



Public Agenda Briefing Forum

Notes – 14 February 2023



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1. Official Opening

The Presiding Member opened the meeting at 6:30pm 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

Councillors

South East Ward

Janelle Sewell

Geoff Stallard

South West Ward

Mary Cannon

Brooke O'Donnell

North West Ward

Sue Bilich

Lisa Cooper

Dylan O'Connor

North Ward

Kathy Ritchie

Margaret Thomas JP (Mayor) Presiding Member

Members of Staff

A/Chief Executive Officer

Peter Varelis

Executive Team

Gary Ticehurst - Director Corporate Services

Brett Jackson - Director Asset Services

Chris Lodge - A/Director Development Services

Nicole O'Neill - Director Community Engagement

Management Team

Andrew Fowler-Tutt - Manager Approval Services

Mitchell Brooks - A/Manager Strategic Planning

Regan Travers -

Administration Support

Darrell Forrest - Governance Advisor

Donna McPherson - Executive Assistant to the CEO

Members of the Public 7

Members of the Press Nil.

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Apologies

Cr John Giardina
Cr Kellie Miskiewicz
Cr Andrew Osenton

Leave of Absence Previously Approved Nil.

3. Declarations of Interest

3.1. Disclosure of Financial and Proximity Interests

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

3.1.1 Nil.

3.2. Disclosure of Interest Affecting Impartiality

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

3.2.1 Nil.

4. Announcements by the Member Presiding Without Discussion

5. Public Question Time

Public questions will be allowed and received following the presentation of the report.

6. Public Statement Time

Public statements will be allowed and received following the presentation of the report.

7. Public Submissions Received in Writing

7.1 Nil.

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8. Petitions Received

8.1 Nil.

9. Confidential Items Announced But Not Discussed

9.1 Item 10.1.1 Amendment 108 to Local Planning Scheme No. 3 - Proposed Rezoning of Lot 32 (4) Kirkdale Road and Lot 33 (4) Orange Valley Road, Kalamunda – Confidential Attachment – Submitters List

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

10. Reports to Council**10.1. Development Services Reports****10.1.1. Local Planning Scheme No.3 - Scheme Amendment 110:
Forrestfield/High Wycombe Light Industrial Area Stage 1
Development Contribution Arrangement: Extension of Time**

The Acting Manager Strategic Planning provided a presentation on this report.

Mr David Downing made a statement in relation to various aspects of the DCP. Including the following:

The Report shows the last infrastructure upgrades were completed in 2019. The fund currently has \$1,056,000 and has maintained this approximate value for the past 2 years. In the 3 years why, apart from the reimbursement of Bonser Road, has there been no visible progress of the scheme despite the financial report showing the City deducting a total of \$303,931 for administration and management costs.

The A/Director Development Services advised the City has been working with a landowner regarding the next priority, Nardine Close completion and emergency accessway, to have the infrastructure prefunded by the developer and it is anticipated the works will commence in 2023.

Mr Downing - The upgrade of Sultana Road West requires a 50% co-payment from the High Wycombe South DCP. The High Wycombe South DCP is some years from implementation. How confident is the City the High Wycombe South DCP will have the funds to for this co-payment contribution to allow completion of Sultana Road West within the life span of the Forrestfield/High Wycombe Light Industrial Area Stage 1 DCP?

The A/CEO advised it is presumptive to assume the High Wycombe South DCP will include a 50% contribution to the upgrade of Sultana Road West. The City is still considering the infrastructure items to be included in the High Wycombe South DCP.

Mr Downing - Amendment 105 was put in place to ensure all landowners paid an equal contribution, what safeguards does the City have in place to ensure the "last man standing", within the Forrestfield/High Wycombe Light Industrial Area Stage 1 area doesn't pay a higher contribution than everybody else?

The A/Director Development Services advised the Scheme provisions within the Local Planning Scheme No.3 talk to options available to the City at the conclusion of the DCP, where there is a shortfall the City has options to enter into agreements with land owners or fund the works independent of those landowners, and in the event there is an excess of funds at the conclusion of the DCP the scheme provides for the City to refund landowners who have contributed above the equitable contribution rate.

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

Previous Items	OCM 74/2022; OCM 127/2022
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	PG-LPS-003/110
Applicant	City of Kalamunda
Owner	Various
Attachments	<ol style="list-style-type: none"> 1. Form 2A: Proposed Amendment 110 to Local Planning Scheme 3 Document [10.1.1.1 - 2 pages] 2. Local Planning Scheme No. 3 - Schedule 12 – Development Contribution Areas [10.1.1.2 - 2 pages] 3. Local Structure Plan Map [10.1.1.3 - 1 page] 4. Submission Table [10.1.1.4 - 40 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 3.3 - To develop and enhance the City's economy.

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

Strategy 3.3.2 - Attract and enable new investment opportunities.

EXECUTIVE SUMMARY

1. The purpose of this report is for the Council to consider submissions received on Amendment 110 (A110) (Attachment 1) to the City of Kalamunda (City) Local Planning Scheme No. 3 (Scheme), and decide on whether to support A110.
2. A110 applies to the Development Contribution Area 1 (DCA1) designated on the Scheme map, and the Development Contribution Plan (DCP) incorporated in Schedule 12 of the Scheme (refer Attachment 2), which operates over the Forrestfield / High Wycombe Industrial Area - Stage 1 (FFHWS1), and is approximately 68 per cent developed. A110 proposes to extend the existing 10-year operational period by a further five years (to a total operational period of 15 years). This will extend the expiry date of DCA1 from 10 May 2023 to 10 May 2028.
3. During the advertising of A110 one submission was received providing a range of comments. Refer to paragraphs 55 to 62 and Attachment 4 for further information.
4. It is recommended that the Council support A110 without modification for the purposes of referral to the WAPC and, subsequently, the Minister for Planning for final approval.

BACKGROUND

5. The DCP, and by extension A110, applies to an area marked on the Scheme map as DCA1, which operates over the FFHWS1; an area bounded by Berkshire Road, Milner Road, Sultana Road West and Roe Highway, as highlighted in red on the Locality Plan below.

6. **Locality Plan:**



7. **Relevant History:**

FFHWS1 was rezoned from 'Special Rural' to 'Industrial Development' under the Scheme in accordance with Amendment 34 which was Gazetted in February 2012.

8. The FFHWS1 Local Structure Plan (the LSP) was adopted in November 2013 to facilitate industrial subdivision and development within the area. The current LSP map can be found at Attachment 3.

9. In May 2013, the gazettal of Amendment 48 introduced the DCP through Schedule 12 of the Scheme. This date represents the commencement of the 10-year operational period for the DCP.

10. A comprehensive DCP Report (DCPR) and Cost Apportionment Schedule informs Schedule 12 of the Scheme but does not form part of the Scheme text. The DCPR is a dynamic document which maintains the currency of the costs and is reviewed annually pursuant to Clause 6.5.11.2 of the Scheme and the requirements of *State Planning Policy 3.6 Infrastructure Contributions*.

11. Annual reviews allow the City to review the administration of the DCP, status of infrastructure delivery, and have regard to infrastructure cost changes and rate of development. These annual reviews were completed:

- a) December 2012
- b) December 2013
- c) June 2015

- d) December 2016
 - e) December 2018
 - f) February 2020
 - g) July 2020
 - h) December 2021
 - i) June 2022
12. Consequential amendments to the DCPR resulting from A110, to align the additional operation period outlined in Schedule 12 of the Scheme and the DCPR, will occur subject to, and following, determination of A110 by the Minister for Planning.
13. The Council adopted the most recent annual review of the DCPR at its Ordinary Meeting in June 2022 (OCM 74/2022).
14. The next review of the DCPR will commence at the conclusion of the 2022/2023 financial year.

DETAILS AND ANALYSIS

15. **Period of Operation of the DCP**
The DCP is outlined in Schedule 12 of the Scheme, with an operation period of 10 years. The current operational period concludes on 10 May 2023.
16. A110 seeks to amend the operation period of the DCP with no changes proposed to other provisions associated with DCA1 or the contents of the DCPR as previously adopted by the Council. Subject to the extension of the operation of the DCP, the City will continue undertake annual reviews of the DCPR.
17. The provisions of State Planning Policy 3.6 Infrastructure Contributions (SPP3.6) contemplates a period of operation exceeding 10 years where, as in this instance, the nominated timeframe can be linked to a capital works and staging program (SPP 3.6, Clause 6.10.6).
18. Pursuant to Clause 6.10.6 of SPP 3.6, when determining an appropriate lifespan for a DCP, the following matters should be taken into consideration:
- a) Strategic and infrastructure planning, and financing cycles
 - b) Reflect anticipated development growth rates; and
 - c) Provide certainty that the identified infrastructure items can be delivered within the stipulated timeframe of the DCP.

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19. Subsequent sections in this report outline how the proposal conforms with these requirements.

20. **Common Infrastructure Items**

The DCP facilitates the coordinated provision of various common infrastructure Items as outlined in Schedule 12 of the Scheme, and further informed through part 2 of the DCPR. In summary, the DCP facilitates the coordination of the following:

- a) Land for roads and intersections;
- b) Road and intersection construction;
- c) Landscaping; and
- d) Administration costs.

21. **Status of Common Infrastructure Items**

The following table summarises the status of the common infrastructure items the subject of the DCP:

Common Infrastructure Items	Status	Summary of Works
a) Berkshire Road Upgrades	Designs completed to 85%. Commencement of works subject to funding and priority through DCP.	i. 2m footpath on northern verge. ii. Undergrounding of overhead consumer powerlines.
b) Milner Road Upgrades	Designs completed to 85%. Commencement of works subject to funding and priority through DCP.	i. Road widening to 10m to facilitate RAV7 vehicles between Berkshire Road Nardine Close. ii. The designs incorporate a new shared path, footpath, and street lighting.
c) Nardine Close Upgrades	Stage 1: Completed in 2019.	i. Approx 300 metre road extension to RAV4 standard.
	Stage 2: In progress.	ii. Land acquisition and minor works (extension of footpath and services) to formalise the cul-de-sac to a permanent
City of Kalamunda		11

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d) Sultana Road West Upgrades	<p>Designs completed to 85%.</p> <p>Commencement of works subject to funding and priority through DCP.</p>	<p>i. Road widening to 9m to facilitate RAV4 vehicles (incl. drainage, footpaths, relocation of services).</p> <p>ii. 50% of costs borne by the DCP as per Schedule 12 of the Scheme.</p>
e) Milner Road / Nardine Close Intersection Upgrades	Completed in November 2019	i. Intersection widening to accommodate RAV7 category vehicles.
f) Berkshire Road / Ashby Close Intersection Upgrades	<p>Intersection widening completed in October 2019.</p> <p>Seagull island - Commencement of works subject to funding and priority through DCP.</p>	<p>i. Intersection widening to accommodate RAV 7 category vehicles.</p> <p>ii. Seagull island to facilitate traffic management in left-in-left out configuration.</p>
g) Dundas Road / Berkshire Road / Milner Road Intersection Upgrades	Completed in December 2019.	<p>i. Intersection widening to accommodate as-of-right vehicles to Dundas/Berkshire.</p> <p>ii. Intersection widening to accommodate RAV 7 category vehicles to Berkshire/Milner.</p>
h) Bonser Road Upgrades	Stage 1: Completed in June 2020.	i. New 10 metre wide road connection between Berkshire Road and Nardine Close, inclusive of drainage, footpath and lighting.
	Stage 2: Commencement pending land acquisition.	ii. Completion of the southern truncations, sweeps and kerbs.

22. **Priority of Delivery for Outstanding Common Infrastructure Items**
As noted in the above table, several common infrastructure items remain outstanding, with delivery contingent upon further development of land within DCA1 and subsequent collection of cost contributions levied at the stage subdivision and/or when development occurs for remaining undeveloped land.
23. Subject to the availability of funding, the following items yet to be completed are considered current priority items. In order of priority, and beyond the required ongoing administration costs, they are:
- a) The following items have equal priority:
 - i. Land acquisition and construction requirements associated with establishing the Nardine Close temporary cul-de-sac to a permanent standard and constructing an emergency accessway between the Nardine Close cul-de-sac and Sultana Road West.
 - ii. Bonser Road – Prefunded by the landowner of Lot 547 Berkshire Road. The road was completed in June 2020 and the prefunding costs (land and construction) have been settled in June 2022. A second stage will be required once land is acquired for truncations from Lots 16 and 17 Berkshire Road, subject to retaining sufficient funds to complete this priority. Subsequent priorities, as stated below, may also be progressed in advance of completing the second stage for Bonser Road;
 - b) Milner Road construction;
 - c) Sultana Road West construction;
 - d) Berkshire Road footpath and adjustment to services; and
 - e) Berkshire Road / Ashby Close Intersection treatment (Seagull island).
24. For further information regarding the status and forecast costs of outstanding common infrastructure items can be found in the DCPR adopted by the Council in June 2022 (OCM 74/2022).
25. **Financial Status of the DCP**
The forecast total cost of the DCP is approximately \$14.34 million. Of this, \$11.66 million has been spent on infrastructure and the administration of the DCP to date or is subject to agreements to prefund infrastructure and for land acquisition. Approximately \$2.68 million is required to complete the outstanding common infrastructure Items.
26. The rate of income associated with cost contributions is directly correlated with the development of land within the area.
27. **Remaining Developable Land**

DCA1 comprises 49 development sites, with a Net Contribution Area (NCA) of 66.47 hectares.

