

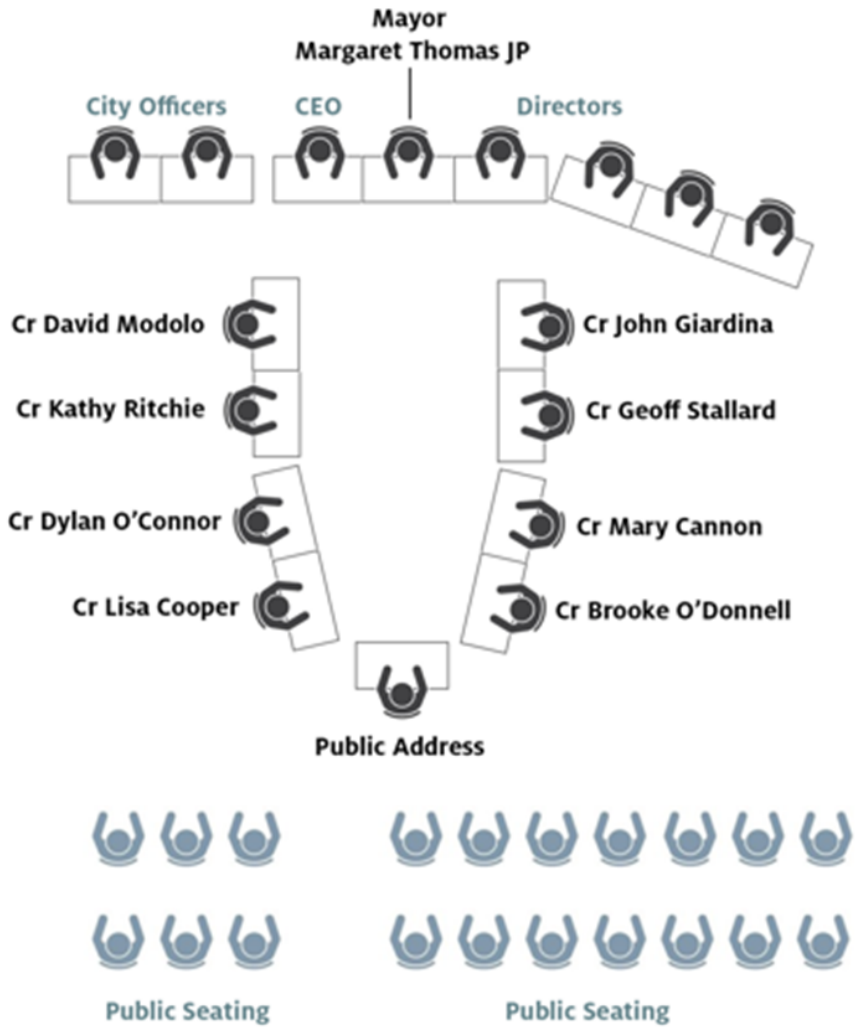


Ordinary Council Meeting

MINUTES

Tuesday 23 April 2024

Council Chambers Seating Plan



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1. Official Opening

The Presiding Member opened the meeting at 6:30pm and welcomed Councillors, Staff, Members of the Public Gallery and those watching via live stream. The Presiding Member also acknowledged the Traditional Owners of the land on which we meet the Whadjuk Noongar people.

2. Attendance, Apologies and Leave of Absence Previously Approved

Mayor

Margaret Thomas JP (Presiding Member)

Councillors

South East Ward

John Giardina

Geoff Stallard

South West Ward

Mary Cannon

Brooke O'Donnell

North West Ward

Lisa Cooper

Dylan O'Connor

North Ward

David Modolo

Kathy Ritchie

Members of Staff

Chief Executive Officer

Nathan Ritchie - Acting Chief Executive Officer

Executive Team

Sinead McGuire - Director Asset Services

Kath Parkinson - A/Director Community Engagement

Gary Ticehurst - Director Corporate Services

Chris Lodge - A/Director Development Services

Management Team

Regan Travers - Manager Approval Services

Rod Strang - Manager Parks & Environmental Services

Cardia Mariani - Principal Statutory Planner

Administration Support

Darrell Forrest - Governance Advisor

Donna McPherson - Executive Assistant to the CEO

Members of the Public 6

Members of the Press Nil.

Apologies Nil.

Leave of Absence Previously Approved Nil.

3. Public Question Time

3.1. Questions Taken on Notice at Previous Meeting

3.1.1 Michael Ryan, High Wycombe (questions taken on notice 12 December 2023)

1. We call on the City of Kalamunda and / or the State Government to purchase the properties at 117, 123 and 129 Sultana Road West, High Wycombe by no later than 31 January 2024, if by the 15th December 2023, the City fails to prove it complies with key planning requirements.

2 I ask Councillors to vote urgently on a Motion, and submit it to the State Government on behalf of

1. All Ratepayers of the City of Kalamunda (ratepayers) and
2. Duplicate for the Ratepayers / Landowners in the LSP for High Wycombe South (landowners)

The submission is related to the land described as Stage 3 High Wycombe Industrial Area. And request a reply from the State Government by no later than 21 December 2023.

Objective of the Motion

We call on the State Government to deal promptly and effectively with the hardship issues present, and emerging, ignited by the events of 6 August 2014 and to achieve this by

- i. restoring Stage 3 to a zoning of light industry, as it was prior to the announcement on 6 August 2014 about the airport train and tunnel or
- ii. sincerely entering discussions about a remedy including compensation for ratepayers and landowners for example funding a DCP of \$0/m² for High Wycombe South

The rezoning of our land in Stage 3 from light industry to residential meant that

- a) ratepayers of Kalamunda Shire Council lost an estimated \$26.5 million and
- b) landowners in the precinct of HWS in addition, lost about \$126.7 million

A detailed analysis is provided in attachments.

If landowners and ratepayers do not receive a satisfactory reply from the State Government by 21 December 2023, Council to call a Special Council Meeting as soon as possible but on or before 16 January 2024, to then vote on a Motion to demand an independent and public inquiry into the process surrounding the State Government's actions regarding the fate of light industry zoning for Stage 3.

Questions about a loss of \$153 million justify an inquiry.

A. Response to public question - Michael Ryan - 12 December 2023:

Approved land uses and noise generated complaints

The City of Kalamunda has investigated noise generated complaints made in relation to land uses along Sultana Road West as they have arisen and worked with businesses to put in place controls to mitigate future potential noise. The implementation of these controls is being monitored. The City of Kalamunda has no current outstanding planning compliance matters for land uses opposite properties at 117, 123 and 129 Sultana Road West, High Wycombe.

The City of Kalamunda is under no obligation to purchase the properties at 117, 123 and 129 Sultana Road West, High Wycombe.

Historical Context

At no point was the land within the High Wycombe South Residential Precinct Structure Plan zoned Light Industrial.

