



# Public Agenda Briefing Forum

Notes

10 March 2026

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**1. Official Opening**

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

**2. Attendance, Apologies and Leave of Absence**

**Mayor**

Mayor Margaret Thomas JP

**Councillors**

**South East Ward**

John Giardina

David Modolo (*attended electronically*)

**South West Ward**

Mary Cannon

**North West Ward**

Sue Bilich

Lisa Cooper

**North Ward**

Kathy Ritchie

Josh Clark

Members of Staff

**Chief Executive Officer**

Anthony Vuleta – Chief Executive Officer

**Executive Team**

Nathan Ritchie – Director Development

Gary Ticehurst – Director Corporate

Luke Ellis – Director Community

Liah Ale – A/Director Infrastructure

**Management Team**

Chris Lodge - Manager Strategic Planning and Property

Regan Travers – Manager Statutory Approvals

Liam Sexton - Project Manager - Local Planning Strategy & Scheme

Rory Smith - Manager Design and Construction

Pollyanne Fisher – Manager Asset Planning

Dale Coyne - Manager Waste, Fleet and Facilities

Freya Ayliffe – Manager Place and Community Experience

Rhonda Bowman – Manager Governance

Administration Team

David Baker – Senior Governance Officer

Molly Rogers-Thomson - Executive Officer

**Members of the Public** 38

**Members of the Press** Nil.

**Apologies** Cr Brooke O'Donnell.

**Leave of Absence Previously Approved Nil.**

**3. Declarations of Interest**

**3.1. Disclosure of Financial and Proximity Interests**

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

3.1.1 Nil.

**3.2. Disclosure of Interest Affecting Impartiality**

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

3.2.1 Cr John Giardina declared an interest affecting impartiality on Item 10.1.3 Wattle Grove South - Local Structure Plan. He has family that owns property in the area.

3.2.2 Cr Mary Cannon declared an interest affecting impartiality on Item 10.1.3 Wattle Grove South – Local Structure Plan. She has close friends that own property in the area.

**4. Announcements by the Member Presiding Without Discussion**

4.1 Nil.

**5. Public Question Time**

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

The Presiding Member noted that generally public questions are not received on matters not related to items on the agenda. However, ten minutes were allowed for members of the public to ask questions relating to the proposed temporary lease of a portion of Jorgensen Park. There was a limit of two questions per person.

5.1. Gareth Goodier, Kalamunda

Q1. Have any expert studies been commissioned on impacts of local flora and fauna, traffic management, parking, and general environment?

A1. There are two decisions related to this matter. The first is the lease, which is a land tenure item, and the second is a future Events Management Plan which will lead to an events approval. They are separate things.

Many of the matters that people are interested in, such as traffic, parking, ecological assessments and other considerations, are not dealt with through the lease. They are dealt with through an event approval process through the Events Management Plan.

The City currently has the lease matter before them and no decision has been made. The documents that were just referenced will come to the City as part of the Events Management Plan process; however they have not yet been received.

Q2. It is unusual that all aspects of this project would be covered by a Non-disclosure Agreement. Has the process been mismanaged? Query on the use of the Non-disclosure Agreement and the information covered by that. a feeling that the process had been mismanaged.

A2. The non-disclosure agreement (NDA) relates to the initial approach regarding bringing the event to Kalamunda and is considered a standard practice used widely. It was noted that the event has been held internationally and in the eastern states, where it was reported to have been well received without reports of harm to people, animals, flora or fauna. Further information will be provided as it becomes available.

In response to comments regarding potential mismanagement, the CEO advised that local governments are required to follow prescribed requirements under the *Local Government Act 1995* and confirmed that these requirements have been followed in relation to the lease.

5.2 Justin Trigg, Gooseberry Hill

Q1. Has a social impact study been done to ask those who use the park on a day-by-day basis?

A1. To answer the specific question about whether the City has undertaken a community impact study for dog walkers within the park, the answer is no. However, the City has more broadly assessed dog exercise areas, their locations, and access. Council recently endorsed a document relating to dog exercise areas and enclosed dog parks.

The proposed lease area does not cover the full extent of Jorgenson Park. The intent is to allow continued access for dog walkers to other parts of the park, and information will be prepared to guide people to alternative parks that they could visit.

5.3 Donna Gahan, Kalamunda

Q1. Who will commission the Environmental surveys under the Management Plan?

A1. Work will occur by third parties engaged by the proponent. The work is undertaken at their cost. The assessment of those documents is undertaken by the City's regulatory team.

Q2. There is a meeting scheduled for Friday 13 March to discuss this matter. Can the Council confirm whether this meeting will be open to all Community members?

A2. A meeting room will be booked at KCC and will be open to all who want to attend. Other Administration staff will be in attendance also.

Q3. Was the Non-disclosure Agreement due to intellectual property rights?

A3. The Proponent said should the City wish to explore the opportunity we would need to sign a Non-disclosure Agreement.

This question was partly taken on notice to provide more specific information.

5.4 Elise, Piesse Brook

Q1. Will there be a consultation period for the event itself not just the lease?

A1. When the City undertakes its normal assessment of Events Management Plans to issue event approvals, it is not typical practice to release the full technical documentation associated with those events. Instead, the City generally provides a summary of information relevant to impacted residents or decision-makers. As a minimum, this summary information would be provided.

Q2. How much have you looked into the same event that was undertaken in the eastern states?

- A2. It was noted that reference had been made to an example of an event held on the Mornington Peninsula. Administration advised that the event had initially been proposed to occur within a wildlife sanctuary, however following community feedback and a petition, the relevant council resolved to relocate the event to an off-leash dog park within the same reserve. The event proceeded near the original location but not within the wildlife sanctuary.

**6. Public Statement Time**

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

**7. Public Submissions Received in Writing**

- 7.1 Nil

**8. Petitions Received**

- 8.1 Nil.

**9. Confidential Items Announced But Not Discussed**

- 9.1 Item 10.2.2. eQuote 2026-01 Hook Lift Bin Transportation Services - Award of Tender – **Confidential Attachment** - Tender Evaluation Report - e Quote 2026-01 Hook Lift Bin - signed

*Reason for Confidentiality: Information contained in a tender received by the local government for a contract to the extent that (i) the information is a tendered price; or (ii) a tendered methodology for calculating a price [Act s. 5.23(4)(c)]*

**10. Reports to Council**

**10.1. Development Reports**

**10.1.1. Closure of “Big Picture” Advocacy Report and Transition of Activities to City Transformation Programme**

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

Previous Items	OCM 162/2022
Directorate	Service Development
Business Unit	City Transformation
File Reference	
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 (eg accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

**STRATEGIC PLANNING ALIGNMENT**

*Kalamunda Advancing Strategic Community Plan to 2031*

**Priority 1: Kalamunda Cares and Interacts**

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

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

### Priority 1: Kalamunda Cares and Interacts

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

**Strategy - 1.2.1** Facilitate a safe community environment.

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

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

### Priority 3: Kalamunda Develops

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

**Strategy 3.3.2** - Attract and enable new investment opportunities.

### Priority 4: Kalamunda Leads

**Objective 4.1** - To provide leadership through transparent governance.

**Strategy 4.1.1** - Provide good governance.

## EXECUTIVE SUMMARY

1. The “Big Picture” report was established to articulate a long-term vision for community infrastructure and to support advocacy for major projects. While it provided a strong strategic foundation and supported successful funding outcomes, the City has since evolved its strategic planning and project delivery approach.
2. As the City’s portfolio of major projects grows in scale and complexity, there is a need to move from an aspirational, project-by-project model to a structured program-level governance approach. The absence of an overarching coordination framework has limited visibility of interdependencies, prioritisation, resource allocation and delivery confidence across major initiatives.
3. This report proposes transitioning relevant Big Picture projects and initiatives into a formal program-level framework by a developing Enterprise Project Management Framework. This approach will strengthen prioritisation, enhance transparency and reporting to Council, improve strategic alignment with the forthcoming Community Infrastructure Strategy and Integrated Planning and Reporting Framework, and better position the City to secure external funding and deliver priority outcomes.
4. It is recommended that Council endorse the transition of relevant “Big Picture” projects and initiatives into a formal program-level governance framework and to cease the Big Picture as a standalone reporting mechanism. Council is also asked to adopt a program-level approach to the coordination, prioritisation and monitoring of major City projects.

## BACKGROUND

5. On 22 November 2022, a report was presented to Council outlining the broader strategic vision (“Big Picture”) and summarising the current state of community facilities across the City.
6. This strategic initiative importantly acknowledged that our community facilities are aging, and the way we use them is changing. A new approach was required to meet the needs of current and future generations across the entire City of Kalamunda, which is why the City drafted a Big Picture Vision for Community Facilities.

This vision was underpinned by two aspirations:

- To provide modern 21st Century facilities that are effective, efficient and serve the needs of current and future generations.
- To reduce, over time, the cost burden to ratepayers from the City operating, maintaining and renewing poorly utilised aging facilities, and to remove duplication of services.

7. Between February and November 2023, the City ran a nine-month engagement program to invite feedback on the Big Picture vision. A summary of this engagement is provided below:
  1. 89 online survey responses and 13 direct submissions
  2. 19 face-to-face sessions, including workshops and pop-ups across libraries, shopping centres, and sporting venues
  3. Dotmocracy-style voting at City sites to understand project preferences
  4. Ongoing promotion via EDM, the City’s website, social media, and local newspaper ads
  5. Over 2,300 people became aware of the consultation, with over 400 downloads of the draft plan and strong interest across suburbs.

Key themes included support for long-term planning, calls to upgrade and retain key facilities, stronger youth amenities, and better clarity around funding and delivery. While many welcomed the vision, there were concerns about losing existing assets, perceptions of imbalance between Hills and Foothills investment, and a need for more inclusive, transparent decision-making.

8. The big picture explicitly stated that many of the strategic community facility proposals would necessitate future funding (or could be considered as unfunded proposals). At that time securing project level funding would depend on a multifaceted approach involving advocacy,

exploring surplus land development and leasing opportunities, and leveraging various funding mechanisms.

9. In April 2024 (OCM 40/2024), Council ENDORSED the Pickering Brook Fire Station and the Ray Owen Stadium and Carpark as the priority advocacy projects for the purposes of seeking funding through the 2025 Western Australian State and Federal Election Campaigns.
10. The City will seek to continue to refresh its advocacy approach to support the revised community-endorsed vision which is being developed through its new Council Plan (currently in development).
11. The City's track record of successfully securing grant support for past projects underscores the importance of carefully considering the use of both existing and planned community infrastructure. The Big Picture vision and accompanying report served as a comprehensive guide for effectively sharing and realising this sustainable vision with the community. This previously served the City well with the advocacy endeavours to attract project level funding.
12. Notwithstanding the City's previous success, the ability for the City to continue to attract grant funding has become more challenging due to the increasing competition and the need for organisations to tailor their proposals to meet the specific interests and priorities of funders (State and Federal Government).
13. Over the last few years, The City has moved towards execution of differing strategies to achieve its strategic objectives moving away from the previous Big Picture approach.
14. Although many individual project components have progressed, the absence of a program-level framework has limited the ability to identify and plan priority projects, track progress across complex and multi-component projects, manage interdependencies between projects, manage strategic risks, and monitor resourcing and delivery confidence. Inconsistent approaches to project creation, management and reporting has resulted in inefficiencies in allocating project resources. Historical data indicates that costs often exceed original estimates due to insufficient scoping, continuous review of business justification, and unrealistic delivery schedules.
15. A structured project delivery model will mitigate key risks related to meeting community priorities and ensure the City is prepared to secure funding and deliver priority projects. By establishing a program-level approach to major project coordination, the City can improve coordination, track project milestones more consistently, strengthen

prioritisation, and ensure alignment with strategic objectives, emerging project management frameworks, and long-term financial planning.

## **DETAILS AND ANALYSIS**

16. The City of Kalamunda is now pursuing a more contemporary approach towards community infrastructure planning, building off the foundations laid through the Big Picture, and Strategic Community Facilities Plan.
17. The Community Infrastructure Strategy (CIS) (currently in development) will outline the City of Kalamunda's long-term direction for community infrastructure provision. It focuses on community infrastructure which Council has primary responsibility, plays a role in delivering, or seeks to advocate for on behalf of the community. The Strategy will be updated at least every 4 years.
18. The CIS aims to guide decision making and prioritisation for the planning, funding, and delivery of community infrastructure. It will identify and assess the various community infrastructure types provided across the City of Kalamunda, such as Arts & Cultural Facilities, Libraries, Community Centres & Halls, Aquatics Facilities, Indoor Sport & Recreation Centres, Playgrounds and Active Sporting Reserves.
19. The Council has expressed a desire to explain the remit of its advocacy agenda, rather than targeting or steering investment towards key community infrastructure projects.
20. Strong relationships and strategic partnerships are central to the City's advocacy efforts, ensuring issues are clearly understood and supported by well-defined solutions. This approach will guide engagement with State and Federal Governments to attract investment and deliver better outcomes for Kalamunda, while supporting future-focused initiatives such as High Wycombe South and the Pickering Brook and Surrounds Sustainability and Tourism Strategy.
21. As the city grows, there is a need to move from aspirational Big Picture planning to programmed delivery of strategically prioritised and planned projects.  
  
There is no overarching governance or coordination framework that supports prioritisation and planning of the various projects under The Big Picture banner.
22. Adopting a program approach will provide a central mechanism to prioritise, coordinate and monitor nominated Big Picture projects

alongside other City projects. Supported by a City-wide project management framework, this approach would enable:

- Stronger business justification and prioritisation processes.
- Alignment of significant projects to a City-wide project management framework.
- A clearer line of sight for Council over cumulative benefits, risks and outcomes.
- Consistent reporting and performance monitoring across all significant projects.
- Improved alignment with strategic and service level plans.

