



Ordinary Council Meeting

AGENDA

Tuesday 24 February 2026

NOTICE OF MEETING **ORDINARY COUNCIL MEETING**

Dear Councillors

Notice is hereby given that the next Ordinary Meeting of Council will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on **Tuesday 24 February 2026 at 6.30pm.**



Nathan Ritchie

Acting Chief Executive Officer

20 February 2026

Acknowledgement of Traditional Owners

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

Emergency Procedures

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

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

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



RICH Values

We treat everyone with dignity, fairness, and kindness—valuing diverse perspectives, listening with empathy, and fostering an inclusive environment where all voices are heard and appreciated.

Respect

We act with honesty, transparency, and accountability—upholding ethical standards, taking responsibility for our actions, and consistently doing what is right, even when no one is watching.

Integrity

We build trust through empathy, honest feedback, and mutual support—creating a safe, respectful environment where people thrive and grow. We care enough to be candid, knowing that truth shared with compassion strengthens us all.

Care

We communicate truthfully and openly—building trust through transparency, owning our actions, and fostering a culture where integrity and authenticity guide every interaction.

Honesty

Webcasting Notice

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

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

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

INFORMATION FOR PUBLIC ATTENDANCE

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

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

Ordinary Council Meetings – Procedures

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

Deputations and Public Question Time

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

Public Question Time

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

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

Deputations

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

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

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

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

Only the audio recording of the public address speakers will be heard on Council's webcast. Visual images of the speaker will not be captured as part of that webcast.

Schedule of Agenda Briefing Forums a Council Meetings - 2026

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

	Agenda Briefing	Ordinary Council
February	Tuesday 10	Tuesday 24
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April	Tuesday 14	Tuesday 28
May	Tuesday 12	Tuesday 26
June	Tuesday 9	Tuesday 23
July	Tuesday 14	Tuesday 28
August	Tuesday 11	Tuesday 25
September	Tuesday 8	Tuesday 22
October	Tuesday 13	Tuesday 27
November	Tuesday 10	Tuesday 24
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1. **Official Opening**
2. **Attendance, Apologies and Leave of Absence Previously Approved**
3. **Public Question Time**

- 3.1. **Questions Taken on Notice at Previous Meeting**

- 3.1.1 **Donna Gahan, Kalamunda** (Annual Electors Meeting)

Q1. I have some questions for council regarding tree protection. On the 30th of May 2025, a new standard for the protection of trees on development sites came into effect, the AS4970 2025. A City of Kalamunda planning staff member I spoke to some time ago confirmed that this new standard applies to all development proposals approved after the 30th of May 2025. I'd just like to ask is this correct?

Q2. I'd like to know why the McDonald's car wash and dog wash development in Kalamunda doesn't require a new arborist assessment as it was approved 5 months after the publication of the AS4970 2025 and the original assessment was done using the old standard which didn't emphasise planning and development to ensure long-term viability of affected trees. As part of that question, why did the City of Kalamunda responsible authority report prepared for the 30th of October 2025 MODAP hearing reference the old 2009 standard rather than apply the current one of 2025?

A1&2. The City expects the current Australian Standard to be applied, in order to clear the condition.

- 3.1.2 **Peter Forrest, Kalamunda** (Annual Electors Meeting)

Q2. Brixton Street wetlands is a conservation and high value area. It has been wiped out completely following a bushfire. Can the City help restore the area?

A2. Thank you for the question regarding the Brixton Street Wetlands and whether the City can assist with restoration following fire impacts.

- 1) Land tenure
We understand the Brixton Street Wetlands to be managed by the City of Gosnells. While the City of Kalamunda is not the land manager, we, upon request, support through technical advice and collaboration, consistent with how we manage post-fire recovery on City-managed reserves.
- 2) How the City undertakes conservation on City-managed land (post-fire)

On City-managed Local Natural Areas (LNAs), the City applies structured assessment, prioritised interventions and adaptive management to protect biodiversity values. Our post-fire approach generally follows:

a) Post-fire assessment (0–8 weeks)

- inspect fire extent/severity and identify immediate threats (weed invasion risk, erosion/sedimentation, informal access creation, dumping, hygiene/pathogen risks);
- establish baseline condition notes (values and threats) to guide monitoring and decision-making.

b) Recovery management (months–2 years): “natural regeneration first”
In many bushland systems, active replanting is not immediately required.

The least invasive and often most effective response is:

- targeted weed suppression timed to seasonal windows to prevent invasive dominance and support native recovery; and
- access control / disturbance management (temporary barriers, track rationalisation, signage) to minimise repeat impacts.

c) Trigger for active restoration

After the first growing season, we reassess whether the site is recovering naturally or whether intervention is needed due to barriers such as weed dominance, repeated disturbance, loss of key structural species, or hydrological/sediment impacts. Where required, restoration may include provenance-appropriate planting/seeding and rehabilitation of disturbance lines, with wetland sites also needing attention to hydrology and sediment pathways.

3) Fire and biodiversity balance (guideline-led)

The City recognises the need to balance bushfire risk management with biodiversity protection, and our approach includes consultation with relevant expertise (fire management, fire ecology and local Indigenous representatives) and applying the City’s Fire and Biodiversity Guidelines in areas of high ecological value (guideline found on our webpage).

3.1.3 Meta Parker, Paulls Valley (Annual Electors Meeting)

Q1. Hazards for children in Stirk Park due to the skate park placement. Could there be some mitigation put there like a log to stop children scooting out onto Elizabeth Street Traffic? Secondly, would it be possible to put some traffic calming devices down Elizabeth Street?

A1. Delineation between path and road

- The Design team will investigate some conceptual options to see whether improved delineation or other safety measures can be implemented to reduce risk in this area.

Elizabeth Street traffic calming / Stirk Park

- The Stirk Park lighting is scheduled to be installed along Elizabeth Street this financial year.

- Once the lighting works are complete, the City intends to progress speed reduction treatments along Elizabeth Street. The design for these treatments has already been completed.
- The works are currently included in the Long Term Financial Plan and are being prioritised alongside other competing projects.

3.1.4 Digby Johnston, Kalamunda (Annual Electors Meeting)

Q1. Can you give me some advice on Amendment 118? It is a development application to develop industrial complex in a working orchard. Has this been approved?

A1. Amendment 118 related to updates to the City's Planning Scheme for Short Term Rental Accommodation and is not related to an industrial complex. It is currently being considered by the Western Australian Planning Commission.

3.1.5 Rachel Davidson, Lesmurdie (Annual Electors Meeting)

Q1&2. Kalamunda community garden – informed that the building is no longer habitable

- What is the future of the facility? - structural report will inform the cost of the works to remediate, this information should be available in the next month.
- Council will be presented information to inform a decision on the future of the facility.

A1&2. An opportunity assessment is currently being undertaken of Stirk Overflow Cottage to consider options for the site, Councillors are expected to be briefed on this for determination in the coming months.

