



Ordinary Council Meeting

AGENDA

Tuesday 25 February 2025

NOTICE OF MEETING
ORDINARY COUNCIL MEETING

Dear Councillors

Notice is hereby given that the next Ordinary Meeting of Council will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on **Tuesday 25 February 2025 at 6.30pm.**



Anthony Vuleta
Chief Executive Officer
20 February 2025

Acknowledgement of Traditional Owners

We wish to acknowledge the traditional custodians of the land we are meeting on, the Whadjuk Noongar people. We wish to acknowledge their Elders' past, present and future and respect their continuing culture and the contribution they make to the life of this City and this Region.

Emergency Procedures

Please view the position of Exits, Fire Extinguishers and Outdoor Assembly Area as displaced on the wall of the Council Chambers.

In case of an emergency follow the instructions given by City Staff.

Please remain at the assembly point until advised it is safe to leave.

Our Vision



Connected Communities, Valuing Nature and Creating our Future Together

Core Values

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

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

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

Aspirational Values

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

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

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

Our simple guiding principle will be to ensure everything we do will make the City of Kalamunda socially, environmentally and economically sustainable.

kalamunda.wa.gov.au



Webcasting Notice

Please note tonight's meeting, other than the confidential sessions, are being live streamed and recorded.

All in attendance and those addressing Council should refrain from making offensive/defamatory statements as there may be legal implications.

Council takes all care when maintaining privacy, however members of the public gallery and those addressing Council should be aware that you may be recorded.

INFORMATION FOR PUBLIC ATTENDANCE

Welcome to this evening's meeting. The following information is provided on the meeting and matters which may affect members of the public.

If you have any queries related to procedural matters, please contact a member of staff.

Ordinary Council Meetings – Procedures

1. Council Meetings are open to the public, except for Confidential Items listed on the Agenda.
2. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a City Staff Member.
3. To facilitate the smooth running of the meeting, silence is to be observed in the public gallery at all times.
4. All other arrangements are in general accordance with Council's Standing Orders, the Policies and decision of the City or Council.

Deputations and Public Question Time

These sessions in the Council Meeting provides an opportunity for people to ask any question of the Council or speak publicly on any matter.

Public Question Time

Public Question Time session will be conducted in accordance with the provisions of the Local Government Act and the City's Standing Orders.

Where a member of the public raises a question during Public Question Time, a response will be provided where Councillors or staff have the necessary information at hand; if not, a reply will be provided at a later time. There is a limit of one question per speaker per meeting.

Deputations

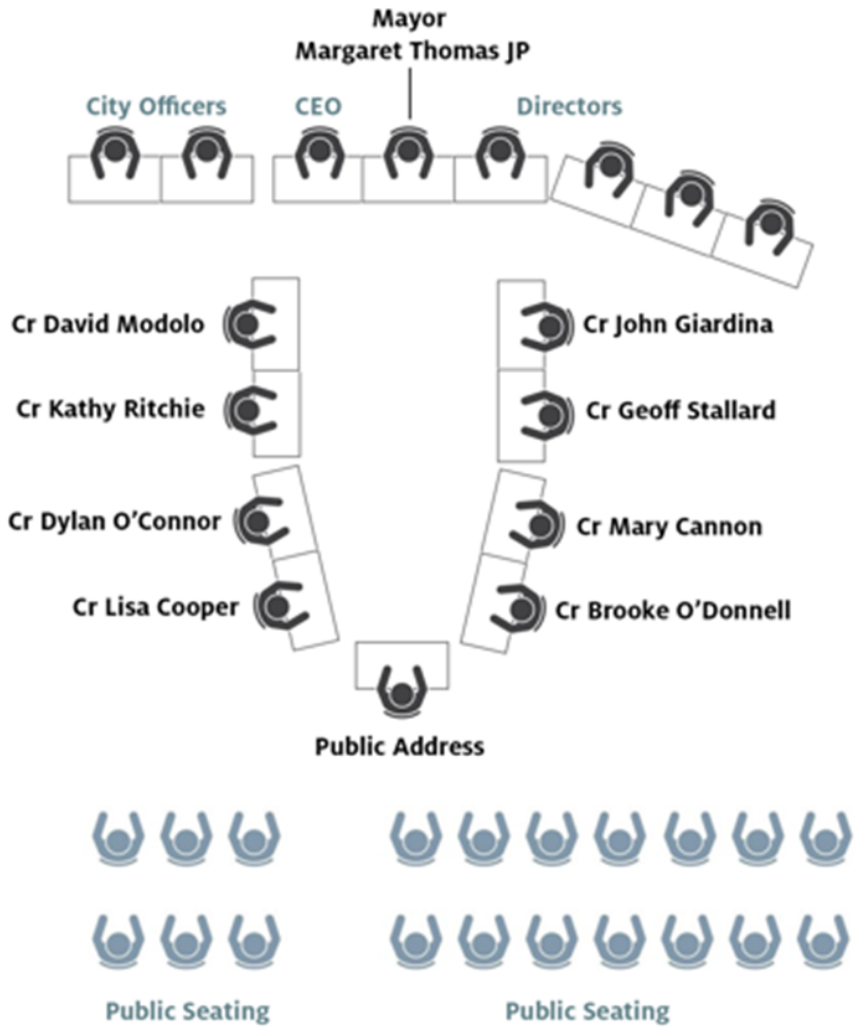
All speakers are limited to ten minutes, with a one-minute warning given to speakers prior to the ten-minute time period elapsing. The commencement and conclusion of time shall be advised by the Mayor/Chairperson.

It should be noted that speakers at Council meetings do not enjoy any protection from parliamentary-style privilege. Therefore, they are subject to the risk of defamation action if they make comments about individuals.

In the event that speaker makes potentially offensive or defamatory remarks about any person, the Mayor/Chairperson will ask them to refrain from such comments.

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person, or make a point of order ruling if a speaker breaches the Guidelines.

Council Chambers Seating Plan



Schedule of Agenda Briefing Forums a Council Meetings - 2025

Ordinary Meetings of Council (OCM) commence at 6:30pm.
Public Agenda Briefing Forums (Agenda Briefing) commence at 6:30pm.

	Agenda Briefing	Ordinary Council
February	Tuesday 11	Tuesday 25
March	Tuesday 11	Tuesday 25
April	Tuesday 8	Tuesday 22
May	Tuesday 13	Tuesday 27
July	Tuesday 8	Tuesday 22
August	Tuesday 12	Tuesday 26
September	Tuesday 9	Tuesday 23
October	Tuesday 7	Tuesday 14
November	Tuesday 11	Tuesday 25
December	Tuesday 2	Tuesday 9

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1. Official Opening

2. Attendance, Apologies and Leave of Absence Previously Approved

3. Public Question Time

3.1. Questions Taken on Notice at Previous Meeting

3.1.1 Steve Gates, Nature Reserves Preservation Group (Annual Electors Meeting 4 February 2025)

Q. It is noted that a Significant Tree Register has not been prepared or implemented by the City in the last 10 years

A. In June 1999, the then Shire of Kalamunda commenced a process to introduce a Register of Significant Trees. The process was established to enable nominations to be made to recognise trees for their age, size, species, historical value or other unique characteristics. The applications would enable a sub-committee at the time - the Community Environmental Advisory Committee (CEAC) - to assess applications and make recommendations to the Council. It was further proposed that sign-posting of trees would occur to allow the public to view the registered Trees. While the process was initiated to prepare a Significant Tree Register, any inclusions (recommended through CEAC) required the Council's further endorsement. The City has undertaken a thorough search of Council minutes and have not located any items to endorse significant trees.

The City's Urban Forest Strategy (2023) includes a suite of goals and actions focused on engaging with the community, improving management of environmental assets under the City's care and control, implementing new greening programs on City land, and investigating ways to resource and partner to share the delivery of strategic objectives. The City remains committed to targeting programs that provide value to the broad needs of the community drawing on strategies identified in the Urban Forest Strategy.

3.1.2 Ms Kathleen Edmonds, Wattle Grove (Public Agenda Briefing Forum 11 February 2025)

Q Other than under Freedom of Information on an application, please advise me where in the Local government Act, the City of Kalamunda scheme 3LP or any other part of the regulatory framework, residents submitting a development application that results send submissions is then presented with those submissions for comment. I have never seen submissions that have been submitted to a development application and for their comment

I've taken this and researched it at quite a high level and have repeatedly been told that this is highly unusual.

- A. Certain development applications trigger advertising, which occurs in accordance with either planning regulations, local planning scheme provisions, local planning policy requirements - or a mix of them depending on what is relevant.

It is normal for Local Governments to provide applicant's an opportunity to respond to the concerns and comments raised through the submission period. When the volume of submissions is high, the City often provides a summary of the key matters raised in submissions to respond to. When the number of submissions is lower, the City will redact personal information and allow the applicant to respond directly to the content of the submission.

The City's Local Planning Policy 11, at points 8 and 9, deals with the City's actions on submissions. Point 9 notes that - *'The City will give a summary of written submissions to the applicant to provide the applicant the opportunity to respond to issues raised in any submissions where necessary...'*

Allowing an applicant to respond directly to a submission provides an insight into the extent to which the feedback has been taken on board. The City regularly deals with situations where an applicant modifies plans to address design concerns submitted by neighbours, which is a positive outcome.

The City understands its approach to be consistent with other local governments.

3.2. Public Question Time

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

4. Petitions/Deputations

A petition containing 54 signatures is presented and tabled.

Subject: Proposed – Use Not listed (Water Extraction) Lot 6 (60) Repatriation Road and Lot 12 (30 Foti Road, Pickering Brook. WA 6076.

5. Applications for Leave of Absence

6. Confirmation of Minutes from Previous Meeting

That the Minutes of the Ordinary Council Meeting held on 10 December 2024, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved:

Seconded:

Vote:

Statement by Presiding Member

"On the basis of the above Motion, I now sign the Minutes as a true and accurate record of the meeting of 10 December."

7. Announcements by the Member Presiding Without Discussion

8. Matters for Which the Meeting may be Closed

- 9.1 Item 10.2.1 RFT2431 Provision for General Electrical Services and Irrigation Electrical Maintenance Services - Award of Tender – **Confidential Attachment** – Tender Evaluation Report

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

- 9.2 Item 10.2.2 RFT2426 Provision for Security Services - Award of Tender – **Confidential Attachment** – Tender Evaluation Report

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

9.3 Item 10.2.3 Kalamunda Energy Project Phase 2 – **Provided under separate cover**

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

9.4 Item 10.6.2 Debtors and Creditors Reports for the period 1 November 2024 to 31 January 2025 – **Confidential Attachments** – 1. Creditor Payments for the Period ended 31 January 2025; 2. Creditor Payments for the Period ended 30 November 2024; 3. Creditor Payments for the Period ended 31 December 2024; 4. Corporate Credit Card Payments 27 November to 24 December 2024; 5. Corporate Credit Card Payments 26 October to 26 November 2024; 6. Corporate Credit Card Payments 26 September to 25 October 2024

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

9.5 Item 10.6.4 Budget Review for Six Months to December 2024 – **Confidential Attachment** - 2024 2025 Mid-Year Review Capital Expenditure

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

9.6 Item 10.6.5 Property Matter - Divestment of Surplus Land Assets

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

9. 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*.)

9.2. 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.

10. Reports to Council

10.1. Development Services Reports

10.1.1. Dedication of Portion of Reserve 37323 as Road – High Wycombe South

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

Previous
Items

Directorate	Development Services
Business Unit	Strategic Planning
File Reference	164646; ST-10/033 (RESERVE)
Applicant	High Wycombe Land Estate Pty Ltd
Owner	State of Western Australia

Attachments	1. Local Structure Plan - High Wycombe South - Dedication of Bridle Trail [10.1.1.1 - 1 page]
	2. Subdivision Plan - High Wycombe South - Dedication of Bridle Trail [10.1.1.2 - 1 page]
	3. Dedication Plan - High Wycombe South - Dedication of Bridle Trail [10.1.1.3 - 1 page]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 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 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 for Council to consider an application received by the City of Kalamunda (City) from High Wycombe Land Estate Pty Ltd (Applicant) to dedicate a portion of Reserve 37323, Lot 10208 on Plan 13419 (Road Land) as a road.
2. This dedication request is in accordance with a Western Australian Planning Commission (WAPC) subdivision approval and associated conditions, which requires the Road Land to be dedicated as a road.
3. It is recommended Council support the proposed dedication, subject to conditions.

BACKGROUND

4. In August 2023, the WAPC endorsed the High Wycombe South Residential Precinct Local Structure Plan (LSP) to coordinate and guide urban development. The LSP is provided in Attachment 1.
5. In March 2024, a residential subdivision application was submitted to the WAPC affecting Lots 85, 86, 87, 88, 89 and 10208 Brae Road and Stewart Road, High Wycombe (Subdivision Application). The subdivision application incorporates 85 lots including two retained dwellings and four grouped housing sites subject to further planning. Three local roads are proposed to provide access and services to newly created lots.

6. On 12 August 2024, the WAPC approved the Subdivision Application subject to conditions (Subdivision Approval). The approved subdivision plan is provided in Attachment 2.
7. Condition 2 of the Subdivision Approval (Condition 2) states as follows:

“Proposed Lots 35-47 inclusive are not [to] be created until such time as the abutting section of Lot 10208, being Reserve 37323, is formally dedicated as road under the Land Administration Act 1997. (Local Government)”
8. The Road Land (referred to as “the abutting section of Lot 10208” in Condition 2) is depicted in Attachment 3.

DETAILS AND ANALYSIS

9. The Road Land is a bridle trail which comprises part of Reserve 37323.
10. Reserve 37323 is owned by the State of Western Australia and managed by the City for the purpose of “Public Recreation”.
11. Dedication means that land becomes a road that is open for public use. In this instance, the dedication will mean that the Road Land will change from a bridle trail used for public recreation to a road.
12. The Road Land is zoned Urban Development under the City of Kalamunda Local Planning Scheme No. 3 and is classified as Residential Medium Density (R30-R60) under the High Wycombe South Residential Precinct LSP.
13. The current reserve purpose of “Public Recreation” is inconsistent with the future planning of the area, which is transitioning to an urban environment. Infrastructure will be required to support the new community.
14. The proposal aligns with the City’s strategic goals by providing the necessary infrastructure for urban growth.
15. The approved subdivision plan shows the Road Land as a future road reserve. However, the dedication of the Road Land is still required as a separate process under the *Land Administration Act 1997 (WA)*.

16. The approved subdivision process will appropriately address development issues such as servicing and earthworks. The subdivision civil designs have been received by the City for approval as part of the subdivision process. The subdivision designs address tree retention and ensure that as many trees as possible are retained.