Development Contributions

Due to the fragmented nature of landownership, and the need to achieve the coordinated delivery of infrastructure, the City has prepared the draft High Wycombe South Residential Precinct Development Contribution Plan (DCP) Report, to facilitate infrastructure provision in an equitable and coordinated manner, in accordance with *State Planning Policy 3.6 Infrastructure Contributions*.

3.1.2 Michael Ryan, High Wycombe (questions taken on notice 26 March 2024)

1. Will Councillors pass a Motion to ask the Government and the Opposition to adopt a bipartisan resolution and return Stage 3 to the historical plan of light industry land use?
2. If a motion is supported will Council deal with the Motion at the earliest opportunity, preferably on 26 March 2024?

3. And to then forward the outcome of the Motion to the Chairman WAPC, Mr David Caddy?

A. Response to Public Question - Michael Ryan - 26 March 2024

The area referred to as “Stage 3” (High Wycombe South Residential Precinct) is one of three planning areas that were previously contemplated for rezoning to Industrial Development.

The State Government’s decision to proceed with the Forrestfield Airport Link in August 2014, together with the High Wycombe Train Station, resulted in the shift to a residential land use outcome, as demonstrated in the High Wycombe South Residential Precinct Local Structure Plan (LSP). The zoning of land within the LSP area remained unchanged until it was rezoned from Rural to Urban under the Metropolitan Region Scheme (MRS) in February 2016.

The corresponding City of Kalamunda Local Planning Scheme No.3 (LPS 3) Amendment, rezoned the landholding from Rural to Urban Development in September 2018.

The Western Australian Planning Commission’s (WAPC) approval of the LSP – Amendment No. 1 was confirmed on 25 August 2023.

The LSP Amendment approval provides greater certainty about development outcomes and affirms the strategic basis for infrastructure identified through Amendment 113 to LPS 3 and the draft Development Contribution Plan.

The full version of the WAPC approved LSP can be accessed via this link [Amendment No. 1 \(www.wa.gov.au\)](http://www.wa.gov.au). A copy of the approved LSP map is provided below, accessed via the City’s website link to the [High Wycombe South Project Page](#).

3.2. Public Question Time

3.2.1 Diane English, High Wycombe

1. The Department of Transport approval for Stage 1 to proceed, and in particular the DoT Conditions of approval regarding the use of Sultana Road West including the timeframe.

A document from the DoT dated 13 October 2013 is unclear about whether it gave its approval to Stage 1 before 11 November 2013. The DoT document of 13 October 2013 may have been a reply to the MRS Amendment for Stage 3 No 1282/57 which the Department of Planning advises us had been "commenced" and sent out for Pre-Referrals.

2. What Conditions did the Department of Transport place on the road use, specifications, and date of any upgrade for Sultana Road West given the type of industrial development that confronts residential housing on the other side of the road?
3. What date did DoT issue those Conditions to the City?
4. Has the Department of Transport been advised there is General Industry along the southern side of Sultana Road West and semi-trailer trucks based at a property at the eastern end of Sultana Road West. If so, when.

A. Taken on Notice.

3.2.2 Sue Dowson, Kalamunda

1. Now that the Policy (LPP33) has been revoked and in light of the increasing pressure of climate change on our environment, can I ask Council what is in place to prevent a private landholder, such as my neighbour, from cutting down mature native eucalypts?
 2. As the job of LPP 33 was to outline the principles for tree retention is there were any procedures written to support the policy and to outline for Council Officers how it should be implemented?
 3. As procedures can provide detailed guidance for how a policy is implemented, why could LPP 33 not be reinstated, and instead adequate procedures drawn up to avoid the "perverse outcomes" referenced as rationale for tearing up the policy?
- A. The revocation of local planning policy 33 did not remove regulatory control over works that involved tree removal. The policy provided

guidance and that guidance was for the city's officers, for residents and for the council to make decisions on when an application for development approval is required and ultimately when one is submitted and how that should be assessed and determined. In the absence of that policy the removal of trees of a significant size may still generate the requirement for development approval. The City does have interim guidance in the absence of that policy which are being applied and a lot of that revolves around each circumstance and each circumstance is likely to be considered on its individual merits and based on the individual factors. Landowners come to the City with a variety of reasons for wanting to manage their land for pruning or removing trees. Each one requires its own individual assessment. For more significant cases there is a process which can be employed by the City through an application for development approval.

The City also has strategies, such as the Urban Forrester Strategy, public education, and greening programs to protect trees within the City. The City also partners with other agencies to protect trees within the City.

4. Petitions/Deputations

- 4.1 A deputation was received in relation to Item 10.6.5 State Administrative Tribunal Invitation for Reconsideration - Proposed Additions to Single House (Front Fence) and Street Tree Removal - Lot 586 (5) Shirley Road, Walliston from the Applicant. The deputation was provided to council once the meeting closed to consider confidential matters.

5. Applications for Leave of Absence

- 5.1 Nil.

6. Confirmation of Minutes from Previous Meeting

- 6.1 RESOLVED OCM 34/2024

That the Minutes of the Ordinary Council Meeting held on 26 March 2024, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Lisa Cooper**

Seconded: **Cr Geoff Stallard**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

CARRIED UNANIMOUSLY (9/0)

6.2 RESOLVED OCM 35/2024

That the Minutes of the Special Council Meeting held on 9 April 2024, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr John Giardina**

Seconded: **Cr Lisa Cooper**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

CARRIED UNANIMOUSLY (9/0)

7. Announcements by the Member Presiding Without Discussion

I am honoured to share with you some highlights from the past few weeks including some recent engagements with our fantastic community.

Firstly, we convened a Special Council Meeting to appoint our new CEO, Mr. Anthony Vuleta, who has since confirmed he will be joining us mid-June. I am eager to collaborate with him as we continue to serve our City.

During Youth Week, we hosted a wonderful event called "Connecting Communities" at Hartfield Park Recreation Centre. It was heartwarming to see the centre buzzing with activity, with stallholders and community members coming together to explore the array of activities and services available locally. This event truly promoted connections across different ages and stages of life.

The 123rd Kalamunda & Districts Agricultural Show was a resounding success. I extend my congratulations to the organising committee for their exceptional work in making it such an enjoyable and memorable event for all.

Participating in the ANZAC March last weekend was a deeply moving experience and I was joined by Cr Stallard and Cr Modolo. It was inspiring to witness our community unite in honouring the sacrifices of our past and present service members.

One of the most touching moments of the past month was my visit to the Kalamunda Districts Junior Football Club, where I had the privilege of opening the season and presenting Mr. Mike Perry with the Freeman of the City award, alongside Cr Stallard who was also there on the day.

Mike's dedication and contributions to the club over three decades have been truly remarkable, and it was a joy to recognise his efforts by naming the verandah the "Mike Perry Viewing Platform."