23. Transitioning to a program approach for major City projects will enhance transparency and accountability to Council, while maintaining responsibility for project management and delivery with the CEO and relevant business units.

#### **APPLICABLE LAW**

24. Nil

#### **APPLICABLE POLICY**

25. Nil

#### **STAKEHOLDER ENGAGEMENT**

26. Between February and November 2023, the City ran a nine-month engagement program to invite feedback on the Big Picture vision. A summary of this engagement is provided below:
1. 89 online survey responses and 13 direct submissions
  2. 19 face-to-face sessions, including workshops and pop-ups across libraries, shopping centres, and sporting venues
  3. Dotmocracy-style voting at City sites to understand project preferences
  4. Ongoing promotion via EDM, the City's website, social media, and local newspaper ads
  5. Over 2,300 people became aware of the consultation, with over 400 downloads of the draft plan and strong interest across suburbs.
27. Key themes included support for long-term planning, calls to upgrade and retain key facilities, stronger youth amenities, and better clarity around funding and delivery. While many welcomed the vision, there were

concerns about losing existing assets, perceptions of imbalance between Hills and Foothills investment, and a need for more inclusive, transparent decision-making.

**FINANCIAL CONSIDERATIONS**

28. There is no direct financial impact.

**SUSTAINABILITY**

29. A program-level approach will enhance the sustainability of The Big Picture projects by improving resource efficiency, reducing duplication, and enabling prioritisation of initiatives that deliver the greatest long-term community and social benefits. It will also strengthen the City’s ability to manage projects effectively, maximise value for investment, and ensure outcomes align with strategic and financial objectives.

**RISK MANAGEMENT**

30.

<b>Risk:</b> Standardised progression of projects without a coordinated program framework, projects may continue to be delivered in isolation, leading to inefficiencies, lack of integration and misalignment with community priorities.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Significant	Possible	High
<b>Action/Strategy</b>		
<i>Mitigation:</i> Establish a structured project management framework and governance process, with key stage gates and reporting/risk mechanisms.		

<b>Risk:</b> Insufficient resourcing - Insufficient resourcing or capability within the City Transformation business unit may limit effective program and strategy oversight, resulting in poor coordination, misaligned priorities, and reduced delivery performance.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Significant	Possible	High
<b>Action/Strategy</b>		
<i>Mitigation:</i> Allocate appropriate resourcing and capability within the City Transformation business unit to support structured program and strategy oversight.		

<b>Risk:</b> Inconsistent strategic alignment – Projects do not align with changing priorities and/or financial constraints.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Significant	Possible	High
<b>Action/Strategy</b>		
<i>Mitigation:</i> Implement a program review process to ensure continued strategic and financial justification for all projects.		

**CONCLUSION**

- 31. There is a need for stronger coordination, oversight, and strategic alignment across The Big Picture and other major City projects. A program-level approach, supported by an enterprise project management framework.

This approach will improve transparency, strengthen strategic alignment, and ensure that aspirations drawn out of The Big Picture report continue to deliver value for the community while supporting Council’s long-term objectives and evolving priorities.

**Voting Requirements: Simple Majority**

**RECOMMENDATION**

That Council:

- 1. **ENDORSE** transition of relevant “Big Picture” projects and initiatives into a formal program-level governance framework, and cease the Big Picture as a standalone prioritisation and reporting mechanism.
- 2. **ADOPT** a program-level approach for the coordination, prioritisation and monitoring of major City projects, supported by an Enterprise Project Management Framework.
- 3. **NOTE** that future community infrastructure planning and advocacy will be guided by the forthcoming Community Infrastructure Strategy (CIS) and the Integrated Planning and Reporting Framework (including the Council Plan), replacing reliance on the previous Big Picture report.

### 10.1.2. Directions for the Local Planning Strategy

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

A presentation was provided by Chris Lodge, Manager Strategic Planning & Property and Liam Sexton Project Manager - Local Planning Strategy & Scheme.

The City advised that the figures presented were primarily derived from the community survey. Further detail on the number of attendees at each workshop was taken on notice. In response to a question regarding classification, the City clarified that Wattle Grove South is technically considered part of the foothills, while acknowledging that there are transition zones that may require consideration.

Cr Mary Cannon and Bev Dornan asked questions on this item.

Previous Items	
Directorate	Development Services
Business Unit	Strategic Planning and Property Services
File Reference	N/A
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> <li>1. Directions for the Local Planning Strategy [<b>10.1.2.1</b> - 5 pages]</li> <li>2. Engagement Outcomes Report [<b>10.1.2.2</b> - 55 pages]</li> </ol>

#### **TYPE OF REPORT**

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

## STRATEGIC PLANNING ALIGNMENT

*Kalamunda Advancing Strategic Community Plan to 2031*

### Priority 1: Kalamunda Cares and Interacts

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

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

### Priority 3: Kalamunda Develops

**Objective 3.1** - To plan for sustainable population growth.

**Strategy 3.1.1** - Plan for diverse and sustainable activity centres, housing, community facilities and industrial development to meet future growth, changing social, economic and environmental needs.

### Priority 4: Kalamunda Leads

**Objective 4.1** - To provide leadership through transparent governance.

**Strategy 4.1.1** - Provide good governance.

### Priority 4: Kalamunda Leads

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

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

## EXECUTIVE SUMMARY

1. The purpose of this report is to present key findings from the significant community engagement undertaken in 2025 and seek Council's endorsement of the strategic direction for the development of a new Local Planning Strategy (LPS).
2. From August to October 2025, the City of Kalamunda ran a place-based engagement program across the Foothills, Escarpment and Rural-Plateau areas, including community workshops, an online survey, youth engagement and targeted sessions with lesser-heard and special-interest groups. Over 1000 contributions were received, offering a strong evidence base of community views.
3. The community emphasised protecting natural assets, retaining local character, improving transport and infrastructure, and enabling more diverse and affordable housing. Localities also identified distinct priorities shaped by their local context and community identity.
4. The findings support a place-based approach that directs growth appropriately, strengthens character and sustainability, and responds to

local infrastructure and environmental constraints. These insights shape the emerging strategic directions for the LPS.

5. The recommended strategic direction for the City of Kalamunda is and as expanded in Attachment 1: Directions for the Local planning Strategy.

*“Guide sustainable growth in a region shaped by nature and community — reinforcing distinctive neighbourhoods and centres, protecting environmental and rural landscapes, enabling a resilient economy, and aligning development with infrastructure capacity.*

*The Foothills, Escarpment and Plateau are recognised as distinct but interconnected planning areas. A place-based approach will guide land use and development across each region, ensuring growth respects landscape, character and environmental capacity while supporting housing diversity and economic vitality.*

- *The Foothills will accommodate the majority of centre-based growth, employment and higher-density housing.*
- *The Escarpment will strengthen the existing network of local and neighbourhood-scale activity centres, framed by low-density development, while celebrating heritage character and supporting tourism activity within a sensitive hills landscape.*
- *The Plateau will protect productive rural land and landscape character while enabling sustainable rural enterprise and low-impact diversification.”*

## **BACKGROUND**

6. Local planning schemes must be reviewed every five years. A recent review has found that Local Planning Scheme No. 3 and its supporting Local Planning Strategy should be repealed and replaced (OCM 145/2024).
7. The community engagement phase was undertaken to gather local insights, values, and priorities that will inform the development of the new Strategy. This stage provides an early opportunity for the community to influence the strategic directions of the Strategy, ensuring that the planning framework reflects local needs and aspirations.
8. The Strategy will be prepared within the broader State Planning Framework and must align with relevant State and regional strategies, including the Western Australian Planning Commission (WAPC) guidelines for local planning strategies. It considers regional growth trends, environmental management, and infrastructure planning to support coordinated and sustainable development across the City.

9. The Local Planning Strategy will provide a long-term vision for land use and development in the City, guiding decision-making and the preparation of the new local planning scheme. Its outcomes include clear strategic directions, support for sustainable growth, and alignment of development with community values, infrastructure capacity, and regional priorities.

## **DETAILS AND ANALYSIS**

10. The engagement outcomes confirmed that, while each locality within the City has its own identity and pressures, there is strong alignment on the need for sustainable, well-managed growth that protects the natural environment, strengthens local character, and supports connected, liveable communities. More than 1000 contributions across workshops, surveys and targeted sessions provided a robust dataset that reveals both shared aspirations and clear place-based priorities.
11. Feedback from the Foothills community focussed on managing ongoing urbanisation pressures while maintaining amenity, affordability and connection to nature. Key concerns included housing diversity and affordability, limited options for high schools and aged-care, and congestion around Tonkin Highway and other major intersections. The Foothills community envisage a future with affordable and diverse housing choices, greener neighbourhoods, reliable digital and physical infrastructure, and vibrant, well-serviced activity centres anchored by small business and local employment opportunities.
12. Feedback from those on the Escarpment focussed on preserving the area's existing character, environmental qualities and strong sense of place. Key concerns included inappropriate development that risks loss of tree canopy and bushland, limited housing diversity for downsizers, and infrastructure constraints that restrict the area's ability to evolve. The community envisage a future with carefully managed infill that strengthens the existing land use patterns and character, expanded canopy and biodiversity corridors, improved walkability and public transport connections, and a sustainable tourism economy supported by small business and creative industries.
13. Feedback from the Plateau community focussed on retaining rural lifestyle, productive landscapes and the distinct character of orchards, wineries and agritourism areas. Key concerns included pressure for subdivision, habitat loss, bushfire evacuation risks, and limited access to public transport and community facilities. This community envisage a future that protects rural character and cultural heritage, supports limited and sensitive growth that enables ageing in place, strengthens

agritourism and local enterprise, and delivers safe roads and fair investment in essential services.

14. Despite these locality-specific nuances, the engagement outcomes reveal highly aligned City-wide values. Protecting natural assets, maintaining local character, improving transport and service infrastructure, enabling diverse and affordable housing, and supporting small businesses and tourism, emerged as consistent priorities. All localities aspire to a future in which the City is greener, more connected and more resilient, with growth directed to appropriate areas and supported by strong infrastructure planning.
15. These engagement findings provide a clear evidence base for shaping the strategic direction of the Local Planning Strategy. They highlight a shared commitment to environmental stewardship, place-based planning and balanced growth, while also identifying the distinct needs and opportunities within the Foothills, Escarpment and Plateau districts that must be reflected in the Strategy's objectives and spatial directions.
16. A Council briefing was held on 4 November to present these engagement findings. A subsequent Council workshop on 18 November 2025 provided an opportunity for Council to consider the emerging strategic directions for the Local Planning Strategy through a place-based lens. Councillor's provided direction on the priority themes within each locality. The community engagement and Council-workshop outcomes have informed development of strategic directions for the Local Planning Strategy, as detailed in **Attachment 1: Directions for the Local Planning Strategy**:

#### **APPLICABLE LAW**

17. *Planning and Development Act 2005*
18. *Planning and Development (Local Planning Schemes) Regulations 2015*

#### **APPLICABLE POLICY**

19. State Planning Strategy and State Planning Policies
20. Perth and Peel at 3.5 Million Frameworks
21. City of Kalamunda Strategic Community Plan

#### **STAKEHOLDER ENGAGEMENT**

22. As in **Attachment 2: Engagement Outcomes Report**, a comprehensive, place-based engagement program was undertaken between August and October 2025 to inform development of the strategic directions for the LPS. Engagement included workshops across the Foothills, Scarp and

Rural areas; a whole-of-community online survey; targeted sessions with young people and special interest groups; and Elected Member briefings. More than 1000 contributions were received through these activities, identifying key values, concerns and priorities.

- 23. Findings were presented to Council at a briefing on 4 November 2025, followed by a workshop on 18 November 2025 to test and refine the emerging strategic directions. Outcomes from both processes have been incorporated into the recommended directions set out in this report.

**FINANCIAL CONSIDERATIONS**

- 24. There are no direct financial implications arising from Council’s endorsement of the strategic directions.
- 25. The preparation of the LPS is funded within the City’s existing operational budget for strategic planning.
- 26. Implementation of specific actions identified through the Strategy may require future budget allocations; these will be considered through subsequent annual budget processes or separate reports to Council as required.
- 27. Endorsing the strategic direction at this stage supports efficient project delivery and reduces the risk of rework later in the Strategy and Scheme preparation process.

**SUSTAINABILITY**

- 28. Endorsement of the strategic directions supports the development of a Local Planning Strategy that embeds sustainability as a core planning principle. The recommended directions emphasise environmental resilience, alongside sustainable growth, bushfire risk management, integrated transport, and the promotion of resilient local economies.

**RISK MANAGEMENT**

29.	<p><b>Risk:</b> If strategic directions to guide development of the Local Planning Strategy and subsequent Local Planning Scheme No. 4 are not endorsed by Council, there may be delays in project decision-making and revisions to the strategy, resulting in increased project timeframes and higher costs to accommodate changes, while also risking misalignment with community expectations.</p>		
	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
	Major	Unlikely	High

<b>Action/Strategy</b>
------------------------

Endorse the strategic directions to progress the drafting phase and support timely delivery of the Local Planning Strategy and subsequent Local Planning Scheme No. 4
---

## CONCLUSION

30. The engagement outcomes and Council workshop demonstrate strong alignment on the need for a Local Planning Strategy that balances growth with environmental stewardship, housing diversity, infrastructure coordination and local economic development. Applying a place-based approach ensures that the Strategy responds to the distinct needs and aspirations of the Foothills, Scarp and Plateau areas while establishing a cohesive, City-wide planning direction. Council's endorsement of directions for the Local Planning Strategy will enable the project to progress to the drafting phase and support timely delivery of the Local Planning Strategy and subsequent Local Planning Scheme No. 4.