APPLICABLE LAW

17. *Land Administration Act 1997 (WA)*

APPLICABLE POLICY

18. Service 4: Asset Management

STAKEHOLDER ENGAGEMENT

19. Comprehensive community engagement has previously been undertaken as part of the rezoning and structure planning processes in the LSP area.
20. As part of the structure plan advertising process, the City received two submissions regarding the bridle trails. The first submission requested that bridle trails be retained as part of the Public Open Space (POS). The second submission commented on the environmental values within the bridle trails and access for horse riders.
21. The City considered these submissions and responded that the environmental values of the existing bridle paths is acknowledged. Wherever possible, bridle paths have been included in Local Open Space (LOS) or Conservation Areas and may form part of a broader pedestrian network at the detailed design phase for POS areas.
22. The WAPC considered the matter, including the submissions received, and decided to approve the Residential Precinct LSP with a Residential Medium Density land use classification.
23. The LSP recognises that the existing bridle trails are generally underutilised and contain historic character and environmental values. The LSP design response for bridle trails is as follows:
- “Existing bridle trails in the precinct will be repurposed where possible, either as part of Environmental Conservation or the proposed Public Open Space network. Bridle trails within the green link are proposed to be used to provide pedestrian and potentially cyclist access to the primary school and Sporting Precinct to the east of Brand Road and will serve to break down the perception of the green link as a barrier between different parts of the precinct.”

24. In this instance, the bridle trail comprising the Road Land does not form part of the broad open space network identified in the LSP, and the only practical application for the Road Land is to repurpose it into future road reserve.
25. To have meaningful community consultation, it is important that there be the opportunity for decision makers to consider change based on the feedback received. In this case, comprehensive engagement processes have previously occurred and there is limited opportunity for change at this stage, given that a subdivision approval has already been issued which requires the dedication of the Road Land.
26. The City is committed to engaging and keeping the community informed. Immediately following Council approval, the City will notify the community of the proposed dedication.

FINANCIAL CONSIDERATIONS

27. The Applicant has provided written confirmation that it will be responsible for all costs associated with the proposal, including but not limited to the cost of surveys, document preparation and lodgement, relocation or modification of services, easements to protect services and fees.
28. These costs will be determined by the relevant third parties, namely the surveyor, Landgate, the Department of Planning, Lands and Heritage, and utility service providers. It is the responsibility of the Applicant to obtain quotes or cost estimates direct from the relevant third parties.

SUSTAINABILITY

29. The proposal contributes towards the implementation of the LSP and urban development, and therefore contributes to the City's strategies to plan for sustainable growth.

RISK MANAGEMENT

30.

Risk: The subdivision does not occur, but the proposed dedication still proceeds.		
Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
Recommendation to include a condition requiring that the dedication is to only occur once approved subdivisional works have commenced, to the satisfaction of the City.		

31.

Risk: The City does not support the proposal, which is consistent with the LSP and is required to clear a condition of the Subdivision Approval, resulting in reputational damage.		
Consequence	Likelihood	Rating
Moderate	Likely	Medium
Action/Strategy		
Recommendation to support the proposed dedication subject to conditions.		

32.

Risk: The City is required to compensate the Minister for Lands for costs and expenses reasonably incurred in considering and granting the dedication request.		
Consequence	Likelihood	Rating
Insignificant	Likely	Low
Action/Strategy		
Recommendation to include a condition requiring the Applicant to indemnify the City and the Minister for Lands for costs and expenses reasonably incurred in considering and granting the dedication request.		

CONCLUSION

33. The dedication request from the Applicant is in accordance with Condition 2 of subdivision approval WAPC 164646, which requires the Road Land to be dedicated as a road.
34. The proposed dedication of the Road Land is consistent with its zoning as Urban Development and its classification as Residential Medium Density (R30-R60) under the High Wycombe South Residential Precinct LSP.
35. The proposal contributes towards the implementation of the LSP and urban development, and therefore contributes to the City's strategies to plan for sustainable growth.

36. It is recommended that the Council request the Minister for Lands to dedicate the Road Land as a road, subject to the following conditions:
- a) The Applicant to pay all costs of and incidental to the proposal.
 - b) The Applicant to indemnify the City of Kalamunda and the Minister for Lands against any claim for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the City and the Minister in considering and granting the request.
 - c) The proposed dedication to only occur once approved subdivisional works have commenced to the satisfaction of the City of Kalamunda.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council REQUEST the Minister for Lands to dedicate as road that portion of Lot 10208 on Plan 13419 shown delineated and marked as "Portion to be Dedicated as Road under the LAA 1997" on Plan 106134-SK-012-A (Attachment 1), pursuant to section 56 of the *Land Administration Act 1997* (WA), subject to the following conditions:


1. The Applicant to pay all costs of and incidental to the proposal, including but not limited to the cost of surveys, approvals, service relocations, easements, document preparation and lodgement, and fees.
2. The Applicant to indemnify the City of Kalamunda and the Minister for Lands against any claim for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the City of Kalamunda and the Minister for Lands in considering and granting the dedication request.
3. The proposed dedication to only occur once the Applicant has commenced approved subdivisional works in respect of Western Australian Planning Commission approval (WAPC 164646), to the satisfaction of the City of Kalamunda.

10.1.2. Commercial Vehicle Parking - Lot 11 (30) Valcan Road, Wattle Grove

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

Previous Items	Nil
Directorate	Development Services
Business Unit	Approval Services
File Reference	DA24/0327
Applicant	L J GITTOS
Owner	LJ & D A GITTOS
Attachments	<ol style="list-style-type: none"> 1. Commercial Vehicle 1 Details [10.1.2.1 - 3 pages] 2. Commercial Vehicle 2 Details [10.1.2.2 - 3 pages] 3. Cover Letter - Commercial Vehicle - Lot 11 (30) Valcan Road, Wattle Grove [10.1.2.3 - 1 page] 4. Site Plan - Lot 11 (30) Valcan Road, Wattle Grove [10.1.2.4 - 1 page] 5. Parking Location Plan - Lot 11 (30) Valcan Road, Wattle Grove [10.1.2.5 - 1 page] 6. Submission Response Table - Lot 11 (30) Valcan Road, Wattle Grove [10.1.2.6 - 12 pages]

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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 to consider a Development Application for Commercial Vehicle Parking (CVP) for 2 vehicles at Lot 11 (No. 30) Valcan Road, Wattle Grove (the subject site) which came to the City's attention via a complaint.
2. The application was advertised for 14 days to adjoining landowners and occupiers most likely to be affected by the proposed CVP. During the consultation process, the City of Kalamunda (City) received a total number of thirteen (13) submissions comprising twelve (12) objections and one (1) submission indicating support.
3. There is a high number of objections to the proposal. The City considers, with the application of suitable planning conditions, the proposed CVP can be consistent with the planning framework, and thus capable of approval. It is recommended Council approve the application for the proposed Commercial Vehicle Parking for 2 vehicles at Lot 11 (No. 30) Valcan Road, Wattle Grove.

BACKGROUND

4. **Land Details:**

Land Area:	15,607m ²
Local Planning Scheme Zone:	Special Rural
Metropolitan Regional Scheme Zone:	Rural

5. **Locality Plan:**



6. The subject site is zoned 'Special Rural' under Local Planning Scheme No.3 (Scheme).

7. The site is bounded by rural sites and is within the proposed 'Wattle Grove South' Metropolitan Region Scheme Amendment area, as identified on the Crystal Brook concept plan.

8. The planning objectives of the 'Special Rural' zone are:

- a) To enable smaller lot subdivision to provide for uses compatible with rural development.
- b) To retain amenity and the rural landscape in a manner consistent with orderly and proper planning.

For the purpose of the City's assessment, the objective that all elements of the proposal need to be measured against is objective (b) – to retain amenity and rural landscape.

The phrase 'orderly and proper planning' is commonly used in planning schemes and by planning consultants justifying a proposed development. To be consistent with 'orderly and proper planning' a proposal must be consistent with all elements of the relevant planning framework, or at least not inconsistent. This measure will change from one proposal to the next, with the consistency relating to the use of discretion so departures from the planning framework are only supported when there is good reason to do so.

DETAILS AND ANALYSIS

9. The landowner is seeking approval to operate Commercial Vehicle Parking for two vehicles on the subject site. The details of the application are summarised as follows:
- a) Parking of two commercial vehicles on site. Refer to Attachment 1 and 2.
 - b) The two vehicles are proposed to be located 150m behind the street boundary. Refer to Attachment 4 Parking Location Plan and Attachment 5 for the site plan.
 - c) No cleaning/washing, vehicle maintenance is proposed to occur on site, and there will be no staff.
 - d) A site plan (Attachment 5) has been provided which demonstrates a 20-metre by 55-metre parking area to the rear of the site.
 - e) Vehicle movement is proposed to operate between 8.00am and 5.00pm on weekdays with no operations proposed on weekends.
10. The proposal has been assessed against the City's Local Planning Policy 1 – Commercial Vehicle Parking (LPP1). A summary of the application's compliance with LPP1 are outlined in the table below.

Table 1 – Assessment against LPP1

Provision	Proposed	Compliance
The commercial vehicle to be parked on the property shall not exceed: <ul style="list-style-type: none"> a) Rigid type – 11 metres in length, 2.5m in width and 4.3 metres in height (either laden or unladen). b) Articulated type – 17.5 metres in length, 2.5 metres in width and 4.3 metres in height (laden or unladen) 	Vehicles measure 11-metres in length, 3-metres in height and 9-metres in length, 2-metres in height.	Y
The commercial vehicle shall be parked entirely on the lot behind the front alignment of the dwelling, and preferably behind the rear alignment of the dwelling. If the vehicle is parked alongside the dwelling, then gates and/or fencing of a minimum height of 1.8m shall be erected to	Parking demonstrated to the rear of the subject site – behind rear alignment of the dwelling.	Y

satisfactorily screen the vehicle from the public realm.		
The commercial vehicle(s) must enter and leave the property in a forward gear, unless otherwise approved.	There is sufficient turning space at the front of the property to allow entering and exiting in a forward gear.	Y
Spray painting, panel beating and major servicing on the commercial vehicle will not be permitted on the lot. Maintenance is limited to oil and grease changes, changes of tyres (not repair of tyres), and other minor maintenance as approved.	Nil proposed – any operations addressed in this provision are to be dealt separately by compliance.	Y Capable of being a condition of approval to ensure compliance.
Washing of the commercial vehicle on the lot is limited to the use of water and mild detergent, and excluded the use of any solvents, degreasing substance, steam cleaning and any other processes.	No washing of vehicles proposed.	Y Capable of being a condition of approval to ensure compliance.
The commercial vehicle shall only be started and/or manoeuvred on the lot in such a manner and such times approved by the Council, being consistent with the provisions of the Environmental Protection (Noise) Regulations. Standard vehicle movement and start up times between 7.00am 3 P a g e Local Planning Policy 1 - Commercial Vehicle Parking (LPP1) and 7.00pm Monday to Saturday, and 9.00am to 5.00pm on Sundays and public holidays shall apply, unless otherwise approved.	Operating times proposed between 8am and 5pm on weekdays.	Y Capable of being a condition of approval to ensure compliance.
The idling times for start-up and cool down on the property shall be restricted to 5 minutes per day unless otherwise approved.	Capable of being a condition of approval to ensure compliance.	Y

Maintenance and cleaning of the commercial vehicle on a residential lot to be permitted only between 8.00am and 7.00pm Monday to Sunday, and 9.00am and 6.00pm Sunday, unless otherwise approved.	No maintenance on site proposed.	Y Capable of being a condition of approval to ensure compliance.
If a commercial vehicle owner, who has been granted approval to park a commercial vehicle on a lot, wishes to replace the vehicle with another commercial vehicle, a further application is required	Capable of being a condition of approval to ensure compliance.	Y
Council reserves the right to amend the conditions of an approval or to revoke an approval: a) As a result of a justified complaint being received; and/or b) Due to changes (or potential changes) of the lot's zoning	Capable of being a condition of approval to ensure compliance.	Y
The Local Government may give notice of an application for approval to park a commercial vehicle or require the applicant to give notice of the application in respect of any such notice, clauses 9.4.3 to 9.4.6 of Local Planning Scheme No.3 apply.	Advertised in accordance with Clause 67(2)(y), of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	Y

11. Commercial Vehicle Parking in a Special Rural Zone is an 'A' use meaning advertising to all adjoining landowners and occupiers is required and has been undertaken. The proposal constitutes a 'standard' application as defined in the *Planning and Development (Local Planning Schemes) Regulations 2015* by virtue of advertising being required.
12. The submissions received are discussed in the stakeholder engagement section of this report and are also outlined verbatim in Attachment 6, with a response from the applicant provided.