3.1.6 Cr Kathy Ritchie, Walliston

Q1 What is the status of the new standard Donna Gahan referred to? Is it mandatory or can it be left up to local governments?

A1. It was adopted 30 May 2025, so in effect. The Administration notes that it was adopted after the Development Assessment Panel application was lodged. It applies in situations where trees are identified on development applications as being protected.

3.2. Public Question Time

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

4. **Petitions/Deputations**
5. **Applications for Leave of Absence**
6. **Confirmation of Minutes from Previous Meeting**

That the Minutes of the Special Council Meeting held on 16 December 2025 and the Ordinary Council Meeting on 10 December 2025 as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved:

Seconded:

Vote:

Statement by Presiding Member

"On the basis of the above Motion, I now sign the Minutes as a true and accurate record of the meeting of the Special Council Meeting held on 16 December 2025 and the Ordinary Council Meeting on 10 December 2025."

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

8. **Matters for Which the Meeting may be Closed**

- 8.1 Confidential item, Item 10.1.1 Local Planning Policy 35 Hatch Court Light Industrial Area – **Confidential Attachments** - LPP35 Submission Response Table 1 1

Reason for Confidentiality: Information relating to the personal affairs of an individual [Act s. 5.23(4)(b)]

- 8.2 Confidential item, Item 10.2.1 RFT 2512 Provision of Supply and Delivery of Plant and Equipment Hire - Award of Tender Report – **Confidential Attachments** – RFT 2512 Tender Evaluation Report – signed and Confidential Attachment 2.

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)]

- 8.3 Confidential item, Item 10.3.1 EMRC Equity Share – **Confidential Attachments** - Confidential Attachment 1 - City of Kalamunda Independent Review of EMRC Equity Settlement Off and Confidential Attachment 2 - Letter of advice - EMRC withdrawal and Confidential Attachment 3 – Recommendation.

Reason for Confidentiality: *Legal advice, or other information, over which the local government holds legal professional privilege [Act s. 5.23(4)(a)]*

- 8.4 Confidential item, Item 10.6.1 Mid-term Budget Review 2025-26 – **Confidential Attachments** - 2025-26 MYR Capital Works Program kc 71 Zf Y Ui E Gm CKS Pq Y T 7 u Q (1)

Reason for Confidentiality: *Information the making public of which would be likely to endanger the security (including cyber-security) of any of the local government's property or operations [Act s. 5.23(4)(e)]*

- 8.5 Confidential item, Item 10.6.3 Debtors and Creditors Reports for the period 1 November 2025 to 31 January 2026 – **Confidential Attachments** - Creditor Payments for the Period ended 31 January 2026 Confidential and Creditor Payments for the Period ended 31 December 2025 Confidential and Creditor Payments for the Period ended 30 November 2025 Confidential and Corporate Credit Card Payments for period 27 November to 24 December and Corporate Credit Card Payments for the period 28 October to 26 November and Corporate Credit Card Payments for period 26 September to 27 October.

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

- 8.6 Confidential item, Item 10.6.6 Short Term Lease - Part of Reserve 50554 UCL Lot 505 (Jorgensen Park) – **Confidential Attachments** – Draft Heads of Terms

Reason for Confidentiality: *Legal advice, or other information, over which the local government holds legal professional privilege [Act s. 5.23(4)(a)]*

9. Disclosure of Interest

9.1. Disclosure of Financial and Proximity Interests

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

9.2 Disclosure of Interest Affecting Impartiality

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

10. Reports to Council

10.1. Development Reports

10.1.1. Local Planning Policy 35 - Hatch Court Light Industrial Area

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

Previous Items OCM 2025/128
 Directorate Development
 Business Unit Approval Services
 File Reference 3.009297
 Applicant Nil
 Owner Nil

- Attachments
1. Draft Local Planning Policy 35 – Hatch Court Light Industrial Area as Advertised
 2. Draft Local Planning Policy 35 – Hatch Court Light Industrial Area with Modifications
 3. Submission Response Table
 4. Landowner Deputation at the Public Agenda Briefing Forum – Submission Table

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

Priority 3: Kalamunda Develops

Objective 3.3 – To develop and enhance the City’s economy.

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

Strategy 3.3.2 – Attract and enable new investment opportunities.

Strategy 3.3.3 – Plan for strong activity centres and employment areas to meet the future needs of the community, industry, and commerce.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the adoption of Draft Local Planning Policy 35 (LPP35) with modifications following public advertising.
2. LPP35 is intended to guide subdivision and development within the Hatch Court Light Industrial Area (HCLIA) in a manner that does not prejudice or prevent coordinated planning and infrastructure delivery in future through a Local Structure Plan (LSP), Development Contribution Plan (DCP) or alternative funding mechanism, and Design Guidelines
3. During the advertising period a total of 45 submissions to LPP35 were received comprising 40 objections, including one petition containing 200 signatures, four comments and one non objection (Attachment 3). At the Council’s Public Agenda Briefing (PAB) Forum held on 10 February 2026, a landowner deputation was received which requested responses to a range of questions which were taken on notice. An additional ‘Landowner Deputation - Submission Table’ is provided with questions and responses.
4. The principal concerns raised to LPP35 related to the inclusion of an *“approximate future road alignment”* in Figure 1 and a perception that the introduction of a DCP will disproportionately impact certain landowners in the HCLIA.
5. Council is recommended to note the submissions and modifications and adopt the modified version of LPP35 (Attachment 2) for final approval.

BACKGROUND

6. Council at its meeting on 26 July 2022 (OCM 94/2022) adopted for public advertising a previous version of LPP35.

7. The previous version of LPP35 divided the HCLIA into two precincts – A and B. Development was not supported in Precinct A prior to Local Structure Planning, but was permitted in Precinct B. Precinct B comprised only one property fronting Adelaide Street, while all other land covered by the Policy was included in Precinct A.
8. Affected landowners objected to the previous Policy, resulting in Council (on 22 October 2024, OCM 137/2024) deciding to abandon that Policy and to instead progress a LSP, DCP and Design Guidelines for the HCLIA. The City has appointed a consultant team for this work, and the project is now underway.
9. Development and subdivision applications continue to be received for land within the HCLIA, despite the need for more coordinated planning and infrastructure provision through a LSP, DCP or alternative infrastructure funding model and Design Guidelines.
10. In recognition of the mounting development interest in the Area, Mayor Thomas presented a Notice of Motion to Council on 26 August 2025 to prepare a new Draft Local Planning Policy for the HCLIA, to introduce appropriate planning controls pending finalisation of the City's proposed planning framework for the HCLIA.
11. The Mayor's Motion was unanimously adopted by Council and is reproduced below (OCM 2025/128):

That Council:

"1. REQUESTS the Chief Executive Officer to prepare a Draft Local Planning Policy for Council's consideration relating to the Hatch Court Light Industrial Area, to introduce appropriate planning controls ensuring that subdivision and development which precedes adoption of the City's proposed Local Structure Plan, Development Contribution Plan and Design Guidelines for the area:

- a) Does not prejudice or preclude the orderly and proper planning of the area via the Structure Plan;*
- b) Does not prejudice or preclude the timely and coordinated delivery of common infrastructure that is reasonably required for and generated by development in the area; and*
- c) Is accompanied by relevant details and technical information to address these requirements.*

2. *NOTES the City will notify the Department of Planning, Lands and Heritage, and landowners within the Hatch Court Light Industrial Area of Council's resolution."*

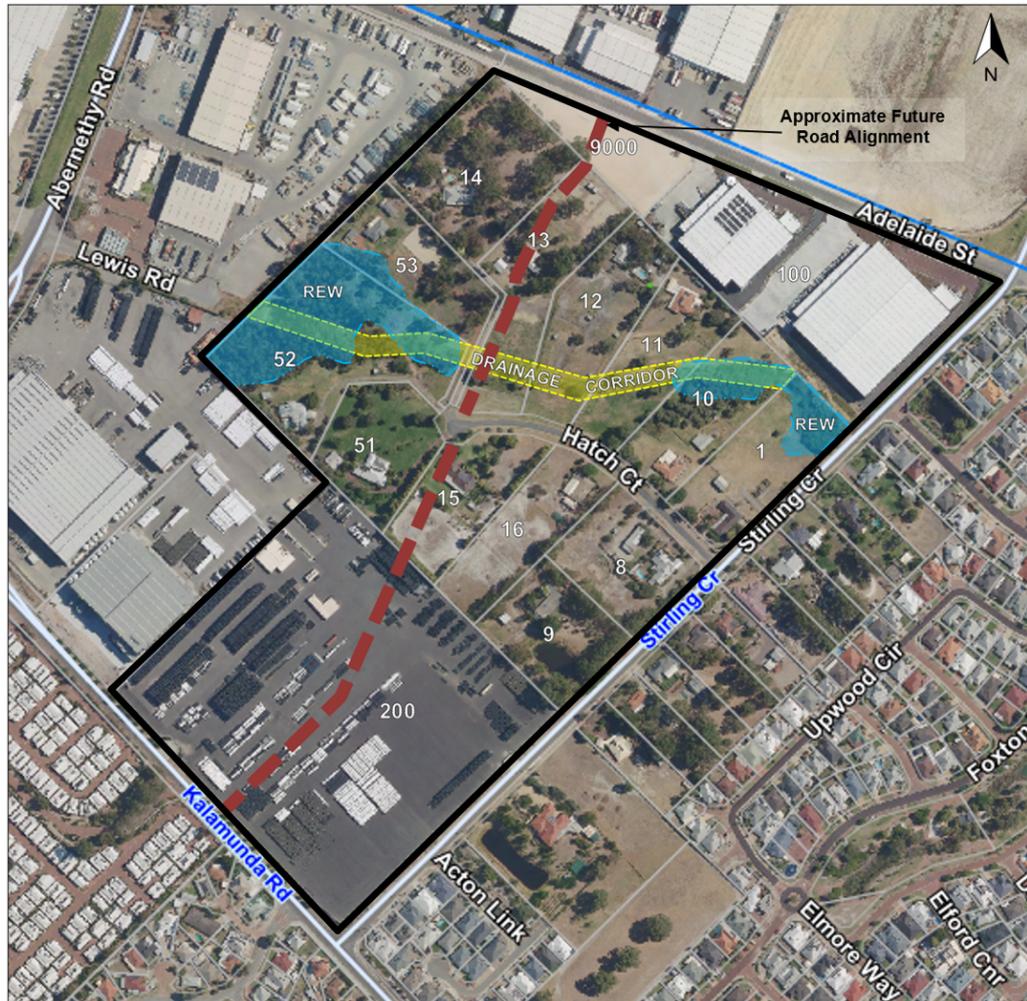
12. In November 2025, the Council resolved (OCM 2025/158) to adopt LPP35 for the purpose of public advertising.

DETAILS AND ANALYSIS

13. The purpose of this report is to seek the Council's adoption of LPP35 following public advertising.
14. The HCLIA comprises approximately 30 hectares of land and is in the north-western corner of High Wycombe generally bounded by Kalamunda Road, Stirling Crescent and Adelaide Street. The area is zoned Light Industry under the City's Local Planning Scheme No. 3 (LPS3).
15. The City owns Lot 13 Hatch Court, which is within the area covered by LPP35.
16. LPP35 will introduce planning controls for the area so that any subdivision and development occurring prior to adoption of a LSP, DCP or alternative infrastructure funding mechanism and Design Guidelines for the HCLIA:
- a) Does not prejudice or preclude the orderly and proper planning of the area via a Structure Plan;
 - b) Does not prejudice or preclude the timely and coordinated delivery of common infrastructure that is reasonably required for and generated by development in the area;
 - c) Is accompanied by relevant details and technical information to address these requirements; and
 - d) If approved, is subject to a condition requiring satisfactory arrangements to be made with the City for payment of the landowner's Infrastructure contribution in accordance with the adopted infrastructure funding model for the HCLIA in the future.
17. There are four key components to Draft LPP35 – Application, Advertising, Assessment, and Conditions. These components are summarised in the paragraphs below.
18. Application – Based on specific planning considerations for the HCLIA, the Policy prescribes (in clauses 6.1 and 6.2) a minimum level of information that must be submitted for an application to be accepted. This minimum

level of information includes consideration of matters, such as, for example, the Resource Enhancement Wetlands (REW) in the area; drainage; the width and alignment of Hatch Court; and the need for a future road alignment through the HCLIA. Clause 6.5 extends these information requirements to the subdivision process.

19. Advertising – Clause 6.3 of the Policy prescribes that every application for development within the HCLIA will be advertised for public comment, unless the City waives that requirement in accordance with clause 6.4.
20. Assessment – The Policy introduces the concept of “Sacrificial Development” which can occur in the meantime, in areas that may be needed for wetland management, drainage, Hatch Court road widening, or a new road alignment in future. This is supplemented by clauses 7.1, 7.2 and 7.3 setting out how the City will assess and respond to applications.
21. Conditions – Clause 7.2 of the Policy lists some of the conditions which the City may impose or recommend for subdivision and development applications in the HCLIA. These conditions include – imposing time-limited approvals, ceding land free of cost for road widening, applying easements on land for drainage and future road alignment purposes, and requiring proponents to enter into binding agreements with the City to fulfil their infrastructure contribution obligations in future once the HCLIA DCP or alternative future infrastructure funding model is adopted.
22. LPP35 has been informed by the precedent of information required and conditions imposed on subdivision and development applications within the HCLIA in recent years.
23. Figure 1 (Policy Area) from the advertised draft LPP35 is shown below.