<b>Voting Requirements: Simple Majority</b>
---

## RECOMMENDATION

That Council:

1. ENDORSE the directions outlined in Attachment 1: Directions for the Local Planning Strategy for purpose of guiding drafting of the Local Planning Strategy.
2. NOTE that these directions have been informed primarily by community consultation, and that the final directions forming the draft Local Planning Strategy will also be informed by relevant State and regional planning policies, technical studies and other strategic research.
3. NOTE the significant community consultation undertaken to understand the community's priorities for the City of Kalamunda, as detailed in Attachment 2: Engagement Outcomes Report, and that these engagement outcomes will also be used to inform other City projects and services, including the Council Plan project.

### **10.1.3. Wattle Grove South - Local Structure Plan**

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

*Cr Mary Cannon declared an impartiality interest in this item.*

*Cr John Giardina declared an impartiality interest and left the meeting at 7.01pm.*

A presentation was provided by Regan Travers, Manager Statutory Approvals.

Statements were provided by representatives associated with the Wattle Grove South Local Structure Plan and landowners. A representative of Hesperia outlined the planning background to the proposal, noting the area was identified as future urban in the State Government's sub-regional planning frameworks in 2018, with the rezoning process commencing in 2021. It was advised that the Environmental Protection Authority determined in 2022 that the proposal should be formally assessed and that extensive environmental investigations have since been undertaken.

The proponents advised they are committed to meeting environmental conditions and progressing the Structure Plan in consultation with the City and the Western Australian Planning Commission. A planning consultant engaged by the proponents further advised that the Structure Plan seeks to address the environmental conditions while incorporating project objectives.

A written statement from local landowners expressed support for the proposed Structure Plan and the planning process, noting that a number of landowners within the rezoning area support the environmentally sensitive urbanisation of Wattle Grove South.

Questions were raised regarding the Commonwealth Department of the Environment referral process and the basis for the City proceeding with the Local Structure Plan (LSP) despite community concerns. Administration advised that such referrals are complex and the question was taken on notice to provide a considered response. It was also noted that, under the deemed provisions of the Planning Regulations, preparation of a Structure Plan was required following advice from the Department of Planning, Lands and Heritage, and that progression of the LSP represents the next stage in the planning process rather than a commitment to the plan's outcomes.

Additional questions were raised regarding whether Brentwood Road would continue to accommodate heavy vehicles under the proposed LSP and whether the closure of Boundary Road was required by Main Roads. The question regarding Brentwood Road was taken on notice. In relation to Boundary Road, Administration advised that further traffic analysis is required, noting the closure is currently depicted in the Structure Plan under a full residential scenario.

Statements were also made by representatives of local businesses and landowners in Precinct A expressing concern that the proposed residential zoning may negatively impact existing rural and commercial operations. Concerns were raised regarding

potential business decline, the visual impacts of noise walls, and the lack of developer interest in Precinct A. It was requested that zoning be modified to allow a transition that supports existing land uses.

Questions were asked regarding the typical timeframe for Structure Plan discussions and approvals. Administration advised that discussions relating to the Metropolitan Region Scheme (MRS) amendment have been occurring for approximately 18 months, with more detailed discussions regarding the Structure Plan occurring from around mid-2025. It was noted that the City is required to provide its Local Government report by 10 April 2026 and that, if further modifications were required, an extension from the Department of Planning may be necessary. Alternatively, additional modifications could be incorporated into Council’s schedule of modifications to be addressed prior to the Western Australian Planning Commission making a decision on the MRS amendment, which is anticipated within the coming months.

The following members of the public have asked questions and given statements on this matter; Jon Burgess, Matt Craven-Kelly, Howard Mitchell, Dianne and Michael Wilkey, Bev Dornan, Brett Smith, and Rob Bodenstaff.

Previous Items	OCM 226/2020, OCM 195/2019, OCM 79/2019, OCM 35/2019, OCM 257/2021
Directorate	Development Services
Business Unit	Approval Services
File Reference	
Applicant	
Owner	

- |             |   |
|-------------|---|
| Attachments | <ol style="list-style-type: none"><li>1. ATTACHMENT 1 - WGS LSP REPORT [<b>10.1.3.1</b> - 122 pages]</li><li>2. ATTACHMENT 2 - Conservation Area Management Plan [<b>10.1.3.2</b> - 563 pages]</li><li>3. ATTACHMENT 3 - Bushfire Management Plan [<b>10.1.3.3</b> - 47 pages]</li><li>4. ATTACHMENT 4 - Transport Impact Assessment [<b>10.1.3.4</b> - 161 pages]</li><li>5. ATTACHMENT 5 - Tree Retention Strategy [<b>10.1.3.5</b> - 2 pages]</li><li>6. ATTACHMENT 6 - Engineering Servicing Report- D [<b>10.1.3.6</b> - 24 pages]</li><li>7. ATTACHMENT 7 - Landscape Masterplan Final Issue [<b>10.1.3.7</b> - 34 pages]</li><li>8. ATTACHMENT 8 - Local Water Management Strategy [<b>10.1.3.8</b> - 656 pages]</li><li>9. ATTACHMENT 9 - Environmental Assessment Report [<b>10.1.3.9</b> - 934 pages]</li></ol> |
|-------------|---|

10. ATTACHMENT 10 - Heritage Report [**10.1.3.10** - 52 pages]
11. ATTACHMENT 11 - Noise Assessment [**10.1.3.11** - 34 pages]
12. ATTACHMENT 12 - OCM MINUTES 24-august-2021 [**10.1.3.12** - 31 pages]
13. ATTACHMENT 13 - Dept of Education Submission [**10.1.3.13** - 6 pages]
14. ATTACHMENT 14 - DFES Submission [**10.1.3.14** - 4 pages]
15. ATTACHMENT 15 - DPLH Road Planning Submission [**10.1.3.15** - 4 pages]
16. ATTACHMENT 16 - DWER Submission [**10.1.3.16** - 3 pages]
17. ATTACHMENT 17 - Main Roads Submission [**10.1.3.17** - 11 pages]
18. ATTACHMENT 18 - Perth Airport Submission [**10.1.3.18** - 12 pages]
19. ATTACHMENT 19 - PTA Submission [**10.1.3.19** - 3 pages]
20. ATTACHMENT 20 - Water Corporation Submission [**10.1.3.20** - 2 pages]
21. ATTACHMENT 21 - DPLH LETTER TO APPLICANT RE LSP PROCESS [**10.1.3.21** - 1 page]
22. ATTACHMENT 22 COMBINED EXTERNAL RESPONSES [**10.1.3.22** - 8 pages]
23. ATTACHMENT 23 WAPC Schedule of Modifications [**10.1.3.23** - 3 pages]
24. ATTACHMENT 24 - DPLH ABORIGINAL HERITAGE SUBMISSION [**10.1.3.24** - 1 page]
25. ATTACHMENT 25 - APA GROUP SUBMISSION [**10.1.3.25** - 1 page]
26. ATTACHMENT 26 Combined Community Submissions [**10.1.3.26** - 63 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
X	Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly

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

## STRATEGIC PLANNING ALIGNMENT

*Kalamunda Advancing Strategic Community Plan to 2031*

### Priority 3: Kalamunda Develops

**Objective 3.1** - To plan for sustainable population growth.

**Strategy 3.1.1** - Plan for diverse and sustainable activity centres, housing, community facilities and industrial development to meet future growth, changing social, economic and environmental needs.

## EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider a proposed Local Structure Plan (LSP) for a portion of the Wattle Grove South precinct (subject land) and to seek Council endorsement for the Officer's recommendation of the LSP to be forwarded to the Western Australian Planning Commission (WAPC).
2. The proposed structure plan has been prepared to guide the subdivision and development of land within the Wattle Grove South precinct and has been submitted for assessment and consideration concurrently whilst the Metropolitan Region Scheme (MRS) Amendment is being progressed to rezone the subject land from Rural to Urban.
3. The structure plan was advertised for a period of 42 days, and during the consultation period, a total of 116 unique submissions were received regarding the proposal. 77 (67%) of submissions objected to the proposal and raised concerns, while 26 (23%) of submissions were in support of the proposal.
4. Subsequent to the advertising period and in response to the submissions, the City of Kalamunda (the City) is seeking further modifications to the Structure Plan to address the City's requirements and to address the submissions received, prior to the determination of the Structure Plan by the Western Australian Planning Commission (WAPC).
5. Pursuant to r.20(1), Part 4, Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the City is required to prepare a report to the WAPC on the Structure Plan, inclusive of a recommendation as to whether or not it should be approved, within nominally 60 days of the date of closure of the public advertising period

or alternatively a date agreed to by the WAPC. The agreed date is 10 April 2026

6. It is recommended Council forward the Wattle Grove South LSP to the WAPC, with a recommendation for approval subject to modifications.

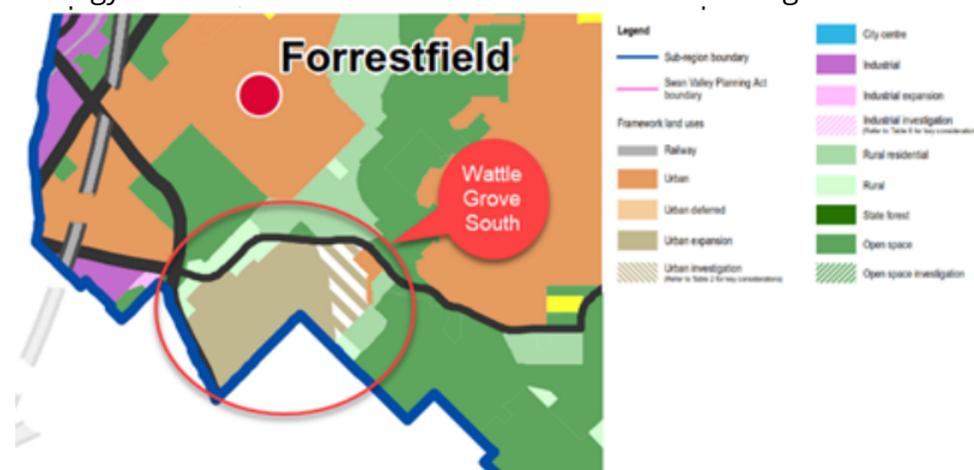
**BACKGROUND**

7. **Land Details:**

Land Area:	126ha
Local Planning Scheme Zone:	Current: Special Rural and Rural Composite Proposed: Urban Development
Metropolitan Regional Scheme Zone:	Current: Rural Proposed: Urban

8. The broader precinct known as Wattle Grove South (also known as Crystal Brook) is approximately 340ha and is located within the City of Kalamunda in the suburb of Wattle Grove. It is generally bound by Tonkin Highway to the west, Welshpool Road East to the north, and Kelvin Road, Judith Road, Fontano Road and the City's border with the City of Gosnells to the east.

9. The WAPC's North-East Sub-Regional Planning Framework (the Framework), adopted in March 2018, identifies the majority of Wattle Grove South as Urban Expansion. An eastern portion of Wattle Grove South is identified as Urban Investigation. The City's Local Planning Strategy 2010 identifies Wattle Grove South as an Investigation Area.



**Figure 1 – Excerpt from the Framework identifying Wattle Grove South as Urban Expansion.**

10. The WAPC is currently considering a Metropolitan Region Scheme (MRS) amendment No.1388/57 to rezone a portion of Wattle Grove South,

located to the south of Crystal Brook Road from Rural to Urban. Figure 2 below shows the portion of land within Wattle Grove South that is subject to MRS Amendment No. 1388.57.



**Figure 2 - Portion of land subject to MRS Amendment No. 1388.57**

11. The City provided comments on the proposed MRS Amendment No. 1388.57 which were tabled before Council at the Ordinary Council Meeting on 24 August 2021 (OCM257/2021). Council resolved to:

*ENDORSE the Preliminary Submission (Attachment 2) and REQUEST the Chief Executive Officer forward it to the Western Australian Planning Commission for consideration subject to the inclusion of Lot 20 (#47) Victoria Road, Wattle Grove for the following reasons:*

- a. *The property is identified on the boundary of the Urban Landscape and Rural Landscape of the Crystal Brook Concept Plan (2020).*
- b. *The property is identified within the Urban Expansion designation of the Western Australian Planning Commission's North-East Sub Regional Planning Framework (2018).*
- c. *The property is identified within the Urban Investigation Area designation of the City's Local Planning Strategy (2013).*

- d. *The property owner has signalled an intention to provide a form of transitional development between the two landscape areas (i.e. 2000sqm).*

A copy of the OCM257/2021 Minutes are attached to this report.

12. The following table shows a timeline summary of the context and background of Wattle Grove South (Crystal Brook). The OCM257/2021 Minutes (attached) further elaborate on the context in the below table.