28. Cost contributions are calculated based on the current per square metre rate relative to the development sites NCA.
29. To date, development contributions have been received from 30 of the development sites, equating to approximately 68 percent of the NCA, with 19 development sites, or approximately 32 per cent of the NCA, yet to be developed.
30. Cost contributions collected from the remaining NCA will provide the funds necessary to account for all infrastructure items and associated administration costs noted in the DCPR. For further information regarding the calculation of the NCA refer to part 3 of the DCPR (OCM 74/2022).
31. Based on the status and rate of development, remaining development contributions will not have been levied, nor all infrastructure delivered, by 10 May 2023 (the end of the DCPs current 10-year operational period).
32. **Forecast Development of DCA1**
To forecast anticipated development of remaining development sites within DCA1, a simple methodology has been applied, whereby the average annual NCA throughout the lifetime DCP is considered in context of the DCPs development area, forecasting an approximate operation period of 13 years and 11 months.
33. To date, the DCP has:
 - a) Been in operation for a period of approx. 116 months (May 2013 to January 2023);
 - b) Levied for approximately 45.21 hectares of the total NCA (66.47 hectares); and
 - c) Developed at a rate of approximately 4.85 hectares per year, or 0.4 hectares per month.
34. Applying the same projected average development rate, the DCP will:
 - a) Receive approximately 76 per cent of contributions (based on NCA) by May 2023 (the end of the DCPs current operational period); and
 - b) Require a total operational period of 165 months (13 years and 9 months, May 2013 to February 2027) to collect the outstanding development contributions.
35. A110 will extend the period of operation applicable to the DCP by a further five (5) years; to May 2028.

36. **Appropriateness of Amending the Existing DCP or Adopting a New DCP**
Pursuant to Clauses 6.10.6 and 6.10.17 of SPP3.6, a scheme amendment is the most appropriate mechanism to amend Schedule 12 of Scheme by way of extending the period of operation applicable to DCA1 by a further 5 years.
37. The adoption of a new DCP would be appropriate in the instance that the area contained within DCA1, or the infrastructure items included, required modification. None of these scenarios are proposed with Amendment 110 nor are they considered required at this point in time.
38. In addition, the DCP is currently active with proportional contributions collected from earlier contributors for infrastructure that still requires delivery. Extending the operation of the DCP will ensure the arrangement operates in a fair and equitable manner for earlier and later contributors.
39. **5-year review of DCP**
Schedule 12 of Scheme provides for a review of the DCP to occur within 5 years of adoption, or of the previous review. A comprehensive review of the DCP occurred in 2016/17, resulting in a range of modifications to the infrastructure items listed in Schedule 12.

40. It should be noted that the rate of development and the degree of development potential existing is considered as part of the annual review process, together with estimated costs of infrastructure. Amendment 110 is a part of the ongoing review process. There are no further changes to infrastructure items included or other components of the DCP proposed.

APPLICABLE LAW

41. **Planning and Development Act 2005 (PD Act)**
The PD Act is legislation that establishes Western Australia's land use planning system, including the making and amending of local planning schemes, and promotes the sustainable use and development of land in the State.
42. **Planning and Development (Local Planning Schemes) Regulations 2015 (Regulation(s))**
A110 is a complex amendment under Regulation 34(e) and 72 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).
43. Regulation 41 (3) requires a resolution of the local government to:
a) Support A110 without modification;
b) Support A110 with modification to address issues raised in submissions; or
c) Not support A110.
44. After passing a resolution regarding A110, Regulation 44 requires the City to refer A110 to the WAPC within 21 days of passing the resolution.
45. Regulation 45 requires the WAPC to forward its recommendation to the Minister within 90 days of receiving of A110.
46. **City of Kalamunda Local Planning Scheme No. 3**
Clause 6.5 (Development Contribution Areas) of the Scheme outlines the establishment, implementation and operation of DCPs operable within the City.
47. All operable DCPs are incorporated into Schedule 12 of the Scheme. The associated DCPR and cost apportionment schedule does not form part of the Scheme.

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APPLICABLE POLICY

48. **State Planning Policy 3.6 (Infrastructure Contributions)**
State Planning Policy 3.6 (SPP 3.6) sets out the principals and considerations that apply to development contributions, and the form, content, and process to be followed throughout their administration.
49. While clause 3.3.4 (Establishing a lifespan) of SPP3.6 recommends DCPs have a lifespan of 10 years, it contemplates a longer operation period if justification can be demonstrated.

STAKEHOLDER ENGAGEMENT

50. Following the Council's September 2022 consent to advertise (OCM 127/2022) the City submitted A110 to the Environmental Protection Authority (EPA) to consider whether an environmental review is required; and concurrently referred A110 the WAPC for their consent prior to the commencement of advertising.
51. The EPA advised assessment under the *Environmental Protection Act 1986 (EP Act)* was not required.
52. The WAPC advised A110 was suitable for advertising, without modification.
53. The City gave notice of A110 for a period of 70 days, allowing for a 60 day advertising period required for Complex amendments, plus 8 additional days given the holiday period, from 31 October 2022 to 9 January 2023, via the following methods:
- a) A publication on the City's website;
 - b) A copy of A110 available for inspection at the City's Administration Centre;
 - c) Letters to all landowners affected by A110; and
 - d) A newspaper advertisement.
54. At the conclusion of the advertising period, one submission was received indicating.
55. **Key issues from Consultation**
Attachment 4 contains the content of the submission in full, as well as the City's response to matters raised. The following summarises the key issues relevant to A110 raised by the community member and the City staff responses.

56. **Issue 1:** The FFS1 DCP is invalid
57. **Response:** The Forrestfield / High Wycombe Stage 1 DCP (DCP) took effect in May 2013, when it was introduced through Schedule 12 of the Scheme through Amendment 48. The DCP is therefore currently valid and in effect and will continue to be for the duration of the operational period outlined in Schedule 12 of the Scheme; currently May 2023, and proposed to be extended a further 5 years by Amendment 110 to the Scheme. The DCP has been developed in accordance with the Scheme, approved by the Minister, in line with the normal statutory processes.
58. **Issue 2:** The DCP should be amended to incorporate improvements required on the northern side of Sultana Road West (outside of DCP boundaries) to satisfy the transitional requirements of the High Wycombe South Residential Precinct Local Structure Plan.
59. **Response:** The FFS1 DCP area directly abuts the High Wycombe South Residential Precinct Local Structure Plan (HWS LSP) to its north. Amendments to the LSP were endorsed by Council in May 2022 and is currently being finalised in accordance with the WAPC's adopted modifications. The HWS LSP includes transitional provisions imposed on all properties to the northern side of Sultana Road West, and is intended to provide an appropriate buffer between the HWS LSP (predominately residential zoned land) and FF/HW Stage 1 LSP (light industrial zoned land) areas.
60. There is currently no provision of the FF/HW Stage 1 DCP to fund additional land or the transitional provisions noted in the HWS LSP. The introduction of the additional costs at this stage of the DCP's life would not meet the fundamental principles of consistency and equity established through SPP 3.6. There is no provision in SPP 3.6, and consequently within the DCP, to pay compensation to properties external to the DCP area.
61. **Issue 3:** DCP should be amended to reapportion the upgrade costs required for the upgrading of Sultana Road West; form the current 50% to 100%.
62. **Response:** Since the commencement of the DCP in 2013 for FF/HW Stage 1 costs have been apportioned 50% for Sultana Road West upgrades. Sultana Road West will continue to function as a road providing access to both precincts. The revision of the percentage of costs collected towards the upgrading of Sultana Road West at this stage of the DCP's life would not meet the fundamental principles of consistency and equity established through State Planning Policy 3.6.

FINANCIAL CONSIDERATIONS

63. The operation of the DCP presents a major administrative responsibility for the City. While the DCP is self-funded, the City has an implicit obligation to efficiently and effectively manage the revenues and works.
64. The remaining developable area is reliant on the DCP to provide the necessary infrastructure to facilitate development. In particular, the timely provision of roads and drainage is critical for industrial precincts as most developments rely on these improvements for suitable access and servicing.
65. Clause 6.5.17 of Scheme provides the required actions where there is a shortfall or excess of funds when all Cost Contributions have been made or accounted for in the DCP, summarised as follows:
- a) Shortfall – the local government may make good the shortfall (municipal funds), enter into agreements with owners to fund the shortfall, and/or loan fund the shortfall.
 - b) Excess – the local government is required to identify owners and their entitled amount and refund excess funds to contributing owners. If it is not reasonably practical to identify owners and/or the entitled amount, funds should be applied to the provision of additional facilities or improvements in the DCA.
66. This process will not occur until “all cost contributions have been made or accounted for”. It is imperative that the City have a clear understanding of the final costs, and how any outstanding contributions will be accounted for before commencing the reconciliation process. In this regard, an extension of the operational life of the DCP will also extend the conclusion of the DCP and therefore any actions to address excess or shortfalls.
67. If the operational life of the DCP is not extended, there will be no formal funding arrangement for the infrastructure necessary to complete the FFHWS1 area. This would result in a reliance on alternative funding sources such as municipal funds, loans funding or grants and would result in inequity amongst the DCA area, uncertainty and unacceptable delays to the completion of necessary infrastructure. A110 will extend the operation period of the DCP by an additional 5 years (May 2028) to minimise the risk of a shortfall in cost contributions at the end of the DCP

- 68. The administration component of the DCP will be required to be extended which will result in additional yearly reviews and administration costs. These will be calculated and included in future DCP reports should A110 be approved. The estimated total additional administration cost over the 5-year period is approximately \$550,000. Notwithstanding the estimates, only actual costs are ever claimed against the administrative component.

SUSTAINABILITY

- 69. **Social Implications**
The provision of infrastructure in a timely, coordinated, and responsible manner can have a significant impact upon the quality of life and the employment areas for both existing and future land users. There is a reasonable expectation that infrastructure will be funded and delivered to service the needs of developments and its occupants.
- 70. Impacts on the quality of life need to be considered at both a micro and macro level, with infrastructure planning needing to deliver net community benefits.
- 71. **Economic Implications**
The implementation of DCPs, as a basic principle, are not intended to deliver infrastructure, services or similar that would not ordinarily be provided through subdivision and development processes. As such, a DCP does not offer any direct economic benefits to an area. DCPs can however, assist in the timely, efficient, and equitable provision of infrastructure that may in turn facilitate economic growth and employment creation.
- 72. **Environmental Implications**
A110 will have no additional environmental implications to those which have already been considered through the introduction and annual review of the DCP.

RISK MANAGEMENT

- 73.

Risk: A110 is not supported and the operational period of the DCP is not extended by an additional five years resulting in a shortfall of funds.		
Consequence	Likelihood	Rating
Critical	Rare	Medium
Action/Strategy		
Ensure the importance of extending the operational period by an additional five years is understood and A110 is approved by the Minister.		

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74.	Risk: Land within the NCA remains undeveloped by the recommended operational period of 15 years (May 2028).						
	<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;">Critical</td> <td style="padding: 2px;">Unlikely</td> <td style="padding: 2px;">High</td> </tr> </tbody> </table>	Consequence	Likelihood	Rating	Critical	Unlikely	High
Consequence	Likelihood	Rating					
Critical	Unlikely	High					
	Action/Strategy						
	Ensure the rate of development is monitored annually and the duration of the DCP is re-evaluated at that time with consideration of alternative options if required pursuant to Clause 6.5.17 of the Scheme.						

75.	Risk: Land within the NCA develops earlier than the end of the recommended operational period of 15 years (May 2028).						
	<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;">Insignificant</td> <td style="padding: 2px;">Possible</td> <td style="padding: 2px;">Low</td> </tr> </tbody> </table>	Consequence	Likelihood	Rating	Insignificant	Possible	Low
Consequence	Likelihood	Rating					
Insignificant	Possible	Low					
	Action/Strategy						
	No action required. Should land within the NCA develop earlier than the end of the operational period, the DCP will simply be finalised at an earlier date.						

CONCLUSION

- 76. The advertising of A110 provided affected landowners an opportunity to consider and provide a written submission regarding the extension to the operational period of the DCP. Submissions have been considered and are not deemed to warrant A110 being modified or not supported.
- 77. A110 is consistent with the relevant planning framework and is consistent with orderly and proper planning.
- 78. Having regard to the above, it is recommended that Council support Amendment 110 without modification for the purposes of progressing Amendment 110 to the WAPC and subsequently the Minister for Planning for final approval.