Tomorrow, I am looking forward to visiting Walliston Primary School to take part in their ANZAC Service.

Then on Thursday, I will join our community in the ANZAC Day Dawn Service hosted by RSL Kalamunda, a solemn occasion that holds great significance for us all.

These experiences reinforce the strength and spirit of our community.

I am deeply grateful for the opportunity to engage with you all and contribute to our shared vision for a thriving and connected City.

8. Matters for Which the Meeting may be Closed

8.1 Item 10.6.2 Debtors and Creditors Reports for the month of March 2024 – Confidential Attachment

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

- 8.2 Item 10.6.5 State Administrative Tribunal Invitation for Reconsideration - Proposed Additions to Single House (Front Fence) and Street Tree Removal - Lot 586 (5) Shirley Road, Walliston

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

9. Disclosure of Interest

9.1. Disclosure of Financial and Proximity Interests

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

9.1.1 Nil.

9.2. Disclosure of Interest Affecting Impartiality

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

9.2.1 Nil.

10. Reports to Council

10.1. Development Services Reports

No reports presented.

10.2. Asset Services Reports

No reports presented.

10.3. Corporate Services Reports

No reports presented.

10.4. Community Engagement Reports

10.4.1. Review of Policy 15 - Closed Circuit Television (CCTV) Surveillance


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

Previous Items

Directorate	Community Engagement
Business Unit	Community Health & Safety
File Reference	
Applicant	N/A
Owner	N/A

Attachments	1. CCT V- Surveillance- Service-15 (current) [10.4.1.1 - 3 pages]
	2. CCT V- Surveillance- Service Policy (revised 2024) [10.4.1.2 - 2 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
 Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
Information	For Council to note
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 1.2 - To provide a safe and healthy environment for community to enjoy.

Strategy - 1.2.1 Facilitate a safe community environment.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to note the amendments to the Closed-Circuit Television (CCTV) Surveillance – Service Policy 15: (Policy) as outlined in Attachment 1.
2. The amendments to the Policy were made following a review in 2024. The CCTV – Surveillance – Service Policy -15: provides direction to the City of Kalamunda (City) on how to determine the type, location, and function of CCTV infrastructure within the district and provides guidance through a risk-based priority of specific actions focused across three areas being operation, expanding infrastructure and funding.

The Policy supports with the City's CCTV Strategy 2022-2027 which has been developed as an informing strategy to align existing and new CCTV systems to achieve a key objective of the Kalamunda Advancing Strategic Community Plan; to provide a safe and healthy environment for the community to enjoy.

The Policy also provides an assessment criterion which allows the City to prioritise the location for its CCTV installation and maintain its maintenance program.

3. It is recommended that Council note the amendments to the Policy and adopt the revised 2024 CCTV – Surveillance Service Policy 15: 2024.

BACKGROUND

4. The City's Community Safety team is responsible for ensuring the health, safety, and well-being of the community. This is achieved through the continued delivery of community safety programs, education, the provision of infrastructure, ongoing engagement, and the administration of local laws.

5. The City has an existing CCTV Policy document (Attachment 2) which included actions to be carried out and expected works be undertaken from the 18/19 to 21/22 budget years. These have successively been carried out and now there is a need to update and renew the existing CCTV Policy to ensure continued progression and improvement is achieved.
6. The City installs CCTV systems as a tool to improve community confidence and safety in public places, and to further support the protection of City facilities and assets.
7. CCTV also scored highly in the most recent community scorecard with the installation of CCTV as a key recommendation to address one of the top priorities being the perception of public safety.
8. Current daily use extends to local Police using CCTV for review and investigation purposes which assists with developing crime prevention strategies to ensure a safer community.
9. A key benefit of the current Policy has been improving and strengthening the procedures around who has access to the CCTV network and sharing of CCTV material with Police. In 2023 the City received 35 requests for footage from WAPOL and has received 10 requests this calendar year.
10. The City is continually reviewing its existing CCTV network by verifying camera requirements, identification of future needs and determining short, medium and long-term maintenance requirements to manage the network expansion and control costs. The entire CCTV Network has since been mapped and included into the City's Asset Management Register.

DETAILS AND ANALYSIS

11. The Strategy establishes three key principles for guiding the operations and establishment of CCTV within the City as follows:
 - a) Operations
 - b) Expanding
 - c) Funding.
12. Strategy One (Operations), establishes the important day-to-day roles and responsibilities, allocation of resources, managing cost and measuring performance.
13. Strategy Two (Expanding), sets out how the City will achieve CCTV system requirements and expand the CCTV network into the future.

14. Strategy Three (Funding) establishes the funding arrangements for the CCTV network and system expansion.
15. The below amendments have been applied to the Policy:
 - a) The Policy has been streamlined and modernised to ensure it remains relevant and effective.
 - b) Mobile or temporary cameras that are used in the same manner as fixed CCTV cameras to achieve said objective of CCTV provision, are incorporated into the scope of this Policy.
 - c) Improvement updates applied around Control of recorded material.

APPLICABLE LAW

16. *Surveillance Devices Act 1998*

Security and Related Activities (Control) Act 1996 Western Australian Closed Circuit Television Guidelines

APPLICABLE POLICY

17. Service Policy 15: Closed-Circuit Television (CCTV) Surveillance.

STAKEHOLDER ENGAGEMENT

18. The Policy has been prepared in consultation with the City's internal CCTV Working Group.

FINANCIAL CONSIDERATIONS

19. The installation and maintenance of CCTV systems will have financial implications for the City and will be managed through annual budget setting processes and external grant opportunities.

SUSTAINABILITY

20. CCTV systems have social benefits in improving perception of safety within a facility or public space. The City's CCTV Strategy also establishes an assessment criterion which ensures cameras are only installed where they are needed most and therefore reducing ongoing costs.

RISK MANAGEMENT

21.	Risk: The Policy is not reviewed and/or updated leading to inefficiencies in installing CCTV in the correct locations and undetected antisocial behaviour.		
	Consequence	Likelihood	Rating
	Possible	Significant	High
	Action/Strategy		
	Review and amend the Policy to ensure it supports the Strategy which will ensure cameras are placed in areas of highest need and support a strong maintenance and replacement program.		

22.	Risk: unlawful and antisocial behaviour is not detected as a result of CCTV not being installed and leading to an ineffective maintenance and replacement program.		
	Consequence	Likelihood	Rating
	Possible	Significant	High
	Action/Strategy		
	Review and amend the Policy to align and support the Strategy which will ensure cameras are placed in areas of highest need and further support a strong maintenance and replacement program.		

CONCLUSION

23. The Policy has been streamlined and modernised to ensure it remains relevant and effective and has further incorporated the use of mobile and temporary cameras.