24. The Approximate Future Road Alignment shown in Figure 1 highlights one of the vehicle access and movement scenarios being explored by the City and its consultant team. It should not be construed however as the preferred or recommended road alignment.

25. Importantly, LPP35 does not require subdivision or development on those lots to give up land free of cost for the future indicative road alignment shown in red on figure 1 as the need for and cost of that road is yet to be determined through the current Structure Planning project. Rather, the Policy:
 - a) Requires any such application to depict the owner's preferred alignment of that road;
 - b) Requires development to make provision for and be suitably setback from that future road, unless the development is "Sacrificial Development"; and
 - c) Enables the City to impose or recommend a condition through the subdivision or development application process requiring an easement to protect the future alignment of the road.

26. Whilst the future road alignment has yet to be determined, it is evident that the alignment will impact Lot 13 Hatch Court and Lot 9000 Adelaide Street due to the following:
- a) The City acquired Lot 13 in late 2024 for the express purpose of facilitating the road connection between Hatch Court and Adelaide Street; and
 - b) In December 2025, the Western Australian Planning Commission approved the subdivision of Lot 9000 (WAPC Ref 210974) to create two lots and a road reserve through the lot. The approval included a condition requiring the applicant to cede and construct the land for the new road connection to Adelaide Street which has now been constructed.
27. In accordance with Schedule 2 Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (The Regulations) and the City's Local Planning Policy 11 – Public Notification of Planning Proposals, LPP35 was advertised for a period of 35 days.
28. At the conclusion of the advertising period, a total of 45 submissions were received to the proposed LPP35. Of this total 40 did not support the proposal, four provided comments only and one non objection was received. Included in the 45 submissions was a petition from National Lifestyle villages comprising 200 signatures objecting to the proposal. Refer Attachment 3 for a summary of the submissions received and the City responses.
29. The principal reasons raised by residents who did not support the proposed LPP35 are summarised below:
- LPP35 identifying a new road alignment on Figure 1 – Hatch Court Light Industrial Policy Area**
- The inclusion of the indicative future road alignment on Figure 1 of LPP35 has caused some confusion around the purpose of LPP35 and created a perception amongst affected residents that the location of the road has been established through LPP35. It is of particular concern for landowners of Lot 15 Hatch Court and Lot 200 Kalamunda Road where the road is identified as running through their properties and the residents of the National Lifestyle Village which shows the road entering Kalamunda Road opposite their village.
30. In order to clarify the purpose of LPP35, the Policy is intended as an interim measure to guide subdivision and development within the Hatch Court Light Industrial Area (HCLIA) in a manner that does not prejudice or

prevent coordinated planning and infrastructure delivery in future through a Local Structure Plan (LSP), Development Contribution Plan (DCP) or alternative infrastructure funding mechanism, and Design Guidelines (Planning Framework). Moreover, the Policy does not determine final development outcomes or infrastructure locations. Instead, it is intended to ensure that any development that may occur in the short term does not prevent or limit future planning once the LSP is completed.

31. To avoid further confusion on the matter, and to ensure the intent of LPP35 is understood, it is recommended that reference to the “Approximate Future Road Alignment” in Figure 1 of LPP35 be removed, refer (Attachment 2).
32. As part of the more detailed LSP process, the City and its consultant team are exploring scenarios for access and movement. The access scenario shown on Figure 1 of LPP35 involving a potential connection to Kalamunda Road has been investigated, including consideration of the need for significant intersection upgrades such as traffic signals or a roundabout. Based on preliminary assessment from the consultant traffic engineer, the costs of delivering this concept and the required intersection infrastructure upgrades required makes it too cost prohibitive to be pursued further.
33. However, and very importantly, no final decisions about road locations have been made. The final approach to access and movement will be determined through the LSP, informed by detailed technical studies and community feedback.
34. Understanding the role of LPP35 versus the broader planning framework the City is undertaking to deliver the planning framework LSP, DCP and DG is important in understanding the need for a new road and its preferred location. To this end, the City is currently undertaking a range of technical investigations to support preparation of the LSP. These include traffic analysis, environmental and wetland assessments, and infrastructure planning. This work will help identify the most appropriate long-term planning outcomes for the area, including how development is managed, how the precinct interfaces with nearby residential areas, and how environmental values are protected.
35. Once this technical work is complete, a draft LSP will be prepared mid-2026 and advertised for public comment. This will provide the community with a further opportunity to review a proposed more detailed planning approach, understand the supporting studies, ask questions, and provide feedback

36. **Reference to the Developer Contribution Plan in LPP35 and concerns expressed that a future DCP will the disproportionately impact certain landowners in the HCLIA**

The intent of LPP35 is to ensure development does not prejudice or prevent coordinated planning and infrastructure delivery in the future through a DCP.

37. Under s7 of LPP35, the Policy seeks a commitment from developers to paying a developer contribution costs once the Scheme has been adopted. However given the level of development that has occurred in the HCLIA to date, the City through its consultant team is currently reevaluating the feasibility of pursuing a DCP model.

38. The analysis will therefore identify the DCP and rating options that the City can deploy to equitably fund the infrastructure necessary to facilitate the coordinated development of the land within the HCLIA. The analysis will determine the preferred infrastructure funding model to support the LSP. Accordingly, It is recommended that all text in LPP35 referring to the DCP be modified to reflect the above.

39. **Additional information following the PAB Forum on 10 February 2026**

A deputation was received from landowners requesting responses, which were taken on notice at the PAB Forum on 10 February 2026. For completeness, a table has been added to this report at Attachment 4 summarising these deputations and with responses. It should be noted that in addition to the formal consultation process for LPP 35:-

- a) Officers wrote to landowners in the precinct in January and have offered in-person meetings with officers to discuss questions and concerns;
- b) As at the time of preparing this Council report, one landowner has responded to the offer of an in-person meeting with officers, and there have been some telephone discussions and emails;
- c) Following the outcome of the draft LPP 35 consultation period, submissions were considered and a number of changes were made to the modified draft LPP 35 submitted to the public agenda briefing on 10 February 2026 and now submitted for Council's consideration (Attachment 2);
- d) No further changes are recommended to the modified draft LPP 35 (Attachment 2).

40. Following the conclusion of the advertising period a late submission was received from Main Roads WA who raised no objection to draft LPP35. While this late submission was not included in the agenda for the PAB

Forum agenda on 10 February 2026, details of the submission have been included in Attachment 3 – Submission Response Table in the Ordinary Council Meeting agenda scheduled for 24 February 2026.

41. A new resolution item 3 has also been included for the Council to request progression of advocacy regarding the timely delivery of the intersection of Abernethy Road and Adelaide Street. This has been included in recognition of the interdependent nature of future road network improvements and the successful development of the HCLIA, which are beyond the scope of draft LPP 35 and the future LSP, and are currently the subject of an uncertain delivery program. These road network improvements, together with the future road connection to Hatch Court will support the reduced reliance on Kalamunda Road and Stirling Crescent for industrial traffic, which has been raised in the context of submissions received on draft LPP 35.