APPLICABLE LAW					
13.	<i>Planning and Development Act 2005</i>				
14.	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>				
15.	<i>Local Planning Scheme No.3</i>				
16.	<i>Environmental Protection (Noise) Regulations 1997</i>				
APPLICABLE POLICY					
17.	<i>Local Planning Scheme No. 3</i>				
18.	<i>Local Planning Policy 1 – Commercial Vehicle Parking</i>				
19.	<i>Local Planning Policy 11 – Public Notification of Planning Proposals</i>				
STAKEHOLDER ENGAGEMENT					
20.	The development application was advertised in accordance with Clause 64 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> which included a letter being sent to all landowners and occupiers surrounding the subject site.				
21.	<p>The City received 13 submissions in relation to the proposal. Twelve of these submissions were objections to proposal, and 1 submission was received in support of the proposal.</p> <p>It is also noted that 7 of the above submissions received were not formally consulted during the consultation period as they were not considered to be within the appropriate advertising radius. Notwithstanding, these submissions have also been included for consideration.</p>				
22.	<p>The below table provides a summary of the key concerns raised by the adjoining landowners and occupiers and the City's comments in accordance with Clause 67(2)(y), of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>Table 2 – Summary of submissions received and Officer comment</p> <table border="1"> <thead> <tr> <th>Issues Raised</th> <th>Officer Comment</th> </tr> </thead> <tbody> <tr> <td> Street <ul style="list-style-type: none"> • Access • Street and property Security • Road capacity • Children and horse riding on road </td> <td> <p>Valcan Road measures less than 1km in length, is quite straight in alignment and is of an appropriate width to allow for two-way access.</p> <p>Planning cannot address any concerns regarding vehicle speeds along the road.</p> </td> </tr> </tbody> </table>	Issues Raised	Officer Comment	Street <ul style="list-style-type: none"> • Access • Street and property Security • Road capacity • Children and horse riding on road 	<p>Valcan Road measures less than 1km in length, is quite straight in alignment and is of an appropriate width to allow for two-way access.</p> <p>Planning cannot address any concerns regarding vehicle speeds along the road.</p>
Issues Raised	Officer Comment				
Street <ul style="list-style-type: none"> • Access • Street and property Security • Road capacity • Children and horse riding on road 	<p>Valcan Road measures less than 1km in length, is quite straight in alignment and is of an appropriate width to allow for two-way access.</p> <p>Planning cannot address any concerns regarding vehicle speeds along the road.</p>				

	<p>Site Constraints</p> <ul style="list-style-type: none"> Lacks the necessary infrastructure for commercial vehicle access 	<p>As the lot measures over 15,000m² there is the necessary space on site to allow for commercial vehicle access and parking. As confirmed by the City's Developmental Engineering Team, as the vehicles measure less than 19m in length, they are of sufficient length for access to be supported on a road of this width.</p>
	<p>Flora and Fauna</p> <ul style="list-style-type: none"> Soil contamination during vehicle washdown Wildlife crossing/leaving site 	<p>The cover letter provided by the applicant with the application states there will be no vehicle washing on site, thus there is no expected soil contamination.</p> <p>30 Valcan Road is located in a sewerage sensitive area in terms of being within the Estuary Catchment on the Swan and Scott Coastal Plains.</p> <p>Pursuant to the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> detergents are classed as a Schedule 1 Material - Materials that must not be discharged into the environment.</p> <p><i>A person who, in the course of or in connection with a business or a commercial activity, causes or allows a material listed in Schedule 1 to be discharged into the environment commits an offence. Penalty: \$5000.</i></p> <p>If the applicant wishes to wash their own private vehicles on their own property that is different and accepted. The only acceptable way to wash commercial vehicles on the property will be to use a wash bay with a secondary treatment system that treats the water prior to disposal."</p> <p>Managing wildlife impact is considered to fall outside the scope of this development application.</p>
	<p>Noise and Visual Impacts</p> <ul style="list-style-type: none"> Vehicle noise 	<p>As per LPP1, the commercial vehicle shall only be started and/or manoeuvred on the</p>

	<ul style="list-style-type: none"> • Visual amenity • Lack of screening 	<p>lot in such a manner and such times approved by the Council, being consistent with the provisions of the <i>Environmental Protection (Noise) Regulations</i>. Standard vehicle movement and start up times between 7.00am and 7.00pm Monday to Saturday, and 9.00am to 5.00pm on Sundays and public holidays shall apply, unless otherwise approved. The idling times for start-up and cool down on the property shall be restricted to 5 minutes per day. Subsequently, both are proposed to be conditioned to ensure noise is managed, should the application be approved. As the proposed parking area is located to the rear of the property (behind the dwelling alignment), it is unlikely there will be an impact on visual amenity from the streetscape. To address visual amenity for adjoining properties and screening, there is potential to condition that the applicant must install permanent screening along the boundaries of the proposed parking area.</p>
	<p>Compliance with LPP 1</p> <ul style="list-style-type: none"> • Unable to measure compliance with LPP 1 post approval • Existing non-compliance 	<p>The City imposes a range of conditions relating to the proposal that are enforced to ensure compliance. Any action which is against the conditions imposed by the approval are dealt with accordingly by the City's compliance team.</p> <p>Council in exercising its planning discretion on this application should not have regard to any existing non-compliance, as the Council must make a decision based on the planning merit of the proposal, as it has been presented by the applicant.</p>
	<p>Rates</p> <ul style="list-style-type: none"> • Operating commercial activity on a site which is more appropriately zoned with 	<p>Council in exercising its planning discretion on this application should not have regard to any existing non-compliance, as the Council must make a decision based on the planning merit of</p>

	commercial operations would incur different rates	the proposal, as it has been presented by the applicant.	
FINANCIAL CONSIDERATIONS			
23.	Should Council not support the officer recommendation and approve the application, the proponent may exercise their rights to appeal the decision through the State Administrative Tribunal (SAT). In which case, the City would need to engage legal representation.		
SUSTAINABILITY			
24.	The commercial operations raised in submission responses may pose significant threats to the surrounding environment. These alleged operations are separate to the proposal and should be addressed by compliance following determination of this proposal.		
RISK MANAGEMENT			
25.	Risk: The proposal may impact on the amenity of the adjoining properties.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	The City to provide appropriate conditions of planning approval to ensure potential amenity impacts are managed and adhered to.		
26.	Risk: Additional commercial operations may occur following approval.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Further compliance action to follow to ensure operations are in line with conditions specified.		
CONCLUSION			
27.	Officers have concluded, having regard to the submissions received during the advertising period and assessment against the relevant elements of the planning framework, that subject to conditions which have the capacity to ensure ongoing compliance – the proposed development can be consistent with the planning framework and is capable of being approved.		

28.	It is recommended that Council approve the application for the proposed Commercial Vehicle Parking for 2 vehicles at Lot 11 (No. 30) Valcan Road, Wattle Grove.
Voting Requirements: Simple Majority	

RECOMMENDATION

That Council APPROVE the Development Application (DA24/0327) for the proposed Commercial Vehicle Parking for 2 vehicles at Lot 11 (No. 30) Valcan Road, Wattle Grove, subject to the below conditions and advice:

Conditions:

1. The commercial vehicle parking approved herein is personal to L J & D A Gittos and subject to Hino Table Top and Toyota Table Top Dyna with the registration 1EFT.818 and 1ESJ.793, respectively. The approval ceases to be valid upon the sale of the property, change of vehicle or lapse of vehicle registration.
2. The approved commercial vehicles must, at all times, be parked in the location shown on the approved plan to the satisfaction of the City of Kalamunda.
3. The maintenance and cleaning of the commercial vehicle(s) is only permitted between 8:00am and 7:00pm Monday to Saturday and between 9:00am and 6:00pm on Sunday and Public Holidays. Spray painting, panel beating, washing and major servicing of the commercial vehicle(s) is not permitted on-site.
4. The movement and start-up times of the commercial vehicle(s) is only permitted between 7:00am and 7:00pm Monday to Saturday and 9:00am to 5:00pm on Sundays and Public Holidays.
5. The idling time for the commercial vehicle(s) must not exceed five (5) minutes per day for start-up and cool down on the property.
6. The off-loading and storage of any commercial products on-site associated with the parking of the commercial vehicle(s) is not permitted.
7. Within 90 days of completion of the approval, permanent screening must be provided where annotated in red on plans. The permanent screening device must be at least 1.8 metres in height, permanently fixed, made of durable material, and maintained for the duration of the development.

8. Prior to occupation of the development, crossovers must be designed and constructed to the specification and satisfaction of the City of Kalamunda.

Advice:

- a) A new commercial vehicle application will be required where the sale of the property, change of vehicle or lapse of vehicle registration occurs.
- b) Regarding condition 7, the applicant is advised that installing a dividing fence along the lot boundaries is a sufficient screen.

10.2. Asset Services Reports

10.2.1. RFT2431 Provision for General Electrical Services and Irrigation Electrical Maintenance Services - Award of Tender

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

Previous Items	OCM 06/2015; OCM 2/2020
Directorate	Asset Services
Business Unit	Asset Maintenance
File Reference	AD-TEN-005
Applicant	N/A
Owner	City of Kalamunda

Attachments	Nil
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Confidential Attachment	<u>Reason for Confidentiality: Local Government Act 1995 s5.23 (c)</u> <i>"a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."</i>
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TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 3: Kalamunda Develops

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council approval to award a tender seeking to engage a contractor for the Provision for General Electrical Services and Irrigation Electrical Maintenance Services (RFT 2431).
2. This will be services contract providing labour and materials to undertake a variety of preventative and reactive electrical maintenance tasks in the City of Kalamunda (City) owned building facilities and electrical systems used for irrigation of open spaces.
3. This tender is split into two (2) Separable Portions to attract the maximum number of potential contractors who could make submissions for any or all of the following services listed and provide best value to the City of Kalamunda (City):

Separable Portion A – General Electrical Services
This includes but is not limited to services such as emergency/exit lighting and RCD testing, electrical repairs/replacements, BBQ maintenance, programmed lighting, solar panel maintenance etc.

Separable Portion B – Irrigation and Electrical Maintenance
This portion includes but is not limited to maintenance, installation and programming of irrigation switchboard pumps and controllers.
4. It is recommended Council accept the tender from Burgess Enterprises Australia Pty Ltd, t/a Kalamunda Electrics ACN 159 828 798 based on the schedule of rates for an initial three-year period with the option to extend two one-year options.

BACKGROUND

5. The Contract Term on the previous provision of General Electrical Maintenance Services and Provision of Irrigation Electrical Maintenance Services (RFT 1907) is due to expire in March 2025.

DETAILS AND ANALYSIS

6. The City issued RFT 2431 seeking to engage a contractor to provide general electrical and/or irrigation electrical maintenance services for a three-year period, with two optional single year extensions at the City’s discretion. The tender is split into two Separable Portions:

1. Separable Portion A – General Electrical Services
2. Separable Portion B – Irrigation and Electrical Maintenance

Tenders closed on 11 December 2024, with seven tenders received by the closing date.

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

- a) Circuitree Electrical
- b) Electritech Industries
- c) GES (WA) Pty Ltd t/as Gorey Electrical Services
- d) Kalamunda Electrics
- e) Northlake Electrical Pty Ltd
- f) PEAP Contractors Pty Ltd
- g) Ready Resources Pty Ltd

8. An Evaluation Panel was convened of suitably qualified City officers to assess the tenders received.

9. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. Compliant tenders were then assessed against qualitative criteria (again set out in the tender invitation). The Qualitative Criteria and weighting were determined as follows:

Qualitative Criteria	Weighting
Relevant Experience	20%
Tenderer’s Resources	20%
Methodology	35%
Local Benefits	10%
WHS – Management Plan Manual	15%

10. Tenders which met or exceeded the qualitative pass mark of 60% were then assessed for price.

11. For Separable Part A, one (1) of the four (4) tender submissions exceeded the required qualitative pass mark of 60%.

12. The tenders were ranked as follows regarding the Qualitative Criteria:

Tenderer	Qualitative Total Score (Weighted @ 100%)	Rank
Kalamunda Electrics	76.50%	1
Northlake Electrical	57.50%	2
Circuitree Electrical	43.00%	3
Ready Resources Pty Ltd	31.00%	4

13. For Separable Part B, two (2) of the six (6) tender submissions exceeded the required qualitative pass mark of 60%.

14. The tenders were ranked as follows regarding the Qualitative Criteria:

Tenderer	Qualitative Total Score (Weighted @ 100%)	Rank
Kalamunda Electrics	73.00%	1
GES (WA) Pty Ltd t/as Gorey Electrical Services	63.50%	2
Northlake Electrical	57.50%	3
PEAP Contractors	56.50%	4
Electritech Industries	46.00%	5
Circuitree Electrical	25.50%	6

15. For Separable Part A, one (1) conforming tender submission met the required QPM and was advanced to the price assessment stage of the evaluation process. Each tenderers price submission is outlined in the following table.

Tenderer	Rank
Kalamunda Electrics	1
Northlake Electrical	2
Circuitree Electrical	3
Ready Resources Pty Ltd	4

16. For Separable Part B, two (2) conforming tender submission met the required QPM and was advanced to the price assessment stage of the evaluation process. Each tenderers price submission is outlined in the following table.

Tenderer	Rank
GES (WA) Pty Ltd t/as Gorey Electrical Services	1
Kalamunda Electrics	2
Electritech Industries	3
Northlake Electrical	4
PEAP Contractors	5
Circuitree Electrical	6

17. A price assessment was also undertaken to determine the best value for money outcome for the City.
18. The Tender Evaluation Report is provided as Confidential Attachment 1 to this report. This Attachment also assess the anticipated costs for labour for the range of tasks anticipated by the City each year.
19. The recommended tender best satisfied the City's requirements in terms of:
- a) meeting or exceeding the qualitative assessment benchmark;
 - b) proven capacity and capability to undertake the work;
 - c) satisfying reference checks from previous clients;
 - d) satisfying independent financial reference checks of the proposed contractor; and
 - e) providing the best value for money outcome.
20. The contract term is proposed to be an initial three-year term with two further one-year extensions at the City's discretion. The schedule of rates will increase annually by CPI.

APPLICABLE LAW

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

APPLICABLE POLICY

22. CEOD-CS51 – Purchasing, has been followed and complied with.

FINANCIAL CONSIDERATIONS

- 23. The use of electrical and irrigation services under this contract, will form part of approved annual budgets in Infrastructure Services, Parks and Environmental Services and Capital Works Projects.
- 24. Kalamunda Electrics ranked 1st in both Separable Portions A and B through the Qualitative Criteria and was best priced for Separable Portion A. For Separable Portion B, Kalamunda Electrics ranked second in price. Considering both the Qualitative Criteria and assessment of price, the consensus of the Tender Panel is to award Kalamunda Electrics with both Separable Portions A and B.

SUSTAINABILITY

- 25. Nil.

RISK MANAGEMENT

26.

Risk: The Contractor fails to fulfil the requirements of the contract, leading to increased costs to the City through re-tendering.		
Consequence	Likelihood	Rating
Insignificant	Unlikely	Low
Action/Strategy		
<ul style="list-style-type: none"> a) Corporate scorecard confirms financial viability of contractor. b) Formal and detailed Qualitative criteria within Tender minimise risk. c) The contractor’s performance for the duration of the contract will be monitored and areas of improvement communicated accordingly. 		

27.

Risk: Contractor unable to attend to urgent work in a timely manner which results in a safety risk.		
Consequence	Likelihood	Rating
Significant	Possible	High
Action/Strategy		
<ul style="list-style-type: none"> a) Embedding contractual mechanisms to ensure response to emergency situations has been agreed to. b) The capacity of the organization to respond was assessed as part of the qualitative assessment. 		

CONCLUSION

28. After evaluating all the submissions from the various suppliers and taking all the risks into consideration, it is believed that Burgess Enterprises Australia Pty Ltd, t/a Kalamunda Electrics ACN 159 828 798 will be the best suitable supplier to provide the City with for General Electrical Services and Irrigation Electrical Maintenance Services. The City is satisfied that the recommended tenderer has the capability, capacity and experience to provide the City with the required services.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. ACCEPT the tender for Separable Portion A – General Electrical Services (RFT 2431) from Burgess Enterprises Australia Pty Ltd, t/a Kalamunda Electrics ACN 159 828 798, as per the schedule of rates set out in Confidential Attachment 1 to this report for an initial three-year term with two further one-year extensions at the City of Kalamunda’s discretion.

2. ACCEPT the tender for Separable Portion B – Irrigation Electrical Maintenance Services (RFT 2431) from Burgess Enterprises Australia Pty Ltd, t/a Kalamunda Electrics ACN 159 828 798, as per the schedule of rates set out in Confidential Attachment 1 to this report for an initial three-year term with two further one-year extensions at the City of Kalamunda’s discretion.