Voting Requirements: Simple Majority

RESOLVED OCM 36/2024

That Council

1. NOTE the amendments to Closed-Circuit Television CCTV- Service Policy 15.
2. ADOPT the Closed-Circuit Television CCTV- Service Policy 15: 2024/2026 Attachment 1.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Geoff Stallard**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

CARRIED UNANIMOUSLY (9/0)

10.5. Office of the CEO Reports

No reports presented.

10.6. Chief Executive Officer Reports


10.6.1. Monthly Financial Statements to 31 March 2024

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

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

Attachments	1. Statement of Fin Activity for nine months ended 31 March 2024 [10.6.1.1 - 1 page]
	2. Statement of Net Current Funding Position as at 31 March 2024 [10.6.1.2 - 1 page]
	3. Statement of Financial Position as at 31 March 2024 [10.6.1.3 - 1 page]
	4. Budget Amendment for April 2024 [10.6.1.4 - 1 page]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

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

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the Statutory Financial Statements for the period ended 31 March 2024.
2. The Statutory Financial Statements report on the activity of the City of Kalamunda (City) with the comparison of the period's performance against the Mid-Year budget review adopted by the Council on 27 February 2024 for the 2023/2024 financial year and minor amendments subsequently to the reporting date.
3. It is recommended that Council receives the draft Monthly Statutory Financial Statements for the month of March 2024, which comprise:
 - a) Statement of Financial Activity by Nature for the period ended to 31 March 2024.
 - b) Net Current Funding Position, note to financial report as of 31 March 2024.
 - c) Statement of Financial Position for the period ended to 31 March 2024.
 - d) Adopts minor changes to the budget with no change to the surplus result being the same as reported.

BACKGROUND

4. The Statement of Financial Activity (Attachment 1), incorporating various sub-statements, has been prepared in accordance with the requirements of the *Local Government Act 1995 (Act)* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.
5. The Statement of Financial Position Activity (Attachment 3, incorporating various sub-statements, has been prepared in accordance with the requirements of the *Local Government Act 1995 (Act)* and Regulation 35 of the *Local Government (Financial Management) Regulations 1996*.

DETAILS AND ANALYSIS

6. The Act requires the Council to adopt a percentage or value to be used in reporting variances against the Budget. Council has adopted the reportable variances of 10% or \$50,000 whichever is greater.

FINANCIAL COMMENTARY

Draft Statement of Financial Activity by Nature and Type for the eight months ended 31 March 2024

7. This Statement reveals a net result surplus of \$29,471,927 compared to the budget for the same period of \$17,747,575 resulting in a variance of \$11,724,354. This is largely due to \$2,373,680 lower spend on operating activities (excluding depreciation costs) and similarly \$9,039,879 in Investing activities.

Operating Revenue

8. Total Revenue including rates is under budget by \$885,937. This is made up as follows:
- a) Rates generation is trending along the budget with a minor variance of \$44,916.
 - b) Operating Grants, Subsidies and Contributions are over the budget by \$198,084. The variance is attributable to the timing of operating grants.
 - c) Fees and Charges are over budget by \$222,598. The variance is attributable to;
 - i. Statutory Planning Services development fees are above budget by \$53,382,
 - ii. Recovery of Project Management cost from Cell 9 of \$35,916, and
 - iii. Waste Management Fee is higher than budget by \$33,724.
 - d) Interest income is over budget by \$498,910. The variance is a timing difference with some deposits coming to maturity this month.
 - e) Other Revenue is above budget by \$30,753, and the variance is mainly due to Fines and Penalties (Environmental Health Services) which are higher than budget by \$26,858.

Operating Expenditure

9. Total expenditure is under budget by \$69,415. The significant variances within the individual categories are as follows:
- a) Employment Costs are under budget by \$285,971 which is due to a combination of timing of the backpay for the EBA agreement for salaried officers effective from 1 January 2024, vacant positions, leave

provision adjustments and the aggregate result of minor variances in several business units.

- b) Materials and Contracts are under budget by \$1,845,633. The variance is mainly due to the timing of building maintenance and infrastructure maintenance costs and lower waste contractor costs.
- c) Utilities are under budget by \$63,578, the major contributor to this variance is \$37,250 under spend on utilities by Parks and Reserves facilities.
- d) Depreciation, although a non-cash cost, is tracking over budget by \$2,285,300 due to increase in book value of infrastructure assets consequent to the recent revaluation. No adjustment was made in the budget at Mid-Year Budget Review as it is a non-cash adjustment which has no impact on the closing position.
- e) Interest expense is tracking below the reportable variance threshold whereas Insurance expenses are over budget due to advance payment of insurance premiums.
- f) Other expenditure is under budget by \$68,848. The variance is mainly due to \$49,500 Donations to Community Groups and \$30,000 Projects-Sponsorships are unspent.

Investing Activities

Non-operating Grants and Contributions

- 10. The non-operating grants and contributions is over budget by \$870,366. This is mainly due to the timing difference of receipts of grants for capital works projects and the project delivery.

Capital Expenditure

- 11. The total Capital Expenditure on Property, Plant, Equipment, and Infrastructure Assets (excluding Capital Work in Progress) is under budget by \$8,164,949. The project delivery is expected to pick-up speed in the last quarter of the year with several R2R projects assigned to be completed in the coming months.

Financing Activities

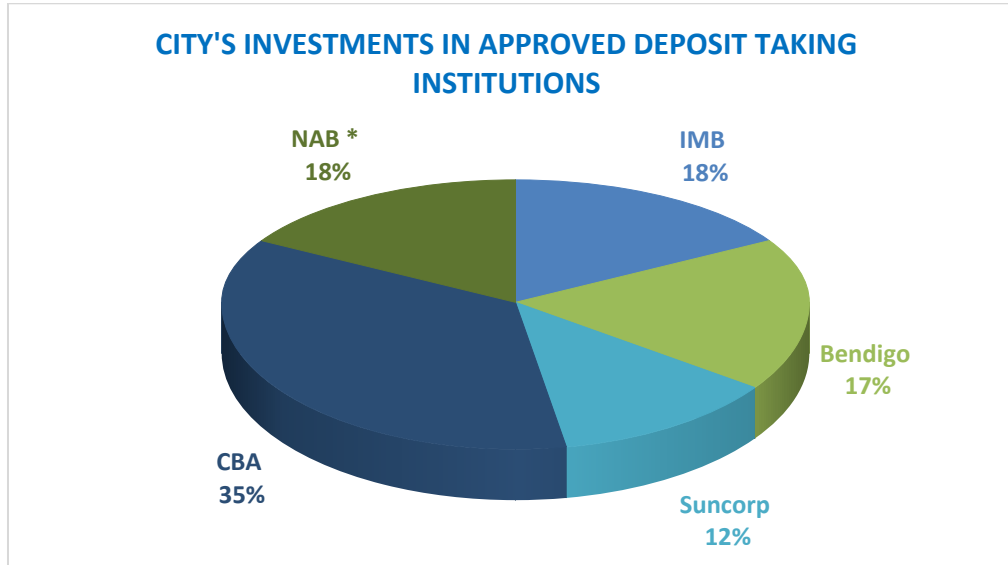
- 12. The amounts attributable to financing activities show a variance of \$310,796 which is mainly due to the developer contributions and year-end lease adjustment entries yet to be passed.

