	8,050

8. Interim rating has now commenced for 2021/2022. To 28 February 2022, \$710,257 has been raised for interim rating revenue.

9. Call recording software has been utilised in the Rates Department since 2015, primarily for customer service purposes, as it allows calls to be reviewed for training and process improvement purposes. For the period 1 February 2022 to 28 February 2022, there was a total of 203 incoming calls and 91 outgoing calls, equating to 13.39 hours call time.

APPLICABLE LAW

10. The City collects its rates debts in accordance with the *Local Government Act 1995* Division 6 – Rates and Service Charges under the requirements of subdivision 5 – Recovery of unpaid rates and service charges.

APPLICABLE POLICY

11. The City's rates collection procedures are in accordance with the Debt Collection Policy S-FIN02.
12. The Financial Hardship Policy adopted by Council on 7 April 2020 enables the provision of Financial Assistance to those seriously impacted by Covid-19.

STAKEHOLDER ENGAGEMENT

Internal Referrals

13. The City's Governance Unit has been briefed on the debt collection process.

External Referrals

14. The higher-level debt collection actions will be undertaken by AMPAC.

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

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

17. The City has introduced “a smarter way to pay” to help ease the financial hardship to its customers. This has proved very effective with a growing number of ratepayers taking advantage of this option. A “Smarter Way to Pay” allows ratepayers to pay smaller amounts on a continuous basis either weekly or fortnightly, helping to reduce their financial burden.

Economic Implications

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

Environmental Implications

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

RISK MANAGEMENT

- 20.

Risk: Failure to collect outstanding rates and charges leading to cashflow issues within the current year.		
Likelihood	Consequence	Rating
Likely	Moderate	Medium
Action/Strategy		
Ensure debt collections are rigorously maintained.		

CONCLUSION

21. With a current collection rate for the financial year of 88.28% (compared to 91.23% last year), the City continues to effectively implement its rate collection strategy. The 4th instalment was due on 23/2/21 last year, this year it is not due until 2/3/22 hence the reason for the slightly lower collection rate compared to last year.

Voting Requirements: Simple Majority

RESOLVED OCM 32/2022

That Council RECEIVE the Rates Debtors Report for the Period ended 28 February 2022 (Attachment 1).

Moved: **Cr Geoff Stallard**

Seconded: **Cr Lisa Cooper**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.5.4. Budget Review for Eight Months to February 2022

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Budget Review Financial Activity Statement Nature and Type [10.5.4.1 - 1 page] 2. Budget Review Financial Activity Statement Program [10.5.4.2 - 1 page] 3. Budget Review Composition of Net Current Assets [10.5.4.3 - 1 page] 4. Budget Review Cash Backed Reserves [10.5.4.4 - 1 page] 5. Budget Review Summary of Variances [10.5.4.5 - 3 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
□ Executive	When Council is undertaking is substantive role of direction setting and oversight (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 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

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

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider and approve amendments to the 2021/2022 Adopted Budget as identified in the 2021/2022 Statutory Mid Term budget review.
2. It is recommended that Council:
 - a) Notes the 2021/2022 Mid Term Budget Review Explanation and Summary (Attachment 5).
 - b) Amends the 2021/2022 current budget to reflect the changes summarised in the Amended Financial Activity Statement (Attachment 1), pursuant to section 6.8 (1) (b) of the *Local Government Act 1995*.

BACKGROUND

3. Regulation 33a (1) of the Local Government (Financial Management) Regulations 1996 requires that a local government is to conduct a formal review of its adopted budget between 1 January and 31 March.
4. In pursuit of improved fiscal management and accountability, the City of Kalamunda undertakes an additional first term budget review which was approved by Council in November 2021. The Mid Term Budget Review is the statutory review and was conducted covering the eight months to February 2022.
5. The primary objective of regular budget reviews is to ensure that the City is closely monitoring its revenue and expenditure to mitigate the risk of the City posting a deficit at the end of this financial year.

DETAILS AND ANALYSIS

Closing Surplus position (Attachment 1)

6.