September 2017	The City appointed a planning consultant to undertake the Wattle Grove Feasibility Study. The Study was completed in May 2018 and presented to Council in July 2018 to consider the recommendations of the Study.
August 2018	The community consultation process undertaken during August and September 2018, included two workshops and a survey.
October 2018	The outcomes from community engagement were presented to a Special Council Meeting (SCM) on Monday 22 October 2018 to determine the next phase in the project. The resolution of Council reference is SCM 177/2018)
February 2019	A motion was adopted at the 26 February 2019 Ordinary Meeting of Council (OCM35/2019) to request the Chief Executive Officer (CEO) to cease investigations into the establishment of a Consultative Community Committee of Council to consider recommendations for the future of Wattle Grove South; and to create a partial budget to conduct a comprehensive community consultation program to determine the level of community support for a variety of land use concept plans that incorporate design principles as listed in the Minutes.
April 2019	The City prepared a scope of works in response to the resolution on 26 February 2019. On 30 April 2019 Council resolved (OCM 79/2019) to endorse the scope of works.
May 2019	On 8 May 2019, the City issued a Request for Quotation (RFQ) via to the Western Australian Local Government Association (WALGA) eQuotes panel. The request closed on 31 May 2019. Six (6) WALGA preferred suppliers were

	invited to provide submissions and four (4) responses were received.
August 2019	On 27 August 2019, at the Ordinary Council Meeting (OCM 194/2019), the Council resolved to accept the proposal for tender from Roberts Day.
November 2019	Roberts Day commenced work on the Crystal Brook Concept Planning and Community Engagement project. The project area was renamed during the community engagement process from Wattle Grove South to Crystal Brook. These two names may be referred to interchangeably during the report, however both refer to the same project area.
November 2020	<p>On 24 November 2020, the Council considered the Concept Plan and associated report for the Crystal Brook project. Council (OCM226/2020) resolved to:</p> <ul style="list-style-type: none"> <li>a) <i>NOTE the outcomes of community engagement and public advertising and acknowledge that there are a range of views on the future planning for the project area.</i></li> <li>b) <i>NOTE the outcomes of the Ecological Report.</i></li> <li>c) <i>REQUEST the Chief Executive Officer to make modifications to the Concept Plan and Report in accordance with Attachment 1 and, in addition, include information regarding Voluntary Conservation Covenants on private land in accordance with Clause 11.1.3 of the City of Kalamunda – Local Biodiversity Strategy (2008), publish the modified document on the City's website and inform all landowners within the project area once completed.</i></li> <li>d) <i>NOTE the strategic outcomes of the Concept Plan and Report, as proposed to be modified.</i></li> <li>e) <i>CEASE further planning for the project as outlined in Option 2 of the Council Report.</i></li> </ul>
July 2021	At the 27 July 2021 Ordinary Council Meeting, the Council adopted the Local Housing Strategy 2021 (LHS). The LHS identifies the site as a WAPC Urban Expansion and Investigation Area with further guidance for the planning

	for the area to be guided by the Crystal Brook Concept Plan.
August 2021	The City provided preliminary comments on the proposed MRS Amendment No. 1388.57 which were tabled before Council at the Ordinary Council Meeting on 24 August 2021
October 2024	<p>The City received the formal referral for the proposed Wattle Grove South MRS amendment No. 1388.57 to rezone a portion of the area from Rural to Urban. The proposal was subsequently advertised to the community by the WAPC from 8 October 2024 to 9 December 2024.</p> <p>As the City was only a referral agency for the proposal, the City was not the responsible for the community consultation as the process is run through the WAPC.</p> <p>The City's comments were not re-considered through Council as they were in substance, the same comments endorsed at the August 2021 OCM Meeting.</p> <p>The MRS amendment has not yet been determined. Given the additional consultation with the community of the LSP which by its nature is more detailed than a MRS amendment, the Administration will seek that the community submissions on the LSP are noted as part of considering the MRS amendment.</p>
September 2025	The LSP was lodged to the City for assessment and consideration and was subsequently advertised to the community for comment from 24 October 2025 to 5 December 2025

**DETAILS AND ANALYSIS**

- 13. The LSP is proposed over the following portion of Wattle Grove South which is subject to an MRS amendment.



**Figure 3 – Local Structure Plan area**

14. The typically linear planning process would ordinarily require the MRS amendment to be approved prior to the consideration of an LSP over an area, however, there is capacity in the planning legislation for the WAPC to allow a LSP to be progressed – provided the WAPC/ Department of Planning Lands and Heritage provides permission.
  
15. The City notes that the WAPC has given the applicant permission to lodge the LSP in advance of the MRS amendment being finalised. The City understands in accordance with the attached letter from DPLH that while the LSP process is able 'catch-up' to the MRS amendment, there is no prospect of the LSP being approved in advance of the amendment.  
  
This is a risk to the applicant in the event the MRS amendment is not supported and the LSP is abandoned, but does not affect the City's responsibility to process the draft LSP.
  
16. At the time of drafting this report the landholdings within Structure Plan area are currently undergoing a rezoning under the MRS which proposes to rezone the site from Rural to Urban, along with a concurrent rezoning of the City's Scheme to Urban Development.

17. If approval is granted for the MRS amendment, the current 'Special Rural' and 'Rural Composite' zones of LPS 3 will be rezoned automatically to Urban Development.

18. **Overview of the Proposal**

The key elements of the structure plan are summarised below:

- The structure plan area covers approximately 126 hectares of fragmented landholdings. The LSP designates the zonings, school location, reserve and POS locations, and the road network as well as any other areas of key significance to guide future subdivision and development in the area.
- The LSP designates 6 'precincts' or 'cells' in which will provide guidance for future developers to coordinate subdivision and development within each precinct.
- The LSP designates an area for the zoning of Public Purpose for a primary school site which is centrally located within the precinct. The proposal was referred to the Department of Education whose comments are attached to this report and discussed further below.
- Four conservation areas were identified which contain significant environmental values with four additional areas noted as potential future consideration and rehabilitation which will be subject to further investigation.
- The LSP proposes a range of residential densities from R20 – R40 and R60 which anticipates an approximate dwelling yield of approximately 1,666 lots.
- The LSP sets out Residential Medium Density Codes (R-MD) requirements to manage built form (such as setbacks, open space, garage setbacks and other general provisions), however, at the time of subdivision a Local Development Plan would be required to facilitate these requirements.
- The LSP designates road reserves and the applicant has submitted relevant technical documentation in support of the proposed road networks.
- The LSP area proposes to provide a minimum of 10 per cent of the gross subdivisible area as public open space (POS) in accordance with the WAPC's Liveable Neighbourhoods requirements.
- A light industrial zone is designated along a portion of the southern boundary of Precinct B for the purposes of continuing existing business operations for the existing landowner at Lot 303 (No. 69) Brentwood Avenue.

19. To support the application, the following technical documents were provided:

1. Local Structure Plan Report (Attachment 1)
2. Conservation Area Management Plan (Attachment 2)

3. Bushfire Management Plan (BMP) (Attachment 3)
4. Transport Impact Assessment (TIA) (Attachment 4)
5. Tree Retention Strategy (Attachment 5)
6. Engineering Servicing Report (Attachment 6)
7. Landscape Master Plan (Attachment 7)
8. Local Water Management Strategy (LWMS) (Attachment 8)
9. Environmental Assessment Report (Attachment 9)
10. Heritage Report (Attachment 10)
11. Noise Assessment (Attachment 11)

20. The City has reviewed the LSP documents and supporting technical documents. The following key matters are noted for consideration as an addition to the issues raised and addressed in the below consultation sections above.

21. **Public Open Space and Water Management**

The proposed LSP is anticipated to deliver approximately 10.2% of public open space (POS) across all of the precincts (excluding conservation areas). When included in the overall open space calculations, the Conservation Areas and Potential Conservation Areas account for an additional 6.01 hectares of land towards open space (approximately 5% of the overall project area).

The 10.2% of POS that is expected to be provided in the Structure Plan area is in accordance with the WAPC's Liveable Neighbourhoods requirements which stipulates a minimum of 10% of the Net Subdivisible Area be provided. Two percent of the 10% public open space provision may comprise restricted use public open space, such as drainage reserves and natural wetlands.

The LSP proposes a variety of POS within the subject land being:

1. Local Parks
2. Conservation areas
3. Linear Parks with Recreational nodes
4. Streetscapes

Liveable Neighbourhoods sets a 400-metre walkable catchment for all residences to local parks. The applicant has demonstrated a 400m walkable catchment radius within the LSP Report.

Whilst these POS areas have been noted on the proposed LSP, the City recommends additional wording be provided in the draft Plan to allow variations to occur to the shape and location of POS areas, provided they remain within the area subject of the application, have no obvious impact on any future costs, and modifications facilitate a better planning outcome than the original design.

22. **Proposed movement network**

A Traffic Impact Assessment (TIA) has been prepared by PTG Consulting which outlines the transport aspects considered for the MRS amendment area. The existing road network within the LSP area are generally 'rural' style road with unsealed shoulders, no kerbing and open drains. The delivery of the LSP will see the roads be upgraded in accordance with Liveable Neighbourhood standards with some variations proposed.

The proposed internal road hierarchy and indicative access points to the external network of the Structure Plan area are outlined below:

- Connection via existing Victoria Road to Crystal Brook Road.
- Three new priority control intersections on Crystal Brook Road.
- four-way roundabout at Welshpool Road East/Crystal Brook Road/Brentwood Road intersection to replace the existing staggered T-intersections.
- A Left-In-Left-Out intersection on Welshpool Road East, between Crystal Brook Road and Boundary Road, to replace an existing full movement crossover into Lot 2 (No. 731) Welshpool Road East.

No connections are proposed to Boundary Road which is proposed to be closed to traffic once the adjacent land has been developed as part of this Structure Plan. Crystal Brook Road and Welshpool Road East, along the northern boundary of the Structure Plan area are kerbed with some underground drainage.

The City recommends the structure plan report be modified to ensure references to road reserve widths reflect standard Liveable Neighbourhoods width – with variations only acceptable in situations that facilitate the retention of existing trees, or strategic planting. An updated TIA has been requested through the schedule of modifications.

23. **Development Contribution Arrangements**

The LSP area consists of fragmented land ownership and that infrastructure can be delivered to accommodate for the increase in density, a development contribution arrangement will be required. The development contribution arrangement will ensure a coordinated and equitable delivery of infrastructure upgrades can be achieved through the LSP process.

Given the fragmented land ownership the City requires further information from the applicant to ensure the LSP assessment and development contribution plan (DCP) scoping occur in parallel to reduce the risk of the development advancing without an agree cost-sharing arrangement. The City's Local Planning Policy 28 (LPP28) states that LSP's should define infrastructure requirements up front. The additional

information required to inform the DCP for the LSP is included in the schedule of modifications attachment 23.

24. **Proposed density**

The LSP proposes densities ranging from R20 – R40 and R60 which anticipates an approximate dwelling yield of approximately 1,666 lots. The average lot size of these densities are prescribed by the R-Codes which are outlined below:

- R20 – 450m<sup>2</sup>
- R25 – 350m<sup>2</sup>
- R30 – 300m<sup>2</sup>
- R40 – 220m<sup>2</sup>
- R60 – 150m<sup>2</sup>

The density is consistent with the densities proposed within the Wattle Grove Cell 9 Outline Development Plan which is located to the north-west of the subject land and Welshpool Road East and Tonkin Highway and is therefore consistent with the established character and scale of the broader Wattle Grove suburb.

The range of densities proposed is also consistent with the objectives of Liveable Neighbourhoods which endeavours to deliver a range of lot sizes to cater for a diverse range of housing needs.

The LSP facilitates the preparation of Local Development Plan's (LDP's) at subdivision stage to manage the built form outcomes across the range of densities and to ensure the desired streetscape character is achieved.

A Light Industry zone area is designated along a portion of the southern boundary of Precinct B for the purposes of continuing existing business operations for the current landowner on Lot 303 (69) Brentwood Avenue. The uses allowed within a Light Industry zone, under LPS3 will cover the operations required.

25. **Tree retention and Environmental Considerations**

The applicant submitted a tree retention strategy, a conservation area management plan and an environmental assessment report to support the proposed LSP.

Following formal assessment of MRS Amendment 1388/57 under Part IV of the Environmental Protection Act 1986, the Environmental Protection Authority (2025) concluded that the MRS Amendment may be implemented, subject to a suite of Environmental Conditions being implemented to protect the site's key environmental values, as well as the Greater Brixton Street Wetlands which is in proximity of the site.

The environmental assessment report evaluates the environmental values of the site, environmental impacts associated with the proposed development and the mitigation strategies proposed to address key environmental factors.

## **APPLICABLE LAW**

### **26. *Planning and Development (Local Planning Schemes) Regulations 2015***

In accordance with Clause 15 of the Regulations, a Structure Plan may be prepared if:

*“(a) the area is:*

- (i) all or part of a zone identified in this Scheme as an area suitable for urban or industrial development; and*
- (ii) identified in this Scheme as an area requiring a structure plan to be prepared before any future subdivision or development is undertaken;”*

The determination of a Structure Plan ultimately rests with the WAPC in accordance with Clause 22 (1) of the Regulations.

In accordance with Clause 28 (1) (a), a Structure Plan has effect for a period of 10 years, commencing on the day on which the WAPC approves the Plan.

### **27. *City of Kalamunda Local Planning Scheme No.3 (LPS3)***

In order to facilitate the proposed LSP, an amendment to LPS3 to rezone the subject land from Rural Composite to Urban Development is required which is being progressed as a separate matter through Amendment No. 1388/57.

## **APPLICABLE POLICY**

### **28. Liveable Neighbourhoods**

## **STAKEHOLDER ENGAGEMENT**

29. Community consultation was undertaken in accordance with the requirements of Schedule 2, Part 4, Clause 18 of the Regulations. The LSP was advertised for public comment from 24 October 2025 to 5 December 2025 for a period of 42 days, and was carried out in the following manner:
1. All landowners and occupiers within 300 metres of the subject area and within the boundaries of the subject area were notified of the proposal by letter;
  2. Notification on the City’s website through the engage page;
  3. Newspaper notices;

- 4. Copies for the proposed LSP amendment and relevant documents were made available for inspection at the City’s Administration Offices, Kalamunda and Forrestfield Libraries, and on the City’s website.
  
- 30. Following completion of the advertising period, a total of 116 unique submissions were received, with 77 (67%) submissions objecting, 26 (23%) submissions supporting, and 12 (10%) providing comment only.
  
- 31. The submissions raised 24 themes of impact, concern, and support. In accordance with Clause 19 (1) of the Regulations, the local government must consider all of the submissions. The below table summarises the key themes raised during the submission period and the City’s response.