10.2.2. RFT2426 Provision for Security Services - Award of Tender

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

Previous Items	N/A
Directorate	Asset Services
Business Unit	Asset Maintenance
File Reference	AD-TEN-005
Applicant	N/A
Owner	City of Kalamunda
Attachments	Nil
Confidential Attachment	<u>Reason for Confidentiality: Local Government Act 1995 s5.23 (c)</u> <i>"a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."</i>

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
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STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 3: Kalamunda Develops

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council approval to award a tender seeking to engage a contractor for the Provision of Security Services (RFT 2426).
2. The contract was split into five (5) Separable Portions, to attract the maximum number of potential contractors who could make submissions for any or all of the following services listed and provide best value to the City of Kalamunda (City):

Separable Portion A – Planned and Reactive Security Patrolling Services (AS 4421:2023) to include services such as random patrols for City facilities and premises unlocking and lock up.

Separable Portion B – Locksmith (AS4145) includes the installation, repair, replacement and maintenance of various types of locks and related hardware for City facilities.

Separable Portion C – Security & Intrusion Alarm Services cover works such as responding to emergency calls of lock outs, creation of non-restricted replacement keys, intruder alarm maintenance etc.

Separable Portion D – Electronic Access Control includes services such as programming of electronic security and access systems, troubleshooting of devices, etc.

Separable Portion E – CCTV Maintenance/Services includes scheduled maintenance to City owned CCTV (City Facilities and Public Realm), maintenance, repair, modification and testing of CCTV systems hardware and software, etc.

3. It is recommended Council accepts the tender from:
 - a) Eastern Region Security for Separable Portion A; and
 - b) Perth Access Control & Security for Separable Portions B – E.

As per the schedule of rates set out in the Confidential Attachment 1 to this report for an initial three-year period with the option to extend two one-year options.

BACKGROUND

4. Previously the City engaged security services on an adhoc basis. This is the first time these services are combined for tendering to provide the best value for the City.

DETAILS AND ANALYSIS

5. The City issued RFT 2426 seeking to engage a contractor to provide security services for a three-year period, with two optional single year extensions at the City’s discretion. Tenders closed on 6 November 2024, with nine (9) tenders received by the closing date.
6. Tenders received by the closing date were from the following companies (in alphabetical order):
 - a) Allied Security
 - b) Aust Guards & Patrol Services
 - c) CTI Security
 - d) Eastern Region Security
 - e) MA Service Group
 - f) Nightguard Security
 - g) Oceanic Security
 - h) Perth Access Control
 - i) SAPIO
7. An Evaluation Panel was convened of suitably qualified City officers to assess the tenders received.
8. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. Compliant tenders were then assessed against qualitative criteria (again set out in the tender invitation). The Qualitative Criteria and weighting were determined as follows:

Qualitative Criteria	Weighting
Relevant Experience	20%
Tenderer’s Resources	20%
Methodology	35%
Local Benefits	10%
WHS – Management Plan Manual	15%

9. Tenders which met or exceeded the qualitative pass mark of 60% were then assessed for price.

10. For Separable Portion A, three (3) of the six (6) tender submissions exceeded the required qualitative pass mark.

11. The tenders were ranked as follows regarding the Qualitative Criteria:

Tenderer	Score	Rank
Eastern Region Security	69.50%	1
AustGuards & Patrol Services	68.50%	2
Allied Security	65.50%	3
MA Service Group	59.50%	4
SAPIO	56.50%	5
Oceanic Security	20.00%	6

12. For Separable Portion B, one (1) of the four (4) tender submissions exceeded the required qualitative pass mark.

13. The tenders were ranked as follows regarding the Qualitative Criteria:

Tenderer	Score	Rank
Perth Access Control	86.50%	1
SAPIO	56.50%	2
MA Service Group	56.00%	3
CTI Security	44.50%	4

14. For Separable Portion C, one (1) of the four (4) tender submissions exceeded the required qualitative pass mark.

15. The tenders were ranked as follows regarding the Qualitative Criteria:

Tenderer	Score	Rank
Perth Access Control	86.50%	1
SAPIO	56.50%	2
MA Service Group	52.50%	3
CTI Security	37.50%	4

16. For Separable Portion D, one (1) of the four (4) tender submissions exceeded the required qualitative pass mark.

17. The tenders were ranked as follows regarding the Qualitative Criteria:

Tenderer	Score	Rank
Perth Access Control	86.50%	1
SAPIO	56.50%	2
MA Service Group	56.00%	3
CTI Security	34.00%	4

18. For Separable Portion E, one (1) of the four (4) tender submissions exceeded the required qualitative pass mark.

19. The tenders were ranked as follows regarding the Qualitative Criteria:

Tenderer	Score	Rank
Perth Access Control	86.50%	1
SAPIO	60.00%	2
MA Service Group	52.50%	3
CTI Security	37.50%	4

20. A price assessment was then undertaken for these tenders to determine the best value for money outcome for the City. Each tenderer's price submission is outlined in the following table for each portion of the contract.

Separable Portion A

Tenderer	Rank
Eastern Region Security	1
SAPIO	2
AustGuards & Patrol Services	3
Allied Security	4
MA Service Group	5
Oceanic Security	6

Separable Portion B

Tenderer	Rank
Perth Access Control	1
SAPIO	2
MA Service Group	3
CTI Security	4

Separable Portion C

Tenderer	Rank
Perth Access Control	1
MA Service Group	2
SAPIO	3
CTI Security	4

Separable Portion D

Tenderer	Rank
Perth Access Control	1
MA Service Group	2
SAPIO	3
CTI Security	4

Separable Portion E

Tenderer	Rank
Perth Access Control	1
SAPIO	2
MA Service Group	3
CTI Security	4

21. The Tender Evaluation Report is provided as Confidential Attachment 1 to this report. This Attachment also assess the anticipated costs for labour for the range of tasks anticipated by the City each year.
22. The recommended tender best satisfied the City's requirements in terms of:
 - a) meeting or exceeding the qualitative assessment benchmark;
 - b) proven capacity and capability to undertake the work;
 - c) satisfying reference checks from previous clients;
 - d) satisfying independent financial reference checks of the proposed contractor; and
 - e) providing the best value for money outcome.
23. The contract term is proposed to be an initial three-year term with two further one-year extensions at the City's discretion. The schedule of rates will increase annually by CPI.

APPLICABLE LAW

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

APPLICABLE POLICY

25. CEOD-CS51 – Purchasing, has been followed and complied with.

FINANCIAL CONSIDERATIONS

26. Security services under this contract will form part of approved annual budgets in Facilities Maintenance and Capital Works Projects.
27. To date the City undertook reactive works for the City’s CCTV infrastructure without having regular inspections or maintenance of these assets (e.g. change of batteries, cleaning of lens, etc.). Issues with the CCTV are generally found when an incident occurs, and the footage is required as part of investigations but unavailable as the camera is not operational. The submitted Schedule of Rates have come back higher than the City’s historical expenditure for these services by approximately \$150,000. The difference in historical spend and the submitted total price of the tender can be attributed to the inclusion of regular scheduled maintenance to the existing City CCTV assets compared to the reactive approach to date.

SUSTAINABILITY

28. Nil.

RISK MANAGEMENT

29.

Risk: The Contractor fails to fulfil the requirements of the contract, leading to increased costs to the City through re-tendering.		
Consequence	Likelihood	Rating
Insignificant	Unlikely	Low
Action/Strategy		
a) Corporate scorecard confirms financial viability of contractor. b) Formal and detailed Qualitative criteria within Tender minimise risk. c) Contractor’s performance for the duration of the contract will be monitored and areas of improvement communicated accordingly.		

30.

Risk: Contractor unable to attend to urgent work in a timely manner which results in a safety risk.		
Consequence	Likelihood	Rating
Significant	Possible	High
Action/Strategy		
a) Embedding contractual mechanisms to ensure response to emergency situations have been agreed to.		
b) The capacity of the organization to respond was assessed as part of the qualitative assessment.		

CONCLUSION

31. After evaluating all the submissions from the various suppliers and taking all the risks into consideration, it is believed that Eastern Region Security for Separable Portion A and Perth Access Control & Security for Separable Portions B - E will be the best suitable suppliers to provide the City with security services.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. ACCEPT the tender for Separable Portion A – Provision of Security Services (RFT 2426) from Eastern Region Security Pty Ltd, t/a Eastern Region Security ACN 119 975 101, as per the schedule of rates set out in Confidential Attachment 1 to this report for an initial three-year term with two further one-year extensions at the City of Kalamunda’s discretion.
2. ACCEPT the tender for Separable Portions B to E – Provision of Security Services (RFT 2426) from Perth Access Control & Security ABN 86 420 562 061, as per the schedule of rates set out in Confidential Attachment 1 to this report for an initial three-year term with two further one-year extensions at the City of Kalamunda’s discretion.

10.2.3. Kalamunda Energy Project Phase 2

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

Previous Items	N/A
Directorate	Asset Services
Business Unit	Asset Services
File Reference	
Applicant	N/A
Owner	N/A
Confidential Attachments	Nil

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"*

Provided under separate cover.

10.3. Corporate Services Reports

10.3.1. Corporate Business Plan - Quarterly Update - October to December 2024

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

Previous
Items

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

Attachments	1. Quarterly Corporate Plan Report October-December 2024 [10.3.1.1 - 60 pages]
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TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the progress on the City of Kalamunda's (City) achievement against "Kalamunda Achieving: Corporate Business Plan 2023-2027" for the period October to December 2024.
2. On average, actions from the Corporate Business Plan are 56.3% complete at the end of the second quarter, 31 December 2024.
3. It is recommended that Council notes the quarterly report for the Corporate Business Plan for the period October to December 2024.

BACKGROUND

4. Kalamunda Achieving: Corporate Business Plan 2023-2027 (CBP) was endorsed by Council at the Special Council Meeting on 26 June 2023.
5. A new Corporate Business Plan for 2024-2028 is currently under review. Any changes made to the CBP and adopted by Council will be reported on in the next quarter.
6. 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.
7. The CBP is a component of the City of Kalamunda's integrated planning and reporting framework.

DETAILS AND ANALYSIS

8. The CBP is comprised of 4 Strategic Priority areas, being:
 1. Kalamunda Cares and Interacts
 2. Kalamunda Clean and Green
 3. Kalamunda Develops
 4. Kalamunda Leads
9. There are 136 individual actions set out within the CBP. 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 2024.

11. The CBP actions are on average 56.3% complete. The average target at the end of the second quarter is 46.4%, indicating that progress, on average, is ahead of schedule. The average target is less than 50% because some actions commence later in the year, so the target for the current quarter is 0%.

APPLICABLE LAW

12. 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’.
13. The *Local Government (Administration) Regulations 1996* provides detail as to the content of the Corporate Business Plan.

APPLICABLE POLICY

14. Nil.

STAKEHOLDER ENGAGEMENT

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

18. Nil.

RISK MANAGEMENT

19.	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

20. The City is working to carry out the actions listed in the Corporate Business Plan. On average, actions from the Corporate Business Plan are 56.3% complete at the end of the second quarter of 2024/2025.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE the quarterly report for the Kalamunda Achieving: Corporate Business Plan 2023-2027 for the period October to December 2024.

10.4. Community Services Reports

No reports presented.

10.5. Office of the CEO Reports

No reports presented.

10.6. Chief Executive Officer Reports

10.6.1. Monthly Financial Statements to 31 January 2025

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	<ol style="list-style-type: none">1. Statement of Financial Activity for seven months ended 31 January 2025 [10.6.1.1 - 1 page]2. Statement of Financial Activity for six months ended 31 December 2024 [10.6.1.2 - 1 page]3. Statement of Financial Activity for five months ended 30 November 2024 [10.6.1.3 - 1 page]4. Statement of Net Current Funding Position as at 31 January 2025 [10.6.1.4 - 1 page]5. Statement of Net Current Funding Position as at 31 December 2024 [10.6.1.5 - 1 page]6. Statement of Net Current Funding Position as at 30 November 2024 [10.6.1.6 - 1 page]7. Statement of Financial Position as at 31 January 2025 [10.6.1.7 - 1 page]8. Statement of Financial Position as at 31 December 2024 [10.6.1.8 - 1 page]9. Statement of Financial Position as at 30 November 2024 [10.6.1.9 - 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 January 2025.
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 budget adopted by Council on 1 July 2024 and any subsequent amendments for the 2024/2025 financial year to the reporting date.

It should be noted the results do not incorporate the results of the mid-year review conducted in January which will be reported in the following month's report. This is due to the Council having not yet adopted the review results which will be presented at the February OCM,

3. It is recommended that Council receives the draft Monthly Statutory Financial Statements for the month of November 2024 to January 2025, which comprise:
 - a) Statement of Financial Activity by Nature
 - b) Net Current Funding Position, note to financial report; and

- c) Statement of Financial Position.

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 (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 four months ended 31 January 2025.

7. This Statement reveals a net result surplus of \$38,337,064 compared to the budget for the same period of \$34,160,721 resulting in a variance of \$4,176,343. This variance is largely due to a higher operating activities variance of \$4,743,465. The balance of the variance is a surplus \$1,899,695 in investing activities offset by an adverse variance from financing activities worth \$2,466,815.

Operating Revenue

8. Total Revenue including rates is over budget by \$264,629. This is made up as follows:
- a) Rates generation is trending along the budget with a minor variance of \$273,488 mainly due to the raising of interim rates to January 2024 worth \$107,997 and the balance due to UV valuation changes not incorporated when the budget was modelled.
 - b) Operating Grants, Subsidies and Contributions are also trending along the budget with a minor variance of \$240,805. The variance is mainly due to reimbursement of Workers Compensation and Insurance Claims.

- c) Profit on asset disposal is under budget by \$921,238 as certain land parcels earmarked for sale have not yet proceeded. This is deemed a timing difference.
- d) Fees and Charges are over budget by \$503,519. The variance is attributable to the Statutory Planning Service – Development Fee which is higher than budget by \$175,095, Rates administration charges for instalment plans \$68,994 are above budget and, recovery of project management fees from Strategic Projects is higher than budget by \$56,868.
- e) Interest income is above budget by \$141,546 mainly due to higher default interest on rates than budgeted.
- f) Other Revenue is above budget by \$131,393, and the variance is mainly due to discount in software licences that the City has been able to negotiate that was not budgeted.
- g) Ex-Gratia Rates Revenue is tracking lower than budget by \$104,884 due to a timing variance in relation to the Ex-Gratia Rates due from the Dampier Bunbury Gas Pipeline. The amount is normally received in March every year.