Summary of Movements from the Amended Financial Activity Statement			
Description	September Budget Review \$	Proposed Revised Budget \$	Variance \$
Opening Surplus Position	3,542,590	3,542,590	0
Operating Revenue Excluding Rates	20,975,874	21,605,719	629,845
Operating Expenditure	(66,454,587)	(68,594,611)	(2,140,024)
Non-Cash Movements	12,699,407	13,346,885	647,478
Investing Activities	(22,694,682)	(24,175,148)	(1,480,466)
Financing Activities	13,020,322	14,693,643	1,673,321
Rates Revenue	38,981,101	39,659,218	678,117
Closing Surplus Position	70,024	78,296	8,271

7. A brief synopsis of the budget variances (Attachment 5) are as follows:

Operating Revenue:

Operating Revenue excluding rates is higher than the revised budget by \$630K. Areas of significant increase are:

- a) Higher Operating grants, subsidies and contributions of \$153K due to the receipt of Western Australia Local Government Association (WALGA) funding of \$66K for a Canopy Project and a workers compensation insurance reimbursement of \$93K.
- b) Higher Fees and Charges of \$262K for increased building activity, rangers fines enforcements, pool inspections and \$90K increased revenue on the waste container deposit scheme and interim waste charges raised.
- c) Other Revenue higher than budget by \$90K for the raising of fines imposed for non-compliant development activity.

Operating Expenditure:

Operating Expenditure is higher than the revised budget by \$2.1 million. Areas of significant changes are as follows:

- a) Materials and Contracts expense is higher by \$745K mainly due to:
 - i. \$100K increase in legal fees offset by fines imposed for non-compliant development activity.
 - ii. \$100K reinstatement of the telecommunication budget due to a changeover delay associated with the award of a new contract.
 - iii. \$264K increase in Waste services contractor costs offset by additional fees and charges revenue for \$90K and staff savings of \$94K.
 - iv. \$235K increased contractor costs for roads and drainage, noting an equivalent saving of \$235K in employment costs to offset.
- b) Other Expenditure has increased by \$820K which is for the Forrestfield Industrial Area Scheme Stage 1 Purchase for Bonser Road funded through the Developer's Contribution Plan (DCP).
- c) Loss on Asset disposals of \$514K mainly composed of \$444K for land acquired by Main Roads from the City by Taking Order for the Roe Highway/Kalamunda Road Interchange.
- d) The rest of the expenditure types are within the budget thresholds of 10%.

Non-cash movements:

- e) Non-Cash Movements increased by \$647,478 as compared to the first term budget review, mainly due to profit and loss on sale of assets.

Investing activities:

- f) Investing activities increased by \$1.5million. The significant changes were:
 - i. Non-operating grants income increased by \$219K mainly due to \$118K for the recognition of a Department of Fire and Emergency Services (DFES) Vehicle transfer to the City, \$27K from State Emergency Services (SES) for the SES Bathroom refurbishment, \$25K from Metronet for High Wycombe Station Precinct Interim Public Open Space and \$75K from Metronet for High Wycombe transit-oriented development connector road planned to be commenced soon.
 - ii. Purchase property, plant and equipment increased by \$468K due to unbudgeted costs for the fitout of the Forrestfield Library.

- iii. Information Communication Technology had an overall decrease of \$286K for projects delayed, resulting in funds being transferred to reserve for future delivery.
 - iv. Purchase and construction of infrastructure increase of \$1.4M, mainly due to an increase of \$511K for the purchase of the road component of Bonser Road and \$422K for Hale Road Widening - CELL 9 Stage 1 and 2, both DCP funded. There was also an increase of \$200K for Ray Owen Stage 1 Car Park due to revised costs for trees and drainage management funded from savings in other areas. Maida Vale Road and Roe Highway off ramp roundabout increased by \$79K as a result of variations due to a delay in start, noting this is State funded.
- g) Financing activities show a net increase of \$1.7 million mainly due to the following items:
- i. Increased Developers Contributions of \$913K for Forrestfield Industrial Area Stage 1 and \$422K Reimbursement for additional expenditure CELL9 Hale Road Widening
 - ii. An increase in transfers to reserves of \$1.4 million due to the additional \$913K for Forrestfield Industrial Area Stage 1 and \$770K to Long Service Leave Reserve.
 - iii. An overall increase in transfer from reserves due to \$1.3 million additional funds released from Forrestfield Industrial Area Stage 1 Reserve for the purchase of Bonser Road and \$700K from the Asset Enhancement reserve to temporarily fund the fit out of the Forrestfield Library.
- h) Rates revenue increased with general as well as interim rates processed during the financial year to the value of \$678K.
8. The City's is expected to end the year on a closing surplus position of \$78,296. The expected closing balance for Reserves on 30 June 2022 will be \$12.8 million (Attachment 4).
9. The City will continue to closely monitor income and expenditure budgets to ensure a surplus is in place at 30 June 2022 to strengthen the City's financial capacity and cash reserves.
10. In light of this Budget Review, all future Financial Reports presented to Council for adoption will include adjustments to the current Budget.