Theme	Raised by %
<i>Environmental Impact</i>	46.5
<p>The City notes that the leading theme of submissions is the environmental impact of the draft Plan.</p> <p>While there were some submissions of support on this topic which acknowledged the design of the Plan to have taken environmental outcomes into account, the significant majority of submissions referring to environmental impact had concerns that the draft Plan proposes by proposing a residential urban outcome has too greater negative impact on the current natural environment in the WGS area.</p> <p>The City expects that the Environmental Review, which at the time of drafting this report has not been finalised, is likely to demonstrate a number of ‘conditions’ which the developers of land within the Plan area will have to meet if they do wish to pursue a residential outcome for land within the Plan area. The Applicant has responded to these concerns advising that they expect the burden to be a reasonable one, with detailed requirements for vegetation and fauna retention and protection – and removal offsets.</p> <p>The City has reviewed the draft Plan with environmental impact in mind. Reports indicate that opportunities for high value conservation are low, but where they are available – the Plan considers their location and provides a level of protection through Plan designations of conservation or POS.</p> <p>The City’s expectation is that the growth of a future community is met with growth in the environmental values of the spaces around the new community. Elements like canopy cover and water permeability cannot be facilitated unless there is space available in open space, road reserves, and on private land. The draft Plan notes road reserves being</p>	

<p>provided with a reduced width from Liveable Neighbourhoods which would reduce the capacity for existing vegetation to be captured within road reserves, and would also limit the space available for street tree planting to occur. The City has recommended that the structure plan report be modified to ensure road reserve widths are standard Liveable Neighbourhoods width – with variations only acceptable in situations that facilitate the retention of existing trees, or strategic planting.</p> <p>The City’s recent experiences in residential growth areas is that vegetation retention principles are easy to identify at the plan level, but are often difficult to maintain through the subdivision design phase – particularly when an area requires the installation of new underground infrastructure such as water, power, and reticulated sewer.</p> <p>The City notes that the Structure Plan includes a schedule of information required to inform subdivision applications which has a high likelihood of supporting the intended environmental outcomes.</p>	
<i>Amenity impact</i>	34.5
<p>Submissions consistently described the impact the draft Plan would have on residents current lifestyle and day-to-day experience.</p> <p>Submissions found distinction between residents current activities and experiences, and those of nearby modern residential areas. Elements such as the feeling of space, and connection to the environment.</p> <p>The City acknowledges that the change from a rural residential area to an urban residential area would be a significant change, and is exactly what the draft Plan would facilitate.</p> <p>While the rural size blocks, rural standard roads, and significant building setbacks would disappear, the Structure Plan describes an aspiration to hold on to high value flora and fauna areas, and retain trees. While these elements would provide a level of amenity – the City acknowledges that the day-to-day experience of existing residents is likely to change significantly.</p> <p>Many submissions referred to the reasons of moving to the locality, and that there wouldn’t be much of that left.</p> <p>As noted above, the City acknowledges that the change from a rural to urban residential environment would significantly diminish the rural features of the area.</p>	

<p>The City notes that the proposed change in amenity from rural to urban is consistent with the planning framework at both the state and local level.</p>	
<p><i>Traffic Impact</i></p>	<p>11.4</p>
<p>Submissions noting traffic concerns typically fall into who themes. The first is the impact of traffic on amenity and character of the area – changing from quiet rural roads, to busy residential streets.</p> <p>The second is concern regarding the wider road network, citing existing issues on Welshpool Road East and key intersections.</p> <p>The City notes that the development of the area in accordance with the draft plan would have a significant impact on the traffic both within, and around the structure plan area.</p> <p>At a high level, the traffic information provided by the Applicant demonstrates that the design of streets within the draft Plan area are sufficient for their forecast capacity, and the network outside the draft Plan area given the significance of Welshpool Road East can also facilitate the planned residential outcome.</p> <p>The City notes that it does not agree with some of the conclusions of traffic reporting in terms of intersection standards and as a result requests modifications to the draft Plan to address those conclusions. It may be the case that additional information can be provided to alleviate the City's concerns.</p>	
<p><i>Perception of community objection</i></p>	<p>12</p>
<p>This theme of submission captures submitters that made claims that the Wattle Grove community was not supportive of the proposed changes to the area in general terms.</p> <p>Whilst these comments may refer to previous consultation run by the City, or anecdotal references – it is clear that of the submissions received a clear majority did object to the draft Plan for a wide range of reasons.</p>	
<p><i>Procedural concerns</i></p>	<p>11</p>
<p>This theme of submission generally relates to the submission of the Structure Plan occurring prior to the Environmental Review and MRS Amendment processes first establishing the land as 'urban' before a structure plan can be progressed.</p>	

<p>A Structure Plan is able to be submitted and progressed in advance of a zoning change to 'urban' provided it meets certain criteria, and the advance permission of the WAPC/DPLH is obtained.</p> <p>In this case the Applicant sought confirmation from the WAPC which is attached to this report and formed part of the package of advertising documents.</p> <p>The City notes that there are no guarantees that the MRS Amendment will be supported, however that is a risk for the Applicant to consider. Should that eventuate the Structure Plan would be abandoned or refused by the WAPC in due course. At the time of this report the MRS Amendment is progressing in the normal fashion.</p> <p>The City notes that after Council makes its decision to approve or refuse the structure plan, the Local Government Report will be forwarded to the WAPC where it would be held, pending the progression of the MRS Amendment.</p> <p>There is also potential that the Structure Plan documents would need to be further updated to reflect the outcome of the MRS Amendment and Environmental Review.</p>	
<i>Character Impact</i>	10
<p>Like amenity, submissions referring to the character of the area being significantly impacted noted elements like trees, fauna, traffic, much more built form and less open space.</p> <p>The City acknowledges that the character of the area would be significantly impacted by the draft Plan.</p> <p>Apart from efforts to retain vegetation – once fully developed there would not be much of the current character of the area left.</p> <p>The City notes that the proposed change in character from rural to urban is consistent with the planning framework at both the state and local level.</p>	
<i>Density concerns</i>	10
<p>Submissions noting concerns with density referenced the large numbers of new houses that would be built, and the associated impacts compared to what residents of the area currently experience.</p> <p>Concerns with density did overlap with submissions preferring larger lot sizes of 800m<sup>2</sup> to 2000m<sup>2</sup>, as opposed to the 350m<sup>2</sup> urban average which is likely to occur.</p>	

<p>As an urban area, the proposed density range of the draft Plan is normal for contemporary residential subdivisions. The City is seeing growing interest in lot sizes at the smaller end of the range which appears to be related to affordability.</p> <p>Whilst it would be a significant change in density from the current rural residential lot sizes, the draft Plan does not propose unusually high density for its context.</p> <p>As noted by the Applicant, it will ultimately be the decision of the subdivider what lot size they pursue within the given density range.</p> <p>The density proposed is consistent with the planning framework.</p>	
<i>Sensible location for new homes</i>	9.5
<p>These submissions were the main positive theme, generally acknowledging that the location of the residential structure plan was appropriate and would be of benefit to the community.</p>	
Precinct A land use	7
<p>Submissions regarding Precinct A were largely aligned in facilitating the growth of the existing businesses within that precinct, and a non-residential designation on the draft Plan.</p> <p>Many reasons were given why a non-residential outcome for this precinct would be a good planning outcome such as it forming a buffer, it was already full of businesses, and the land being constrained by impacts from Tonkin Highway.</p> <p>Whilst these are all reasonable planning arguments, the draft Plan submitted for consideration did not anticipate a non-residential outcome for that precinct, and it would be a significant departure from the plan submitted to the City and WAPC for assessment.</p> <p>As a result the City is not supportive of Precinct A being modified to a 'light industry' or 'enterprise area'. However the City has recommended that the Structure Plan be modified to acknowledge there may be potential for Precinct A to be non-residential and for the option to be available for landowners in that precinct to pursue a structure plan amendment to give effect to that change. This should not be taken as support for the change.</p>	
Business Impact	5

<p>Submissions referring to business impact related to existing activities predominantly within Precinct A that would not be able to operate or grow under a residential designation.</p> <p>The City notes that when MRS and Scheme zonings change they do have immediate effect, and any activity that doesn't have approval will become unapproved and its unlikely under a urban zone and residential designation that business activities will be able to continue.</p> <p>For businesses that have approval they would become non-conforming, which does have some rights, but they only permit the maintenance of existing activities and wouldn't facilitate the growth of existing businesses.</p> <p>As noted in the earlier response, the City recommends the draft Plan be modified to acknowledge the landowner interest in Precinct A to pursue a non-residential designation that would facilitate the business needs of existing landowners.</p>	
<i>Design concerns</i>	5
<p>Submissions that raised design concerns typically were not satisfied with the impact a particular design element has on their land. The location of the school site, location of POS areas, and location of roads were of concern.</p> <p>The City considers the school site to be appropriately centrally located, and its burden is split across the precincts, rather than disproportionately burdening one precinct.</p> <p>The City is supportive of the POS locations given they reflect the principles of conservation and vegetation retention which have also been raised in submissions. The City does recommend additional wording be provided in the draft Plan to allow variations to occur to the shape and location of POS areas, provided they remain within the area subject of the application, have no obvious impact on any future costs, and modifications facilitate a better planning outcome than the original design.</p> <p>The City is supportive of the road layouts. In fragmented areas it is best for roads to be located where they can be provided wholly within one landholding, to avoid circumstances where only one side of a road is built, and it can't be used until another landowner builds the opposite side of the road.</p>	
<i>Inconsistency with Planning framework</i>	3.5

<p>This concern relates to the procedural concern addressed earlier. These submissions point out that the Structure Plan is out of sequence and because the land subject to the Structure Plan is (at the time of drafting this report) still rural, seeking a residential outcome is not consistent with the City's planning Scheme.</p> <p>Like previous comments, the City has regulatory responsibilities to progress assessment and advertising of the draft Plan because the DPLH has provided its permission for the Structure Plan to be submitted prior to rezoning occurring.</p> <p>One way to think of this is that the Structure Plan assessment has 'caught-up' to the other processes, however it isn't able to go past the MRS Amendment. Allowing this process means that the MRS Amendment is able to be considered with the immediate context and much more specific design information.</p> <p>Whilst currently out of sequence, in due course the determination of the MRS Amendment and Structure Plan are expected to return the planning framework to its normal standing.</p>	
<i>Larger lots</i>	3.5
<p>Submissions noting preferences for larger lots either focused on a moderate increase such as changing 350m<sup>2</sup> to 800m<sup>2</sup>, while others referenced the Crystal Brook Concept Plan and 2000m<sup>2</sup> lots which are much larger than what the draft Plan envisages.</p> <p>Larger lots have the benefits of greater potential for retention of vegetation, and therefore the nature and open spaces that submissions indicate are important to existing residents and link to amenity.</p> <p>The draft Plan shows densities that are consistent with the planning framework and represent a sensible residential density.</p>	
<i>Traditional Owner concerns</i>	2.6
<p>Submissions related to aboriginal heritage and proper investigation and consideration prior to any development occurring.</p> <p>As noted by the Applicant in response to submissions with this theme, landowners have obligations under Aboriginal Heritage legislation, separate to the planning process. These include notification and investigation.</p> <p>The draft Plan notes that traditional owner engagement has occurred, and spatial data mapping of recorded sites also forms part of the draft Plan.</p>	

<i>Additional Recreation</i>	1.7
<p>This theme of submission related to additional recreation facilities being provided.</p> <p>The draft Plan is limited in its provision of facilities to those associated with POS areas.</p>	
<i>Additional shops</i>	1.7
<p>This theme of submission related to additional shops and conveniences being provided.</p> <p>The draft Plan is limited in its provision of additional retail, and it is not currently in the plan.</p> <p>Landowners could pursue an amendment to the Structure Plan in the future if they wished to pursue a retail land use. Such as proposed would need to be accompanied by a retail needs assessment.</p>	
<i>Additional Housing</i>	1.7
<p>This theme of submission was supportive of the draft Plan facilitating the delivery of additional houses in the context of local shortages.</p> <p>The City acknowledges the short supply of new residential lots in the City of Kalamunda. It is important that new houses are built to modern standards in order to provide diversity in the local housing stock. Diversity of houses allows for residents to find 'right size' housing and facilitates downsizing and further infill residential development.</p> <p>The provision of additional housing to meet the needs of a growing City of Kalamunda is consistent with the City's Local Housing Strategy.</p>	
<i>Socioeconomic impact</i>	1.7
<p>This theme of submission relates to the negative impacts of increased housing density and therefore population.</p> <p>Provided a residential area balances its density with open space and sufficient infrastructure, it is likely to be a positive planning outcome.</p>	
<i>LG not listening to previous feedback</i>	1.7
<p>This theme refers to previous consultation exercises where substantial objection was received.</p> <p>These submissions do read as though the City is progressing this draft Plan, which is not the case. This draft Plan is landowner-led, the City's role is a regulatory one.</p>	

The City notes that this proposed also received strong objection.	
<i>Infrastructure limitations in the City</i>	1.7
<p>These submissions ask the question why Water Corporation doesn't provide sewer connection to the suburb of Lesmurdie.</p> <p>The City understands that installing sewer is a cost prohibitive exercise, and due to density does not yield as greater result as other areas.</p>	
<i>Consideration of watercourse</i>	0.9
This submission notes that the draft Plan is sensitive to water courses.	
<i>House price impact</i>	0.9
<p>This submission was concerned that house values would be impacted.</p> <p>House values are market led and historically not a planning concern.</p>	
<i>Bushfire Design</i>	0.9
<p>This submission noted bushfire considerations.</p> <p>It is likely that as subsequent stages of the development process that bushfire ratings may limit how much land can be developed, however there are large portions of the site which are likely to return a low bushfire rating.</p> <p>The City recommends the draft Plan be modified to include greater references to bushfire friendly landscaping throughout the structure plan area.</p>	
<i>Already enough land for housing</i>	0.9
<p>This submission notes that there is ample land identified for urban development in the Perth area.</p> <p>The City notes that this is one of those areas.</p>	

32. A schedule of submissions received during advertising, the applicant's responses and the City's acknowledgement of key themes is attached to this report.