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Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. NOTE the submission received during advertising of Amendment 110 to City of Kalamunda Local Planning Scheme No. 3.
2. SUPPORT Amendment 110 to City of Kalamunda Local Planning Scheme No. 3 pursuant to Regulation 41(3)(a), of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. FORWARD Amendment 110 to City of Kalamunda Local Planning Scheme No. 3 to the Western Australian Planning Commission, pursuant to Part 5, Regulation 44 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

10.1.2. Urban Forest Strategy 2023-2043 - Draft - Adoption for the Purposes of Public Advertising

The Acting Director Development Services provided a presentation on this report.

Mr Steve Gates drew the meetings attention to the quality of the maps within the document. The Acting Director Development Services advised this would be rectified prior to the document being released for public advertising.

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

Previous Items	OCM 230/2020; OCM 71/2019
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	3.009297
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Draft Urban Forest Strategy 2020 [10.1.2.1 - 55 pages] 2. Draft Urban Forest Strategy 2020 - Community Engagement Report [10.1.2.2 - 59 pages] 3. Draft Urban Forest Strategy 2020 – Schedule of Submissions [10.1.2.3 - 50 pages] 4. Draft Urban Forest Strategy 2023/2043 - Full Report [10.1.2.4 - 121 pages] 5. Draft Urban Forest Strategy 2023/2043 - Summary [10.1.2.5 - 21 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT*Kalamunda Advancing Strategic Community Plan to 2031***Priority 2: Kalamunda Clean and Green****Objective 2.1** - To protect and enhance the environmental values of the City.**Strategy 2.1.1** - Implementation of the Local Environment Strategy**Strategy 2.1.2** - Development and Implementation of the Urban Forest Strategy.**Strategy 2.1.4** - Increasing and protecting local biodiversity and conservation, wherever possible, through integrating ecosystem and biodiversity protection into planning processes including schemes policies and strategies.**Strategy 2.1.5** - Community engagement and education in environmental management.**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 the Council to consider the adoption of the Urban Forest Strategy (UFS) 2023-2043 for the purpose of public consultation.
2. The Council endorsed the Draft UFS 2020 on 24 November 2020 for the purpose of public consultation. Following the public consultation period, a peer review of the Draft UFS 2020 was undertaken and a revised Draft UFS 2023-2043 prepared in response to submissions received and the outcomes of the peer review.
3. The key modifications made to the Draft UFS as a result of community consultation and the peer review include:
 - a) An updated definition of the City of Kalamunda (City) urban forest;
 - b) Revised data analysis to further break down canopy cover percentages per broad land use category;
 - c) The introduction of a city-wide, aspirational urban canopy cover target of 30%, to align with international benchmarking;
 - d) Revised, city-wide goals and associated objectives and actions;
 - e) Bushfire identified and discussed as a constraint to the City's urban forest; and,

- f) A process for ongoing monitoring, reporting and adaptive management of the UFS.
4. Noting that substantial modifications to the UFS 2020 have been made, it is recommended Council proceeds to adopt the Draft UFS 2023-2043 for the purpose of further public consultation, to ensure the community are engaged on the latest version of the Strategy, prior to final adoption for the purpose of implementation.

BACKGROUND

5. At the Ordinary Council Meeting of 26 March 2019, Council resolved (OCM 71/2019):
 1. REQUEST the Chief Executive Officer list for consideration in the draft 2019/2020 budget a provision to prepare a draft Urban Forest Strategy and commence Community Feedback on this draft by June 2020.
 2. REFERS development of the Urban Forest Strategy to the Kalamunda Environmental Advisory Committee (KEAC) to advise on scope, process, cost and principles of the Strategy are to include:
 - a) To meet the objectives of the City's Strategic Community Plan Priority 2: Kalamunda Clean and Green
 - b) To develop a program for planting trees across the City
 - c) To demonstrate leadership in understanding and addressing the urban heat island effect
 - d) To provide more liveable, attractive, and sustainable communities.
 3. REQUEST the Chief Executive Officer list for consideration in the draft 2019/20 budget an additional provision of \$50 000 per annum to the existing \$116 000 budget to extend the existing tree planting program across the City.
 4. REQUEST the Chief Executive Officer list for consideration in the Long-Term Financial Plan a sum to enable the implementation of the Urban Forest Strategy once adopted by Council.
6. The matters above have been subsequently dealt with up to the adoption of the Urban Forest Strategy.
7. At the Ordinary Council meeting of 24 November 2020, Council resolved (OCM 230/2020) to endorse the Draft UFS 2020 for the purpose of public consultation, subject to minor editing and desktop publishing improvements. The Draft UFS 2020 is included as Attachment 1.

8. Public consultation occurred from 9 December 2020 to 29 January 2021. The Community Engagement report is contained in Attachment 2. The City's response to submissions on the Draft UFS 2020 is provided at Attachment 3.
9. In November 2021, the City appointed an environmental consultant to undertake a peer review of the Draft UFS 2020. The scope of the peer review was to assess the content, statistics, and recommendations of the Draft UFS 2020 and provide independent commentary and recommendations, having regard to the objectives of the UFS as well as other City adopted strategies and policies. The peer review identified a number of opportunities for improvement and, accordingly, a revised Draft UFS has been developed. The Draft UFS 2023-2043 is included at Attachment 4. A user-friendly document, summarising the UFS is provided at Attachment 5.

DETAILS AND ANALYSIS

10. Stakeholder engagement was conducted through the City's monthly newsletter, website, and social media channels. A feedback form was listed on the City's engage portal with hard copy forms placed at all City locations. A total of 24 survey responses and 10 written submissions were received.
11. The UFS working group consisting of representatives from the Kalamunda Environmental Advisory Committee (KEAC; now KESAC) and City Officers from Development Services, Parks and Environmental Services and Asset Management determined (prior to the commencement of a peer review), from the comments received, that the following changes were required to be made to improve the Draft UFS 2020;
 - a) Figure 2, titled 'City of Kalamunda Strategic Environmental Framework' and the text associated with the figure to better explain the association of the UFS with other City Strategic documents. Plate 1 of the revised Draft UFS replaces Figure 2 from the previous draft. Section 1.6 'Strategic Context' of the revised Draft UFS outlines the role of the UFS with regard to other City Strategic and Statutory documents.
 - b) Community comment suggested that community education and engagement was a very important component of the success of the strategy. The revised Draft UFS includes "engage" as a core goal of the UFS and now includes 13 associated community and stakeholder engagement actions.
 - c) Community comment suggested that the UFS actions should not exclude certain landform areas. The revised goals, objectives and actions table no longer includes a column relating to the applicable

landform area for a specific action. Instead, all actions apply across the City's urban forest. The actions seek to prioritise planting in areas of lowest existing urban canopy cover, such as the Swan Coastal Plain.

12. The key modifications made to the Draft UFS as a result of the peer review include:
- a) An updated definition of the City's urban forest to include the tree canopy >3m in height, noting that understorey native vegetation will be addressed through the City's Draft Local Biodiversity Strategy.
 - b) An updated definition of the City's urban forest to exclude State Forest, Regional Parks and National Parks noting that these areas are not considered "urban" and occupy a significant portion of the City which results in considerable skewing of data, if included.
 - c) An updated definition of the City's urban forest to exclude the Perth Airport locality noting that this area is not an inhabited part of the City's urban area. Further, the Perth Airport is located on Commonwealth land and the City and State has limited influence on urban forest outcomes.
 - d) Bushfire is now identified and discussed as a constraint to the City's urban forest, noting the significant (4%) loss of "green cover" identified in the report *Where Will all the Trees Be* published by Greener Spaces Better Places 2020, which was attributed to over 5,000 ha of vegetation being burnt over the period of the study (2016-2020). However, it is noted that the vast majority of the areas burnt were in State Forest, Regional Parks or National Parks which have now been excluded from the definition of the City's urban forest.
 - e) Revised data analysis to further break down canopy cover percentages per broad land use category noting that the previous Draft UFS presented urban canopy data as three categories only; roads, parks and street blocks. The revised Draft UFS includes the following seven broad land use categories; Urban, Parks, Commercial, Industry, Roads and Other Infrastructure which allows for greater interrogation of urban canopy data across land use categories and tailoring of UFS actions to address the identified opportunities. For example, increasing canopy cover on Industrial land (e.g., through planning policy and street tree planting programs), which only had 4% canopy cover based on the latest data (2020).
 - f) The introduction of a City-wide, aspirational urban canopy cover target of 30% by 2043, to align with international benchmarking. The extended timeframe to achieve this goal is more realistic than the 10 year timeframe of the previous Draft UFS 2020, noting that

- significant tree planting and associated resourcing will be required to achieve this goal.
- g) Revised City-wide goals and associated objectives and actions which now include broad goals to protect, grow, engage (community and other stakeholders) and investigate (research and resourcing).
 - h) A process for ongoing monitoring, reporting and adaptive management of the UFS, including but not limited to the establishment of a working group and the preparation and implementation of an annual action plan which outlines the priority actions and resources required for a given year.
13. Following the peer review, a revised Draft UFS was provided to KESAC for review. KESAC provided a number of recommendations for improvement of the Draft UFS, which were considered by City staff, and subsequently the Draft UFS 2023-2043 was produced incorporating many of the suggested changes.
14. Other corrections and omissions made to the Draft UFS (in addition to the changes recommended through the peer review process) include:
- a) Document restructure for readability purposes.
 - b) Table of Contents page - removal of the consultant's waiver.
 - c) Formatting "error" messages removed.
 - d) Wording of Vision statement modified to capture the benefit of urban forest to business and ecosystems, and well as management and enhancement of the City's urban forest. It is noted that the 'Vision' was an accepted statement from the UFS Working group and the City have sought and obtained KESAC support for updating the Vision statement.
 - e) Section 2 (Page 2) reference to initial modelling of canopy cover for the Forrestfield North (High Wycombe South) development removed as it was over simplistic and unlikely to represent the post-development canopy cover. This modelling did not account for the State R-Code tree planting requirements nor the modified (increased) tree planting requirements, canopy targets, replacement tree planting requirements and avoidance principle of Draft Local Planning Policy 33- Tree Retention (LPP33). Seven case study areas have now been included in an Appendix to the UFS. Using DPLH data, the City has estimated pre-development tree canopy cover (>3m in height) and has made educated predictions regarding post-development tree canopy cover, which will be monitored over time to ensure continual improvement of the UFS actions.
 - f) Inclusion of case study development areas to monitor urban forest outcomes over time, against predicted canopy cover. The findings of this monitoring will be used to improve the UFS and processes into the future.

- g) Section 3.1 (page 11) of Draft UFS 2020 – erroneous data relating to native vegetation loss (630 ha loss quoted) has been removed, as further explained below.
15. It is noted that the Draft UFS 2020 erroneously quoted a loss of 630 ha of native vegetation between 2008 and 2020. This figure was the result of comparing two State government “native vegetation extent” spatial datasets that were not comparable, due to modifications made to the way in which native vegetation extent was mapped/ refined across different data capture years. For example, in the 2020 spatial dataset, vast plantation area within the State Forest, that were included in the 2008 data, were removed from the dataset as they do not meet the definition of native vegetation. This resulted in a perceived loss of native vegetation when viewing the data, however there was no physical loss of vegetation relating to those areas. Given these datasets are incomparable, this information has been removed from the UFS. The data used for the UFS 2023/2043 uses the Commonwealth Scientific and Research Organisation (CSIRO) urban forest mapping (Urban Monitor Program) which is fit for purpose for the UFS. This data is generated every two years using a consistent methodology and therefore is fit for purpose for ongoing monitoring purposes for the City’s urban forest.
16. Subject to the Council adopting the draft UDS, it is proposed that following public advertising, further refinements will occur to mapping contained in the draft UFS, of approved structure plan areas which are currently categorised as “Urban” as a result of the LPS zoning being “urban development”. Approved structure plan areas will be categorised according to specific land uses to accurately capture the land use categories in data. For example; “public open space” will be categorised into the Parks category. This is predicted to result in a marginal increase in canopy cover in the “Parks” category and a slight decrease in canopy cover in the in the “Urban” and “Commercial” land use category for Swan Coastal Plain suburbs. This change will be immaterial to the overall targets, goals and actions contained in the draft UFS.

APPLICABLE LAW

17. **Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)**
The EPBC Act outlines environmental approval requirements that relate to natural environment and biodiversity matters.

18. **Environmental Protection Act 1986 (EP Act)**
Is for the prevention, control and abatement of pollution and environmental harm, for the conservation, preservation, protection, enhancement and management of the environment and for matters incidental to or connected with these matters. The EP Act comes into play for land use planning where environmental matters are considered.
19. **Planning and Development Act 2005 (P&D Act)**
The P&D Act is legislation that establishes Western Australia's land use planning system and promotes the sustainable use and development of land in the State. Within WA, legal advice and recent case law on the protection of trees confirms tree removal can be considered "development" under the P&D Act, requiring planning approval.
20. **Local Planning Scheme No. 3**
LPS3 is the primary document for controlling land use and development within the City.