Statement of Net Current Funding Position as of 31 March 2024

- 13. The commentary on the net current funding position is based on a comparison of March 2024 to the March 2023 actuals.

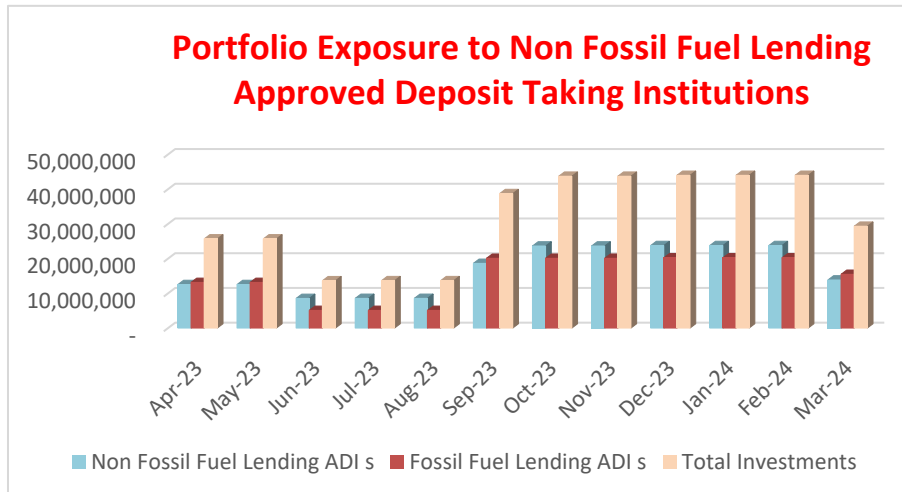
14. Net Current Assets (Current Assets less Current Liabilities) total \$50.1 million. The restricted cash position is \$24.9 million which is slightly higher than the previous year's balance of \$24.6 million.

15. The following graph indicates the financial institutions where the City has investments as of 31 March 2024.



*Financial Institutions with Investments in the Fossil Fuel Industry

16.



17. Trade and other receivables outstanding comprise rates and sundry debtors totalling \$3.2 million.

18. Sundry debtors have decreased from \$407,409 to \$176,289 of which \$83,536.46 consist of current debt due within 30 days. Details are contained in the Debtors and Creditors Report to Council.

19. Receivables Other represent \$1.8 million including:
 - a) Emergency Service Levy receivables \$0.6 million.
 - b) Receivables Sanitation \$0.7 million.
20. Provisions for annual and long service leave have decreased by \$188,254 from 4.5 million to \$4.2 million when compared to the previous year.

Proposed Budget Amendments

21. A review of the financials, project delivery timelines and estimated costs has necessitated some budget lines to be amended to accommodate new requirements of those projects. The details are stated in the Attachment 4.
22. The net increase in the expenditure is \$2,505,356.86 through these amendments. A major part of the increase i.e. \$1,973,656.86 is funded by Grants and Contributions whereas \$531,700 will be the net impact on the surplus previously adopted in the Mid-Year Review Budget. An amount of \$488,228 is related to the Scott Reserve which was to be funded via a loan drawdown of \$2 million which will be considered as part of the 2024/25 budget deliberations.

APPLICABLE LAW

23. *The Local Government Act 1995 s6.8 and the Local Government (Financial Management) Regulations 1996 s34 and s35.*

APPLICABLE POLICY

24. Nil.

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

26. As noted in point 22 above, the City is required to present to the Council a monthly statement of financial activity with explanations for major variances.

FINANCIAL CONSIDERATIONS

27. The City's financial position continues to be closely monitored to ensure it is operating sustainably and to allow for future capacity. 2023/24 Capital Works will be scrutinised and carry forwards will be identified with the April results.

SUSTAINABILITY

Social Implications

28. Nil.

Economic Implications

29. Nil.

Environmental Implications

30. Nil.

RISK MANAGEMENT

- 31.
- | | | |
|---|-------------------|---------------|
| Risk: Over-spending the budget. | | |
| Consequence | Likelihood | Rating |
| Moderate | Possible | Medium |
| Action/Strategy | | |
| Monthly management reports are reviewed by the City and Council. Procurement compliance is centrally controlled via the Finance Department. | | |
- 32.
- | | | |
|--|-------------------|---------------|
| Risk: Non-compliance with Financial Regulations | | |
| Consequence | Likelihood | Rating |
| Moderate | Unlikely | Low |
| Action / Strategy | | |
| The financial report is scrutinised by the City to ensure that all statutory requirements are met.
Internal Audit reviews to ensure compliance with Financial Regulations.
External Audit confirms compliance. | | |

CONCLUSION

33. The City's Financial Statements as at 31 March 2024 reflect the audited surplus carried forward from 2022/2023.

Voting Requirements: Absolute Majority

RESOLVED OCM 27/2024

That Council RECEIVE the Monthly Statutory Financial Statements for the period ended 31 March 2024 which comprises:

- a) Statement of Financial Activity (Nature or Type) for period ended 31 March 2024 (Attachment 1).
- b) Net Current Funding Position, note to financial report as of 31 March 2024 (Attachment 2).
- c) Statement of Financial Position as of 31 March 2024 (Attachment 3), and
- d) Adopts by majority vote, budget amendments detailed as per Attachment 4.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Lisa Cooper**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (9/0)


10.6.2. Debtors and Creditors Reports for the month of March 2024

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Creditor Payments for the Period ended 31 March 2024 - (Public) [10.6.2.1 - 12 pages] 2. Corporate Credit Card Payments 25 January to 26 February 2024 - (Public) [10.6.2.2 - 2 pages] 3. Summary of Debtors for the month of March 2024 [10.6.2.3 - 2 pages] 4. Summary of Creditors for month of March 2024 [10.6.2.4 - 1 page]
Confidential Attachments	<ol style="list-style-type: none"> 1. Creditor Payments for the Period ended 31 March 2024 – (Confidential) 2. Corporate Credit Card Payments 25 January 2024 to 26 February 2024 – (Confidential)

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

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with details of payments made from Municipal and Trust accounts together with outstanding debtors and creditors for the month of March 2024.
2. The report provides details of payments made from the Municipal and Trust Fund Accounts for the month of March 2024. It also includes details of employee purchases via purchasing cards for 25 January to 26 February 2024.
3. It is recommended that Council receive the list of:
 - a) payments made from the Municipal and Trust Fund Accounts for the month of March 2024,
 - b) payments made by employees via purchasing cards from 25 January to 26 February 2024 in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13 & 13A); and
 - c) the outstanding debtors and creditors report for the month of March 2024.