33. Referrals / consultation with Government/Service Agencies

As part of the advertising process, relevant government agencies and servicing authorities were notified of the proposal and invited to comment pursuant to Schedule 2, Part 4, Clause 18(1)(b) of the Regulations. The City invited comments from the following agencies, who provided submissions outlining varying degrees of conditional, partial and non-support.

The agencies that provided comments are:

1. Department of Fire and Emergency Services (DFES)
2. Department of Planning, Lands, and Heritage (Road Planning Team)
3. Department of Water and Environmental Regulation (DWER)
4. Department of Education (DoE)
5. Main Roads Western Australia (MRWA)
6. Perth Airport
7. Public Transport Authority (PTA)
8. Water Corporation
9. APA Gas
10. Department of Planning, Lands and Heritage (Aboriginal Heritage Conservation)
11. Department of Health (DoH)

A summary of the submissions received, and the City's response is in attachment 22.

34. Further changes to the LSP are anticipated as a result of the requirements of the state agencies and community consultation comments.

#### **FINANCIAL CONSIDERATIONS**

35. In accordance with Regulations 48 and 49 of the Regulations, any costs associated with advertising and assessment of the Structure Plan amendment will be met by the applicant.

#### **SUSTAINABILITY**

36. Social Implications  
Transitioning rural land to urban use for residential development, local commercial services, and a new school delivers strong social sustainability benefits by improving access to essential amenities, creating walkable neighbourhoods, and fostering community interaction through shared spaces and community anchors like schools and local centres.

The change can support greater housing diversity and affordability, enables local employment opportunities, and reduces travel demands, contributing to healthier, safer, and more connected communities.

Better access to infrastructure, public open space, and emergency services further strengthens long term community resilience and inclusivity compared with retaining the land in a rural state.

37. Economic Implications

The implementation of a structure plan which transitions land from rural to urban uses delivers economic benefits through stimulating local construction and long-term employment in the precinct.

In time, there are also other benefits such as increasing land values and attracting private investment.

The transition in the land uses namely future subdivision would result in residential rates being collected for new lots.

A variety of land uses (residential, industrial and a school site in the precinct) creates a more diverse economy, whilst the population growth will increase consumer demand in the precinct, strengthening the local economy.

38. Environmental Implications

The City acknowledges that the draft Plan, and the change from rural to an urban environment will have an environmental impact.

Studies provided by the Applicant show that through normal planning processes the draft Plan has been designed to accommodate the retention of high value environmental areas, ensuring their persistence through future subdivision and house construction, in order for those environmental features to be enjoyed by new residents.

The City is satisfied that the draft Plan strikes an acceptable balance between retention, avoidance, and enhancement of the environment – while facilitating growth.

**RISK MANAGEMENT**

39.

<b>Risk:</b> The Council endorses the LSP and it progresses ahead of the MRS amendment to rezone the lots which is not in accordance with orderly and proper planning.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Low	Low	Low
<b>Action/Strategy</b>		
Pursuant to Schedule 2, Clause 15(c) of the Regulations, a structure plan is required for the purposes of orderly and proper planning subject to the land being appropriately zoned under the MRS and LPS prior to the WAPC making a decision on the structure plan.		
The WAPC have advised that the determination of the structure plan would be deferred until the land is appropriately zoned, to		

ensure that orderly and proper planning principles are followed. A letter from the WAPC confirming this process is available at attachment 21.

## CONCLUSION

40. The purpose of this report is for Council to consider the proposed LSP for a portion of the Wattle Grove South precinct and to seek Council endorsement for the Officer's recommendation of the LSP to be forwarded to the Western Australian Planning Commission (WAPC).

41. The City's obligations under the Planning and Development (Local Planning Schemes) Regulations 2015 are to undertake community consultation and external referrals and provide a recommendation to the WAPC on the proposal.

As noted in the details and analysis of this report, significant consultation and referrals were undertaken which informed the City's position and list of modifications.

Subject to modifications being undertaken to the satisfaction of the City and State Agencies the Structure Plan is consistent with the framework, and capable of support.

42. It is recommended Council forward the Wattle Grove South LSP to the WAPC, with a recommendation for approval subject to modifications.

### Voting Requirements: Simple Majority

## RECOMMENDATION

That Council:

APPROVES the lodgement of the Structure Plan Report to the Western Australian Planning Commission, with respect to the proposed Local Structure Plan over Wattle Grove South which recommends that it be supported subject to the modifications listed in Attachment 23 to this report.

Cr John Giardina returned to be meeting at 7.48pm.

### 10.2. Infrastructure Reports

#### 10.2.1. Capital Work EOI/Tenders CEO Delegation 2026/27

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

A presentation was provided by Rory Smith, Manager Design and Construction.

Previous Items	OCM 2025/81
Directorate	Infrastructure
Business Unit	Design & Construction
File Reference	
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 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.

**Strategy 3.2.2** - Develop improvement plans for City assets such as parks, community facilities, playgrounds to meet the changing needs of the community.

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

### EXECUTIVE SUMMARY

1. The purpose of this report is to consider the Expression of Interest (EOI) and subsequent Request for Tender (RFT) process to award:
  - EOI 2026-01 & RFT 2604 for the 2026/27 Capital Work EOI and Tender - Roads, Drainage & Footpaths.
  - EOI 2026-02 & RFT 2605 for the 2026/27 Capital Work EOI and Tender - Builders Works.

The above is contingent on the combined program value being within the 2026/27 adopted budget (including contingency).

2. These two procurement packages will enable the timely delivery of the City of Kalamunda (the City) Capital Works Program, which includes vital infrastructure upgrades across the City. Delegating authority to the Chief Executive Officer (CEO) streamlines project delivery and ensures efficient contract management.

## **BACKGROUND**

3. The City delivers an annual Capital Works Program which includes a combination of new infrastructure projects and renewal of existing assets. These works are essential for maintaining and enhancing the level of service provided to the community across roads, footpaths, drainage, and built infrastructure.
4. The Capital Works Program is developed in alignment with strategic planning documents and asset management plans. It addresses both community growth and the need to replace ageing infrastructure nearing or at the end of its useful life.
5. A key challenge in delivering the program is the limited 12-month window available each financial year to complete planning, procurement, construction, and close-out activities.
6. The Capital Works Program for 2025/26 used this same procurement method for the comparable programs of works. The key advantages of this approach include:
  - Program was within budget. Combining projects resulted in costs efficiencies.
  - Contractors allocated additional resources, within the budget, to manage the complexity of multiple projects at the same time.
  - Liquidated Damages have been included in the Contracts to ensure incentive to deliver on time.
  - Previous years have only managed to deliver \$5m of the capital works budget with the same number of staff and program overruns. It is

anticipated that the 2025/26 financial year program will have a significant increase in output from past years.

- Total Capital Works program costs were known prior to works commencing.

## **DETAILS AND ANALYSIS**

7. To support the efficient procurement and delivery of works for the 2026/27 financial year, the City is seeking to commence an EOI process. This pre-qualification process is intended to identify suitably qualified contractors for two specific construction packages:
8. **EOI 2026-01 & RFT 2604 - Roads, Drainage & Footpaths**  
This tender will cover civil infrastructure works, including roads, drainage improvements and footpath construction identified within the 2026/27 Capital Works Program.
9. **EOI 2026-02 & RFT 2605 - Builders Works**  
This tender includes works that require a registered Builder, such as shelters, storage sheds, public toilets and building refurbishments.
10. This approach of combining an EOI and tender into a single process facilitates early engagement with contractors and enables faster contract award and mobilisation once the annual budget is adopted.
11. To avoid delays and maximise the construction window, it is recommended that Council delegate authority to the CEO to award both tenders, provided they fall within the approved 2026/27 combined budget (including contingency).

## **APPLICABLE LAW**

12. *Local Government Act 1995*

## **APPLICABLE POLICY**

13. CEOD-CS51 – Purchasing

**STAKEHOLDER ENGAGEMENT**

- 14. The City has established an internal group entitled the Infrastructure Board including key internal stakeholders to provide oversight of the preparation of the Capital Works Program.

**FINANCIAL CONSIDERATIONS**

- 15. Tenders RFT 2604 and RFT 2605 will form part of the anticipated budgets in 2026/27 Capital Works Program.

**SUSTAINABILITY**

- 16. Not Applicable

**RISK MANAGEMENT**

17.	<b>Risk:</b> Construction tenders exceed budget allowance necessitating additional funding or reduction in project scope.						
	<table border="1"><thead><tr><th><b>Consequence</b></th><th><b>Likelihood</b></th><th><b>Rating</b></th></tr></thead><tbody><tr><td>Significant</td><td>Possible</td><td>High</td></tr></tbody></table>	<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>	Significant	Possible	High
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>					
Significant	Possible	High					
	<b>Action/Strategy</b>						
	Combined tender(s) allow for quick identification of Contract Price. Price could be elevated due to individual items. These individual items could be removed from the Contract and Tendered separately.						

**CONCLUSION**

- 18. The combined EOI and RFT process will support timely delivery of the 2026/27 Capital Works Program. Delegating contract award authority to the CEO will improve responsiveness, allow early commencement, and help ensure the City delivers its approved program within the required timeframe.

<b>Voting Requirements: Absolute Majority</b>
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**RECOMMENDATION**

That Council:

1. NOTE the Expression of Interest process for Roads, Drainage and Footpaths (EOI 2026-01) and Builders Works (EOI 2026-02).
2. DELEGATE, in accordance with s5.42(1) of the *Local Government Act 1995*, to the Chief Executive Officer the authority to award the construction contract for Roads, Drains and Footpaths, Request for Tender (RFT 2604), and to adjust individual project budgets related to these works within the adopted 2026/27 Capital Works Budget, SUBJECT to Council being briefed on the outcomes of the construction tender prior to award.
3. DELEGATE, in accordance with s5.42(1) of the *Local Government Act 1995*, to the Chief Executive Officer the authority to award the construction contract for Builders Works, Request for Tender (RFT 2605), and to adjust individual project budgets related to these works within the adopted 2026/27 Capital Works Budget SUBJECT to Council being briefed on the outcomes of the construction tender prior to award.

**10.2.2. eQuote 2026-01 Hook Lift Bin Transportation Services - Award of Tender**

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

A presentation was provided by Dale Coyne, Manager Waste, Fleet and Facilities.

Query on the appearance of the truck. Questions were raised regarding the destination of landfill waste and the vehicle requirements under the City’s waste collection contracts. Administration advised that landfill waste is currently transported to EMRC Red Hill and EMRC Hazelmere. A member of the public queried whether contractors are required to use new vehicles and whether the City audits the fleet used for waste collection. Administration advised that vehicles are required to meet specified standards and that contractors provide mechanical reports on fleet condition. It was acknowledged that individual vehicles used during collection are not currently monitored against contract requirements. Administration undertook to review the process for verifying fleet compliance and provide further advice. It was also clarified that waste collection vehicles are supplied by the contractor rather than the City.

Member of the public David Downing asked questions on this matter.

Previous Items	OCM 93/2023
Directorate	Infrastructure
Business Unit	Waste, Fleet & Facilities
File Reference	AD-TEN-005
Applicant	N/A
Owner	N/A
Attachments	Nil
Confidential Attachment	<u>Reason for Confidentiality: 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

Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal
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## STRATEGIC PLANNING ALIGNMENT

*Kalamunda Advancing Strategic Community Plan to 2031*

### **Priority 2: Kalamunda Clean and Green**

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

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

## EXECUTIVE SUMMARY

1. The purpose of this report is to consider the acceptance of eQuote 2026-01 Hook Lift Transportation Services.
2. It is recommended Council accepts the Tender submitted by Cleanaway Pty Ltd ABN 79 000 164 938 (Address: Level 4, 441 St Kilda Rd, Melbourne VIC 3004) for eQuote 2026-01 Hook Lift Bin Transportation Services to Council for award consideration as per the submitted schedule of rates for a three-year period from the date of formal agreement with two optional extensions of one year each at the City of Kalamunda's (City) discretion. Services as per the schedule of rates set out in the Confidential Attachment 1 to this report.
3. The estimated expenditure within this contract over the period of five years is approximately \$1.25 million.
4. The contract will be for a period of three years with an option to extend by two x twelve month periods at the sole discretion of the Principal.

## BACKGROUND

5. The City provides its residents with use of the Walliston Transfer Station (WTS) at 155 Lawnbrook Road, Walliston, which receives various waste and recyclable material for subsequent transfer to other recycling and waste disposal facilities

6. General waste is segregated from other recyclable waste material for subsequent off-site processing. General waste is one of the highest volume materials received at the WTS, second to green waste recycling. General waste is unloaded by residents on site and stored in 25m<sup>3</sup> or 30m<sup>3</sup> steel hook lift bins.
7. The request for tender scope was based on historical data of hook lift bin transportation services at the WTS, estimated to be over 675 bin collections per year across two waste streams.
8. The scope of service involves the hook lift bin transportation of 18 general waste bins and one dedicated pine pallet recycling bin from the WTS, on a weekly basis. Full bins are to be collected Monday to Wednesday so that all 19 bins are empty and available prior to the commencement of operations at 8:00am each Thursday.