APPLICABLE POLICY

21. Perth and Peel @ 3.5million (WAPC 2018)
22. State Planning Policy 7.0 Design of The Built Environment
23. State Planning Policy 7.3 Residential Design Codes Volume 1
24. Liveable Neighbourhoods (WAPC 2007)
25. Service 08 Street Tree and Streetscape Management

STAKEHOLDER ENGAGEMENT

26. Internal stakeholders were engaged throughout the process with the UFS working group having broad representation from City Officers as well as KESAC (previously KEAC) representatives.
27. External stakeholders were engaged as outlined in the "details and analysis" section of this report and as summarised in the *Draft Urban Forest Strategy Community Engagement Report 2020/21* (Attachment 2).
28. The results of the Community consultation process are detailed in the corresponding Attachment 2. Summary points of the community engagement process follow:
- a) The survey and submission period was conducted from 9 December 2020 to 29 January 2021;

- b) There was a total of 221 visits to the *engage.kalamanda* portal to view the documents;
 - c) There was a total of 24 responses to the survey; and
 - d) In addition to the survey feedback, there were 10 written submissions.
29. Feedback from the survey's closed questions indicated that a significant majority of respondents considered the major strategies of the Draft UFS 2020 as either important or very important.
30. Answers to open questions and comments from submissions were categorised and analysed to determine which, if any, of the suggestions to improve the Strategy were able to be utilised. The UFS working group consisting of representatives from the Kalamunda Environmental Advisory Committee (KEAC) – which has now been retitled the Kalamunda Environmental and Sustainability Committee (KESAC) and City officers from Development Services, Parks and Environmental Services and Asset Management determined the nature of changes recommended to the Draft UFS, as outlined above.
31. Feedback has been provided to the City from KESAC and others that the UFS should provide the community with an easily understood outline of the “problem” and how the City will tackle the problem. This principle is reasonable and has guided the preparation of the draft UFS.

FINANCIAL CONSIDERATIONS

32. Costs associated with the preparation of the draft UFS, community engagement and review are met through the Assets and Development Serviced annual budget.
33. The actions of the draft UFS will require the future allocation of budget and resources to facilitate the various programs, projects and community engagement activities.
34. Expansion of the existing Annual Street Tree Planting Program or park tree planting would require additional funding. To achieve a 30% canopy cover across the seven land use category areas, a 3% increase in planted areas is needed which equates to approximately 342 ha (3% of 11,392 ha). This requires over 88,000 medium sized trees to be planted (assuming a canopy diameter of 7 m at maturity) over the 20 year timeframe, or approximately 4,450 per year.).

- 35. The City currently spends, on average about \$200,000 pa to achieve a net growth of approximately 500 new street trees per annum. While the targeted 4,450 trees per annum will be a shared responsibility between the City, business and residents, it is considered additional funding would be required to increase the City’s contribution and influence the targeted actions and changes identified in the draft UFS.

SUSTAINABILITY

- 36. The Draft UFS 2023-2043 is an integral step toward protecting and enhancing the City’s urban forest and engaging the community and other stakeholders to contribute to achieving the goals of the UFS.
- 37. At a time of declared climate emergency, the UFS will assist with providing lower temperatures in our urban environment which has demonstrated measurable positive benefits to our physical and mental health and standard of living.
- 38. Increasing urban forest and providing shade to houses decreases energy consumption through reducing the use of air conditioning.
- 39. Increased urban forest will likely result in a decreased incidence of heat related health concerns and an associated reduced impact on health services.
- 40. An extensive urban forest will facilitate the retention and safe movement of some local fauna species throughout the City.
- 41. An active urban forest will sequester carbon and reduce the impacts of greenhouse gas emissions.

RISK MANAGEMENT

42.	Risk: Failure to advocate for, protect and enhance our urban forest may lead to its decline and associated adverse effects.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Development of appropriate strategies and actions will provide a systematic response to the risk.		

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43.	Risk: Implementation of the UFS will be incompatible with other City development strategies or regulatory planning regime.		
	Consequence	Likelihood	Rating
	Moderate	Likely	Medium
	Action/Strategy		
	Proposed Action 1.3 of the revised Draft UFS requires the City to 'Review and identify any gaps in City practices and procedures, policies, design and development guidelines to align with the objectives of the UFS.'		

CONCLUSION

- 44. A thorough process was successfully implemented for the production and review of the Draft UFS. Community and internal stakeholder engagement, as well as a peer review was successfully implemented. This has led to the production of an improved Draft UFS.
- 45. Due to the significance of the revisions made to the Draft UFS, readvertising of the UFS for public consultation is recommended.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

- 1. NOTE the submissions received during the advertising of Draft Urban Forest Strategy 2020.
- 2. ADOPT the Draft Urban Forest Strategy 2023-2043 for the purpose of public advertising.
- 3. NOTE that following public consultation, and prior to the Council considering final adoption of the Draft Urban Forest Strategy 2023-2043, the City will undertake minor updates to the urban forest data, land use categories and figures.

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10.1.3. Amendment 108 to Local Planning Scheme No. 3 - Proposed Rezoning of Lot 32 (4) Kirkdale Road and Lot 33 (4) Orange Valley Road, Kalamunda

The Principle Statutory Planner provided a presentation on this report.

Cr O'Donnell queried some of the wording within the report. The A/Director Development Services provided clarification.

Cr Sewell sought clarification in relation to various aspects of the report, particular in relation to sewerage connection and the vegetation to be removed. The A/CEO advised further information would be provided prior to the Ordinary Council Meeting.

Cr O'Connor sought additional information in relation to sewage connection in the area. The Principle Statutory Planner clarified this.

Cr Ritchie sought information from the Owner and the Owners representation.

The representative of Statewide Planning, representing the owner, provided clarification on various aspects of the Amendment.

Bev Dornan queried if the City would independently assess the monetary value of trees to be removed and invoice the developer for this amount. The A/Director Development Services advised the required there was no requirement under the City's Planning Policy 33 – Tree Retention for this to occur.

Councillors also sought information in relation to tree removal on the site.

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

Previous Items	OCM 26/2022
Directorate	Development Services
Business Unit	Approval Services
File Reference	PG-LPS-003/108, OR-03/004; KR-05/004
Applicant	Statewest Planning
Owner	B M Curtis, D F Pearce & J W Pearce
Attachments	<ol style="list-style-type: none"> 1. Draft Amendment 108 to Local Planning Scheme No. 3 [10.1.3.1 - 34 pages] 2. Submission Table [10.1.3.2 - 9 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 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 Amendment 108 (A108) (Attachment 1) to Local Planning Scheme No. 3 (the Scheme) based on submissions received during the advertising period (Attachment 2).
2. A108 proposes to amend 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 which would have the effect of facilitating subdivision of the lots.
3. Twelve submissions were received during the advertising period and the responses were mixed, comprising 3 objections, 2 non-objections, 2 general comments with the balance of the submissions from government agencies. The principal concerns related to potential amenity impacts arising from increased noise and traffic and potential loss of vegetation on the site.

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- 4. Council is recommended to support A108 without modification.

BACKGROUND

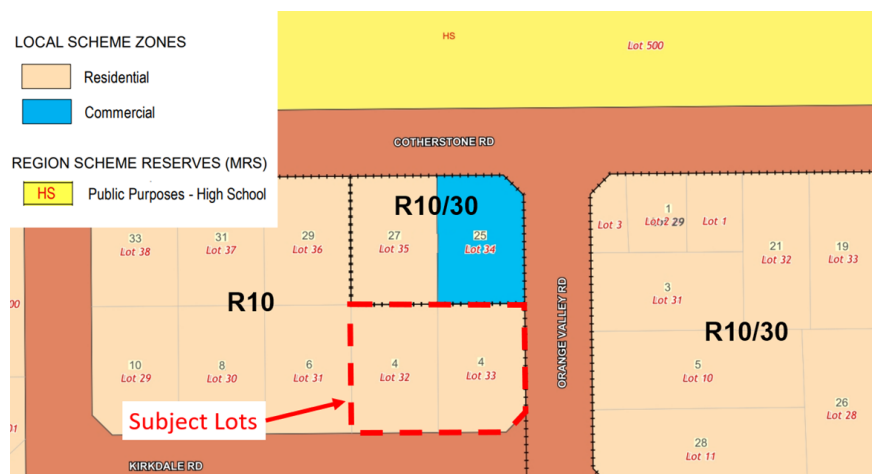
- 5. **Land Details:**

Land Area	Lot 32: 1007m ² Lot 33: 1002m ² Total: 2009m ² (total)
Metropolitan Region Scheme Zone	Urban
Local Planning Scheme No. 3 Zone	Residential R10

- 6. **Locality Plan:**



- 7. **Scheme Map:**



8. The subject lots each comprise of a single house and associated outbuildings with a mix of native and non-native vegetation with up to 8 potential 'trees worthy of retention" as defined in Local Planning Policy 33 – Tree Retention (LPP33). The site slope declines approximately 2m from the high point in the south-east corner to the north-west corner of the subject lots
9. The context and surroundings of the subject lots are characterised as follows:
 - a) Predominantly residential zoned land with a mix of density codes from R10 to the south and west and dual density codes of R10/30 to the north and east - established under Scheme Amendment 82 (A82) approved by the Minister for Planning in 2018.
 - b) One commercial zoned lot adjoins the north-east of the subject lots.
 - c) North of Cotherstone Road is Kalamunda High School and Kalamunda Sporting Precinct (Kostera Oval).
 - d) Topography of the area consists of a moderate east to west declining slope gradually increasing in steepness as the land falls west.
10. A108 was initiated by the Council at its Ordinary Meeting in March 2022 (OCM 26/2022) for the purposes of public advertising. Advertising occurred in June and July 2022, resulting in 12 submissions being received (Further discussed in the Stakeholder Engagement section of this report). A108 and submissions received during advertising are now required to be reconsidered by the Council to determine whether A108 should be supported and proceed with or without modification.

DETAILS AND ANALYSIS

11. The subject lots did not originally form part of A82 that introduced dual density codes in central areas of Kalamunda, Forrestfield and Maida Vale in 2018. This is due to both subject lots falling outside the Water Corporation's area identified as suitable for gravity fed reticulated sewer, and the need for a more detailed assessment to determine whether connectivity was possible.
12. The Applicant is seeking the Council's support to amend the Scheme to rezone the subject lots from Residential R10 to Residential R10/30 (dual density coded area).

13. The applicant notes the following justification 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).
14. Furthermore, in support of A108, the applicant has also provided the following technical information:
- 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 Assessment.
15. 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.*
16. Through A108, future development of the subject lots will be required to address the provisions of Clause 5.24 of the Scheme pertaining to Dual Density Coded Areas. Subject to A108 being approved, the subject lots will be capable of subdivision at the higher codes as both lots exceed the 1,000m² 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.

17. The subject lots are not specifically identified in the City's Local Planning Strategy for future rezoning or density changes. 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 zoning immediately to the north (Lots 34 and 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 lots are located within the walkable catchment of Kalamunda Activity Centre and includes access to services and public open space.
 - d) The subject lots are located within close proximity to public transport (although not classified as high frequency).
 - e) The subject lots are capable of being connected to existing services including connection to the reticulated network in accordance with the proposed engineering solutions.
 - f) The future lot sizes possible through the amendment will provide further housing diversity.
 - g) All remnant vegetation was removed prior to 1970 and the vegetation on the subject lots today were all planted post 1974 and largely consists of non-native trees. Vegetation loss replanting will be considered under the provisions of LPP33 – Tree Retention.
 - h) The bushfire risk is low in accordance with the Bushfire Attack Level assessment.
18. **Effluent Disposal**
The Government Sewerage Policy 2019 requires all lots under 1,000m² to be connected to the reticulated sewerage network.

19. To facilitate future development in accordance with the higher density, the subject lots would be required to be connect to the reticulated sewerage network. The Applicant has provided engineering options which demonstrate that future development can achieve connection with the reticulated sewerage network.
20. Further to the engineering assessment provided by the applicant, correspondence from Water Corporation was provided prior to the Council initiating the A108. This initial correspondence indicated that the lots within the residential block bounded by Cotherstone Road, Kirkdale Road and Orange Valley Road excluding the first four eastern-most lots (with the highest topography) were otherwise not capable of being connect to the reticulated sewerage network for the following reasons:
 - a) The capacity in the existing sewerage line would not allow for all the un-serviced lots in the south-western catchment to be connected (noting the catchment exceeds the residential block).
 - b) The levels of the remaining lots are too low to connect with the reticulated sewerage network, the subject lots both require fill (up to 0.44m according to the Applicant's engineering assessment) to achieve the gravity connection. Continuing to fill for the remainder of the residential block would result in excessive fill.
21. Following the submission received from Water Corporation, the City engaged in additional communication to address concerns regarding the capacity for the subject lots to be connected to the reticulated sewerage network.
22. The outcome of this additional communication indicated the Water Corporation could accept the additional flow created by the future development potential of the subject lots, however, that a detailed design undertaken by a consulting engineering would be required to determine the exact design and fill details. The Water Corporation, nevertheless, indicated they had no objection to A108.
23. Based on Water Corporations comments, the City is satisfied A108 is capable of support, noting the exact level of fill would be addressed through the subdivision and/or development stages.