BACKGROUND

4. Trade Debtors and Creditors are subject to strict monitoring and control procedures.
5. In accordance with *the Local Government (Financial Management) Regulations 1996* (Regulation 13) reporting on payments made from Municipal Fund and Trust Funds must occur monthly.
6. Effective from 1 September 2023 under *Local Government (Financial Management) Regulations 1996* (Regulation 13A)
If a local government has authorised an employee to use a credit, debit or other purchasing card a list of payments made using the card must be prepared each month showing the following information for each payment made since the last list was prepared;
 - a) The payee's name
 - b) The amount of the payment
 - c) The date of the payment

- d) Sufficient information to identify the payment.

DETAILS AND ANALYSIS

Debtors

7. Sundry debtors as of 31 March were \$176,289. This includes \$86,355 of current debts and \$2,818 unallocated credits (excess or overpayments).
8. Invoices over 30 days total \$71,287, debts of significance:
- a) Dept of Education, \$43,919, Kostera Oval – Shared Expenses; and
 - b) Archetype Design Studio, \$25,256, JDAP Fees.
9. Invoices over 60 days total \$1,178, no debts of significance.
10. Invoices over 90 days total \$20,288 debts of significance:
- a) Private Citizen, \$9,281 Fire Break – Reimbursement for which a payment plan has been put in place.
 - b) Private Citizen, \$4,070 Fire Break – Reimbursement. Caveat has been put on the property.
 - c) Private Citizen, \$2,126, Bond admin & Maintenance Fees; and
 - d) N-Com, \$1,180, Telecommunications Towers' Electricity bill.

Creditors

11. Payments totalling \$5,393,690 (excluding payroll) were made during the month of March 2024. Standard payment terms are 30 days from the end of the month, with local businesses and contractors on 14-day terms.
12. Significant Municipal payments (GST inclusive – where applicable) made in the month were:

Supplier	Purpose	\$
Department of Fire and Emergency Services (DFES)	Emergency Services Levy - Quarter 3	2,209,371.84
Australian Taxation Office	PAYG payments	480,950.51
Aware Super Pty Ltd	Superannuation Contributions	209,479.84
Beaver Tree Services	General Tree Services / under powerlines pruning for various locations	183,383.91
Synergy	Power Charges	151,345.08

Western Australian Treasury Corporation	Loan No. 227 & 228 Fixed Component	125,934.45
West Coast Sporting Surfaces Pty Ltd	Resurfacing of 10 exterior netball courts at Ray Owen Reserve	109,565.50
Belgravia Health & Leisure Group Pty Ltd	Management of the Kalamunda Water Park - Operating Deficits October - December 2023	93,813.50
Western Tree Recyclers	Green waste processing - Walliston Transfer Station	73,997.00
OCE Corporate Pty Ltd - Office Cleaning Experts	Cleaning services / consumables for various locations	62,647.52
Carabiner Architects Pty Ltd	Architectural design services for Hartfield Park Master Plan Stage 2	60,151.36
360 Environmental Pty Ltd	Contaminated sites investigation and repair & addition of wells and bores/ bi-annual water & gas sampling - various locations	57,365.00
Building And Construction Industry Training Fund	Levy Fee - February 2024	54,932.29
Building Commission - Department of Mines, Industry Regulation & Safety	Building Levy - February 2024	52,338.56

These payments total \$3,925,276 and represent 73% of all payments for the month.

Payroll

13. Net salaries (excluding taxes, superannuation and other deductions) are paid in fortnightly cycles. A total of \$1,413,200 was paid in net salaries for the month of March 2024.
14. Details are provided in Attachment 1/Confidential Attachment 1 after the creditors' payment listing.

Trust Account Payments

15. The Trust Accounts maintained by the City of Kalamunda (City) relate to the following types:
 - a) CELL 9 Trust;
 - b) Public Open Space funds,
 - c) NBN Tower Pickering Brook Trust

16. The following payment is made from Cell 9 Trust Account in March 2024.

Supplier	Purpose	\$
Natural Area Holdings Pty Ltd	Woodlupine LS Wattle Grove Landscaping Plan	4,500.00

APPLICABLE LAW

17. Regulation 12(1) of the *Local Government (Financial Management) Regulations 1996*.
18. Regulation 13 & 13A of the *Local Government (Financial Management) Regulations 1996*.

APPLICABLE POLICY

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

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

24. Nil.

RISK MANAGEMENT

Debtors

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

Creditors

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

CONCLUSION

27. Creditor payments are within the normal trend range.

Voting Requirements: Simple Majority

RESOLVED OCM 38/2024

That Council:

1. RECEIVE the list of payments made from the Municipal Accounts from the month of March 2024 (Confidential Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).
2. RECEIVE the list of payments made from 25 January to 26 February 2024 using Corporate Purchasing Cards (Confidential Attachment 2).

3. RECEIVE the outstanding debtors and creditors reports (Attachments 3-4) for the month of March 2024.

Moved: **Cr David Modolo**

Seconded: **Cr Brooke O'Donnell**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**


CARRIED UNANIMOUSLY (9/0)

10.6.3. Rates Debtors Report for the Period Ended 31 March 2024

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-DRS-004
Applicant	N/A
Owner	N/A
Attachments	1. Rates Report March [10.6.3.1 - 2 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

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

EXECUTIVE SUMMARY

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

2. The City of Kalamunda (City) levied rates for 2023/2024 on 1 July 2023 totalling \$43,709,067, with prior year outstanding rates of \$2,363,869 and interim rates of \$407,950 total rates collectable at 31 March 2024 is \$46,480,885. Collections to date stand at \$42,570,135.
3. It is recommended that Council receive the Rates Debtors Reports for the month ending 31 March 2024 (Attachments 1).