Operating Expenditure

9. Total expenditure is under budget by \$3,603,875. The significant variances within the individual categories are as follows:
- a) Employment Costs are under budget by \$1,043,657 which is due to minor delays in the recruitment of new and vacant positions across several business units.
 - b) Materials and Contracts are under budget by \$2,855,855. The variance is mainly due to the timing of invoices for waste services, building maintenance and infrastructure maintenance costs.
 - c) Utilities are tracking along the budget with a variance of \$47,448 that is below the variance reporting threshold.
 - d) Depreciation, although a non-cash cost, is tracking along the budget by minor variance of \$39,448.
 - e) Interest & Insurance expense are tracking along their respective budget amounts with minor variances of \$11,743 and \$25,839 below reportable variance threshold.
 - f) Other expenditure is under budget by \$60,260 mainly due to some budgeted donations that have not been paid out yet.

Investing Activities

Non-operating Grants and Contributions

10. The non-operating grants and contributions is under budget by \$974,071. This is mainly due to the timing difference of receipts of grants for capital works projects and the project delivery.

Capital Expenditure

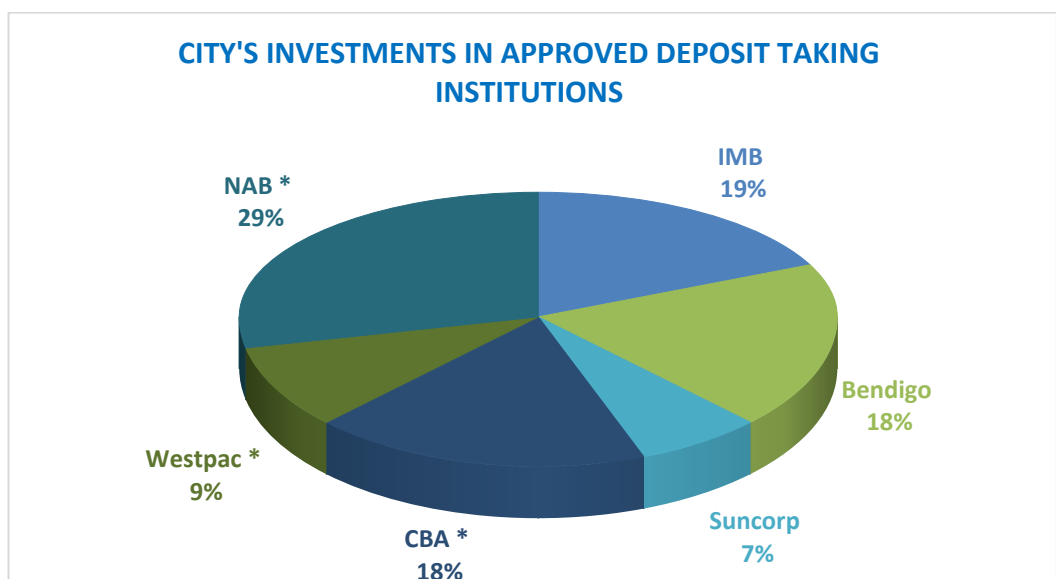
11. The total Capital Expenditure on Property, Plant, Equipment, and Infrastructure Assets is under budget by \$2,873,766. Phasing of the projects is being reviewed to better align the expenditure with the budget. The City is working through some large projects which are in various stages in the tender process

Financing Activities

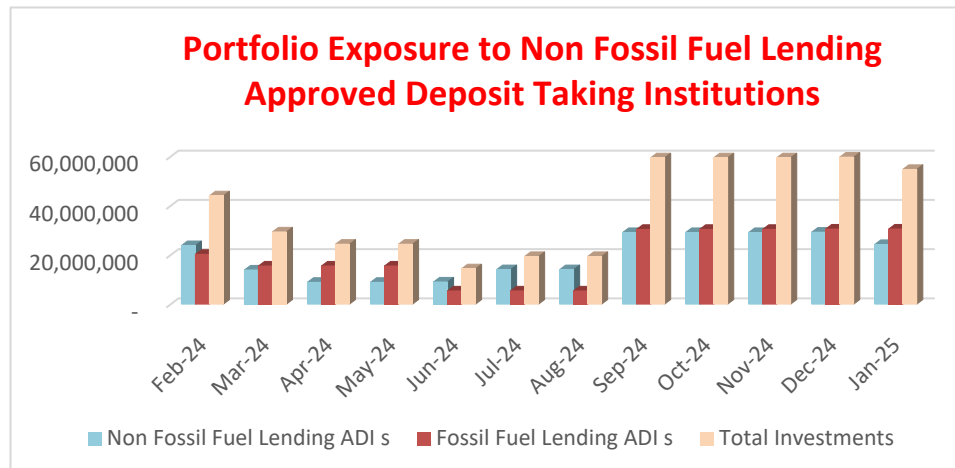
12. The amounts attributable to financing activities show a variance from budget by \$2,466,815 which is mainly due to the timing difference of reserve transfers that are usually transacted towards the year end.

Statement of Net Current Funding Position as of 31 January 2025

13. The commentary on the net current funding position is based on a comparison of January 2025 to the January 2024 actuals.
14. Net Current Assets (Current Assets less Current Liabilities) total \$68.7 million as compared to \$57.2 million for the previous year. The restricted cash position is \$34.7 million which is higher than the previous year's balance of \$24.6 million. The transfers from Reserves normally occur in the later part of year once the bulk of the Capital Works programme has been delivered for the financial year.
15. The following graph indicates the financial institutions where the City has investments as of 31 January 2025. Investments yields are between 4%-5.5% depending on length of deposits.



*Financial Institutions with Investments in the Fossil Fuel Industry



16. Rates debtors are currently \$7.9 million, further details are contained in the Rates Report to Council.
17. Sundry debtors have increased from \$149,181 to \$284,687 of which \$47,984.99 consist of current debt due within 30 days. Details are contained in the Debtors and Creditors Report to Council.
18. Receivables Other represent \$3.5 million including:
 - a) Emergency Service Levy receivables \$1.2 million.
 - b) Receivables Sanitation \$0.9 million.
19. Provisions for annual and long service leave have slightly increased by \$73,443 from \$4.239 million to \$4.312 million when compared to the previous year.

APPLICABLE LAW

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

APPLICABLE POLICY

21. Nil.

STAKEHOLDER ENGAGEMENT

Internal Referrals

22. 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

23. As noted in point 23 above, the City is required to present to the Council a monthly statement of financial activity with explanations for major variances.

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

25. Nil.

Economic Implications

26. Nil.

Environmental Implications

27. Nil.

RISK MANAGEMENT

28.

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.		

29.

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

30. The City's Financial Statement as of 31 October 2024 reflects the 2023-24 audited opening surplus position.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council

1. RECEIVE the Monthly Statutory Financial Statements for the 3 months of November 2024 to January 2025 which comprises:
 - a) Statements of Financial Activity (Nature or Type) (Attachment 1 - 3).
 - b) Statements of Net Current Funding Position, note to financial report. (Attachment 4 - 6).
 - c) Statements of Financial Position (Attachment 7 - 9).

10.6.2. Debtors and Creditors Reports for the period 1 November 2024 to 31 January 2025

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 January 2025 - Public [10.6.2.1 - 15 pages] 2. Creditor Payments for the Period ended 31 December 2024 - Public [10.6.2.2 - 16 pages] 3. Creditor Payments for the Period ended 30 November 2024 - Public [10.6.2.3 - 14 pages] 4. Corporate Credit Card Payments 27 November to 24 December 2024 - Public [10.6.2.4 - 3 pages] 5. Corporate Credit Card Payments 26 October to 26 November 2024 - Public [10.6.2.5 - 3 pages] 6. Corporate Credit Card Payments 26 September to 25 October 2024 - Public [10.6.2.6 - 2 pages] 7. Summary of Creditors for month of January 2025 [10.6.2.7 - 1 page] 8. Summary of Creditors for month of December 2024 [10.6.2.8 - 1 page] 9. Summary of Creditors for month of November 2024 [10.6.2.9 - 1 page] 10. Summary of Debtors for the month of January 2025 [10.6.2.10 - 2 pages] 11. Summary of Debtors for the month of December 2024 [10.6.2.11 - 2 pages] 12. Summary of Debtors for the month of November 2024 [10.6.2.12 - 2 pages]
Confidential Attachments	<ol style="list-style-type: none"> 1. Creditor Payments for the period ended 31 January 2025 – (Confidential) 2. Creditor Payments for the Period ended 30 November 2024 – (Confidential) 3. Creditor Payments for the Period ended 31 December 2024 – (Confidential) 4. Corporate Credit Card Payments 27 November to 24 December 2024 – (Confidential) 5. Corporate Credit Card Payments 26 October to 26 November 2024 – (Confidential)

6. Corporate Credit Card Payments 26 September to 25 October 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 months of November 2024 to January 2025.

Commentary will be based on the January 2025 reports.
2. The report provides details of payments made from the Municipal and Trust Fund Accounts for these months. Also included are details for employee purchases made via purchasing cards for these months.

3. It is recommended that Council receive the list of:
- a) payments made from the Municipal and Trust Fund Accounts for the three months of November 2024 to January 2025
 - b) payments made by employees via purchasing cards from 26 September 2024 to 24 December 2024.

The above list is in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13 & 13A); and

- c) the outstanding debtors and creditors reports for these months.

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 January were \$284,687. This includes \$49,033 of current debts and \$1,048, unallocated credits (excess or overpayments).
8. Invoices over 30 days total \$105,419, debts of significance:
- a) Municipal Workcare, \$82,529 Workers Compensation Claims;
 - b) Hills District Callisthenics, \$3,500, Hall Hire; and
 - c) Dome, \$3,323, Lease / Utility Fees

9. Invoices over 60 days total \$7,206, debts of significance:
- a) Kalamunda Cricket Club, \$3,811, Reserve Hire; and
 - b) Gingin Elite Dance, \$2,650, Hall Hire.
10. Invoices over 90 days total \$124,078, debts of significance:
- a) Municipal Workcare, \$90,043 Workers Compensation Claims;
 - b) N-Com Pty Ltd, \$15,490, Lease Fees;
 - c) Private Citizen, \$5,315, Fire Hazard Reduction Burn; and
 - d) Kalamunda Chamber of Commerce, \$3,335, Reserve Hire.

Creditors

11. Payments totalling \$4,921,007.63 were made during the month of January 2025. 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	\$
Cleanaway	Waste / recycling & bulk bin disposal services fees	621,156.89
Australian Taxation Office	PAYG Payments	493,727.38
AE Hoskins Building Services	Building maintenance & construction services/repairs at various locations	382,026.98
Resource Recovery Group (Southern Metropolitan Regional Council)	Waste & Recycling disposal services fees	369,249.47
Christou Design Group Pty Ltd	Design services for High Wycombe Community Hub	312,278.67
Insight Enterprises Australia Pty Ltd	Microsoft Annual Subscriptions Billing	260,247.19
Aware Super Pty Ltd	Superannuation contributions	229,611.90
Synergy	Power charges	173,942.33
City Of Cockburn	Disposal of general waste from the weekly residential waste collection	121,512.01
Western Australian Treasury Corporation	Repayment Instalment of Loans	96,590.44

Kalamunda Electrics	Electrical repairs, maintenance and installations at various locations	77,412.78
OCE Corporate Pty Ltd - Office Cleaning Experts	Cleaning services / consumables for various locations	68,063.00
Eastern Metropolitan Regional Council (EMRC)	Domestic / waste charges - Red Hill tip, mattress & timber disposal fees	66,546.88
Contraflow	Traffic management for various locations	53,663.77
Beaver Tree Services	General tree services / under powerlines pruning for various locations	52,942.68
Dowsing Group Pty Ltd	Supply & lay concrete pathways, maintenance & misc works at various locations	52,905.76
Building Commission - Department Of Mines, Industry Regulation & Safety	Building Levy - October & November 2024	51,151.97

These payments total \$3,483,030.10 and represent 71% of all payments for the month.

Payroll

13. Salaries are paid in fortnightly cycles. A total of \$1,620,229.13 was paid in net salaries for the month of January 2025.
14. Details are provided in 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 payments (GST exclusive) were made from the Trust Accounts in the months of November 2024 to January 2025.

Cell 9		Amount (\$)
Date	Description	
20/11/2025	City of Kalamunda – Project Management costs for July – September 2024	25,980.00
18/12/2024	Advance Press (2013) Pty Ltd – Signage for Woodlupine Creek Reserve	80.00
31/01/2025	MTMYS Fencing & Gates - Supply and installation of fencing at Woodlupine Brook, Wattle Grove	2,720.91
31/01/2025	McGees Property - Market Valuation advice 7(Part Lot 60) Bruce Road, Wattle Grove	2,500.00

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 CEO Direction 5.5.
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

RECOMMENDATION

That Council:

- 1. RECEIVE the monthly lists of payments made from the Municipal Accounts for the months of November 2024 to January 2025 (Confidential Attachment 1 - 3) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).

2. RECEIVE the list of payments made from 26 September 2024 to 24 December 2024 using Corporate Purchasing Cards (Confidential Attachments 4, 5 & 6) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13A).
3. RECEIVE the outstanding debtors and creditors reports (Attachments 7-12) for the months of November 2024 to January 2025.

10.6.3. Rates Debtors Report for the Period Ended 31 January 2025

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	Nil

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
√ Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
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 2025/2025 on 1 July 2024. The amount collectable (excluding deferred rates balance of \$1,154,816) as of 31 January 2025 was \$49,503,134. This balance includes, initial billing, interims and the brought forward balance from 2023/24. Collections to date stand at \$41,823,827.