**DETAILS AND ANALYSIS**

9. The City issued eQuote 2026/01 on 8 January 2026 on the WALGA Panel Contract PSP007-(005,006,007,008,011). Tenders closed at 2:00pm AWST on 22 January 2026 with three tender submissions being received.
10. The City received three submissions from:
  1. Cleanaway Pty Ltd
  2. Veolia Environmental Services
  3. West Tip Waste Management
11. An Evaluation Panel was convened from suitably qualified City officers to assess the tender submissions.
12. The Tender assessment was a four-stage process, with compliance with the tender invitation being the first. The compliant tenderers were then assessed against the tender qualitative criteria as shown in the below table.

Qualitative Criteria	Weighting
a) Relevant Experience	35%
b) Key Personnel & Subcontractors	30%
c) Demonstrated Understanding	35%

13. The submission exceeded the qualitative criteria scoring 76.5%. Clarifications sought by the Panel in relation to the qualitative assessment were sorted out satisfactorily.
14. A price assessment was then undertaken to determine the best value for money outcome for the City.

15. The tender evaluation report is provided as Confidential Attachment 1 to this report.
16. The recommended submission best satisfied the City's requirements by:
  - a) Exceeding the qualitative assessment benchmark.
  - b) Proven capacity and capability to provide hook lift bin transportation services to the City.
  - c) Have the skills and experience to carry out the services requested in this contract.
  - d) Providing a value for money outcome to the City.
  - e) The Tender allows for the transportation of general waste from the Walliston Transfer Station, currently going to EMRC Red Hill, but gives the City the ability to transition to a Waste to Energy facility when available.

### **APPLICABLE LAW**

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

### **APPLICABLE POLICY**

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

### **FINANCIAL CONSIDERATIONS**

19. The anticipated annual spend on hook lift bin transportation services over the life of this contract will vary from year-to-year dependent on:
  - a) Annual CPI increases
  - b) Increase/decrease in hook lift bin transportation.
20. The transportation of hook bin lift services under this contract will form part of approved annual expenditure budgets in waste services.
21. The use of hook lift bin transportation Services under this contract will form part of approved annual expenditure budgets in waste services and income will be generated through the City's waste services fee.

### **SUSTAINABILITY**

22. The City's Waste Plan June 2020 has actions to meet the States Waste Avoidance Strategy Targets through measures to generate less waste, to recover more value and resources from waste and protect the environment by managing waste responsibly.

**RISK MANAGEMENT**

23.

<b>Risk:</b> The contractor is unable to collect bins from the Transfer Station due to machinery downtime or low staff which may lead to an accumulation of Waste, causing a potential hazard and possible breach to the City's DWER Licence conditions.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Critical	Rare	Low
<b>Action/Strategy</b>		
Be willing to accept old or hire equipment to be used until new equipment can be procured.		
Award Tender by 1 April 2026 giving the successful Tenderer the lead time to put in place the resources (Labour & Plant) to start the Contract on 12 April 2026.		
Have the services carried out frequently, to make sure operations continue seamlessly so as hook lift bin transportation services continue at the WTS.		

24.

<b>Risk:</b> One of the core risks in this contract is that the awarded Contractor cannot provide Hook Bin lift Transport Services for the amount of Waste generated at the Walliston Transfer Station.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Moderate	Unlikely	Low
<b>Action/Strategy</b>		
Request more frequent servicing to keep up with the volumes of Waste generated by exceptional circumstances. There is a provision in the tender that at the Principals discretion the City has the ability to request extra services on Friday and Saturday, so as to make sure the collection and servicing of the hook lift bins at the WTS are not compromised and the City always has capacity to accept general waste.		

**CONCLUSION**

25. The delivery of eQuote 2026-01 Hook Lift Bin Transportation Services will allow the City to carry out its role in the provision of these essential services relating to the collection and servicing of the hook lift bins at the Transfer Station. Engaging a contractor that has a proven track record of providing hook lift bin services is imperative.

26. The City is satisfied that the recommended tenderer has demonstrated experience, capability, capacity, along with experienced staff and resources available to provide the City with the required services.
27. The price offered provides the City with sufficient certainty to forecast annual budgets every year of the contract, irrespective of the known changes to waste management processes.

<b>Voting Requirements: Simple Majority</b>
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### **RECOMMENDATION**

That Council ACCEPT the tender from Cleanaway Pty Ltd ABN 79 000 164 938 (Address: Level 4, 441 St Kilda Rd, Melbourne VIC 3004 Australia) for eQuote 2026-01 Hook Lift Bin Transportation Services as per the schedule of rates set out in the Confidential Attachment 1 to this report, for the initial three years with an option to extend by two x twelve-month periods at the sole discretion of the City of Kalamunda.

### 10.2.3. Metropolitan Regional Roads Group Roads Rehabilitation Program - 2027/2028 Submissions

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

A presentation was provided by Pollyanne Fisher, Manager Asset Planning.

Previous Items	OCM 47/2023; OCM 06/2022; OCM 9/2021; OCM 34/020; OCM 92/2019; OCM 60/2018; OCM 85/2016; OCM 2025/44
Directorate	Infrastructure
Business Unit	Asset Planning
File Reference	4.00011767
Applicant	N/A
Owner	N/A

- Attachments 1. Metropolitan Regional Roads Group Program 2027 2028 Summary of Projects [10.2.3.1 - 1 page]

#### TYPE OF REPORT

	Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
R	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.

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

### **EXECUTIVE SUMMARY**

1. The purpose of this report is to seek the endorsement of submissions for funding as part of the 2027/28 Metropolitan Regional Roads Group (MRRG) Road Rehabilitation Projects Program.
2. The MRRG program provides an opportunity for local governments to seek State Government funding of up to two-thirds of the cost of eligible road rehabilitation projects. Funding is currently capped at \$900,000 per local government authority; however, Main Roads WA (MRWA) has advised that additional projects may be nominated this year due to increased funding availability.

The City has undertaken technical assessments across the road network and identified suitable projects that meet the program's eligibility criteria.

3. Council endorsement is requested for the six projects being parts of Mundaring Weir Road, Canning Road, Dundas Road, Welshpool Road East (two Projects), and Heath Road.

### **BACKGROUND**

4. Each year, MRWA invites project submissions for funding consideration as part of the MRRG Road Rehabilitation Projects Program. This report seeks the endorsement of project submissions for the 2027/28 financial year.

### **DETAILS AND ANALYSIS**

5. Road Rehabilitation Projects are those proposed for existing roads where a failed road section is to be brought back to pre-existing physical condition. This can be through milling, resealing, reconstruction, and resurfacing.
6. The projects were identified based on condition assessment data, a minimum number of vehicles per day, road types (District Distributor A and B types of Roads - Main Roads criteria), and Road Asset Management Plan forecast.
7. The City prepares grant submissions using the MRRG scoring system that includes the technical assessment of road conditions (roughness, cracking, deformation, and other road defects).

8. When received by the MRRG, the submissions are reviewed, and a priority listing of all metropolitan local government authority projects is prepared. The list of projects is then reviewed by a sub-group of the MRRG, and the final list is returned to MRWA. MRWA then makes recommendations to the State Road Funds to the Local Government Advisory Committee. The Minister for Transport, on recommendations from the MRWA and State Road Funds to the Local Government Advisory Committee, ultimately approves the allocation of funding.
9. It is the practice to submit bids for projects in excess of the cap, and projects that do not receive funding are held in reserve if further funding becomes available during the relevant year. This year, MRWA has requested that local governments nominate the additional projects up to a limit of \$1.5 Million.
10. Funding for projects is on the basis of two-thirds from the state and one-third from the City, however, the project estimates are based on 'core' construction costs only and not ancillary costs or overheads. The City would therefore be required to fund at least \$450,000 (with a notional total project value of approximately \$1,350,000) prior to the application of overheads.
11. The following six road rehabilitation projects have been prepared for submission to Main Roads, with further details in Attachment 1:
  - a) Welshpool Road East (WB) -Lions Walk Lookout to 200m west of Lesmurdie Road
  - b) Welshpool Road East (EB) - 20m east of Lions Walk Lookout to 200m west of Lesmurdie Road
  - c) Mundaring Weir Road - Weir Carpark to Boundary
  - d) Canning Road - Glyde Road to Grove Road
  - e) Dundas Road - Harrison Road to Carolyn Way
  - f) Heath Road - Boonooloo Road to East Terrace
12. The proposed treatments are all "mill and fill". This is where the existing surface and some pavement material is milled out using a type of grinding machine, and then new asphalt layers are placed. In Attachment 1, the abbreviations used are:
  - a) CRM- Crumbed rubber-modified bitumen;
  - b) DGA - dense graded asphalt, an asphalt designed for high and heavy traffic loads;
  - c) SLK - straight line kilometre, a distance measure for roads.
13. Council's endorsement of these proposed projects is required to support the submissions for funding consideration. Submissions are due on 24 April 2026.

14. Advice on the successful projects for the 2027/28 financial year is normally issued early in the calendar year, in this case, early 2026. The City will then list the projects in the capital works program for consideration in the 2027/28 budget.

#### **APPLICABLE LAW**

15. There is no relevant legislation.

#### **APPLICABLE POLICY**

16. The assessment and renewal of infrastructure assets is undertaken in accordance with Policy Service 4 – Asset Management.

#### **STAKEHOLDER ENGAGEMENT**

17. The projects have been identified through the City's Road Asset Management Plan. Owners, residents and businesses directly affected by the projects will be contacted in advance of the works.

#### **FINANCIAL CONSIDERATIONS**

18. The list of Road Rehabilitation Projects for 2027/28 outlined in Attachment 1 indicates a total estimated MRRG contribution of \$1,424,968 to deliver all proposed projects, which exceeds the standard funding cap of \$900,000 per local government.

However, the MRRG grant assessment process includes further technical evaluation and prioritisation, which will determine the final program to align with the funding cap. MRWA has also advised that, due to additional funding availability this year, local governments are encouraged to nominate projects exceeding the cap for consideration.

19. Should the City be successful in achieving grant funding totalling in the order of \$900,000 as part of the 2027/28 program, then it will need to contribute in the order of \$450,000 plus overheads from municipal funding.
20. The 2026/27 and future years of the City's Capital Works Program include the maximum grant of \$900,000 and the City's contribution of \$450,000.

#### **SUSTAINABILITY**

- 21. Well-maintained roads contribute to transport efficiency and reduce economic cost to the community.
- 22. Milled old asphalt is commonly reused as pavement materials in other projects.

**RISK MANAGEMENT**

23.

<b>Risk:</b> The City fails to secure grant funding leading to additional rates funding needs.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Major	Unlikely	Medium
<b>Action Strategy</b>		
The City continues to plan in a timely fashion for submissions for grant funding under the MRRG program.		

24.

<b>Risk:</b> The City fails to receive grant funding and is unable to rehabilitate the roads. The projects identified for the grants are reaching the end of their life and are expected to fail within a few years. This would have a significant economic impact on the community and reputational impact on the City.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Major	Possible	High
<b>Action Strategy</b>		
The City continues to plan in a timely fashion for submissions for grant funding under the MRRG program.		

**CONCLUSION**

- 25. As part of an ongoing, annual process, the City has assessed six projects for consideration with the MRRG Road Rehabilitation Project Program. The projects required specialist technical assessments of road conditions such as rutting and deformation.
- 26. The resulting projects all meet the criteria for funding and will be shortlisted by the MRRG Eastern Sub-group. Council endorsement is required for the submissions, with the final list of projects to be considered as part of the 2027/28 Capital Works Program.

**Voting Requirements: Simple Majority**

**RECOMMENDATION**

That Council ENDORSE the City of Kalamunda submission of projects for the 2027/28 Metropolitan Regional Roads Group Road Rehabilitation Projects Program, as set out in Attachment 1.

**10.3. Corporate Reports**

**10.3.1. City of Kalamunda Proposed Artificial Intelligence (AI) Policy**

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

A presentation was provided by Lloyd Peters, Manager ICT Services.

Questions were raised by Councillors regarding the development and oversight of the policy. Administration advised that AI policy development is relatively new within the sector, noting that a State policy has only recently been established and that many local governments are currently developing their own frameworks. It was confirmed that appropriate oversight will be provided, including involvement from the City’s IT security team to address cyber security and AI-related considerations.

A further question was asked regarding the use of Microsoft Copilot on City-issued laptops. Administration confirmed that Copilot is available within the City’s software environment and that the policy aims to guide and educate staff on appropriate use while establishing clear parameters. The CEO also noted that staff are already using AI tools in some capacity and that the introduction of policy and parameters will help manage this use. It was highlighted that AI has the potential to improve efficiency by reducing administrative workload and enabling staff to focus on delivering better outcomes for the community.

Previous Items	
Directorate	Corporate Services
Business Unit	ICT Services
File Reference	
Applicant	Lloyd Peters
Owner	Manager ICT Services

Attachments	1. City of Kalamunda Artificial Intelligence AI Policy KLT Approved 121125 [ <b>10.3.1.1</b> - 3 pages]
	2. AI Council Policy Presentation March PAB [ <b>10.3.1.2</b> - 12 pages]

**TYPE OF REPORT**

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

- X** 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*

*Kalamunda Advancing Strategic Community Plan to 2031*

### **Priority 1: Kalamunda Leads**

**Objective 4.1** – To provide leadership through transparent governance

**Strategy 4.1.1** – Provide good governance

## **EXECUTIVE SUMMARY**

1. This report seeks Council endorsement of the City of Kalamunda Artificial Intelligence (AI) Policy to ensure AI is used ethically, safely, and in accordance with both Federal and Western Australian Government requirements.
2. The policy establishes governance, accountability, and risk management arrangements for current and future AI use across the organisation.
3. Adoption of the policy supports innovation while protecting community trust, privacy, and the City's reputation.

## **BACKGROUND**

4. Artificial Intelligence tools, including generative AI, are increasingly used across local government to improve efficiency and service delivery.
5. Federal and WA Government frameworks require public sector entities to implement formal governance arrangements for AI use.