APPLICABLE LAW

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

Schedule 2, Part 2, cl.4 (2) *"The period for making submissions ... must not be less than the period of 21 days after the day on which the notice is first published ..."*

Schedule 2, Part 2, cl.4 (3) *"After the expiry of the period within which submissions may be made the local government must -*

- (a) review the proposed policy in light of any submissions made: and*
- (b) resolve to -*
 - (i) proceed with the policy without modification; or*
 - (ii) proceed with the policy with modifications; or*
 - (iii) not to proceed with the policy."*

Schedule 2, Part 2, cl.4 (3A) *"The local government must not resolve under subclause (3) to proceed with the policy if -*

- (a) the proposed policy amends or replaces a deemed-to-comply provision of the R-Codes; and*
- (b) under the R-Codes, the Commission's approval is required for the policy; and*
- (c) the Commission has not approved the policy."*

Schedule 2, Part 2, cl.5 (4) *"If the local government resolves to proceed with the policy, the local government must publish notice of the policy in accordance with clause 87."*

43. In accordance with clause 27(2) of the Regulations, the City may approve a development application in an area where a Structure Plan is required but has not yet been prepared (as is the case for the Hatch Court Light Industrial Area) if the City is satisfied that the proposed development or subdivision does not conflict with the principles of orderly and proper planning; and would not prejudice the overall development potential of the area.

APPLICABLE POLICY

44. Local Planning Policy 11 Public Notification of Planning Proposals Identifies a minimum advertising period of 21 days for a local planning policy, with LPP35 advertised for an extended 35 day period.
45. LPP35 is to be given due regard by the City when considering strategic level planning, subdivision and development proposals, including the following:
- State Planning Policy 4.1 – Industrial Interface (SPP 4.1)
 - State Planning Policy 3.6 – Infrastructure Contributions (SPP 3.6)
 - Local Planning Policy 24 – Developer Contribution Arrangements (LPP24)
 - Local Planning Policy 24 – Interim Developer Contribution Arrangements (LPP25)
46. SPP 4.1 applies to existing and new industrial areas and industrial uses. Its purpose is to protect industry from encroachment of sensitive land uses and, conversely, to protect sensitive land uses from potentially hazardous industrial activity.
47. SPP 4.1 will apply in addition to LPP35, ensuring that development within the Hatch Court Light Industrial Area considers and responds to the residential land uses on the opposite side of Stirling Crescent.
48. In regard to SSP 3.6, the provisions of LPP35 require satisfactory arrangements to be made with the City for all owners to fulfil their development contribution obligations once the preferred model to fund the necessary infrastructure is understood and the model is adopted. Consideration will be given to a proposed model that promotes the following, so far as is reasonable and practical:
- A fair and equitable cost-sharing arrangement is implemented for the coordinated development of the Hatch Court Light Industrial Area; and

- The City and future developing landowners are not unduly burdened by common infrastructure and administrative costs that ought to be shared by all landowners in the precinct.

49. This arrangement is supported by:

- Clause 6.10.2 of SPP 3.6, which states –

“Interim arrangements, such as Deed of Agreements, should be agreed and implemented via conditions of subdivision or development to contribute to the cost of providing community and/or development infrastructure.”

- Local Planning Policy 25 which states –

“In the interests of progressing development in the area, a condition of approval can be included on a subdivision and/or development approval, which requires a legal agreement between the parties to address the matter of the contribution requirement (Refer Part 2.2.1.3 of this Policy). The legal agreement referred to as an Interim Development Contribution Arrangement (IDCA), provides a means by which subdivision and development conditions relating to interim contributions can be cleared and cost contributions made, allowing development to progress prior to formal gazettal of the DCP. Through this Policy, the City provides guidance to landowners as to what it deems to be a satisfactory arrangement.

50. In the event that a DCP model is adopted then in accordance with SPP 3.6, clause 6.5 of the Scheme and LPP24, a Scheme Amendment will also be presented to Council in the near future, to formally establish the Hatch Court Light Industrial Area as a Development Contribution Area (DCA) with corresponding provisions introduced into Local Planning Scheme No. 3.

STAKEHOLDER ENGAGEMENT

51. Pursuant to the Regulations and the City's Local Planning Policy 11 – Public Notification of Planning Proposals, LPP35 was advertised for extended 35 day period from 12 December 2025 to 16 January 2026.

52. The advertising of LPP35 comprised the following:

- Letters sent to all residents within the HCLIA and to the National Lifestyle Village which included a link to an online submission form
- Letters sent to relevant government agencies and the Western Australian Planning Commission
- Public notice in the local newspaper
- Details exhibited at the City's administrative offices and libraries
- Opportunity for written submissions to be received via web/portal, post and email

FINANCIAL CONSIDERATIONS

- 53. LPP35 has been prepared in collaboration with the City by LK Advisory (a member of the consultant team appointed to prepare the Hatch Court LSP, DCP and Design Guidelines), as a minor variation to the approved scope of work.

SUSTAINABILITY

- 54. **Environment**
LPP35 requires subdivision and development applications within the Hatch Court Light Industrial Area to be accompanied by technical information from suitably qualified consultants to address local environmental considerations – namely wetlands and drainage.
- 55. LPP35 also requires public advertising and referral of development applications to the Department of Water and Environmental Regulation (DWER), and Department of Biodiversity, Conservation and Attractions (DBCA) to ensure that due consideration is given to all relevant environmental features within the area.
- 56. **Economic**
Facilitating development of the Hatch Court Industrial Area prior to adoption of the planning framework will generate additional employment and broaden the City’s economic base.
- 57. **Social**
LPP35 neither promotes nor prevents the reasonable subdivision and development of land in the HCLIA ahead of the City finalising its planning framework for the HCLIA. Rather, the Policy provides a mechanism for landowners wishing to subdivide or develop to ensure their activities do not prejudice or preclude the orderly and proper planning and overall development potential of the area.
- 58. Potential impacts of development within the HCLIA on the residential land opposite Stirling Crescent will be considered through public advertising of development applications and application of SPP 4.1.

RISK MANAGEMENT

59.	Risk: Council does not adopt LPP35 and development and infrastructure delivery occurs in an uncoordinated manner.		
	Consequence	Likelihood	Rating
	Significant	Possible	High

Action/Strategy
The concerns raised in the submissions to LPP35 have been addressed through recommended changes to LPP35. Importantly LPP35 will introduce a vital interim planning mechanism to guide the appropriate subdivision and development of land ahead of the City's delivery of the broader planning framework for HCLIA.