24. **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/Lots
R10	875m ²	1000m ²	1
R30	260m ² *	300m ²	3

**Minimum area increases to 410qm for 'battleaxe' subdivision.*

25. Further to the existing R-Codes, the Medium Density Code is expected to be finalised within the first half of 2023 and apply to single houses and grouped dwellings for R30 and above, and to multiple dwellings coded R30 to R60.

26. The Medium Density Code are anticipated to 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.

27. **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 LPP9 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.

28. **Tree Retention**

The City's Local Planning Policy 33 – Tree Retention (LPP33) provides guidance on trees considered worthy of retention and exemptions to remove these trees. Whilst design guidance for tree retention applies under LPP33, the tree replacement requirements only apply to land zoned R25 and below. In this instance, the replacement trees will be in accordance with soon to be released Medium Density Codes, LPP33 also

provides more details consideration for tree planting including tree size, deep soil areas and rootable soil zones. These provisions will assist in the development an appropriate tree canopy.

29. Currently the subject lots retain a mix of native and non-native vegetation with up to 8 potential ‘trees worthy of retention’ as defined in LPP33.
30. The potential for vegetation to be retained will depend on the subdivision design (lot layout) and the need to add fill to achieve servicing requirements. This will be considered in more detail at the subdivision/development stage of the planning process.

APPLICABLE LAW

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

Regulation 50 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) requires the local government to pass a resolution by the end of the consideration period to support without modification, support with proposed modifications to address issues raised in the submissions, or not to support the amendment.

APPLICABLE POLICY

32. State Planning Policy 7.3 – Residential Design Codes
33. Local Planning Policy 9 – Dual Density Design
34. Local Planning Policy 11 – Public Notification of Planning Proposals (LPP 11)
35. Local Planning Policy 33 – Tree Retention

STAKEHOLDER ENGAGEMENT

36. **Public Advertising**
Pursuant to Regulation 47 of the Regulations and LPP 11, A108 was advertised from 10 June 2022 to Friday 22 July 2022 via the following methods:
- a) A notice on the City of Kalamunda’s website;
 - b) A notice in the local paper;
 - c) A sign on site;
 - d) Letters to surrounding landowners; and
 - e) Letters to relevant external agencies.

37. A total of 12 submissions were received during the advertising of A108, comprising of two (2) submissions in support, three (3) objections, two (2) non-objections provided by the applicant and five (5) submissions from government agencies. Refer to Attachment 2 which contains all the submissions received along with the City and applicants response to each submission.
38. **Summary of matters raised during the advertising period**
The following summarises the key issues relevant to A108 raised and the City's officer's responses:
39. **Issue 1:** *Object to infill development and increased density.*
40. **Response:** The City has obligations under the strategic planning framework to accommodate urban infill targets. Providing infill opportunities through increased densities as proposed in A108 enables urban growth whilst maximising existing infrastructure and minimising, through consideration of LPP33 tree retention impacts.
41. **Issue 2:** *Amenity impacts caused by overlooking, traffic and noise.*
42. **Response:** Future development and/or subdivision proposals will be assessed against the relevant planning framework, including the Residential Design Codes which set out controls against adverse height, overlooking and vehicle access and parking impacts. The City is satisfied the existing amenity of the locale can be adequately managed through the development application and building permit phase.
43. All residential development is required to comply with the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations). The City is satisfied the Noise Regulations provide adequate means to control noise impacts caused by an increased density.
44. **Issue 3:** *Loss of vegetation and impact on character of the area*
45. **Response:** The City has LPP33 to manage the removal of trees and where unavoidable. Whilst design guidance for tree retention applies under LPP33, the tree replacement requirements only apply to land zoned R25 and below. In this instance, the replacement trees will be in accordance with soon to be released Medium Density Codes.

46. **Issue 4:** *Request for inclusion in the Scheme Amendment*
47. **Response:** The City received a request for another property (1 Kirkdale Road, Kalamunda) to be included in A108, as the landowner's property already had connection to the reticulated sewerage network despite having a R10 zoning. The City determined there was planning merit in requiring the property to be included in A108 as the major reasoning identified in A82 for exclusion of properties was based on sewerage connectivity.
48. Notwithstanding, the planning merit, of including the additional property in A108, the City has a statutory obligation to progress its assessment of A108 and considers the inclusion of the lot would unduly impact on the processing of the current amendment. The inclusion of the additional lot would result in the requirement to re-assess and potentially re-advertise A108, to consider surrounding zoning, impact on the streetscape character and amenity as well as the connection to reticulated sewerage.
49. The City has also identified alternative processes for the requesting landowner to have the density code of their property considered, as follows:
- a) the landowner to include a detailed submission (including technical reporting) during the advertising period for the City's proposed Local Planning Scheme No. 4, which the City is likely to initiate over the short-medium term (anticipated within the next 12 months).
 - b) the landowner to prepare and lodge a separate Scheme Amendment.
 - c) Alternatively, given the City's obligation regarding A108 to provide WAPC with the Amendment, supporting information and submissions received, make representations and submit the necessary information directly to the WAPC and the Minister for Planning.
50. The City sought an extension of time to the standard *consideration period* afforded under the Regulations in order to address concerns surrounding Water Corporations submission and to provide the applicant with an opportunity to consider the submission request to include additional properties within A108.

FINANCIAL CONSIDERATIONS

51. Fees associated with the assessment, advertising, and finalisation of Amendment 108 are borne by the Applicant in accordance with the City's adopted Schedule of Fees and Charges.

SUSTAINABILITY

- 52. **Social**
The proposed land use will allow for more housing options within the City of Kalamunda and increase housing diversity. The public advertising has raised concerns over the increase in noise, overlooking and traffic, however, the City is satisfied the planning framework will adequately address these concerns.
- 53. **Economic**
The proposed amendment will increase the number of dwellings and population in close proximity to the Kalamunda town centre.
- 54. **Environment**
The subject site does not contain any remnant vegetation with all vegetation planted post-development of the current houses. Currently the subject lots retain a mix of native and non-native vegetation. Future development will likely require vegetation to be removed to accommodate residential development at the proposed higher density.
- 55. The existing location of a few of the existing trees may allow for their retention. This will be determined at the more appropriate subdivision/development stage of the planning process. As noted previously in this report tree replacement will be in accordance with the provisions of the soon to be released Medium Density Codes.

RISK MANAGEMENT

56.

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	Unlikely	Low
Action/Strategy		
Ensure future subdivision/development applications for the site are assessed by the City having regard to the regulatory planning framework.		

57.	Risk: The scheme amendment is not supported, and future infill targets are not achieved within the City of Kalamunda.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Support for A108 to be forwarded to the WAPC and Minister for Planning to enable the future development and/or subdivision of the subject lots in accordance with the strategic planning framework.		

CONCLUSION

- 58. A108 is seeking to rezone the Lot 32 (4) Kirkdale Road, Kalamunda and Lot 33 (4) Orange Valley Road, Kalamunda from Residential R10 to Residential R10/30. The proposal has demonstrated consistency with the strategic planning framework notably through the City’s Local Housing Strategy.
- 59. Given the ability of the subject lots to connect to reticulated sewer, A108 is a logical extension of the existing Residential R10/30 dual density zoning and will create a consistent development outcome to the adjoining dual density properties.
- 60. 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 the higher density code. The increased density would support the City in achieving the population targets detailed in the North-East Sub-Regional Planning Framework.
- 61. The submissions received during the public advertising period identified a mixed outcome of support and objection to the proposal. The objections identified the challenges in balancing the City’s obligations, in meeting the state and local strategic planning framework infill objectives and targets, with the expectations of the community in relation to amenity.
- 62. On balance and having regard for the technical matters highlighted through-out the assessment, the City recommends Council support final adoption of A108.

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Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. NOTE the submissions received during the advertising of Scheme Amendment No. 108 to Local Planning Scheme No. 3.
2. SUPPORT, pursuant to Regulation 50(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (without modification), Scheme Amendment 108 to Local Planning Scheme No. 3.
3. NOTE the Amendment document may undergo minor formatting and administrative updates to ensure consistency with model requirements, prior to being referred to the Western Australian Planning Commission.
4. FORWARD to the Western Australian Planning Commission the summary of submissions and responses and all required Scheme amendment documentation pursuant to Regulation 53 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

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10.1.4. Nominations and Sitting Fees for the City of Kalamunda Design Review Panel Committee

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

The Manager Approval Services provided a presentation on this report.

Council sought further information in relation to the role of the committee.

Bev Dornan queried the opportunity for the City to require developers to pay for the independent Design Review Panel.

The A/CEO took this query on notice.

Previous Items	OCM 60/2016, OCM 46/2017, OCM 219/2017
Directorate	Development Services
Business Unit	Approval Services
File Reference	OR-CMA-16
Applicant	N/A
Owner	N/A
Attachments	1. Local Planning Policy 16 - Design Review Panel [10.1.4.1 - 28 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 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.**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.**Priority 4: Kalamunda Leads****Objective 4.1** - To provide leadership through transparent governance.**Strategy 4.1.2** - Build an effective and efficient service based organisation.**EXECUTIVE SUMMARY**

1. The purpose of this report is to advise Council for their information and noting of the proposed nominations to the Design Review Panel (DRP) and adopt an hourly fee for participating members.
2. During the expression of interest period, a total of 11 nominations were received for membership of the City of Kalamunda's (City) DRP. From the nominees, 7 suitably qualified and experienced panel members have been selected.
3. Assessing the design quality of development in the City as part of the planning process will influence appropriate built form outcomes in the City's residential, commercial, and industrial areas.
4. It is recommended that Council note the 7 DRP members and adopt an hourly rate of \$200 (ex GST) per hour for each DRP member.

BACKGROUND

5. In November 2016, Council resolved (OCM 60/2016) to approve Amendment 84 (A84) to Local Planning Scheme No.3 (Scheme) to introduce provisions with the aim to establish a Design Advisory Committee since renamed to Design Review Panel (DRP).

6. In July 2017, Council resolved (OCM 46/2017) to adopt Local Planning Policy P-DEV 60 Design Advisory Committees. The Policy has since been amended to Local Planning Policy 16 – Design Review Panel (LPP16) to reflect the phrasing of the State Government Design Review Panel (SDRP), refer Attachment 1.
7. The intent of LPP16 is to compliment the adopted A84 provisions to create a Design Review Panel, to guide the types of applications and matters to be considered by the DRP in more detail. LPP16 also outlines the process for advertising, recruiting, and operating the DRP including the length of tenure for each panel member being 5 years, as well as stating expectations of the DRP.
8. In November 2017, Council noted (OCM 219/2017) the following nominees were appointed to the Design Review Panel Committee:

Sitting Members:
 - a) Chris Melsom
 - b) Carmel Van Ruth
 - c) David Barr
 - d) Jurg Hunziker
 - e) Ross Montgomery
Alternate Members:
 - a) Patrick Beale
 - b) Ian Molyneux
9. In April 2019, the Western Australian Planning Commission established the SDRP, comprising 76 highly experienced built environment professionals from industry and government that provides independent advice on the design quality of major development proposals. The SDRP is chaired by the Government Architect and administered by the Design Review Support Team within the Design and Built Environment Directorate of the Department of Planning Lands and Heritage.
10. The DRP performs an advisory function only. Although the DRP does not have decision making powers, it provides recommendations which assists the planning assessment process and ultimately informs the decision-making process through the City and Council. The DRP reviews proposals and provides advice against the relevant planning framework and the ten design principles as set out in State Planning Policy 7.0 – Design of the Built Environment.

DETAILS AND ANALYSIS

11. The State Government's Action Plan for Planning Reform (2019) process identified the need for initiatives and actions to improve the design quality of the built environment. This included the establishment of DRPs at a state and local government level.
12. Improving the design quality of the built environment is proven to have a positive impact on the social wellbeing of local communities. Assessing the design quality of development in the City as part of the planning process will ensure appropriate built form outcomes in the City's residential, commercial, and industrial areas.
13. The City has been operating a DRP since 2017, and since that time the DRP members have considered a total of 36 items, comprising predominantly significant commercial and industrial developments, but also local planning policies, plans and strategies.
14. The DRP plays an important role in the planning assessment process for the City, which has resulted in improvements to the design quality and appearance of a number of significant commercial and industrial development proposals in the City.
15. The establishment of a DRP sends a clear message that the design quality of developments is an important consideration for the City. Moreover, from an economic and social perspective there are benefits in improving the design quality of the built environment for both the applicant and the local community.
16. The DRP performs an advisory function only. Although the DRP does not have decision making powers, it provides recommendations which assists the planning assessment process and ultimately informs the decision-making process through the City and Council. The DRP reviews proposals and provides advice against the relevant planning framework and the ten design principles as set out in State Planning Policy 7.0 – Design of the Built Environment.
17. The DRP panel comprises a total of seven members, five of which are appointed to sit on the DRP, and two alternative members have been selected. If any of the five sitting members are unavailable, or their specific area of expertise warrants their attendance. Each of the nominated DRP panel members have a range of design and built environment expertise in the following disciplines:
 - a) Architecture
 - b) Landscape architecture

- c) Urban design
- d) Sustainability and environment design
- e) Planning
- f) Public art

18. A total of 11 nominations were received for membership of the City's DRP, with a broad range of design expertise comprising a mixture of professionals local and external to the City of Kalamunda. From the selection process the following nominees have been selected for a 5-year term:

Sitting Members:

David Barr

- a) 19 years' experience in Architecture and Planning.
- b) Qualified and registered Architect,
- c) Extensive experience in the development and review of design documents, i.e., Design WA and previous State Design Review panel member.
- d) Contemporary experience in large residential development. Inaugural member and effective contributor to the City's DRP.