BACKGROUND

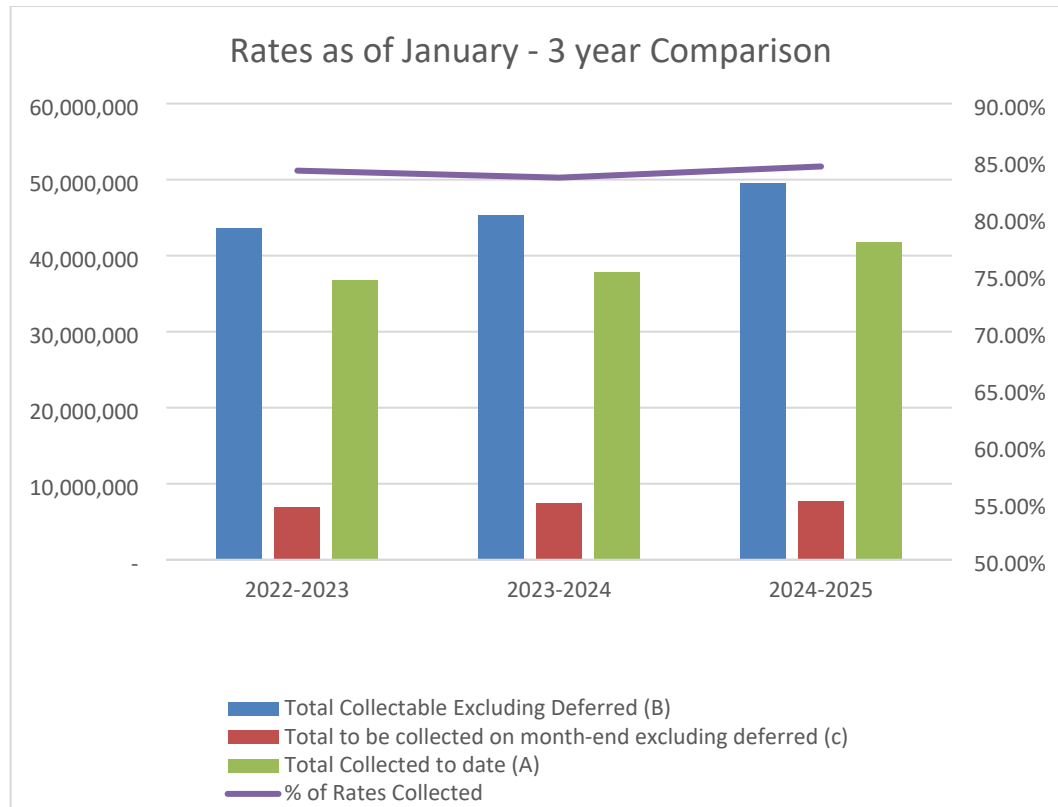
3. Rate Notices were issued on 16 July 2024 with the following payment options available:

Options	Payment Dates			
Full payment	20 August 2024			
Two instalments	20 August 2024	24 January 2025		
Four instalments	20 August 2024	22 October 2024	24 January 2025	25 February 2025

DETAILS AND ANALYSIS

4. A total of 24,024 notices were issued on 16 July 2024. This consisted of 20,072 mailed rates notices, and 3,509 of eRates notices (12% take-up saving more than \$5,600 in postage and printing).
5. As of 31 January 2025, rates Levied and collectable for the 2024/2025 Financial Year is total \$49,503,134 (excluding deferred rates), with collections standing at \$41,823,827. With the 1st instalment, which was due on 20 August 2024 now completed, the City has identified all properties in default, that is, they have not paid in full, selected an instalment option or entered into a payment arrangement with the City. Debt collections activity has commenced from September 2024 with reminder notices sent out. A new campaign will be initiated in February 2025 on all debts over \$300.
6. The above collection of \$41,823,827 represents a collection rate of 84.49% which is better than the previous year of 83.51%. For your reference, below is a chart comparing the January collection rates for the last three years.

7.



8.

From the above chart the following observations are made:

- a) The quantum of collectable and collected rates is higher in 2024/25 than previous years because the base amount is higher each year.
- b) It is noted the amount collected is back to 2022/23 year end levels and slight improved by 1%. The City now has a stable Rates Team with seasoned professionals who are actively managing the debt outstanding.
- c) The % collectable at 31 January 2025 is 15.51% which will be a point of focus for the Rates Team to work towards. In this regard, work is being done to review and update the City's collection and hardship policies and procedures including reviewing its contractual obligations with the City's debt collection agency prior to going legal on defaults identified.
- d) The City sent out "final demand notices" in January 2025 which will be followed up with General Procedure Claims in February 2025. There are approximately 621 properties who are in default (see further details in point 10, below).

9.

The interim rating has commenced for 2024/2025. To 31 January 2025 \$428,171 has been raised for the interim rating Revenue.

10. The first instalment due date was 20 August 2024. The following observations should be noted:
- a) A total of 13,717 properties representing 57% of the total number of rateable properties were noted to have paid in full or were in credit.
 - b) A total of 9,764 ratepayers have taken up an instalment option or have entered into a payment arrangement. This is an increase of 1% from 2023/2024 where 9,657 chose an instalment option or a payment arrangement.
 - c) The balance of properties who have not paid in full or not chosen to pay by instalments or have not entered into a payment arrangement, are technically regarded as “in default”. There are 621 properties in this category representing 2.82% of the total number of rateable properties. The City has sent out “final demand notices” in January which will be followed by a call/SMS campaign in February 2025.

The following table showing Properties choosing to pay by instalments or payment arrangements:

Option	Description	2025/25 Number	2023/24 Number
Option 2 on Rates Notice	Two instalments	1,803	1,732
Option 3 on Rates Notice	Four instalments	6,695	6,880
Direct Debit	Pay by direct debit	1,067	941
Payment Arrangement	Pay by payment Arrangement	199	104
Total	Ratepayers on payment options	9,764	9,657

11. Call recording software has been utilised in the Rates Department since 2015, primarily for customer service purposes, as it allows calls to be reviewed for training and process improvement purposes. For the period 1 Jan 2025 to 31 Jan 2025, there was a total of 576 calls, equating to 26.57 hours of call time.

APPLICABLE LAW

12. 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

13. The City's rates collection procedures are in accordance with the Debt Collection Policy CEO Direction 5.5.

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

17. Debt collection can have implications upon those ratepayers facing financial hardship and the City must ensure equity in its debt collection policy and processes.
18. 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

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

Environmental Implications

20. 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

21.

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

CONCLUSION

22. The current year collection rate is slightly higher at 84.49% compared to 83.51% last year. The City continues to effectively implement its rate collection strategy.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council RECEIVE the Rates Debtors Report for the Period ending 31 January 2025.

10.6.4. Budget Review for Six Months to December 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	
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 2024-25 Mid Year Review Financial Activity Statement [10.6.4.1 - 2 pages] 2024-25 Mid Year Review Net Current Assets [10.6.4.2 - 2 pages] 2024-25 Mid Year Review Reserve Movement [10.6.4.3 - 1 page]
Confidential Attachments	<ol style="list-style-type: none"> 2024 2025 Mid Year Review Capital Expenditure

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.

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

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider and approve amendments to the 2024/2025 Adopted Budget as identified in the 2024/2025 Statutory Mid Term budget review.
2. It is recommended that Council:
 - a) Note the 2024/2025 Mid Term Budget Review Explanations in the body of the report.
 - b) Review and adopt via an absolute majority the proposed 2024/2025 current budget to reflect the changes summarised in the Amended Financial Activity Statement and Net Current Asset Position (Attachment 1 & 2), pursuant to section 33A (3) of the *Local Government (Financial Management) Regulations Act 1996*.
 - c) Amend, Pursuant to Section 6.11 (2) (b) of the *Local Government Act 1995*, the transfers to and from reserves (Attachment 3).
 - d) Note the amended Capital Works listing (Confidential Attachment 1).

BACKGROUND

3. Regulation 33A (1) of the Local Government (Financial Management) Regulations 1996 requires that a local government is to conduct a formal review of its adopted budget between 1 January and the last day of February.
4. The City of Kalamunda undertook the Mid Term Budget Review, which is the statutory review and was conducted covering the six months to 31 December 2024.
5. The City is closely monitoring its financial position through monthly management reporting of its revenue and expenditure to mitigate the risk of the City posting a deficit at the end of this financial year.

DETAILS AND ANALYSIS

Closing Surplus position (Attachment 1)

6.

Summary of Movements from the Amended Financial Activity Statement			
Description	Proposed Budget	Current Budget	Variance
	\$	\$	\$
Opening Surplus Position	8,711,043	8,711,043	0
Operating revenue Including rates	75,601,192	74,246,575	1,354,617
Operating Expenditure	(81,998,365)	(82,319,521)	321,156
Non Cash Movements to Operating Activities	16,049,044	15,701,903	347,141
Investing Activities	(15,624,786)	(17,868,046)	2,243,261
Financing Activities	(2,023,164)	9,755,831	(11,778,995)
Closing Surplus Position	714,964	8,227,784	(7,512,821)

7.

A brief synopsis of the budget variances are as follows:

Opening Surplus Position 2024/25:

The amended opening surplus position reflects the audited results for the financial year 2023/24 which was \$8.7M primarily coming from improved operating activities.

Operating Revenue:

Operating Revenue including rates is higher than the revised budget by \$1.355M. Areas of significant increase are:

- a) Rates revenue is higher than budget by \$315K, largely attributable to changes in Unimproved Property Values and increased interim rates from subdivisions.
- b) Operating Grants, Subsidies and Contributions are slightly lower than budget by \$18K.
- c) Contributions, Reimbursements and Donations are higher than budget by \$224K, largely due to additional workers compensation insurance reimbursements, and additional building maintenance insurance reimbursements.
- d) Fees and Charges are higher than budget by \$537K, largely attributable to higher-than-expected Development and Building application fees.

- e) Interest Earnings are higher than budget by \$141K due to additional earnings in default interest from rates.
- f) Other Revenue is higher than budget by \$155K due to receipt of discounted software licensing.

Operating Expenditure:

Operating Expenditure is lower than the original budget by \$321K. Areas of significant changes are as follows:

- a) Employee costs are higher than the budget by \$248K, mainly attributable to costs of provision of relief and casual staff in community facing activities and additional funds for critical staff training. It is noted that the higher costs are offset by the increase in fees and charges received.
- b) Materials and Contracts costs are lower than the budget by \$961K, mainly attributable to delays in ERP Licence Costs, reduction in design costs resulting from delays in capital projects and lower than expected costs relating to contaminated sites
- c) Loss on Asset Disposal is \$347K which is attributable to the disposal of various ageing fleet and plant.

Non-Cash Movements to Operating Expenditure is higher than the original budget by \$347K, which is attributable to the loss on plant and fleet disposal.

Investing activities is lower than the original budget by \$2.2M largely due to:

- a) Decreased non-operating grants and contributions of \$5.4M resulting from the alignment of income to grant related expenditure with reduced works due for completion 2024/25.
- b) Reduced expenditure for buildings new and replacement of \$3.8M largely attributable to the deferral of works for the Scott Reserve Pavillion upgrade and procurement challenges related to the Maida Vale Reserve Pavilion and Hartfield Park Projects.
- c) Drainage expenditure was below budget by \$397K and
- d) Road Infrastructure expenditure was lower than budget by \$3.1M with \$2.9M attributed to the timing of the High Wycombe Transit Oriented Development Project.

Financing activities are lower than budget by \$11.7M mainly due to the following items:

- (a) Loan borrowing for the fleet and plant has been scaled back by \$1.09M to allow for a reduced replacement programme. This is offset by lower repayments of \$922K
- (b) Net Transfers To and From Reserves is \$11.6M made up of the following areas:
 - I. \$1.79M attributed due to a lower Capital Works Programme with a lower draw mainly on the Unexpended Capital Works and Specific Purpose Grants Reserve.
 - II. \$1.25M related to delayed ERP Licence costs with a lower draw on the ICT Reserve; and
 - III. \$422K reduced works for the Contaminated sites affecting the WARR Reserve.
 - IV. Asset Enhancement Reserves \$3M to allow for the City to manage the delivery of the big picture projects;
 - V. Land Development Reserve by \$2.5M to allow for the infrastructure works on Hatch Court; and
 - VI. \$1.1M for the replenishment of the Land and Property Enhancement and Maintenance Reserve which has been heavily depleted with emergency works been undertaken in the past few months.

The expected closing balance for Reserves on 30 June 2025 will be \$36.6M which is a slightly improved position from the revised opening position \$33.9M primarily allowing for the allocation of the opening surplus position from 2023/24. This improves the City's overall financial sustainability (Attachment 3).

- 8. The City is expected to end the year on a closing surplus position of \$0.714M.
- 9. The City will continue to closely monitor income and expenditure budgets to ensure a surplus is in place at 30 June 2025 to strengthen the City's financial capacity and cash reserves.
- 10. In light of this Budget Review, all future Financial Reports presented to Council for adoption will include the adjustments endorsed by Council in this report.

APPLICABLE LAW

- 11. Section 33A(3) of the *Local Government (Financial Management Regulations) Act 1996* requires an absolute majority decision by the Council for the review and adoption of the budget review amendments.

APPLICABLE POLICY

12. Nil.

STAKEHOLDER ENGAGEMENT

Internal Referrals

13. During this period the Executive closely reviewed the integrity of budget projections, with the results now available for Council consideration in February 2025. A briefing to Council was held on the 18th of February 2025.

External Referrals

14. Nil.

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

16. Nil.

Economic Implications

17. Nil.

Environmental Implications

18. Nil.

RISK MANAGEMENT

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

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

CONCLUSION

- 21. The amended Financial Activity Statement following the Mid-Term budget review in Attachment 1 reveals a balanced budget estimate for 30 June 2025 with a surplus of \$0.7M.
- 22. It should be noted that the Reserves overall are still maintained at a high level with an amount of \$36.6M as shown in Attachment 3.
- 23. The key to pro-actively managing the City's finances will be to diversify its revenue streams and continuing to closely monitor revenues and expenditure against allocated budgets. The City will also continue to monitor service delivery to align resources with strategic priorities.

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

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council:

1. Pursuant to Section 33A (3) of the *Local Government (Financial Management Regulations) Act 1996* AMEND the 2024/2025 current budget to reflect the summarised changes in the amended Financial Activity Statement and Net Current Asset Position (Attachments 1 and 2).
2. Pursuant to Section 6.11 (2) (b) of the *Local Government Act 1995*, AUTHORISE the transfers to and from Reserves as detailed in (Attachment 3).
3. Pursuant to Section 33A (3) of the *Local Government (Financial Management Regulations) Act 1996* AMEND the 2024/2025 Capital Works Budget (Confidential Attachment 1).

10.6.5. Property Matter - Divestment of Surplus Land Assets

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

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

Previous Items	OCM 199/2011
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	3.009297
Applicant	NA
Owner	City of Kalamunda
Attachments	<ol style="list-style-type: none"> 1. CRCAR - High Level Business Case - Disposal of Lot 23 (152) Carmel Road, Carmel [10.6.5.1 - 49 pages] 2. KMURC - High Level Business Case - Lot 8 (3) Urch Road & Lot 7 (12) Mcrae Road, Kalamunda [10.6.5.2 - 105 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

Provided under separate cover.

10.6.6. Conduct of 2025 Local Government Elections

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

Previous Items	OCM 185/2022
Directorate	CEO's Office
Business Unit	Governance
File Reference	
Applicant Owner	City of Kalamunda
Attachments	<ol style="list-style-type: none"> 1. Written Agreement LG E 2025 Updated Kalamunda [10.6.6.1 - 1 page] 2. LG E 2025 Cost Estimate Kalamunda [10.6.6.2 - 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.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council approval for the WA Electoral Commissioner (WAEC) to conduct the 2025 Local Government Elections

for the City of Kalamunda (City). Additionally, Council also needs to approve that the election be conducted as a Postal Election.

2. Whilst Council has since 2011 agreed that the WAEC conduct all local government elections for the City and that the elections be postal votes, recent amendments to WA Electoral Commission operations and processes requires that local governments now need to make individual decisions for each election.
3. It is recommended that Council
 1. DECLARE, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2025 ordinary election, together with any other elections or polls which may be required.
 2. DECIDE, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a Postal election.