BACKGROUND

4. Rate Notices were issued on 14 July 2023 with the following payment options available:

Options	Payment Dates			
Full payment	18 August 2023			
Two instalments	18 August 2023	22 December 2023		
Four instalments	18 August 2023	20 October 2023	22 December 2023	23 February 2024

DETAILS AND ANALYSIS

5. A total of 24,219 notices were issued on 14 July 2023. This consisted of 20,710 mailed rates notices, and 3,509 of eRates notices (14% take-up saving more than \$5,000 in postage and printing).
6. As of 31 March 2024, rates Levied and collectable for the 2023/2024 Financial Year, (including interim rates of \$407,950) is a total \$46,480,885, with collections standing at \$42,570,135 This represents a collection rate of 93.70%.
7. A total of 8,612 ratepayers have taken up an instalment option (option 2 & 3 represented in the table below). This is an increase from 2022/2023 where 8,130 chose an instalment option. The first instalment due date was 18 August 2023. A total of 1,045 ratepayers have chosen to pay via direct debit, a significant increase from 350 in 2022/2023. Refer to the table below:

Option	Description	Number
Option 2 on Rate Notice	Two instalments	1,732
Option 3 on Rate Notice	Four instalments	6,880
A Smarter Way to Pay	Pay by Direct Debit over a mutually agreed period.	941

Direct Debit	Payment to be received by April 2024	104
Total	Ratepayers on payment options	9657

APPLICABLE LAW

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

APPLICABLE POLICY

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

STAKEHOLDER ENGAGEMENT

Internal Referrals

- 10. The City’s Governance Unit has been briefed on the debt collection process.

External Referrals

- 11. The higher-level debt collection actions will be undertaken by an external collection agency.

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

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

Economic Implications

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

Environmental Implications

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

RISK MANAGEMENT

- 17.

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

CONCLUSION

- 18. With a current collection rate for the financial year of 93.70% (compared to 94.72% last year), the City continues to effectively implement its rate collection strategy.
- 19. As a consequence of a greater percentage of people opting for Instalments and payment arrangements, initial cashflow has been delayed this year. With the finalisation of the instalment option in February, cashflow is now tracking positively.

Voting Requirements: Simple Majority

RESOLVED OCM 39/2024

That Council RECEIVE the Rates Debtors Report for the Period ending 31 March 2024 (Attachment 1).

Moved: **Cr Lisa Cooper**

Seconded: **Cr Geoff Stallard**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

CARRIED UNANIMOUSLY (9/0)


10.6.4. Advocacy Strategy

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

Previous
Items
Directorate Community Engagement
Business Unit
File Reference
Applicant
Owner

Attachments Nil

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 1: Kalamunda Cares and Interacts

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

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

Priority 1: Kalamunda Cares and Interacts

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

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

Priority 4: Kalamunda Leads

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the proposed City of Kalamunda Advocacy Projects.

BACKGROUND

2. Advocacy is a tool to influence positive change to maximise benefit for Council and the community.
3. The City of Kalamunda's Strategic Community Plan refers to advocacy activities to address projects of priority requiring funding contributions from external sources.
4. The City's Advocacy Strategy aims to attract an increased share of investment to the City by implementing a framework that facilitates consistent, professional, and effective advocacy in pursuit of specific and desired outcomes.

DETAILS AND ANALYSIS

5. Advocacy and representing the views and needs of the community, is a core function of all Councils. In the past seven years the City has successfully obtained over \$300 million in infrastructure funding adding to the City's extensive road and community infrastructure base which can only be funded through securing external funding, through effective, ongoing advocacy, to minimise the impact on raising rates.
6. The Mayor and Councillors advocate on behalf of the community and collectively determine the Council's advocacy priorities.
7. Over the past few months Council have been briefed on matters relating to continuous improvement of projects, to ensure the City delivers on growth objectives and meets community expectations, which involved reviewing the City's approach to advocacy.

8. As a result, the projects identified as being priority, within an approximate value of \$20 million, for 2024/25 are the Pickering Brook Fire Station and the Ray Owen Stadium and Carpark. A summary of the two projects can be seen in the table below:

9.

Project	Status	2024/25 Budgeted Cost	Estimated Total Project Cost
Pickering Brook Fire Station	15% concept design	200K	3.8M
Ray Owen (Stadium & car park)	15% concept design	500K	17.1M

The 2024/25 Budgeted costs are essential to progress detailed business cases for the relevant projects to ensure the projects are ready for advocacy. This will reduce future project risk and ensure projects can be delivered in line with expectations.

10. The inclusion of advocacy projects is in addition to the City's existing Capital Works Program. As such, additional resourcing is required to ensure the successful delivery of these projects. Officers will provide Council with the subsequent funding strategy to support successful project delivery as part of the 2024/25 Budget adoption.

11. Other projects which are not budgeted or resourced for development and/or progression in 2024/25 include:

- **Kalamunda Water Park**
- **Stirk Park Stage 2**
- **Ray Owen** (BMX facilities, refurb old netball courts, lighting & playground)
- **Kalamunda Road upgrade** High Wycombe
- **Scott Reserve** (Playing field improvements, lighting, terraced seating, scoreboards, parking)
- **Maida Vale Reserve** (Netball court redevelopment, archery pavilion, tennis pavilion redevelopment, playing field upgrades, parking)
- **Hartfield Park Stage 2B**
- **Kalamunda Cycle Plan**
- **Lesmurdie Hall Expansion**
- **Woodlupine Community Hub**
- **Woodlupine Living Stream**
- **Kalamunda Town Centre**
- **Pickering Brook Community Hub**

12. Council will be requested to identify its priority advocacy projects for the 2028 and 2029 election campaigns. The City will revert a proposal for how the projects will be considered from 2025/26 onwards.

13. Should the City receive advocacy funding in addition to the agreed priority projects, officers will present a subsequent report for consideration.
14. Meetings will be sought with Ministers and Local Members of Parliament whose portfolios are across the priority projects, in a bid to secure funding via an election commitment.
15. **Federal Government**
The electorates of Swan, Hasluck and Canning are located within the City's boundaries. A Federal Electoral Redistribution has seen changes to the electorates of the City of Kalamunda.
16. The new proposed Division of Swan, currently held by Steve Irons, will now include Forrestfield, part of Wattle Grove as well as Maida Vale and part of Gooseberry Hill.
17. The new proposed Division of Hasluck will move further northeast taking in suburbs through the City of Swan, however, most of Lesmurdie, part of Bickley, Carmel, Kalamunda and Gooseberry Hill remain in Hasluck.
18. The new proposed Division of Canning will move north and take in part of Carmel, Bickley and Lesmurdie.

APPLICABLE LAW

19. Local Government Act 1995

APPLICABLE POLICY

20. City of Kalamunda Advocacy Strategy 2023

STAKEHOLDER ENGAGEMENT

21. Elected Members
22. Kalamunda Executive Leadership team

FINANCIAL CONSIDERATIONS

23. The inclusion of advocacy projects directly impacts the City's Capital Works program of works. By forecasting the inclusion of future advocacy projects, the resourcing to support these initiatives must be considered as part of the 2024/25 budget adoption. Noting resourcing requirements will vary depending on the funding mix and complexity of the projects.

SUSTAINABILITY

24. Advocacy is a critical component to support the delivery of improved services to the community and enhanced social sustainability outcomes for the City.

RISK MANAGEMENT

25.

Risk: Advocacy is not successful.		
Consequence	Likelihood	Rating
Major	Possible	High
Action/Strategy		
The Mayor and Elected Members shall approach advocacy based on priority projects only.		