APPLICABLE LAW

11. Section 6.8 (1)(b) of the *Local Government Act 1995* requires an absolute majority decision by the Council for any budget amendments.

12. Section 6.16(3) (b) of the *Local Government Act 1995*, fees and charges may be amended from time to time during a financial year.

APPLICABLE POLICY

13. Nil.

STAKEHOLDER ENGAGEMENT

Internal Referrals

14. During this period the executive closely reviewed the integrity of budget projection, with the results now available for Council consideration in March 2022.

External Referrals

15. A briefing to Council was held on the 15th of March 2022.

FINANCIAL CONSIDERATIONS

16. The Amended Financial Activity Statement shows the City is projected to be in a surplus position at the end of the financial year.

SUSTAINABILITY

Social Implications

17. Nil.

Economic Implications

18. Nil.

Environmental Implications

19. Nil.

RISK MANAGEMENT

20.	Risk: Expenditure exceeds budgeted allocation resulting in negative impact on closing funds position.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	<ul style="list-style-type: none"> • Monthly management reports are tracked by business unit managers to ensure that they are operating within budget parameters. • Introduction of budget KPIs for all managers, which are strictly monitored • Introduction of scalable reports which are scrutinised by Executive on a monthly basis. • Budget reviews and forecasting of expenditures against potential revenues are monitored closely. 		

21.	Risk: Funds spent without a budget allocation		
	Consequence	Likelihood	Rating
	Significant	Unlikely	Medium
	Action/Strategy		
	<ul style="list-style-type: none"> • Electronic purchasing system in place which tracks and allows authorisation of purchase orders only if a budget is available. • Increased segregation of duties between purchasing business unit with responsibility for the issue of purchasing orders now with Finance basically centralizing compliance aspect of purchasing. 		

CONCLUSION

- 22. The amended Financial Activity Statement following the Mid-Term budget review in Column e (Attachment 1) reveals a balanced budget estimate for 30 June 2022 with a surplus of \$78,296.
- 23. It should be noted that the Reserves overall are still maintained at a high level with an amount of \$12,825,420 as shown in (Attachment 4).
- 24. The key to pro-actively managing the City's finances will be to diversify its revenue streams and continuing to monitor closely revenues and expenditure against allocated budgets. The City will also continue to monitor service delivery to align resources with strategic priorities.

25. It is critical that the Council is committed to this strategy in order to meet service level and management requirements in a financially sustainable manner.
26. The City is focussed on sound financial management practices and is constantly looking at improving its financial sustainability.

Voting Requirements: Absolute Majority

RESOLVED OCM 33/2022

That Council:

1. NOTE the 2021/2022 Mid Term Budget Review Explanation and Summary (Attachment 5).
2. AMEND the 2021/2022 current budget to reflect the changes summarised in the Amended Rates Setting Statement (Attachment 1), pursuant to Section 6.8 (1) (b) of the *Local Government Act 1995*.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Janelle Sewell**

Vote: **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (11/0)**

10.6. Audit & Risk Committee 15 March 2022

RESOLVED OCM 34/2022

The recommendations of reports A&R9.3.1, A&R9.3.2 and A&R9.4.1 inclusive be adopted by Council en bloc.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.6.1 A&R9.3.1. Information Systems Audit Results for the year ended 30 June 2021

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

Voting Requirements: Simple Majority

EN BLOC RESOLUTION OCM 34/2022

That Council ACCEPT the Information Systems Audit findings Report for the financial year ending 30 June 2021 (Confidential Attachment 1).

Moved: **Cr Geoff Stallard**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.6.2 A&R9.3.2. Internal Audit Report March 2022

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

Voting Requirements: Simple Majority

EN BLOC RESOLUTION OCM 34/2022

That Council RECEIVE the details of the Internal Audit Review conducted during the past quarter (Confidential Attachment 1).

Moved: **Cr Geoff Stallard**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY (11/0)**

10.6.3 A&R9.4.1. 2021 Compliance Audit Return

Voting Requirements: Simple Majority

EN BLOC RESOLUTION OCM 34/2022

That Council ADOPT the Compliance Audit Return for the year ending 31 December 2021 (Attachment 1).