BACKGROUND

4. The conduct of local government elections as postal elections rather than in person, has now become firmly established as the preferred method of election across local government in WA rather than an in-person election. In addition, postal elections generally result in an increase in elector participation, particularly in the metropolitan and major country local governments.
5. Legislation requires that the WAEC is to conduct all postal elections.
6. At the Ordinary Council Meeting (OCM) 13 December 2022, Council resolved to appoint the WAEC to conduct local government elections on behalf of the City for a 5 year period expiring on 31 December 2027.

DETAILS AND ANALYSIS

7. The WAEC has advised that recent amendments to WA Electoral Commission operations and processes has resulted in it no longer being able to enter into long-term arrangements with local governments to conduct their elections. Local governments are now required to seek the Electoral Commissioners written agreement to conduct each election.
8. The Electoral Commissioner has provided a copy of the proposed written agreement for the City's 2025 Local Government Election (Attachment 1).

9. A cost estimate for the 2025 election is also provided to Council (Attachment 2),
10. Whilst it is acknowledged that the cost for the WA Electoral Commission to conduct the elections appears to be expensive, it would be a significant logistical exercise for the City to organise and conduct the election on an in-person basis. An in-person election will require significant administration resources, both physical and timewise which will impact on normal operations.
11. It is therefore proposed that the City continue to hold postal elections and that the Electoral Commissioner be appointed to conduct the election.

APPLICABLE LAW

12. *Section 4.20(4) of the Local Government Act 1995* allows a local government to declare the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time (absolute majority required),
13. *Section 4.61(2) of the Local Government Act 1995* states that a local government may decide to conduct the election as a postal election (absolute majority required). This decision has no effect unless it is made after a declaration is made under *Section 4.20(4) of the Local Government Act 1995* that the Electoral Commissioner is to be responsible for the conduct of the election, or in conjunction with such a declaration.

APPLICABLE POLICY

14. Nil.

STAKEHOLDER ENGAGEMENT

15. Not required for this report.

FINANCIAL CONSIDERATIONS

16. Costs for the election will be met from normal operational budgets.

SUSTAINABILITY

17. N/A

RISK MANAGEMENT

18.

Risk: Council proposes an in-person election rather than a postal election		
Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
Ensure there is an understanding that to conduct an in-person election will require significant administration resources, both physical and timewise which will impact on normal operations.		

19.

Risk: Council does not approve appointment of WA Electoral Commissioner to be responsible for elections.		
Consequence	Likelihood	Rating
Moderate	Unlikely	Low
Action/Strategy		
Ensure the Council is aware of the efficiencies for the City in appointing the Electoral Commissioner to be responsible for the elections.		

CONCLUSION

20. The continuation of postal voting for the City’s local government elections and appointment of the WA Electoral Commissioner to be responsible for the 2025 election is considered appropriate.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council:

1. DECLARE, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2025 ordinary election, together with any other elections or polls which may be required.
2. DECIDE, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a Postal election.

10.6.7. 2023/2024 Annual Electors Meeting - Consideration of Motions

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

Previous Items	N/A
Directorate	CEO's Office
Business Unit	Governance
File Reference	
Applicant Owner	City of Kalamunda
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 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the proposed action by the City of Kalamunda (City) to the motions passed at the 2023/24 Annual Electors Meeting.

2. The provision of section 5.33 of the *Local Government Act 1995* (Act) requires Council to consider all decisions made at electors meetings at the next Ordinary Council Meeting.
3. The Recommendations presented in the report for Council consideration are structured in a way to ensure that Council meets its statutory obligations to consider decisions made at an Electors Meeting.

BACKGROUND

4. Section 5.33 of the Act provides:
 - (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —
 - (a) at the first ordinary council meeting after that meeting; or
 - (b) at a special meeting called for that purpose, whichever happens first.
 - (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

DETAILS AND ANALYSIS

5. The 2023/24 Annual Meeting of Electors was held on 4 February 2025, with the following motions passed unanimously by those attending the meeting:

1. Development Application – McDonalds Fast Food Store and Car Wash (Canning Road Kalamunda)

I move that the City of Kalamunda be made aware of widespread community dismay and disapproval of the proposed development of a McDonald's restaurant and car wash for a property on the corner of Canning and Heath roads in Kalamunda. There are multiple reasons to be unhappy about this inappropriate development for our town centre including the following points.

- The proposal fails to meet multiple City of Kalamunda Local Planning Policies.
- The development will adversely impact townsite parking, traffic volumes and flow, further contributing to the problematic intersection of Heath and Canning Roads. The application does not satisfy due diligence regarding the impacts of this increased traffic

volume, heavy vehicle activity, traffic flow and pedestrian / cyclist safety when considering the future impacts on the community. Notably, the application provides insufficient traffic impact evidence regarding the current crosswalk and omits data during current peak traffic times including peak school traffic periods.

- The proposed development is within close proximity to 2 schools (Kalamunda Primary School & Kalamunda Senior School), a daycare centre and is at odds with community health, WA's Sustainable Health Review and the WA Health Promotion Strategic Framework.

Proposed Council response:

That Council NOTE the community concerns regarding the proposed development application and that any issues raised relevant to planning considerations will be included in the Responsible Authority Report to the Outer Metropolitan Development Assessment Panel.

Reasons

The Applicant has chosen to lodge the development application through the Western Australian Planning Commission's Development Assessment Panel (DAP) pathway, for determination by the Outer Metropolitan Development Assessment Panel (MODAP).

City Officers are required to submit a Responsible Authority Report which deals with all relevant planning considerations, including matters raised by the community.

The City provides a copy of all submissions as an attachment to the Responsible Authority Report, however the personal details of the submitters are removed.

2. Revocation of Local Planning Policy 33 – Tree Retention

That the Kalamunda City Council:

- (a) instructs the CEO to immediately take action to adopt WALGA's Tree Retention Model Local Planning Policy (LPP), with the intent for the LPP to go to Council by 24 June 2025, and
- (b) subsequently ensures the appropriate updates are made to the City's outdated relevant strategy documents."

Proposed Council response:

That Council

1. NOTE the motion.
2. NOT ADOPT the WA Local Government Association's Tree Retention Model Local Planning Policy.
3. INSTRUCT the Chief Executive Officer to prepare a Policy Proposal for Councillor consideration to ensure any future draft Local Planning Policy is consistent with the expectations of Council by July 2025.

Reasons

It is critical for a Local Planning Policy to be bespoke and reflect the planning nuances of the locality to which it applies. Policies are not one-size-fits-all, and measures that make sense for inner-city and highly-urban planning environments are not reflective of the planning constraints or opportunities of the City of Kalamunda.

The revoked LPP33 was the result of a significant body of work and included the input from individual community members and community/advisory groups.

It's important to learn from the implementation and revocation of LPP33. Any future Policy should be drafted with consideration of the good that should be retained, and what can take the place of the Policy provisions that were not consistent with community expectations.

The next step is to align Council's aspirations for a new policy, prior to the City drafting a policy for community and Council consideration.

APPLICABLE LAW

6. *Local Government Act 1995*

APPLICABLE POLICY

7. N/A

STAKEHOLDER ENGAGEMENT

8. The relevant Business Units have provided input into the responses to the decisions made at the Electors Meeting.
9. Further community consultation will occur as required as the actions proposed in the recommendations are progressed.

FINANCIAL CONSIDERATIONS

10. None at this time from the proposed recommendations.

SUSTAINABILITY

11. N/A

RISK MANAGEMENT

12.	Risk: Council does not consider the decisions made at the Annual Electors Meeting		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Ensure Council is aware of its statutory obligation to consider decisions made at Electors Meetings and the reasons for its action,		

CONCLUSION

13. The Recommendations presented in the report for Council consideration are structured in a way to ensure that Council meets its statutory obligations to consider decisions made at an Electors Meeting.

Voting Requirements: Simple Majority

RECOMMENDATION

- 1. Elector's Meeting Motion 1 - Development Application – McDonalds Fast Food Store and Car Wash (Canning Road Kalamunda)**

Council Action

That Council NOTE the community concerns regarding the proposed development application and that any issues raised relevant to planning considerations will be included in the Responsible Authority Report to the Outer Metropolitan Development Assessment Panel.

Moved:

Seconded:

Vote:

Reasons

The Applicant has chosen to lodge the development application through the Western Australian Planning Commission's Development Assessment Panel (DAP) pathway, for determination by the Outer Metropolitan Development Assessment Panel (MODAP).

City Officers are required to submit a Responsible Authority Report which deals with all relevant planning considerations, including matters raised by the community.

The City provides a copy of all submissions as an attachment to the Responsible Authority Report, however the personal details of the submitters are removed.

- 2. Electors Meeting Motion 2 - Revocation of Local Planning Policy 33 – Tree Retention**

Council Action

That Council

1. NOTE the motion.

2. NOT ADOPT the WA Local Government Association's Tree Retention Model Local Planning Policy.
3. INSTRUCT the Chief Executive Officer to prepare a Policy Proposal for Councillor consideration to ensure any future draft Local Planning Policy is consistent with the expectations of Council by July 2025.

Moved:

Seconded:

Vote:

Reasons

It is critical for a Local Planning Policy(LPP) to be bespoke, and reflect the planning nuances of the locality to which it applies. Policies are not one-size-fits-all, and measures that make sense for inner-city and highly-urban planning environments are not reflective of the planning constraints or opportunities of the City of Kalamunda.

The revoked LPP33 was the result of a significant body of work and included the input from individual community members and community/advisory groups.

It's important to learn from the implementation and revocation of LPP33. Any future Policy should be drafted with consideration of the good that should be retained, and what can take the place of the Policy provisions that were not consistent with community expectations.

The next step is to align Council's aspirations for a new policy, prior to the City drafting a policy for community and Council consideration.

10.6.8. Council Authorisations - Execution of Documents

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

Previous Items	OCM 16/2023
Directorate	Office of the CEO
Business Unit	Governance
File Reference	
Applicant Owner	City of Kalamunda
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 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 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 28 February 2023.

DETAILS AND ANALYSIS

6. The changes are required as a consequence of structural, position title changes and changes to functional responsibilities within the City.
7. The recommendation does not propose to increase the level of authority by including additional document types

8. The changes include:

a) Title Changes

Director of Community Engagement to Director Community Services.

Manager Asset and Waste Services to Manager Waste and Fleet Services.

Manager People Services now Manager People and Culture

b) Deletion

Strategic Projects Director

c) Additions

Program Manager – City Transformation

Program Manager - Property

d) Functional responsibility change

Responsibility for property all matters relating to leasing and licences for City property has been transferred from Community Services to Development Services. As a consequences signing

approval has been removed from the Manger Economic and Cultural Services and Transferred to the Manger Strategic Planning and Program Manager – Property.

9. Continuation of these authorisations ensures a framework for efficient operations within the City's administration.

APPLICABLE LAW

10. *Local Government Act 1995*

APPLICABLE POLICY

11. N/A

STAKEHOLDER ENGAGEMENT

12. Input has been received from all Directorates as to their requirements of authorisations which should be considered by Council.
13. Community consultation is not required for this matter.

FINANCIAL CONSIDERATIONS

14. There is no financial impact from this report.

SUSTAINABILITY

15. N/A

RISK MANAGEMENT

16.	Risk: Delays to the execution of documents if there is an inadequate number of staff authorized 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

17. 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.

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 Services**
- iv. Director Corporate Services**
- v. Director Development Services**

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 Planning**
- iii. Manager Asset Delivery**
- iv. Manager Community Development**
- v. Manager Economic and Cultural Services**
- vi. Manager Environmental Health and Community Safety**
- vii. Manager Financial Services**
- viii. Manager People and Culture**
- ix. Manager Parks and Environmental Services**
- x. Manager Strategic Planning**
- xi. Manager Waste and Fleet Services**
- xii. Program Manager – City Transformation**
- xiii. Program Manager - Property**

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.

i. Manager Strategic Planning

ii. Program Manager - Property

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

10.6.9. Key Result Areas - Chief Executive Officer 2024/25

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23(2)(a) – a matter affecting an employee or employees”

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

Previous

Items

Directorate Office of the CEO

Business Unit People and Culture Services

File Reference

Applicant

Owner

Attachments 1. Key Performance Indicators/Key Result Areas - Vuleta 2024/25 [**10.6.9.1** - 6 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 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 establish the Chief Executive Officer's (CEO) Key Results Area (KRA) for 2024/25.
2. In accordance with Section 5.38 of the *Local Government Act 1995* (Act), a CEO who is employed for a term of more than one year, will have their performance reviewed formally at least one in every year of their employment.
3. This report recommends Council Adopts the Chief Executive Officer Key Results Areas (KRA) 24/25 shown as Attachment 1.

BACKGROUND

4. In accordance with Section 5.38 of the Act, a CEO who is employed for a term of more than one year, will have their performance reviewed formally at least one in every year of their employment.
5. The CEO Employment Contract dated 10 April 2024 came into effect on 17th June 2024 and now guides the contractual arrangement between the City of Kalamunda (City) and the CEO.

Clause 4.1 relates to Performance Criteria:

1. *The Performance Criteria must be reasonably achievable by You.*
2. *You must use every reasonable endeavour to comply with the Performance Criteria.*
3. *The Performance Criteria —*
 - (i) *must be reviewed annually by the parties; and may be amended, from time to time, by agreement in writing between the parties.*

Clause 4.3 - Performance Criteria and performance review

Your performance under this Contract, must be reviewed and determined by the Reviewer —

- (i) *by reference to the Performance Criteria.*
- (ii) *at least annually; and*
- (iii) *more frequently if the Council or You perceives there is a need to do so and, in that case, gives to the other party a Review Notice.*

DETAILS AND ANALYSIS

6. On 2 February 2021 new regulations were gazetted creating model standards for CEO Recruitment, Performance and Termination.

7. Council at its meeting in May 2021 adopted a revised Policy Governance 12: Recruitment & Selection, Performance Review, Salary Review and Termination of the Chief Executive Officer which is aligned to the model standards.
8. The purpose of this policy is to set out the principles and criteria under which the Council will recruit, select, review the performance and salary, and terminate the position of Chief Executive Officer, in compliance with the *Local Government Act 1995, Salaries and Allowances Act 1975* requirements and relevant employment laws.
9. The Policy outlines the minimum standard for performance review will be met if:
 - a) performance criteria is specific, relevant, measurable, achievable and time-based;
 - b) the performance criteria and the performance process are recorded in a written document, negotiated with and agreed upon by the CEO and Council.
 - c) the CEO is informed about how their performance will be assessed and managed and the results of their performance assessment.
 - d) the collection of evidence regarding performance outcomes is thorough and comprehensive.
 - e) assessment is made free from bias and based on the CEO's achievements against documented performance criteria, and decisions and actions are impartial and transparent; and
 - f) the Council has endorsed the performance review assessment by absolute majority.
10. The Policy outlines that Council must set performance criteria which can include:
 - a) service delivery targets from the City's Strategic Community Plan;
 - b) budget compliance.
 - c) organisational capability.
 - d) operational and project management.
 - e) financial performance and asset management.
 - f) timeliness and accuracy of information and advice to Councillors.
 - g) implementation of Council resolutions.
 - h) management of organisational risks.
 - i) leadership, including conduct and behaviour, and human resource management; and
 - j) stakeholder management and satisfaction.