## **DETAILS AND ANALYSIS**

6. AI can assist staff with tasks such as drafting content, analysing information, and improving internal processes. Without appropriate controls, AI use presents risks including data privacy breaches, bias, and lack of transparency.

7. The proposed AI Policy establishes principles for ethical, lawful, and responsible AI use across the City.
8. The policy confirms that AI will support, not replace, human judgement and decision-making.
9. All AI initiatives will be subject to risk-based self-assessment in line with the WA Government AI Assurance Framework.
10. Higher-risk or high-cost AI initiatives will be escalated for additional executive or external review where required.

#### **APPLICABLE LAW**

11. *Privacy and Responsible Information Sharing (PRIS) Act*

#### **APPLICABLE POLICY**

12. Federal and Western Australian Government Artificial Intelligence policy and assurance frameworks applicable to public sector entities.

#### **STAKEHOLDER ENGAGEMENT**

13. Internal consultation has been undertaken with the Senior Management Group and the Kalamunda Leadership Team.
14. The policy aligns with established approaches adopted by other Western Australian local governments.

#### **FINANCIAL CONSIDERATIONS**

15. There are no direct financial implications arising from adoption of this AI Council Policy; however, training on improving efficiencies across the City will incur a cost and a notional training budget of \$20,000 has been included in the ICT Services operational budget FY2026/27.

#### **SUSTAINABILITY**

16. Efficiency improvements.
17. Community trust.

#### **RISK MANAGEMENT**

18.

<b>Risk:</b> Uncontrolled or inappropriate AI use leading to privacy, bias, compliance, or reputational issues.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Significant	Almost Certain	High
<b>Action/Strategy</b>		
Implementation of a formal AI Policy, mandatory risk assessments, executive accountability, staff training, and ongoing monitoring.		

**CONCLUSION**

19. Adoption of the AI Policy provides Council with assurance that AI will be used responsibly, in compliance with government requirements, and in the best interests of the community.

**Voting Requirements: Simple Majority**

**RECOMMENDATION**

That Council endorse the City of Kalamunda Artificial Intelligence Policy as contained at Attachment 1.

**10.4. Community Reports**

**10.5. Office of the CEO Reports**

**10.5.1. Proposed Activities in Thoroughfares and Public Places Local Law**

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

A presentation was provided by David Baker, Senior Governance Officer.

Questions were raised regarding provisions within the proposed local law, including whether artificial turf on verges should be prohibited. Administration advised that verge treatments are more appropriately managed through a Council policy rather than within the local law, allowing greater flexibility to update requirements over time. The CEO advised that local laws typically establish high-level requirements, with more detailed matters managed through policy, which can be amended more easily than legislation. It was noted that a verge treatment policy could be developed alongside the implementation of the local law.

Questions were also raised regarding the City's capacity to enforce the provisions of the local law and associated costs. The CEO noted the consolidation of existing provisions into one local law is not expected to significantly increase compliance workload.

Previous Items	Nil.
Directorate	Office of the CEO
Business Unit	Governance
File Reference	
Applicant	N/A
Owner	N/A

Attachments	1. Draft Activities in Thoroughfares and Public Places Local Law [10.5.1.1 - 41 pages]
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**TYPE OF REPORT**

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
⚙️ Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning

applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

## **STRATEGIC PLANNING ALIGNMENT**

*Kalamunda Advancing Strategic Community Plan to 2031*

### **Priority 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 consider a draft Activities in Thoroughfares and Public Places Local Law for public consultation as part of the City's local law review process.
2. The *Local Government Amendment Act 2024* introduced a transitional provision into the *Local Government Act 1995* that will repeal all local laws not reviewed in 15 years prior to the commencement of the transitional provision.
3. The transitional provision takes effect on 6 December 2026. There are 9 of the City's local laws potentially captured by this provision.
4. Officers have identified a way forward to address the repeal provision in the *Local Government Act 1995* that will modernise the City's local laws, starting with the draft Activities in Thoroughfares and Public Places Local Law, attached to this report.
5. The draft local law attached to this report proposes to bring contemporary regulatory measures into place for the management of activities and works in thoroughfares, streamlining requirements.
6. It is recommended that Council authorises the Chief Executive Officer to give local public notice of the proposed Activities in Thoroughfares and Public Places Local Law.

## **BACKGROUND**

7. The *Local Government Amendment Act 2024* (Amendment Act) was proclaimed on 6 December 2024, with some sections coming into effect the following day. Amongst these sections of the Amendment Act was s. 20 which deleted the existing section 3.16(1) of the *Local Government Act 1995* (Act), and replaced it with the following –

*(1) Within a period of 15 years after the day on which a local law commenced or a determination in respect of the local law was last made under subsection (4), as the case*

*requires, a local government must carry out a review of the local law to determine whether it considers that the local law should be repealed, be amended or remain unchanged.*

8. Accompanying amendments to section 3.16 of the Act amended sub-sections (3), (4) and (5) in the following way –

*(3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*

*(4) After the report has been submitted to its council, the local government must determine\* whether it considers that the local law should be repealed, be amended or remain unchanged.*

*\* Absolute majority required.*

***(5) If no determination is made under subsection (4) within the applicable 15-year period under subsection (1), the local law is repealed at the end of that period.*** (emphasis added)

The period referred to by section 3.16(5) was modified by the Amendment Act (clause 65(10)) as follows:

*(10) Section 3.16, as amended by section 20 of the 2024 amendment Act, applies on and after amendment day as if the period of 15 years after the day on which the pre-amendment local law commenced ends at the end of the period of 2 years beginning on amendment day.*

‘Amendment day’ was 7 December 2024, the day after the Amendment Act was Proclaimed. The end of the 2 year period referred to by clause 65(10) of the Act is on 6 December 2026. This means the City must review its local laws that have not been reviewed in the preceding 15 years prior to this date, or else they will be repealed by the operation of section 3.16(5) of the Act.

9. The City has 16 local laws of varying ages. 9 of them are impacted by the 6 December 2026 repeal date.

## **DETAILS AND ANALYSIS**

10. The Act provides the head of power in section 3.5(1) for a local government to make a local law. Local laws are delegated legislation. Parliament has delegated its authority to local governments by way of the Act (and other Acts) to make local laws.
11. Local law making is also subject to Parliamentary oversight by way of the Joint Standing Committee on Delegated Legislation (JSCDL). This committee assesses local laws on behalf of Parliament to determine if a local law is within the local government’s lawful power to make. Parliament may disallow (annul) a local law that is beyond lawful power or infringes on a person’s individual or property rights.

Local laws cannot be made that conflict with or override another law. Where a local law does, it will be beyond lawful power (see above) or will be inoperative to the extent of the conflict. In such a circumstance the local law cannot be used.

### **Draft local law**

12. This report proposes a new Activities in Thoroughfares and Public Places Local Law to replace some of the existing local laws and old by-laws. The draft local law is presented as an attachment to this report.
13. The draft local law proposes to repeal the following:
  - (a) The Municipality of the Shire of Kalamunda By-law Relating to Numbering Houses and Buildings, published in Government Gazette No. 65 on 29 August 1963;
  - (b) The Municipality of the Shire of Kalamunda Adoption of Draft Model By-law Relating to Removal and Disposal of Obstructing Animals or Vehicles, No. 7 published in Government Gazette No. 65 on 29 August 1963;
  - (c) The Municipality of the Shire of Kalamunda Adoption of Draft Model By-law Relating to Street Lawns and Gardens published in Government Gazette No. 64 on 6 July 1965;
  - (d) The Municipality of the Shire of Kalamunda By-laws relating to Signs, Hoardings and Bill Posting published in Government Gazette No. 26 on 10 April 1981; and
  - (e) The Shire of Kalamunda Trading on Thoroughfares and Public Places Local Law 2008, published in Government Gazette No. 121 on 11 July 2008.
14. The draft local law has been developed based on a contemporary version already in existence in the sector, which was reviewed by the JSCDL at the time. Internal consultation with key stakeholders has informed the development of the draft local law to ensure it will meet the needs of the City, and the specific nature of the district (e.g. topography, rural zones).
15. The City's external legal service provider has reviewed the draft local law, and changes have been made where recommended by the external legal service provider.
16. The draft local law, as proposed in the attachment will amongst other things –
  - Streamline and make clear a regulatory scheme around signs in thoroughfares, including variable message boards by way of a permit system

- Require a basic specification for crossovers, with the ability for Council to determine a more detailed crossover specification policy
  - Impose controls on shopping trolleys being left in public places
  - Provide an enforcement mechanism for skip bins and sea containers placed on verges
  - Provide an enforcement mechanism for damage to thoroughfares and infrastructure
  - Regulate more holistically things that can be placed or installed on verges
  - Create specific offences for damaging or killing street trees without authority
  - Create a permit system for street traders and food traders
17. Council can decide the extent, or limit, of any of the proposed regulatory provisions of the local law and the monetary penalty that should be applied to any of the offences prescribed.
18. The Act now contains a 15 year review horizon for local laws. Any new local law must account for the needs of Kalamunda now but going well forward into future years.
19. It is not recommended that an alternative approach be taken, such as a simple review of the existing local laws, as this will not address the underlying age-related obsolescence issues with the local laws as they currently are.
20. If Council decides to propose making the local law, the required process of the Act is to be followed (see below). Officers have the necessary expertise to ensure this occurs smoothly.

### **APPLICABLE LAW**

21. Part 3, subdivision 2 of the Act refers. It specifies the process that is to be followed for the proposing of, and making, a local law.
22. It is important to ensure the prescribed process is followed exactly. Failure to do so may result in the local law being invalid or recommended by the JSCDL to be disallowed by Parliament. Whilst the Act provides that a failure to follow the procedure does not immediately invalidate a local law, there must be substantial compliance [Act, s. 3.12(2A)].
23. Once Council has resolved to give local public notice (not less than 6 weeks for submissions), it must also provide a copy of the proposed local law to the DLG, as well as to any person requesting it [Act, s. 3.12(3)]. This process allows the DLG to provide feedback to the City, and any requested amendments can be incorporated into the local law. This process will also allow the DLG to check the draft local law for compliance with JSCDL instructions.
24. After the last day for submissions, Council is to consider any submissions, and may make the local law as proposed, provided it is not significantly different from

what was proposed [Act, s. 3.12(4)]. This means if the DLG has requested any simple grammatical amendments or the like, this would not be substantially different. Council could also make substantial amendments following consideration of any submissions. In the event there are any substantial amendments, the process must be commenced again [Act, s. 3.13].

25. After submissions, Council must resolve by absolute majority to make the local law [Act, s. 3.12(4)]. Once made, the City will be required to publish the local law in the Government Gazette and give a copy of it to the DLG. Local public notice is again required [Act, s. 3.12(5), (6)].
26. The City is then required to provide the local law and relevant explanatory memorandum, with supporting documents to the JSCDL [Act, s. 3.12(7)]. At this stage the JSCDL could request amendments, an undertaking by the City or disallow the local law should it not be supported or the City has not followed the prescribed process for making a local law.

### **APPLICABLE POLICY**

27. Nil. However, the functions contained within the draft local law will require policies to be made for managing subject matter-specific functions in detail (crossovers, signs, verge treatments etc).

### **STAKEHOLDER ENGAGEMENT**

28. Internal consultation occurred to inform the development of the draft local law to support the regulatory concepts proposed. This consultation has informed the powers and functions contained in the draft.
29. Public consultation for 6 weeks is required if Council decides to propose the draft local law. If the draft is substantially changed as a result of that consultation, the process will need to recommence from the beginning.

### **FINANCIAL CONSIDERATIONS**

30. The draft local law proposes higher infringement values than currently used. This may result in higher infringement revenue.

### **SUSTAINABILITY**

31. The draft local law proposes to introduce protections for street trees, which will assist in protecting the City's tree canopy by way of an enforcement mechanism for wilful damage of, or killing a street tree.
32. Provisions in the draft local law in regard to activities and works in thoroughfares will assist in protecting the City's fixed assets from harm and damage.

**RISK MANAGEMENT**

33.

<b>Risk:</b> The City’s existing local laws that will be repealed on 6 December 2026 will not be replaced or reviewed in time.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Significant	Unlikely	Medium
<b>Action/Strategy</b>		
Replace or review the City’s local laws before 6 December 2026.		

<b>Risk:</b> The City will have no enforcement mechanism to deal with obstructions on verges and thoroughfares and matters the community expects the City will regulate.		
<b>Consequence</b>	<b>Likelihood</b>	<b>Rating</b>
Major	Possible	High
<b>Action/Strategy</b>		
Replace or review the City’s local laws before 6 December 2026.		

**CONCLUSION**

34. The draft local law represents a contemporary and responsible regulatory scheme for the City to allow it to properly regulate activities in thoroughfares, balancing the rights of the community to go about their lawful pursuits, with the City’s responsibility as a custodian of roads and other public places in thoroughfares.

**Voting Requirements: Absolute Majority**

**RECOMMENDATION**

That Council:

1. In accordance with section 3.12(3) of the *Local Government Act 1995*, AUTHORISES the Chief Executive Officer to give local public notice of the proposed Activities in Thoroughfares and Public Places Local Law with the purpose and effect of the proposed local law to be summarised in the notice as follows –
  - The purpose of this local law is to provide for the regulation, management and control of activities on thoroughfares and public places throughout the district.

- The effect of this local law is that any person being on or in a thoroughfare or a public place in the district must comply with the requirements of the local law.
2. NOTE that any public and Department of Local Government responses will be reported to Council for consideration prior to the making of the local law and publication in the Government Gazette; and
  3. AUTHORISE the Chief Executive Officer to undertake necessary administrative actions in order to give effect to (1) above.

**11. Closure**

There being no further business the meeting was declared closed at 8.25pm.