19. **Jurg Hunziker**

- a) 40 years' experience in Architecture both local and international.
- b) Qualified and registered Architect.
- c) Extensive experience in design reviews and membership of design review committees.
- d) Contemporary experience in numerous complex design and construction projects.
- e) Inaugural member and effective contributor to the City's DRP.
- f) Local resident in the City of Kalamunda.

20. **Ross Montgomery**

- a) 25 years' experience as Town Planner in a variety of government and non-government organisations.
- b) Qualified and certified Town Planner and Landscape Architect.
- c) Past member of the City of Perth Design Advisory Committee.
- d) Inaugural member and effective contributor to the City's DRP.

21. **Susie Zuber**

- a) Over 25 years' experience in Architecture, urban design and place making both locally and internationally.
- b) Qualified and registered Architect.
- c) Was a member of the Commission for Architecture and the Built Environment (CABE) design review panel.
- d) Recently appointed to the State Government Design Review Panel.

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22. **Amanda-Lee Morgan**
- a) 20 years' experience in design project management through to construction phase of development.
 - b) Ability to apply design review principles to complex strategies – large scale development, architecture, place making and public art.
 - c) Local resident of Kalamunda.

23. **Alternative Members:**

Patrick Beale

- a) 40 years' experience in architecture and urban design, both locally and internationally.
- b) Qualified and registered Architect.
- c) Extensive experience in research and academia, more recently at University of Western Australia.
- d) Won numerous awards, specialising in timber design and construction.
- e) Inaugural member and effective contributor to the City's DRP.

24. **Walter Van Der Loo**

- a) Over 30 years' experience in urban and landscape design projects both locally and internationally.
- b) Qualified landscape architect.
- c) Recognised for excellence in planning, design and delivery as part of a multi-disciplinary team that have won a diverse range of awards.

APPLICABLE LAW

25. Local Planning Scheme No. 3 - Clause 10.3 Advisory Committees

APPLICABLE POLICY

26. Local Planning Policy 16 – Design Review Panel

STAKEHOLDER ENGAGEMENT

27. N/A

FINANCIAL CONSIDERATIONS

28. Regarding recommended remuneration for sitting members, the City's Officers sought advice from the Office of the Government Architect, and other local governments who operate a DRP. The Office of the Government Architect declined to provide advice, however other local governments operate on a fee range of between of \$200 to \$250 per hour

(ex. GST). Based on the information received, it is recommended that the City continue with its current fee structure of \$200 per hour, which is within the assessed range of other Local Government DRPs and consistent with comparable local governments to the City.

- 29. Costs associated with the operation of the DRP are allocated through the annual budget process. The DRP meets on a need's basis with generally no more than one meeting per month, with each meeting being no more than 3 hours in duration. Since its establishment in 2017, the City has held on average 7 DRP meetings annually, with sitting fees for members costing the City on average \$3,200 per meeting.

SUSTAINABILITY

- 30. **Social**
The operation of the DRP provides the City with independent expert advice and informed assessment of development applications guided by an established set of design quality principles. Communities benefit, by knowing that new development will make a positive contribution to the public realm and by extension the surrounding community.

- 31. **Economic**
Developers can benefit by receiving expert independent advice on the design quality of their development proposal, providing the opportunity to review the design and pursue an improved design outcome with reduced risks and costs delays in the planning process.

- 32. **Environmental**
The expert independent advice on the design quality can result in improved sustainability and landscaping design outcomes which help to reduce the carbon footprint of the building.

RISK MANAGEMENT

33.	Risk: The nominated panel members do not have the necessary technical skills and experience to be an effective member of the DRP.		
	Consequence	Likelihood	Rating
	Moderate	Rare	Low
	Action/Strategy		
	Ensure the nominated panel members of the DRP have the necessary credentials to be an effective member of the Panel.		

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CONCLUSION

34. The nominated seven members to the DRP, have demonstrated they have the relevant contemporary experience and expertise in the requisite fields of architecture, landscape design, urban design, town planning and sustainability and environmental design to give independent, expert advice on the design quality of all matters referred to the DRP.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. NOTE the following nominees are appointed to the City of Kalamunda Design Review Panel for a 5-year term:

Sitting Members:

- David Barr
- Jurg Hunziker
- Ross Montgomery
- Susie Zuber
- Amanda-Lee Morgan

Alternative Members

- Patrick Beale
- Walter Van Der Loo

2. ADOPT the sitting fee of \$200 (ex GST) per hour for the Design Review Panel members.

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10.2. Asset Services Reports

10.2.1. Mundaring Weir Road Safety Investigation

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

The Director Asset Services provided a presentation on this report.

Council sought clarification in relation to clearing as part of the outcome of the investigation. The Director Asset Services provided clarity in relation to this.

Previous Items	202/2020
Directorate	Asset Services
Business Unit	Asset Planning
File Reference	MN-07/GEN
Applicant	N/A
Owner	N/A
Attachments	1. Mundaring Weir Road Safety Investigation Report [10.2.1.1 - 114 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

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STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 1: Kalamunda Cares and Interacts

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

Strategy - 1.2.1 Facilitate a safe community environment.

Priority 3: Kalamunda Develops

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

Strategy 3.2.3 - Provide and advocate for improved transport solutions and better connectivity through integrated transport planning.

EXECUTIVE SUMMARY

1. The purpose of this report is to note the Mundaring Weir Road Safety Investigation (RSI) as a preliminary assessment of road safety concerns along Mundaring Weir Road within the City of Kalamunda's (City) management.
2. This RSI was initiated as an action within the City's Bicycle Plan 2017, response to community concerns regarding vehicle and cycling safety along this road and an activity within the preparation of the 'Kalamunda Moving: A Transport and Road Safety Strategy'.
3. The RSI identified a number of improvements totalling \$4.4 million (rounded) in value. The scope and type of improvements are:
 - a) Improvements involving signs, lines, lighting, and safety barriers - \$1,116,000.
 - b) Path upgrade for cycling - \$825,000.
 - c) Road widening and improvements - \$2,400,000.
4. It is recommended that Council endorse the RSI as the basis of long term works programs and recommended actions as outlined in this report and note that community engagement will be undertaken to seek feedback on the RSI.

BACKGROUND

5. Mundaring Weir Road is a regional distributor road, under the management of the City from Railway Road (at Kalamunda townsite) to the City boundary near Mundaring Weir. After the Weir the road comes under the management of the Shire of Mundaring.
6. The City's Cycle Plan 2017 identified the need to undertake a road safety audit along Mundaring Weir Road to address possible cycling safety matters.
7. The City has received a requests from the community regarding speeding and safe access to properties along Mundaring Weir Road, and there were 37 crashes in the five year period 2017 to 2021 (excluding two at the Railway Road intersection).
8. An action within the City's 'Kalamunda Achieving Corporate Business Plan 2022 -2026' was to prepare by the end of 2024/2025 the 'Kalamunda Moving: A Transport and Road Strategy' (Strategy). In preparing this strategy one activity was to undertake a RSI for Mundaring Weir Road in order to inform the Strategy.

DETAILS AND ANALYSIS

9. The RSI is a preliminary assessment of the road corridor with a specific focus on road safety elements but not to the level of detail of a Road Safety Audit. The objective was to identify at a schematic level, the improvements needed to Mundaring Weir Road and recommendations on the priority of works.
10. Donald Veal Consultants (DVC) were appointed to undertake the RSI. Subsequent site visits and assessments were undertaken through June to September 2022, with the final report provided in September 2022. Their report is provided as Attachment 1 to this report.
11. The overarching theme of the assessment is to follow the Safe System. This system considers the four elements of: safe speeds, safe vehicles, safe road environments and safe road use. Of specific importance to this report are:
 - a) The aim to improve road shoulder widths and designs, thus providing more space for all road users, and
 - b) The aim to reduce roadside hazards for all road users.

12. The assessment considered road geometry, road capacity, crash history, heavy vehicles, pedestrians, cyclists and the roadside environment.
13. The RSI identified many roadside hazards along Mundaring Weir Road, including:
 - a) A lack of formed road shoulders east of Reservoir Road that limit options for road users in the event of needing to correct their path or avoid hazards;
 - b) Trees and vegetation creating non-frangible objects and sight obstructions;
 - c) Power poles, drainage headwalls and other rigid structures within the clear zone;
 - d) Steep batters ascending or descending from the road edge that reduce the space for road users to correct their path,
 - e) Some intersection problems; and
 - f) Street lighting inadequacy.
14. To identify what hazards need to be removed or protected in the road environment, reference is made to Austroads' Guide to Road Design and the Main Roads WA guidelines for clear zones. The assessment of the level of hazard and treatment is technical and specific to each location and hazard type.
15. For example, at a design speed of 70 km/hr, and up to 1,500 vehicles per day as is experienced east of Aldersyde Road, a drop off the edge of the road of a 3:1 slope needs a clear zone of 3.5 metres. If this is not available, the slope must be protected by a barrier (such as a guard rail).
16. Some hazards such as small trees under 100mm diameter within the clear zone are considered frangible, will break on impact, and so do not require removal as hazards. However, these same trees will eventually grow larger and then require removal or protection by road side barriers.
17. In recognition of the cost of major works and the City's limited funding environment, the RSI scope excluded consideration of large scale realignments of Mundaring Weir Road, and of large scale cycling infrastructure. The recommendations are therefore based around keeping the present alignment generally the same and improving safety features within that environment.
18. The total value of work recommended from the RSI has been estimated at \$4.4 million (rounded). Being a preliminary assessment, some priorities are suggested, however the City will need to determine how best to progress with the improvements. The preliminary estimates and proposed staging are provided in pages 72 to 76 of Attachment 1.

19. Following the identification of the range of road safety concerns, the RSI has identified a number of treatments along the road:
- a) Upgrade intersections to improve visibility and signage.
 - b) Improve sight lines along the road by small road alignment changes or vegetation removal.
 - c) Bring all signage up to standard and new condition.
 - d) Provide audible edge lines and audible centre lines.
 - e) Remove or protect from road side hazards by providing safety barriers.
 - f) Remove drainage features that affect cyclist safety.
 - g) Update safety barriers to current standards.
 - h) Improve street lighting at intersections and along the built-up area.
 - i) Remove and reposition the pedestrian crossing at Hummerston Road.
20. The above works were estimated to cost in total \$1,116,000. Many of the works may be combined to provide a viable State Black Spot funded project, which would provide 66% funding. The City will undertake further design and investigations for these with the aim of acquiring black spot funding in 2025/26.
21. The RSI recommendsto upgrade the footpath from Hinkler Road to Railway Road to a shared path 3.0m wide. This would provide improved safety for pedestrians and cyclists through the built-up area. Estimated at \$825,000, this project may be suitable for WA Bike Network grant funding (50%). The City will undertake further scoping and design with the aim of seeking WA Bike Network funding in 2025/26.
22. The other major project recommended by the RSI was to widen and provide other safety improvements along the northern end of Mundaring Weir Road, north of Reservoir Road. Estimated at \$2,400,000, this does not presently meet State Black Spot BCR criteria, however the City will refine the scope and design with the aim of acquiring black spot funding in 2026/27 to address many of the issues.

APPLICABLE LAW

23. The *Main Roads Act 1930* covers the proclamation of main roads and secondary roads.
24. The *Local Government Act 1995* covers the authority to limit users of a road.
25. The *Road Traffic Act 1974* and *Road Traffic Code 2000* cover the authority to regulate parking and driver activities.

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APPLICABLE POLICY

26. No applicable policy.

STAKEHOLDER ENGAGEMENT

27. It is planned that the RSI will be advertised to the community, along with being referred to State Government Agency (Main Roads WA) to gauge overall feedback. As specific projects are funded in future budgets, community consultation on the specifics will be undertaken.

FINANCIAL CONSIDERATIONS

28. The ‘headline’ budget of all issues identified in the RSI is \$4.4m. Noting that this RSI is of concept level planning, as future projects are approved, updated budgets will be undertaken to take into account both the detail design and cost escalation matters that occur over time. Grant funding opportunities will be pursued as available.

SUSTAINABILITY

29. Mundaring Weir Road provides a rural tourist drive that supports tourism, and the safety and performance of the road has an indirect impact on the economic sustainability of the community.

30. Mundaring Weir Road has been pre-qualified for State Black Spot funding thus indicating the road has had a negative impact on social sustainability. Improvements are needed to reduce the likelihood and severity of crashes, and the impact to the community of property damage and injury.