11. It is a requirement of the regulations that the process by which the CEO's performance is reviewed is documented and agreed by both parties. Council and the CEO must agree on any performance criteria that is in addition to what is specified in the CEO's contract of employment.
12. The CEO performance is measured in an objective manner against the performance criteria set for that year and are impartial. Assessment of the performance can include:
 - a) achievement of key business outcomes.
 - b) interactions with the Council and progress that has been made towards implementing the Council's strategic vision.
 - c) Audit and Risk committee reports.
 - d) workforce metrics
 - e) incident reports.
 - f) organisational survey results.
 - g) relationships with relevant stakeholder groups; and
 - h) insights from key stakeholders.
13. Council established a performance framework in the CEO Position Description, where performance criteria are defined according to the following 7 Key Result Areas:
 1. Integrated planning and reporting.
 2. Financial sustainability.
 3. Risk management and good governance.
 4. Identifying future opportunities and challenges.
 5. Delivery of key major projects and initiatives.
 6. City leadership.
 7. Organisational Culture
14. The abovementioned Key Results Area have been applied to the next review period ending in June 2025.
15. Councillors during January 2025 gave consideration and feedback to the draft Key Result Areas and has since reached mutual agreement with the CEO to accept the Key Result Areas shown in Attachment 1 to this report.

APPLICABLE LAW

16. *Local Government Act 1995*
Local Government (Administration) Amendment Regulations 2021
Local Government Legislation Amendment Act 2019.
Contract Law - CEO Contract dated 10 April 2025.

APPLICABLE POLICY

17. Council, at the April 2021 Ordinary Council Meeting (OCM), adopted the new City of Kalamunda Standards for Recruitment, Performance Appraisal and Termination of the CEO (Standards) and a revised Policy: Governance 12: - Recruitment & Selection, Performance Review, Salary Review and Termination of the Chief Executive Officer.

STAKEHOLDER ENGAGEMENT

18. Community expectations have been considered in the process of setting performance criteria for the financial year, particularly through their input into the creation of the Kalamunda Advancing Strategic Community Plan 2031. Community will also be engaged in the delivery of key strategies and initiatives within the Corporate Business Plan (2022-26).
19. In accordance with Section 5.38 of the Act:
 (b) the performance criteria and the performance process are recorded in a written document, negotiated with, and agreed upon by the CEO and Council.

FINANCIAL CONSIDERATIONS

20. The draft Key Result Areas have been developed and funded within the adopted 2024/2025 Municipal budget. Should additional criteria be required that are not funded Council would be required to make any such budget allocations.

SUSTAINABILITY

21. Nil.

RISK MANAGEMENT

22.	Risk: The CEO will not have clear guidance of objectives over the next 12 months without Key Result Areas.		
	Consequence	Likelihood	Rating
	Significant	Unlikely	Medium
	Action/Strategy		
	Ensure the KRAs are in place.		

23.

Risk: Non-compliance with the Local Government Act could facilitate complaints or an inquiry and lead to reputational damage		
Consequence	Likelihood	Rating
Major	Possible	High
Action/Strategy		
Ensure all Elected members are cognisant of their legal obligations.		

24.

Risk: Setting Key Result Areas that are not SMART objectives will impact the CEO ability to achieve them.		
Consequence	Likelihood	Rating
Major	Possible	High
Action/Strategy		
Ensure all Elected members are cognisant of their obligations ensuring fair and achievable Key Result Areas are mutually agreed.		

CONCLUSION

25. The draft Key Result Areas have been mutually developed and agreed between the Councillors and the CEO and therefore are appropriate for adoption.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ACCEPT the proposed Chief Executive Officer Key Result Areas for the period July 2024 to June 2025 shown as Attachment 1.

11. Motions of Which Previous Notice has been Given

11.1. Application for Expenditure from the 2024/25 Voted Works Budget - (Consultant to provide parking options hockey/tee-ball area)

Voting Requirements: Simple Majority

That Council REQUEST the Chief Executive Officer to list the allocation of \$50,000 in the Draft 2024/25 Voted Works Budget for the purposes of appointing a consultant to provide a detailed design, and cost estimate for parking options that can accommodate a minimum of 100 parking bays for hockey and tee-ball, in the vicinity of the club facilities, located at Hartfield Park.

Moved **Cr Dylan O'Connor**

Seconded

Vote:

Rationale:

At the May Ordinary Council Meeting 2024 (OCM) Council endorsed the indicative design and location of the new Foothills Men's Shed (FMS), which forms part of the six projects being collectively designed and constructed within the Hartfield Master Plan stage 2A. The new location being the gravel/overflow parking area as shown in image 1.

The new location of the FMS was discussed with the Hockey and Tee Ball Advisory Committee. Both clubs raised concerns in losing access to a large portion of the gravel parking area which is heavily utilised on game days when they have maximum field usage, resulting in the need for at least 70-80 parking bays. The clubs also advised that parking in the gravel area is currently inefficient, and that formalising parking of this area, would be required.

The indicative design of the FMS adopted by Council in May 2024, did not include the formalisation of parking for the FMS and/or parking requirements for hockey and tee ball.

Additionally, costs to construct/formalise parking have not been included in the current 2024/25 budget.

The purpose of this motion is to seek approval of up to \$50,000 to appoint a consultant to develop a comprehensive parking plan/design that ensures maximum utilisation of the area, taking into consideration traffic flow, accessibility, safety and relevant statutory requirements. The requested funds will cover the consultant's fees only, with costs for the construction of parking forming part of the 2025/26 budget considerations.

Officer Comment:

The construction of the FMS is proposed to start in January 2025, with a total footprint of 1,000sqm, approximately one third of the gravel area.

There are currently only 37 marked parking bays available for hockey and tee ball, the clubs rely heavily on the gravel area for overflow parking, particularly on game days, requiring a minimum of 70-80 parking bays, a deficit of 43 bays.

The appointment of a suitably qualified traffic/parking consultant will ensure a thorough analysis of available space and parking options is considered as part of the design to ensure the needs of both the clubs and the FMS are met. Further, the design will incorporate best practices for parking efficiency and sustainability.

The request aligns with priorities 1, 3 and 4 of the City's Community Strategic Plan, focus areas 1, 2 and 3 of the Community Health and Wellbeing Plan, Goal 2 of the City's Social Inclusion Plan and Focus Area 3 of the City's Youth Plan.

11.2. Pickering Brook Bushfire Brigade 1.4 Fire Appliance

Voting Requirements: Simple Majority

That Council SUPPORT the Mayor, on behalf of the Council write to the Minister for Emergency Services requesting a timeline for the replacement of the Pickering Brook Brigade 1.4 fire appliance be provided.

Moved **Cr John Giardina**

Seconded

Vote:

Rationale:

The Pickering Brook Brigade 1.4 fire appliance was approved for replacement as part of the 2021/22 Local Government Grant Scheme; however, the fire appliance has still not yet been replaced.

The Pickering Brook Volunteer Bush Fire Brigade are experiencing constant, recurring mechanical issues with the fire appliance which are now posing significant risk to both safety and operational effectiveness. The most recent failures occurred while the brigade was assisting with the Champion Lakes and Serpentine Jarrahdale fires where the rear brakes failed, and the pump was leaking oil, causing the entire Pickering Brook brigade to be taken offline.

The continued delay in replacing the Pickering Brook 1.4 fire appliance has reached a point where it compromises the brigade's ability to respond to emergencies effectively. More importantly, the safety of our volunteers is at risk.

Given these circumstances, I am requesting Council support this Motion, which requests the Mayor, on behalf of the Council, write to the Minister for Emergency Services requesting a timeline for the replacement of the Pickering Brook 1.4 fire appliance.

Officer Comment:

The Pickering Brook 1.4 fire appliance has consumed a considerable portion of the City's Local Government Grant Scheme (LGGS) funding this year, and other resources which has included:

- \$13,000 spent on repairs to the pump.
- \$21,500 to address repeated auto electrical problems involving the core systems installed during the appliance's initial build.
- \$11,000 to address overheating and other mechanical failures during incident operations.
- 33 hours in labour costs.

The recent mechanical failures have heightened anxiety among the brigade, with some members voicing concerns over the safety of operating the vehicle that is proving to be unreliable and unsafe.

Despite the City's best efforts to carry out repairs, the use of the fire appliance continues to put brigade members at risk.

The request aligns with priorities 1 of the City's Community Strategic Plan, to facilitate a safe community.

11.3. Tourism Train Scoping Study - Pickering Brook Light Rail Proposal

Voting Requirements: Simple Majority

That Council

1. APPROVE in principle support of the Pickering Brook light rail project.
2. REQUEST the Chief Executive Officer list sufficient funds for a needs assessment for consideration in the 2025 - 2026 annual budget process.

Moved: **Cr John Giardina**

Seconded:

Vote:

Background

Following a presentation at the Economic & Tourism Development Advisory Group, it was agreed to progress a motion to Council with regards to the Pickering Brook Light Rail project.

*Motion from Kalamunda Economic & Tourism Development Advisory Group
"That the Kalamunda Economic & Tourism Development Advisory Group seek Council endorsement to progress this project and allocate funds for a scoping study."*

*Moved: Cr John Giardina
Modolo*

Seconded: Cr David

Vote: Carried

Rationale

At the City of Kalamunda Economic & Tourism Development Advisory Group the above motion was carried unanimously to request funds from the voted works budget to progress a scoping study for a potential Pickering Brook Light Rail Proposal.

The Acting Presiding Member expressed concern that there is a real need for different projects to ensure the economic survival of the area and that infrastructure is provided for Pickering Brook. The orchards and the wineries are becoming less viable, and it is critical that development that aids their survival is advanced. Businesses would naturally need to be involved in any such development.

The working group were presented a proposal from a community member Glade Pyke for a light rail between Kalamunda Water Park and Pickering Brook Sports Club.

It is suggested that a scoping study be procured to cover the following aspects:

- Introduction
- Executive Summary
- Alignment of original line
- Proposed route of reinstatement
- Rail gauge options – narrow gauge 3'6" Sugar cane railway 2'0"
- Land issues
- Social and Environmental issues
- Public Liability
- Motive power and rollingstock
- Operation and safe working
- Track construction
- Cost estimates
- Market Analysis
- City and Community support
- Coexistence with other users
- Business Plan
- Recommendations
- Appendices

The study should also identify whether a track is the most easily achieved and desirable outcome or whether there would be support for a rubber tyred train which would not require such substantial outlay. Conservative estimate for the build is between \$10-14 million, noting that this could be reduced if the rolling stock were fitted with wheels rather than requiring rails. From an aesthetic perspective the group favoured rail. There is currently no discussion around the potential funding streams for construction of the light rail.

The working group were keen to see the community member, Glade Pyke, progress the scoping study. Mr Pyke has substantial experience within the field of light rail. Highlights from his resume include:

- Nineteen years' experience in Zimbabwe and Hong Kong in Civil Engineering involving maintenance and project management, design, estimating, construction, cost control, commissioning, maintenance and renewal of rail and other civil infrastructure.
- Seven years in Civil Engineering contracting in Western Australia
- Fifteen years running own consulting business providing planning and project management services for marine railway, and land development projects.
- Fifteen years in design, documentation and supervision of Land Development/Subdivision projects

Relevant projects to this proposal

- Construction of a 100km rail line in southern Zimbabwe
- Construction of an urgent major rail link to South Africa
- Construction of a Mass Transit railway in Hong Kong
- Renewal of 600km of rail line between Kwinana and Kalgoorlie
- Renewal of the Robe River Railway in the Pilbara
- Maintenance of the Westrail lines in WA

Officer Comment:

The City of Kalamunda Tourism Development Strategy 2021–2025 does not explicitly reference the development of a light rail link between Kalamunda and Pickering Brook. However, it aligns with the strategy's focus on developing and marketing iconic "Hero Attractions" that draw visitors to the region. Additionally, the strategy's appendices highlight interest in reopening the Zig Zag Railway under "blue sky" thinking, which could be seen as complementary to this proposal.

Following the motion carried at the Economic & Tourism Development Advisory Group, the City acknowledges the request for funding to progress a scoping study into a potential Pickering Brook Light Rail Project. The City's newly established Enterprise Project Management Office is actively developing its project management methodology. The first step in this approach is a scoping phase, which includes a needs assessment as toward determining the feasibility, priority, and viability of such an initiative.

This assessment enables:

1. Identification of requirements, establishing the project's basic needs, specifications, and objectives.
2. Preparation of key documents, including:
 - a. A concept brief outlining high-level goals, needs, demand, and justification.

- b. A high-level business case assessing feasibility and benefits.
- c. A high-level scope definition, covering estimated costs, timelines, and risks.

Sufficient funds for the needs assessment can be considered as part of the 2025–2026 annual budget process, allowing Council to evaluate this project's costs and priority alongside other funding requirements.

If funded through the budget process, and given the technical nature of the needs assessment, the City would likely seek expressions of interest from suitably qualified individuals, in alignment with its procurement policy.

12. Questions by Members Without Notice

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

13.1 Item 10.3.1 Corporate Business Plan Update (Cr Stallard – taken on notice Public Agenda Forum 11 February 2025)

Q. I noticed there are a few areas we're behind on the public building inspections and there's been an increase in 80% in complaints around the environmental health services. Is it because we don't have enough staff and something we have to review when we look at the budget for the next financial year? Can it include the increase in complaints for the environmental aspect and we can just see what what's causing it?

What's the root of that problem?

A. Resourcing levels for the environmental health team will be reviewed as part of the budget development for 2025 – 2026, informed by performance against target as the year progresses. Staff will continue to make every effort to improve performance for the remainder of 2024 – 2025.

The complaints referenced in the quarterly reporting are not regarding the quality or speed of City services rather complaints from the Community for the City to respond to/investigate. In terms of the numbers, its normal for us to see an increase in the summer months, issues like noise, dust and mosquitoes are typically seasonal to summer.

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

15. Meeting Closed to the Public

16. Tabled Documents

DACAG Meeting Notes 18 November 2024

Annual Meeting of Electors - Minutes - 4 February 2025

Public Agenda Briefing Forum - Notes - 11 February 2025

ROSCMC - Minutes – 060225

Petition- Objection Proposed Use Not Listed - Water Extraction

17. Closure