26.

Risk: Inability to support increasing demands of community groups through new infrastructure		
Consequence	Likelihood	Rating
Major	Possible	High
Action/Strategy		
Continue to work closely with all community groups to determine needs and maintain open communications.		

27.

Risk: Council do not support resourcing necessary to facilitate the preparatory works to enable the advocacy projects to proceed. And run the risk of significant funding shortfalls.		
Consequence	Likelihood	Rating
Major	Possible	High
Action/Strategy		
Officers will present subsequent report to Council for determination on delivery of these projects.		

28.

Risk: Advocacy received differs from priority projects		
Consequence	Likelihood	Rating
Significant	Likely	High
Action/Strategy		
Only the projects which are identified as Council priorities will have budget allocated to progress detailed business cases, other projects will not. In the event that other projects are successful for advocacy, officers will present a subsequent report to Council for determination on the delivery of these projects.		

CONCLUSION

- 29. The City of Kalamunda Advocacy Strategy aims to attract an increased share of investment to the City by implementing a framework that facilitates consistent, professional, and effective advocacy.
- 30. The projects proposed are considered a priority by Councillor’s.
- 31. Refining the City’s approach to advocacy will ensure the City delivers on growth objectives and meets community expectations by successfully delivering projects.

Voting Requirements: Simple Majority

RESOLVED OCM 40/2024

That Council:

- 1. ENDORSE the Pickering Brook Fire Station and the Ray Owen Stadium and Carpark as the priority advocacy projects for the purposes of seeking funding through the 2025 Western Australian State and Federal Election Campaigns.
- 2. NOTE the successful delivery of these projects requires resourcing which will be nominated for consideration as part of the 2024/25 budget adoption.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Lisa Cooper**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**


CARRIED UNANIMOUSLY (9/0)

10.6.5. State Administrative Tribunal Invitation for Reconsideration - Proposed Additions to Single House (Front Fence) and Street Tree Removal - Lot 586 (5) Shirley Road, Walliston

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

Previous Items	
Directorate	Development Services
Business Unit	Approval Services
File Reference	DA23/0322
Applicant	J. and L. Clark
Owner	As Above
Attachments	Nil

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
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

RESOLVED OCM 45/2024

That COUNCIL:

1. NOTE that any decision by Council on this matter is not to be treated as precedent for future matters.
2. SET ASIDE the decision on 5 December 2023 to refuse Development Application (ref: DA23/0322) Lot 186 (No.5) Shirley Road, Walliston, in accordance with Section 31(2)(c) of the State Administrative Tribunal Act 2004.

3. APPROVE Development Application (ref: DA23/0322) at Lot 186 (No.5) Shirley Road, Walliston, in accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following conditions and advice:

Conditions:

- a) Prior to the commencement of works the applicant must;
 - i) remove the street tree on the boundary of Lot 586 (5) Shirley Road, Walliston to the satisfaction of the City of Kalamunda and at the applicants cost;
 - ii) compensate the offset the loss of the tree by payment of the sum of \$1,500 to the City of Kalamunda for the cost incurred by the City of Kalamunda in planting and growing a single tree to establishment.
- b) The street wall/fence must be constructed with the finished floor level matching the existing natural ground levels. Any proposed cut and fill to the site does not form part of this development approval and if required, amended plans must be submitted to the City of Kalamunda for approval.
- c) The street wall/fence must be constructed of similar colours and materials to the existing Single House, to the satisfaction of the City of Kalamunda.
- d) The street wall and fence as well as any associated gates are to be no greater than 1.8 metres in height and visually permeable from 1.2 metres above natural ground level, measured from the primary street side, in accordance with the requirements of State Planning Policy 7.3 Residential Design Codes.

Advice notes:

- a) Crossovers must be designed and constructed to the specification and satisfaction of the City of Kalamunda.
- b) A building permit may be required prior to the commencement of works on site.
- c) In regard to condition d), visually permeable is defined as follows:

"In reference to a wall, gate, door, screen or fence that the vertical surface when viewed directly from the street or other public space has:

 - *Continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area;*
 - *Continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or*
 - *A surface offering equal or lesser obstruction to view."*

Moved: **Cr David Modolo**

Seconded: **Cr Geoff Stallard**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, and Cr David Modolo**

Against: **Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie**

CARRIED (6/3)

11. Motions of Which Previous Notice has been Given

11.1 Nil.

12. Questions by Members Without Notice

12.1 High Wycombe South - Cr O'Connor

Q. Has the City developed an advocacy strategy for High Wycombe South Residential Precinct and has this program been progressed for the advocacy for key enabling infrastructure in this area?

A. The City has developed an advocacy strategy in accordance with the previous council resolution for that area and has been working with the State government, developer and their consultants, and community land holders to try and realise the impediments and constraints for future redevelopment of that area.

The state government is particularly focused on the need for infrastructure investment and that is about liberating the development costs which are seen as an impediment towards future change of the area. Some developers and their consultants we have been advocating on their own and the city is actively working with them to understand their needs for future redevelopment of works and constraints they face.

The City continues to maintain an open dialogue with community members to resolve any issues they may have, as best as we can, with the planning framework and their understanding.

Whilst there is progress it is not a short journey and the city has deployed as much of its resources toward the achievement of those goals to transition the area as quickly as possible. The City will continue to do that.

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

13.1 Nil.

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

14.1 Nil.

15. Meeting Closed to the Public

15.1 RESOLVED OCM 41/2024

That the Meeting be closed to the public to consider confidential items.

Moved: **Cr John Giardina**

Seconded: **Cr Lisa Cooper**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

CARRIED UNANIMOUSLY (9/0)

The Meeting closed to the public at 6:50pm. All members of the public gallery, except for the two members of the public, left the Meeting, all elected members and staff remained.

15.2 RESOLVED OCM 45/2024

That the Meeting be reopened to the public after consideration of confidential items.

Moved: **Cr Geoff Stallard**

Seconded: **Cr John Giardina**

Vote: For: **Mayor Margaret Thomas, Cr Dylan O'Connor, Cr John Giardina, Cr Geoff Stallard, Cr Mary Cannon, Cr Brooke O'Donnell, Cr Lisa Cooper, Cr Kathy Ritchie and Cr David Modolo**

Against: **Nil**

CARRIED UNANIMOUSLY (9/0)

The Meeting reopened to the public at 8:07pm. Two members of the public gallery returned to the meeting. The Presiding Member read the resolutions to the Meeting.

- 16. Tabled Documents**
Public Agenda Briefing Forum Notes 9 April 2024

17. Closure

There being no further business, the Presiding Member declared the Meeting closed at 8:09pm.

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

Signed: _____
Presiding Member

Dated this _____ day of _____ 2024.