CONCLUSION

60. LPP35 responds to Council's resolution from 26 August 2025 (OCM2025/128) and will provide essential and valuable guidance and planning controls for subdivision and development within the Hatch Court Light Industrial Area prior to adoption of the planning framework for the HCLIA.
61. As an interim planning measure, LPP35 will guide subdivision and development in the HCLIA while the City prepares a more detailed and coordinated planning framework, including an LSP, Design Guidelines and DCP or alternative rating funding option.
62. Importantly, LPP35 does not determine final development outcomes or infrastructure locations, i.e. the preferred road alignment, instead it is intended to ensure the development that may occur in the short term does not prevent or limit future planning once the LSP process is completed.
63. The City notes the concerns raised in the submissions, principally the identification of the road alignment as shown in Figure 1 of LPP35 and the disproportionate impact of a DCP on the remaining landowners in the HCLIA.
64. Acknowledging the perception the identification of the future road alignment in Figure 1 of LPP35 has created, and the understanding that the intent of LPP35 is not to determine the preferred road alignment it is recommended that the reference to the road alignment be removed from Figure 1.
65. In regard to the implementation of a DCP for the HCLIA, the City through its consultant team is preparing an options paper to identify the DCP and rating options, e.g., promote/facilitate equitable funding necessary to facilitate the coordinated development of the land within the HCLIA. The analysis will have regard to the timing constraints and the change in circumstances, i.e. development that has occurred to date, which has led

the City to reevaluate the feasibility of pursuing a DCP model for the HCLIA.

66. Given the above, it is recommended that LPP35 with modifications be adopted by Council.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. NOTE the submissions received during the public advertising of draft Local planning Policy 35 – Hatch Court Light Industrial Area and the staff responses to the submissions contained in the Schedule of Submissions (Attachment 3).
2. ADOPT Local Planning Policy 35 – Hatch Court Light Industrial Area with modifications (Attachment 2), in accordance with Schedule 2, Part 2, Clause 4(3)(b)(ii) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. REQUEST the Chief Executive Officer prepare and execute an advocacy implementation plan in accordance with Kalamunda Advocates 2023-2028 for the timely delivery of the Abernethy Road and Adelaide Street intersection, as part of Main Roads' Great Eastern Highway Bypass Interchanges Project.

10.2. Infrastructure Reports

10.2.1. RFT 2512 Provision of Supply and Delivery of Plant and Equipment Hire - Award of Tender

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

Previous Items	OCM 13/2021
Directorate	Infrastructure
Business Unit	Engineering and Parks Maintenance
File Reference	AD-TEN-005
Applicant	N/A
Owner	N/A
Attachments	Nil
Confidential Attachment	<u>Reason for Confidentiality:</u> <i>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)]</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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 3: Kalamunda Develops

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

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

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the acceptance of a tender for the Supply and Delivery of Plant and Equipment (Dry Hire) for the City of Kalamunda (City).
2. The City received offers from five companies, two met the qualitative threshold of 60%.
3. Coates Hire Operations Pty Ltd ACN 074126971 is the recommended Tenderer based on having satisfied all criteria in the Evaluation Process and having submitted a competitive schedule of rates offer of \$1,144,060.57 excluding GST.

BACKGROUND

4. The City is seeking to engage a suitable, experienced and qualified company for the Supply and Delivery of Plant and Equipment (Dry Hire) to ensure availability of equipment required to meet the requirements of the City.
5. The contract is to be in force for a period of three years from the date of award with two optional one-year extensions at the sole discretion of the City.
6. Staff across the City shall use multiple budgets to pay for hiring of equipment, ranging from Parks and Engineering, Waste, Facilities and Events budgets for this contract.

DETAILS AND ANALYSIS

7. The City issued RFT 2501, through its E-Tendering Portal and an advertisement in the West Australian Newspaper on 30 July 2025, seeking to engage a contractor to complete the parks maintenance program. Tenders closed 14:00 AWST Wednesday, 20 August 2025 with five tender submissions being received.
8. An Evaluation Panel was convened from suitably qualified City officers to assess the tender submission.
9. The qualitative scores received by each Tenderer represents the Panel's total consensus score against each of the Qualitative Criteria. The qualitative assessment requirements were such that a thorough understanding and relevant experience were to be demonstrated specific

to the Project requirements. The qualitative assessment for each Tender submission was completed by Panel members on 22 October 2025.

Qualitative Criteria	Weight
Relevant Staff Experience of Key Personnel	20%
Tenderer's Resources and Company Experience	25%
Methodology	25%
WHS – Management Plan Manual	30%

10. The assessment demonstrated that two of the five tenderers exceeded the required QPM of 60%, with three Tenderers being eliminated from further assessment. No further clarifications were sought by the Panel in relation to the qualitative assessment undertaken.
11. Coates Hire provided the lowest conforming Schedule of Rates Tender offer of \$1,144,060.57 for five-year period including CPI.
12. The Tender submission presented by Coates Hire proved to be the best value for money (i.e. lowest price and ranked first in relation to the Qualitative Assessment undertaken) and their tendered price is within the available budget.
13. Reference checking was advanced accordingly. Reference checking indicated the company has provided the necessary standard of equipment and service.
14. The Evaluation Panel recommends Coates Hire Operations Pty Ltd ACN 074126971, based on having satisfied all criteria in the evaluation process and having submitted the best value for money submission.
15. The basis of the contract is to engage the contractor on an agreed schedule of rates.
16. The contract is proposed to be for an initial term of three years with a further two single year extensions at the discretion of the City. Escalation of the schedule of rates has been set as changes to CPI for each year that the contract is in force.

APPLICABLE LAW

17. Section 3.57 of the *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 tendered pricing represents good value for money and aligns with the City’s current budgets for plant and equipment hire. The establishment of this contract supports multiple service areas across the organisation, with costs funded through a range of existing operational budgets, including Parks and Environment, Engineering, Waste Services, Facilities, and Events, depending on operational demand.

20. From a financial sustainability perspective, utilising a standing dry hire arrangement avoids the need for the City to purchase, maintain, and replace specialised plant and equipment that is only required intermittently. This approach reduces capital expenditure, ongoing maintenance and storage costs, and long-term asset lifecycle liabilities, while retaining operational flexibility to meet peak demand and unplanned requirements in a cost-effective manner.

SUSTAINABILITY

21. Nil

RISK MANAGEMENT

22.	Risk: The Contractor fails to fulfil the requirements of the contract, resulting in increased costs to the City or delays in completing the works.		
	Consequence	Likelihood	Rating
	Moderate	Unlikely	Low
	Action/Strategy		
	a) Corporate scorecard confirms financial viability of the contractor.		
	b) A formal and detailed qualitative criteria process carried out to minimise risk.		