31. The proposed work may involve some removing of vegetation and mature trees within the road reserve, which will have a detrimental impact on the natural environment. The City will be planting trees in other locations to offset these impacts.

RISK MANAGEMENT

32.	<p>Risk: That improvements identified in the Mundaring Weir Road Safety Investigation are not implemented in time to prevent further crash injury and damage.</p>		
	Consequence	Likelihood	Rating
	Major	Possible	High
	Action/Strategy		
	Continue to scope and seek funding as part of City priorities. Aim to deliver the next level of concept design quickly, so that priorities can be better managed.		

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CONCLUSION

- 33. The RSI has identified a number of different types of road safety improvements are required along the length of the road, to improve the safety for all road users. Further scoping and design is needed to prioritise the work better and identify appropriate funding sources.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

- 1. ENDORSE the Mundaring Weir Road Safety Investigation Report for the purposes of Community engagement.
- 2. NOTE that projects will be scoped and submitted for future funding consideration in future budgets.

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10.2.2. Adoption of Climate Change Action Plan

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

The Director Asset Services provided a presentation on this report.

Steve Gates, Nature Reserve Preservation Group, discussed matters raised within the submission from the group this included the support of gas within subdivision and carbon emissions.

The Director Asset Services provided responses and clarification of matters raised in relation to encouraging decarbonisation by developers and also provided further information in relation immediate actions to be undertaken by the City.

Helen Lyon, Chair Perth Hills Climate Change Interest Group, sought clarification on various matters raised within the Action Plan.

The Director Asset Services provided responses and clarification of matters raised in relation to measuring emissions, partnerships with the community and future planning.

Previous Items	OCM 74/25021; OCM 79/2022
Directorate	Asset Services
Business Unit	Asset Services
File Reference	OR-IGR-049
Applicant	City of Kalamunda
Owner	City of Kalamunda
Attachments	<ol style="list-style-type: none"> 1. CCAP - Stage 2 Community Engagment - Summary Report [10.2.2.1 - 22 pages] 2. CCAP - Stage 2 Community Engagement - Detailed Submissions [10.2.2.2 - 145 pages] 3. City of Kalamunda Climate Change Action Plan [10.2.2.3 - 41 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
✓ Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly

impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 2: Kalamunda Clean and Green

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

Strategy 2.2.1 - Manage the forecast impacts of a changed climate upon the environment.

Strategy 2.2.2 -Work towards a Carbon Neutral Footprint of City-operated areas.

Priority 2: Kalamunda Clean and Green

Objective 2.3 - To reduce the amount of waste produced and increase the amount of reuse and recycling of waste.

Strategy 2.3.1 -Implement the City's Waste Plan aligned to the State Waste Avoidance and Resource Recovery Strategy.

Priority 4: Kalamunda Leads

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

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council adoption of the City of Kalamunda's (City) Climate Change Action Plan (CCAP).
2. The CCAP has been developed with the support of the Kalamunda Environmental and Sustainability Advisory Committee (KESAC) and after two stages of Community Engagement.
3. The CCAP provides for four key areas of focus (Carbon Footprint, Waste, Sustainable Development and Resilience to Changing Climate) with the City having four key audiences (City as an entity, Residents, Businesses/Commercial entities and State/Federal Government) from which a set of actions have been proposed over coming years.

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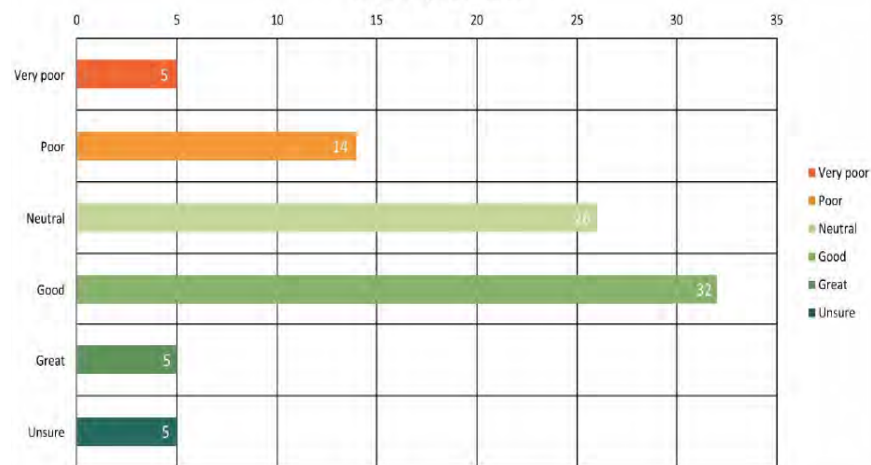
4. It is recommended that Council adopt the Climate Change Action Plan.

BACKGROUND

5. At the June 2022 OCM, Council received a progress report on the City's development of the Climate Change Action Plan in response to its Declaration of a Climate Emergency in 2021. It was resolved (OCM 79/2022) that Council:
 1. ENDORSE the final draft Climate Change Action Plan for community engagement.
 2. RECEIVE a subsequent report after the community engagement is complete and a final Climate Change Action Plan is proposed for adoption.
6. Community engagement was completed in 2022 and progressive drafts of the CCAP were developed in conjunction with KESAC.

DETAILS AND ANALYSIS

7. Stage 1 of community engagement regarding Climate Change was conducted in 2021 which helped inform development of a draft CCAP. Stage 2 of community engagement was conducted in June and July 2022 for feedback on the draft CCAP. The Community Engagement Report is provided in summary form as Attachment 1 along with detailed responses and submissions as Attachment 2 to this report.
8. 87 responses were provided to the feedback survey against the draft CCAP as well as 15 individual separate submissions. The overall rating of the draft CCAP is summarised in the graph below:



9. Some of the positive feedback on the draft CCAP included:
 - a) Clear goals, actions and projects.
 - b) Acknowledgement that Climate Change is a threat.
 - c) Structure of plan and ease of understanding.

10. Some of the constructive feedback provided on the draft CCAP included:
 - a) Details on timelines and accountability required.
 - b) Greater focus on planting more trees and vegetation and conservation activities.
 - c) Greater focus on renewable energy.

11. The community provided overwhelming feedback that they saw the following issues as very important:
 - a) Reducing the City's carbon footprint.
 - b) Reduce methane generated by landfill.
 - c) City supporting the community in carbon reduction journey.
 - d) City to advocate for sustainability in planning frameworks.
 - e) Improve community's resilience to changing climate patterns through advice, education and awareness.
 - f) Encouraging new development that is more resilient to climate change.

12. KESAC provided initial comment to the June 2022 draft CCAP. They were also provided an advance copy of the final CCAP in January 2023 prior to development of this report.

13. The CCAP for adoption by Council is provided as Attachment 3 to this report. The CCAP is structured as follows:
 - a) Summary of "What is Climate Change"
 - b) Impacts and consequences for City of Kalamunda
 - c) Focus Area 1 – Carbon Footprint
 - d) Focus Area 2 – Waste and Circular Economy
 - e) Focus Area 3 – Sustainable Development
 - f) Focus Area 4 – Resilience under Changing Climate Patterns

14. Each Focus Area is then expanded into:
 - a) Target & Objectives
 - b) Achievements to Date
 - c) Proposed Actions over coming years

- 15. The cornerstone of the CCAP for the City is progress towards a net zero emissions profile for City operations by 2035. The first milestone in this achievement is planned to achieve a 40% reduction in operational emissions by 2030 compared to its 2020 baseline.
- 16. The following table illustrates the differing timeframes being adopted by various parties towards their zero emissions journey:

Entity	Interim Target	Zero Emission Target Year
Federal*	43% reduction against 2005 baseline by 2030	2050
State of WA*	80% reduction against 2020 baseline by 2030	2050
Fremantle	Ongoing progress	2025
Victoria Park	Ongoing progress	2030
Vincent	Ongoing progress	2030

** Federal Parliament has passed the Climate Change Act 2022 which binds the nation to the interim target and zero emission targets. WA Parliament is now considering similar legislation*

- 17. For the City to achieve its net zero target some or all of the following activities will be required over time:
 - a) City facilities converting to Solar Photovoltaic and integrated Battery supply for electricity.
 - b) Introduction of Battery Electric Vehicles for City fleet.
 - c) Waste management processes that maximise diversion from landfill.
 - d) Energy efficiency measures to reduce demand for electricity which then can reduce costs of funding renewable energy. This can range from LED lighting through to rationalisation of underutilised buildings.
 - e) Purchase of renewable energy over current gas/coal energy sources where it is impractical to install standalone 'off grid' renewable sources.
- 18. Achievement of many of the significant actions contained within the CCAP will necessitate allocation of physical and financial resources by the City. Opportunities for external grants and partnerships will be explored as they arise however it is reasonable to expect that implementation of the CCAP will require rates funding on an annual basis. Council prioritises funding for all activities undertaken by the City on an annual basis hence the CCAP actions may not be fully realised if higher priority funding needs exist.

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19. It is proposed that future revisions of the City's Corporate Business Plan will identify specific actions to be undertaken in coming years aligned to this CCAP.

APPLICABLE LAW

20. *Climate Change Act 2022 (Commonwealth).*

APPLICABLE POLICY

21. Nil

STAKEHOLDER ENGAGEMENT

22. Community feedback on the draft CCAP was sought and the outcomes provided as Attachment 1 to this report.

FINANCIAL CONSIDERATIONS

23. Many initiatives and actions proposed in the CCAP would provide operational cost savings to the City (such as Solar PV panels, LED lighting, Electric Cars etc). These may require significant capital investment to implement, which will be considered as part of the annual budget processes.
24. Other initiatives and actions proposed in the CCAP will be necessary in order that the City undertakes its leadership role in supporting the community and advocacy within State and Federal government. These activities similarly will be considered as part of the annual budget processes.
25. Staff resourcing will also be important in order to ensure success of the CCAP. The draft 2023/2024 operating budget will need to consider how best the City can provide a staff member to coordinate the myriad of activities and actions contained within the CCAP.

SUSTAINABILITY

26. The CCAP goes to the heart of the City's sustainability objectives. It demonstrates to stakeholders that the City is committed to providing a sustainable environment for our community.

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RISK MANAGEMENT

27.	Risk: The City does not have a plan in place to meet mandated decarbonisation targets leading to compliance failures.						
	<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;">Major</td> <td style="padding: 2px;">Likely</td> <td style="padding: 2px;">Extreme</td> </tr> </tbody> </table>	Consequence	Likelihood	Rating	Major	Likely	Extreme
Consequence	Likelihood	Rating					
Major	Likely	Extreme					
	Action/Strategy						
	Adoption of a strategy towards zero emission targets.						

28.	Risk: The City fails to resource the implementation of the priority actions within the CCAP leading to criticism of the City.						
	<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;">Major</td> <td style="padding: 2px;">Likely</td> <td style="padding: 2px;">Extreme</td> </tr> </tbody> </table>	Consequence	Likelihood	Rating	Major	Likely	Extreme
Consequence	Likelihood	Rating					
Major	Likely	Extreme					
	Action/Strategy						
	Annual budget processes identify and assess priority of funding outcomes.						

CONCLUSION

29. The adoption of the CCAP demonstrates to the community the City's commitment to recognising and dealing with the implications that climate change is having and will have upon the City. It shows that the City is providing good governance.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. NOTE the Climate Change Action Plan Stage 2 Community Engagement report provided as Attachments 1 and 2 to this report; and
2. ADOPT the draft City of Kalamunda Climate Change Action Plan provided as Attachment 3 to this report (subject to final desk top publishing improvements).

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10.3. Corporate Services Reports

10.3.1. Corporate Business Plan - Quarterly Update - October to December 2022

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

The Director Corporate Services provided a presentation on this report.

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 2022 [10.3.1.1 - 49 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.

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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 2022-2026" for the period October to December 2022.
2. On average, actions from the Corporate Business Plan are 53.3% complete at the end of the second quarter, 31 December 2022.
3. It is recommended that Council notes the quarterly report for the Corporate Business Plan for the period October to December 2022.

BACKGROUND

4. Kalamunda Achieving: Corporate Business Plan 2022-2026 (the CBP) was endorsed by Council at the Special Council Meeting on 27 June 2022.
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 2022/23.

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 127 individual actions set out within the CBP for the 2022/23 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 2022.

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11. The actions contained in the CBP are on average 53.3% complete. For most actions, the target at the end of the second quarter is 50%, indicating that progress on average, is on or 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 138.8%.

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.

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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 53.3% complete at the end of the second quarter.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE the quarterly report for the Kalamunda Achieving: Corporate Business Plan 2022-2026 for the period October to December 2022.

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10.4. Community Engagement Reports

10.4.1. Customer Service Results 2022

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

The Director Community Engagement provided a presentation on this report.

Previous
 Items
 Directorate Community Engagement
 Business Unit Customer Services
 File Reference
 Applicant
 Owner

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

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 1.1.1 -- Ensure the entire community has access to information, facilities and services.

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

Strategy 1.1.3 - Facilitate opportunity to pursue learning.