Moved: **Cr Geoff Stallard**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY (11/0)**

11. Motions of Which Previous Notice has been Given

11.1 Nil

12. Questions by Members Without Notice

12.1 Contractors List – Cr Stallard

Q. Will the City make available to residents a list of contractors within the district who can undertake fire mitigation works?

A. The CEO took the question on notice.

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

13.1 Line Marking/ Speed limits (Cr Janelle Sewell)

Q. On Welshpool Road East in Wattle Grove there is a 60km speed limit however there is a 70km speed limit for Kalamunda Road. Given there are similar works on both roads why has Welshpool Road East been reduced to 60km while Kalamunda Road remains at 70km while the signs and lines installation is waiting to occur.

A. Each road resurfacing project requires a Traffic Management Plan (TMP) to cover both the resurfacing works and the period of time after works finish and Main Roads complete the line marking and signage works. Each TMP is prepared by a qualified person, independent of the City.

In regard to Welshpool Rd East as it is a posted 80 km/h limit the TMP, the City was advised that in line with good practice, necessitated a 60 km/h temporary speed limit during the line marking period. Kalamunda Rd with its 70 km/h limit did not necessitate such a reduction.

13.2 Nappy Subsidy (Cr Janelle Sewell)

Q. I have seen on social media the issue raised of local authorities providing a subsidy to people who use cloth nappies rather than disposable. Could our Sustainability Committee look at this?

A. The Director Asset Services advised a decision of Council would be required to set a task for the Kalamunda Environmental Sustainability Committee to undertake any research into this initiative.

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

14.1. Award of RFT2115 Provision of General Cleaning Services – South Zone

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

Previous Items	OCM 07/2022
Directorate	Asset Services
Business Unit	Asset Waste & Operations
File Reference	AD-TEN-001
Applicant	N/A
Owner	N/A

Attachments {attachment-list-do-not-remove}

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 3: Kalamunda Develops

Objective 3.2 - To connect community to key centres of activity, employment, and quality amenities.

Strategy 3.2.1 - Ensure existing assets are maintained to meet community expectations.

EXECUTIVE SUMMARY

1. The purpose of this report is to advise Council that the Company awarded Tender RFT 2115- Provision of General Cleaning Services Tender for the South Zone at the February 2022 OCM has subsequently withdrawn their offer.
2. It is permitted within the Local Government Act and Regulations that the Local Government may accept another tenderer's offer without needing to go to re-tender the works.
3. It is therefore recommended that Council accept the tender from Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning, ACN 082 965 964, for RFT2115 – Provision of General Cleaning Services for the South Zone,

BACKGROUND

4. The City sought to engage a suitable Contractor or Contractors for the Provision of General Cleaning Services throughout City owned and operated facilities and assets.
5. The services proposed primarily consists of general day to day cleaning to Community Facilities and City occupied facilities as well as all the BBQ's in City parks and reserves.
6. Council item resolved OCM 07/2022 to award:
 - a) CSCH Pty Ltd trading as Charles Service Company, ACN 619 947 429 for the cleaning of the South Zone; and
 - b) Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning, ACN 082 965 964, for cleaning of the Central Zone including the BBQ's throughout the City as per the schedule of rates set out in the Confidential Attachment 1 to this report.

7. The city received written notification from Charles Service Pty Ltd on 16th March 2022 advising that unfortunately, that they are unable to undertake the contract.

DETAILS AND ANALYSIS

8. The Request for Tender (RFT 2115) was issued through the City's E-Tendering website: www.tenderlink.com/kalamunda and by way of an advertisement in the West Australian newspaper on Saturday 16 October 2021. Receipt of Tender submissions closed at 2.00pm AWST Friday 26 November 2021.
9. At that time Tender submissions were received from:
- a) CSCH Pty Ltd trading as Charles Service Company
 - b) GJ & K Cleaning Services Pty Ltd
 - c) Iconic Property Services Pty Ltd
 - d) Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning
 - e) Spick & Span Commercial Property Maintenance Pty Ltd
 - f) DMC Cleaning Corporation Pty Ltd
10. Of the six tender submissions only four met the required QPM of 60% or above and progressed to the next stage. These tenderers were, CSCH Pty Ltd trading as Charles Service Company, Office Cleaning Experts trading as OCE Corporate Cleaning, Spick and Span Commercial Property Maintenance Pty Ltd and Iconic Property Services Pty Ltd.
11. That Tender Evaluation Report was provided as Confidential Attachment 1 to the February 2022 OCM Agenda Item. It is reprinted as Confidential Attachment 1 to this report, however due to time constraints still reflects the original recommendation for the South area.
12. The Evaluation Panel has met to review the current situation and based upon the process undertaken to evaluate the Tender recommends that Charles Service Company advice be received, and the South Zone portion of the tender be then awarded to the next lowest priced tenderer.
13. The next lowest priced Tenderer also received the second highest Qualitative Total Score, so the evaluation panel recommends that the City now awards the cleaning of the South Zone to Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning for the cleaning of all facilities within the South area as set out in Confidential Attachment 1.

14. Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning has confirmed that have the capacity to undertake the cleaning to the South Zone as well as the Central Zone as set out in RFT2115- Provision of General Cleaning Part B

APPLICABLE LAW

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

APPLICABLE POLICY

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

FINANCIAL CONSIDERATIONS

17. The use of cleaning services under this contract will form part of approved annual budgets in Building Maintenance. Based upon pretender rates the additional increase in expenditure can be accommodated within budget.

SUSTAINABILITY

18. Clause 2.20 of the tender request states all consumables must be environmentally friendly, child safe and economical cleaning products for the cleaning of premises so that activities are manage in a way to avoid or minimise the potential for air, water, and soil pollution.
19. Clause 4.4 (4.4.1 to 4.4.4), of the tender request states that the awarded contractor(s) will comply with all statutes, regulations and by-laws relating to the protection of the environment.

RISK MANAGEMENT

20.	<p>Risk: The Contractor(s) fails to provide skilled and experienced personnel to complete scope of works as set out in this request (in terms of time and quality) leading an increased safety risk to the public, City staff and pest infestations through public and staffed facilities.</p>						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Consequence</th> <th style="text-align: left; padding: 2px;">Likelihood</th> <th style="text-align: left; padding: 2px;">Rating</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Significant</td> <td style="padding: 2px;">Possible</td> <td style="padding: 2px;">High</td> </tr> </tbody> </table>	Consequence	Likelihood	Rating	Significant	Possible	High
Consequence	Likelihood	Rating					
Significant	Possible	High					
	<p>Action/Strategy</p> <ul style="list-style-type: none"> a) Ensure that City’s expectations and the scope of works are clearly communicated at the start up meeting. b) Ensure regular inspections are done to ensure Contractor(s) KPI’s are met. c) Address any issues immediately. 						

CONCLUSION

21. The delivery of Tender RFT 2115 - Provision of General Cleaning Services will allow the City to carry out regular/ day to day cleaning, any additional or specials cleaning the City may require as well as periodical cleaning that may be required by various departments throughout the City. The City is satisfied that the recommended tenderer has demonstrated that they have the capability, capacity, along with experienced staff and resources available to provide the City with the required general cleaning services for both Central & South Zones.

Voting Requirements: Absolute Majority

RESOLVED OCM 35/2022

That Council

1. NOTE the portion of decision OCM 07/2022 can no longer proceed due to the withdrawal of the company awarded the South Zone:

"That Council ACCEPT the tender RFT 2115 - Provision of General Cleaning Services to provide general cleaning services, periodical cleaning and any other cleaning requirements as directed by the City of Kalamunda from CSCH Pty Ltd trading as Charles Services Company ACN 619 947 429 for cleaning of the South Zone,"
2. ACCEPT the tender RFT 2115- Provision of General Cleaning Services to provide general cleaning services, periodical cleaning and any other cleaning requirements as directed by the City of Kalamunda to Office Cleaning Experts Pty Ltd trading as OCE Corporate Cleaning ACN 082 965 964 for the South Zone as set out in Confidential Attachment 1, for the initial three-year contract with two further one-year extensions at the sole discretion of the City of Kalamunda.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Janelle Sewell**

Vote: **CARRIED UNANIMOUSLY (11/0)**

15. Meeting Closed to the Public

15.1 Nil.

16. Tabled Documents

SSRC Minutes 14 Feb 2022

SSRC Minutes 21 Feb 2022

LEMC Minutes 24 February 2022 (Draft)

Public Agenda Briefing Forum Notes 8 March 2022

17. Closure

There being no further business, the Presiding Member declared the Meeting closed at 6:57pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: _____
Presiding Member

Dated this _____ day of _____ 2022.