CONCLUSION

23. The delivery of Tender RFT 2512 – Provision of the Supply and Delivery of Plant and Equipment support the City’s operational and financial sustainability by providing flexible, cost-effective access to plant and

equipment without the need for capital investment in assets that are only utilised intermittently. By relying on a standing dry hire arrangement, the City mitigates long-term asset ownership risks, including maintenance, storage, depreciation, and replacement costs, while enabling multiple service areas to efficiently meet operational and peak demand requirements within existing budgets.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ACCEPT the tender RFT 2512 Provision of the Supply and Delivery of Plant and Equipment Hire from Coates Hire Operations Pty Ltd ACN 074126971, as per the schedule of rates set out in Confidential Attachments 1 and 2 to this report for an initial three-year term with two further one-year extensions at the City of Kalamunda's discretion.

10.3. Corporate Reports

10.3.1. Corporate Business Plan - Quarterly Update - October to December 2025

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

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

Attachments 1. Quarterly Progress Report October- December 2025
 [10.3.2.1 - 83 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the progress on the City of Kalamunda's (City) achievement against "Kalamunda Achieving: Corporate Business Plan 2024-2028" for the period October to December 2025.
2. On average, actions from the Corporate Business Plan are 49.6% complete at the end of the second quarter, 31 December 2025.
3. It is recommended that Council notes the quarterly report for the Corporate Business Plan for the period October to December 2025.

BACKGROUND

4. Kalamunda Achieving: Corporate Business Plan 2024-2028 (CBP) was endorsed by Council at the Ordinary Council Meeting on 27 May 2025.
5. The CBP outlines the major projects, including capital works and operational recurrent services for the City. It then links those projects and services to the Asset Plans, Long Term Financial Plan and Workforce Plan.
6. The Chief Executive Officer's KPIs for 2025-2026 have also been added to the document, to provide Council with information on progress towards achieving these goals.
7. The CBP is a component of the City of Kalamunda's integrated planning and reporting framework.

DETAILS AND ANALYSIS

8. The CBP is comprised of 4 Strategic Priority areas, being:
 1. Kalamunda Cares and Interacts
 2. Kalamunda Clean and Green
 3. Kalamunda Develops
 4. Kalamunda Leads
9. There are 141 individual actions set out within the CBP. Progress reporting is provided as Attachment 1 to this report.
10. The report reflects the management progress report against the work schedule for each of the individual actions, as at 31 December 2025.
11. The CBP actions are on average 49.6% complete. The average target at the end of the first quarter is 50%, indicating that progress, on average, is largely on schedule.

APPLICABLE LAW

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

APPLICABLE POLICY

- 14. Nil.

STAKEHOLDER ENGAGEMENT

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

- 18. Nil.

RISK MANAGEMENT

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

CONCLUSION

- 20. The City is working to carry out the actions listed in the Corporate Business Plan. On average, actions from the Corporate Business Plan are 49.6% complete at the end of the second quarter of 2025/2026.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council NOTE the quarterly report for the Kalamunda Achieving: Corporate Business Plan 2024-2028 for the period October to December 2025.

10.4. Community Reports

10.4.1. Disability and Carers Advisory Group - Members and Terms of Reference - November 2025 to October 2027

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

Previous Items	
Directorate	Community
Business Unit	Place and Community Experience
File Reference	
Applicant	
Owner	Freya Ayliffe – Manager Place and Community Experience
Attachments	1. Final DACAG Terms of Reference 25 to 27 [10.4.1.1 - 8 pages]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 1: Kalamunda Cares and Interacts

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

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

Priority 4: Kalamunda Leads

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

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

Priority 1: Kalamunda Cares and Interacts

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

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

Priority 4: Kalamunda Leads

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

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

EXECUTIVE SUMMARY

1. The purpose of the report is to consider community member nominations for the Disability and Carers Advisory Group for the term of 2025-2027.
2. The City has developed a very clear and relevant vision 'Connected Communities, valuing nature and creating our future together.' The Disability and Carers Advisory Groups assists the City in achieving this vision.
3. This report recommends that Council adopt the revised Terms of Reference and endorse membership for the Disability and Carers Advisory Group for the period of February 2026 to October 2027 as set out in Attachment 1.

BACKGROUND

4. Advisory groups and management committees provide an effective collaborative forum between the City and the community. Each advisory group and management committee has a specific purpose and have representatives from the Administration who support them in the preparation of agendas and the documenting and actioning of the minutes.
5. The City of Kalamunda currently has the following Advisory and Management Groups:
 - a) Disability and Carers Advisory Group
 - b) Ray Owen Management Committee
 - c) Lesmurdie Library Management Committee
 - d) Hockey, Tee Ball and Men's Shed Advisory Committee
 - e) Bush Fire Control and Advisory Committee

6. The purpose of each City of Kalamunda Advisory group and Management committee is outlined in their respective Terms of Reference.

DETAILS AND ANALYSIS

7. A total of eight nominations were received: seven from community representatives living with a disability, or with experience and interest in access and inclusion for people living with disability, and one from an organisation providing services to people living with a disability.
8. The previous Terms of Reference allowed for a total membership of eight.
- It is proposed that the Terms of Reference be amended to increase membership to ten, thereby strengthening community representation and ensuring a broader, more inclusive range of perspectives. The proposed composition would be:
- i. One Councillor.
 - ii. Up to seven community representatives living with a disability or who have experience and interest in access and inclusion of people living with disability.
 - iii. Up to two organisations providing services to people with disability.

APPLICABLE LAW

9. *Section 5.8 of the Local Government Act 1995 – Establishment of Committees.*
- Section 5.9(2)(c) of the Local Government Act 1995 – Types of Committees.*
- Section 5.11(2)(d) of the Local Government Act 1995 – Tenure of Committee Membership.*

APPLICABLE POLICY

10. Council Policy – Appointment of Community Members to Advisory Committees and Reference Groups.

STAKEHOLDER ENGAGEMENT

11. The City of Kalamunda called for nominations for the Disability and Carers Advisory Group from 7 November 2025 to 28 November 2025.
12. A dedicated Advisory Group nominations page on the City's EngageHQ website outlined the process, provided all relevant documents, and enabled online submissions.

- 13. Hard copy nomination forms were made available at the front counter, and the nomination process was promoted via a social media post and a sponsored Facebook ad on the City's page.

FINANCIAL CONSIDERATIONS

- 14. The Disability and Carers Advisory Group will be operating in line with current budget and resourcing allocation.

SUSTAINABILITY

- 15. The City calls for nominations every 2 years to ensure opportunity for new representatives and to ensure the Group structure is sustainable.

RISK MANAGEMENT

16.	Risk: Reputational risk where an Advisory group's goals do not align with the City's objective and strategies.		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	Provide guidance to all the members at the first meeting to communicate the City's strategic plan and objectives to ensure the Group understands its role and works within its Terms of Reference.		