Priority 1: Kalamunda Cares and Interacts

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

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

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with an update on the City of Kalamunda's (City) customer service results for 2022.
2. The City's customer service has continued to achieve the service level expectations set, with the new Strategy adopted in mid-2022.
3. The recommendation is to note the Customer Service results for 2022.

BACKGROUND

4. In June 2022 the City of Kalamunda adopted its Customer Service Strategy 2022 – 2026. The Strategy builds upon the initiatives outlined in the Customer Service Strategy 2017-2021.
5. The key objectives of the strategy are to:
 - a) promote a holistic approach to customer service, encouraging a smooth, seamless “one-touch” customer experience.
 - b) be responsive and agile in-service delivery, recognising one size doesn't fit all and offering a range of service delivery options.
 - c) support and encourage staff through training and information sharing to be proactive and anticipate community needs, always striving to exceed expectations.

Customer Service Principles

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

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		<ul style="list-style-type: none"> • Our people and our customers will be our best advocates.
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Customer Service Promise

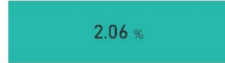
- 7. Supported by innovative technology solutions and regular best practice training, staff will be proactive, focus on future planning to meet business objectives and work collaboratively, with the customer experience always in mind.
- 8. All City interactions with customers will be-
 - a) timely and meaningful.
 - b) transparent in all that we do and decisions we make.
 - c) changed and adapted for continuous improvement.

DETAILS AND ANALYSIS

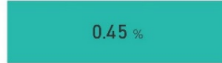
- 9. The City continued to focus on a combination of concepts including cultural change, technological and process improvement, and a centralised service model - with increased self-service options and improvements based on customer feedback.
- 10. Our customers are the ‘key influencers’ in the development, improvement and delivering of our services.
- 11. Overall, customer requests have been responded to in a timely matter with an average time taken for all customer requests sitting significantly under the target of 7 days. Some requests require further information from the applicant which can result in a delay to response time.
- 12. The following provides an overview of the City of Kalamunda customer results for 2022 in comparison to previous years:

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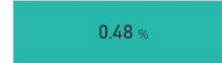
% of Requests with Time taken > 7 Days - 2018



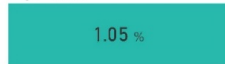
% of Requests with Time taken > 7 Days - 2021



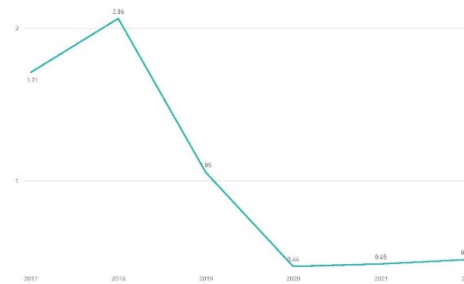
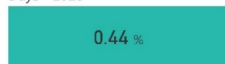
% of Requests with Time taken > 7 Days - 2022



% of Requests with Time taken > 7 Days - 2019



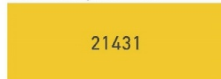
% of Requests with Time taken > 7 Days - 2020



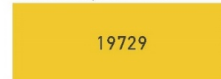
Count of Requests - 2018



Count of Requests - 2021



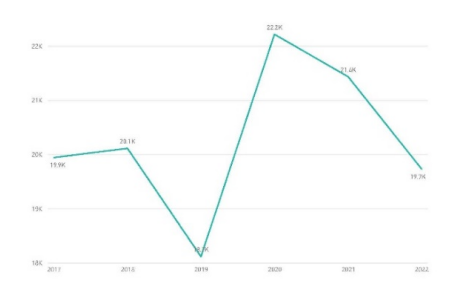
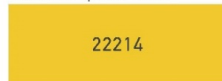
Count of Requests - 2022



Count of Requests - 2019



Count of Requests - 2020



13. The trend has shown that request times have stayed consistent over the past 3 years, with a slight increase in 2022. The number of requests has dropped in 2022, however the influence of Covid in 2020 could have impacted the upward trend of these results.

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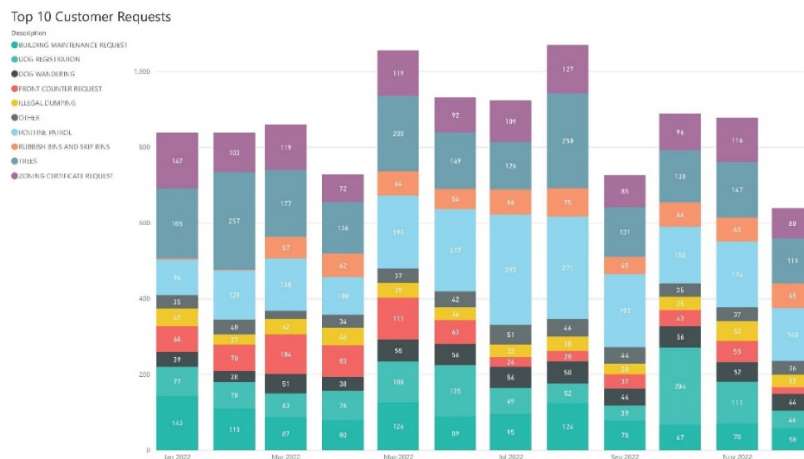
14.



15.

In line with previous results, the average response time has stayed consistent over the last 3 years with all average times coming in under 0.4 days.

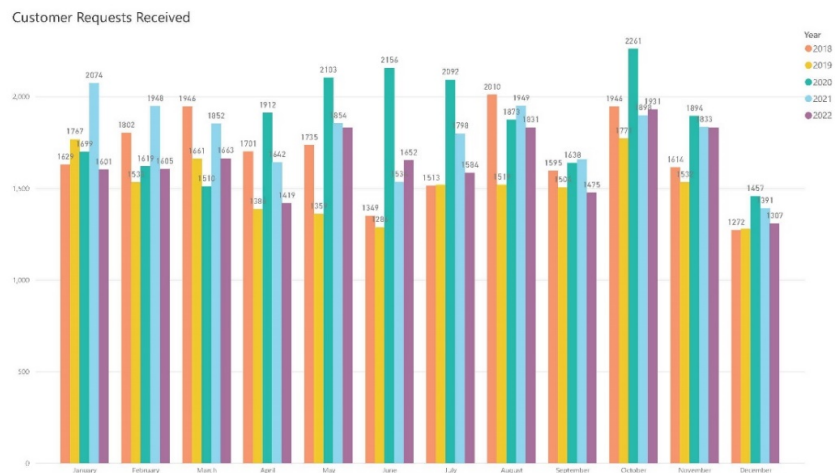
16.



Trending requests over 2022 saw a focus on Waste services including illegal dumping requests and skip bins/rubbish bins. Tree related customer requests have had a steady increase in numbers and continued to trend in 2022.

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17.



Overall, 2022 was on par with previous years requests. 2020 saw the highest number of customer requests received by the City.

- 18. In 2022 the City has also embarked on the relocation of the Forrestfield Library. The new Library will open in Mid-2023 and will include full customer service offerings. This will provide residents another location to receive face to face customer service. The Library and Customer Service Centre will be in the Hawaiian’s shopping center.
- 19. In community engagement undertaken during 2022 in regard to the New Library the new customer service function was the top item respondents liked about the plan, followed by the creative installations, pop up activations and the click and collect service.

APPLICABLE LAW

- 20. *Local Government Act 1995*

APPLICABLE POLICY

- 21. Service 5 – Communication and Engagement
- 22. Service 01 – Managing Unreasonable Conduct by Customers

STAKEHOLDER ENGAGEMENT

- 23. The City received feedback year-round relating to Customer Service and reviews all feedback, suggestions and complaints which are received to improve the customer experience.

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- 24. Feedback from residents has continued to have a positive sentiment overall.
- 25. Results are circulated throughout the organisation to all business units as part of an informing campaign, along with a weekly report issued to business units on items requiring action.

FINANCIAL CONSIDERATIONS

- 26. Services are provided within the current budget parameters.

SUSTAINABILITY

- 27. The City’s Customer Service Strategy is based around a series of actions, which will improve sustainability in the customer service space from both a social and environmental perspective, with increased self service capability and a reduction in print.

RISK MANAGEMENT

28.

Risk: Customer Service Results are not monitored to ensure ongoing achievement of Strategy objectives.		
Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
Ensure regular reporting to Council with quarterly updates and annual review.		

29.

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

CONCLUSION

- 30. The City remains focused on best practice, with works to ensure services are as accessible as possible currently underway, with the expansion of locations customers can access services.

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31. The Customer Service Strategy provides clear direction for the City, along with ensuring customers understand how the City will interact and what to expect in terms of customer service.
32. Continuous review and improvement, led by our customers feedback is important to ensure the City continues to maintain and improve on results and the overall customer experience.
33. The success of the Customer Service Strategy Implementation to date is a credit to the entire organisation.
34. There is a strong customer centric focus and culture that is continuing to strengthen.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE the Customer Service Results for 2022

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10.5. Office of the CEO Reports

10.5.1. Council Authorisations - Execution of Documents

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

No presentation was provided on this report.

Council sought clarification in relation to documents for execution. Information would be provided to councillors prior to the Ordinary Council Meeting.

Previous Items	
Directorate	Office of the CEO
Business Unit	Governance
File Reference	
Applicant	
Owner	
Attachments	1. City of Kalamunda Execution of Documents Staff Authorisations June 2020 [10.5.1.1 - 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 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.

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EXECUTIVE SUMMARY

1. The purpose of this report is to amend the authorisation provided to specified staff at the Chief Executive Officer, Director and Manager level to sign documents on behalf of the City of Kalamunda (City) that do not require the affixing of the Common Seal.
2. The authorisations contained in the recommendation are in accordance with the provisions of the *Local Government Act 1995* (Act) and provide the framework for continued efficient operations within the administration of the City.
3. It is recommended that Council adopt the revised Council Authorisations.

BACKGROUND

4. Council authorisations to execute documents have been in place since 2010 and have been periodically amended to add, delete staff and amend position titles arising from new staff appointments, resignations or organisational restructures.
5. Authorisations were most recently considered and approved by Council at the Ordinary Council Meeting of 23 June 2020 (Attachment 1).

DETAILS AND ANALYSIS

6. The recommendation does not propose to extend the authorisations to include additional document types. Instead the City is requesting the inclusion of some new positions and an amendment to a position title in the approved authorisations.
7. The following changes have been included in the recommendation:

Additions

Director Community Engagement
Strategic Projects Director
Manager Strategic Planning

Amendment to Position Title

Manager Economic and Cultural Services

APPLICABLE LAW

8. *Local Government Act 1995*

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APPLICABLE POLICY

9. N/A

STAKEHOLDER ENGAGEMENT

10. Input has been received from all Directorates as to their requirements of authorisations which should be considered by Council.

11. Community consultation is not required for this matter.

FINANCIAL CONSIDERATIONS

12. There is no financial impact from this report.

SUSTAINABILITY

13. N/A

RISK MANAGEMENT

14.	Risk: Delays to execution of documents if an adequate number of appropriate staff are not authorised to carry out that function.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	In the event that recommendation is not adopted then there is increased risk of delay on document execution, which would require strict programming of existing authorised officer time to ensure that all documents are executed as soon as practicable.		

CONCLUSION

15. The authorisations contained in the recommendation of this report are in accordance with the provisions of the *Local Government Act 1995* and provide the framework for continued efficient operations within the City's Administration.

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Voting Requirements: Absolute Majority

RECOMMENDATION

That Council pursuant to section 9.49A of the Local Government Act 1995, AUTHORISE the following Officers of the City of Kalamunda to sign documents on behalf of the City of Kalamunda, as specified:

i. Chief Executive Officer

Execute a service agreement with the State, if a Redress application is received in accordance with the National Redress Scheme

- i. Chief Executive Officer**
- ii. Director Asset Services**
- iii. Director Community Engagement**
- iv. Director Corporate Services**
- v. Director Development Service**
- vi. Strategic Projects Director**

any document, including a deed, that is necessary or appropriate to be signed for these Officers to carry out their functions and duties under any written law

- i. Manager Approval Services**
- ii. Manager Asset and Waste Operations**
- iii. Manager Asset Delivery**
- iv. Manager Asset Planning**
- vii. Manager Community Development**
- viii. Manager Environmental Health and Community Safety**
- ix. Manager Financial Services**
- x. Manager People Services**
- xi. Manager Parks and Environmental Services**
- xii. Manager Strategic Planning**

any document, excluding a deed, that is necessary or appropriate to be signed to carry out the Manager’s functions and duties under any written law.

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i. Manager Economic and Cultural Services

any document, excluding a deed, that is necessary or appropriate to be signed to carry out the Manager's functions and duties under any written law, and specifically:

- a. Leases
- b. Extensions of Leases
- c. Assignments of Leases
- d. Deed of Variation of Leases
- e. Surrenders of Leases
- f. Licences
- g. Assignments and Assignments and Variations of Licences

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11. Closure

There being no further business, the Presiding Member declared the Meeting closed at 8:20pm

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

Signed: _____
Presiding Member

Dated this _____ day of _____ 2023.