CONCLUSION

- 17. The City recommends endorsement of the revised Terms of Reference and the Disability and Carers Advisory Group nominations (in accordance with Attachment 1)

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. ENDORSE revised Terms of Reference as per Attachment 1.
2. ENDORSE successful Disability and Carers Advisory Group nominations as per Attachment 1.
2. NOTE the City will write to all nominees and advise of the outcome for Disability and Carers Advisory Group.

10.5. Office of the CEO Reports

10.5.1. Review of Elected Member, Committee Member and Candidate Code of Conduct

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

Previous Items	OCM 83/2021
Directorate	Office of the CEO
Business Unit	Governance
File Reference	
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. DRAFT - City of Kalamunda Council Member Committee Member and Candidate Code of Conduct [10.5.1.1 - 12 pages] 2. DRAFT - City of Kalamunda Council Member Committee Member and Candidate Code of Conduct - Marked Up [10.5.1.2 - 12 pages] 3. DRAFT - Code of Conduct Complaints Management Policy - Marked Up [10.5.1.3 - 8 pages] 4. DRAFT - Code of Conduct Complaints Management Policy - Final [10.5.1.4 - 11 pages]

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 (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.

EXECUTIVE SUMMARY

1. The City's Code of Conduct for Elected Members, Committee Members and Candidates (Code of Conduct) was adopted by Council on 25 May 2021 (OCM 83/2021).
2. The revised Code of Conduct was adopted as a consequence of the State Government introducing the *Local Government (Model Code of Conduct) Regulations 2021* (Regulations).
3. As part of overarching reforms brought by the *Local Government Amendment Act 2024*, the State Government has amended the Regulations, with the changes coming into effect on 1 January 2026. This report recommends Council amend the Code of Conduct to account for these new changes.
4. Minor amendments will also be required to policy 'Governance 20: Code of Conduct Complaints Management' to ensure the policy is compliant with the changes.

DETAILS AND ANALYSIS

5. In 2019 the State Government embarked on a wide-ranging review of the *Local Government Act 1995* and some regulations, resulting in significant reforms to the local government sector.
6. One component of the reforms was creating a new code of conduct system where local governments were no longer free to make their own codes of conduct. The *Local Government (Model Code of Conduct) Regulations 2021* were made, which required local governments to adopt a 'model' Code of Conduct, with limited scope for adding items that were not part of the model.
7. The regulations also repealed the *Local Government (Rules of Conduct) Regulations 2007*, with the former rules of conduct incorporated into the new Regulations.
8. This created a two-tier system, where local governments were required to deal with Code of Conduct 'behavioural complaints' themselves giving local governments a degree of independence to deal with conduct related matters in-house. The second tier required complaints against the rules of conduct still being dealt with by the Local Government Standards Panel.

9. There were a range of issues with this approach. The Local Government Standards Panel was often criticised for taking too long to deal with minor breach complaints. There were also perceptions in the sector that the 'behavioural complaints' mechanism did not provide the level of escalation needed to adequately address repeat inappropriate behaviour that was not a minor breach complaint. The amendments are designed to deal with these deficiencies.
10. The *Local Government Amendment Act 2024* (Amendment Act) received Royal Assent on 6 December 2024, with some parts coming into effect the following day.
11. One aspect of the Amendment Act was the creation of necessary heads of power for commissioning the Local Government Inspector (Inspector), and creating the various powers and functions the Inspector will now have in terms of dealing with complaints against council members, amongst other things. For the purposes of the Amendment Act, the Inspector commenced on 1 January 2026, in association with the parts of the Amendment Act that give effect to the powers and functions of the Inspector (new Part 8A of the *Local Government Act 1995*).
12. In addition to other functions, the Inspector takes on the role of the Local Government Standards Panel, which was abolished upon the commencement of the Inspector on 1 January 2026.
13. Amendments to the Regulations and Model Code of Conduct were required with the abolition of the Local Government Standards Panel and new powers and functions of the Inspector contained within Part 8A of the *Local Government Act 1995*. Local governments have until 1 April 2026 to amend their codes of conduct for council members. If amendments are not made, the Model Code of Conduct will be applied.
14. Officers have reviewed the City's Code of Conduct and updated it to be consistent with the Regulations. It is presented to Council in draft form (Attachment 1).
15. The proposed amendments are summarised below:
 - A requirement to refer specific complaints to the Inspector (clause 11);
 - A requirement to deal with a complaint referred from the Inspector to the local government (clause 11);
 - A clause referencing the ability of the Inspector to appoint a monitor to assist the local government (clause 14A);
 - A clause specifying that dealing with and determining a complaint must be done by the Council, unless Council expressly authorises (by

absolute majority) the complaint to be dealt with by a committee or a specific person outside of the local government (clause 14B);

- Consequential amendments relating to the numbering of clauses and definitions; and
- Transitional amendments specifying that the amendments cannot apply to a complaint made prior to 1 January 2026.

16. A marked-up version of the Code of Conduct showing all proposed amendments is attached to this report (Attachment 2).
17. Changes to the Code of Conduct require minor amendments to the associated policy 'Governance 20: Code of Conduct Complaints Management'. Administration has reviewed the policy and recommend minor amendments as provided in mark up in Attachment 3. These amendments reflect the changed sections of the legislation (as they relate to complaints management) and ensuring correct and contemporary terms are used. The draft amended policy is contained in Attachment 4.

APPLICABLE LAW

18. The *Local Government Act 1995* provides the head of power (s. 5.103(1)) for the *Local Government (Model Code of Conduct) Regulations 2021* to be made, as well as the requirement for local governments to adopt a code of conduct based on the Model Code of Conduct, and various penalties applicable to breaches.
19. The *Local Government (Model Code of Conduct) Regulations 2021* contains the Model Code of Conduct, in Schedule 1.

APPLICABLE POLICY

20. Council policy 'Governance 20: Code of Conduct Complaints Management' requires minor amendments to reflect the changes to the Code of Conduct and the legislation.

STAKEHOLDER ENGAGEMENT

21. Nil.

FINANCIAL CONSIDERATIONS

22. Nil. Expenditure of funds to amend the Code of Conduct is not required.

RISK MANAGEMENT

23. Risk: The Code of Conduct is not amended as required by the legislation, by the due date		
Consequence	Likelihood	Rating
Significant	Unlikely	Medium
Action/Strategy		
Ensure the Code of Conduct is amended to account for recent legislative changes, prior to the due date.		

CONCLUSION

24. Recent amendments to the *Local Government Act 1995* and Regulations that have come into effect require the City’s Code of Conduct for Elected Members, Committee Members and Candidates to be amended. Subsequent amendments are required for the policy ‘Governance 20: Code of Conduct Complaints Management’

It is recommended Council adopt the amendments to the Code of Conduct as attached as well as the amended policy.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council:

1. In accordance with section 5.104(2) of the *Local Government Act 1995*, AMEND the City of Kalamunda Code of Conduct for Elected Members, Committee Members and Candidates as provided at Attachment 1 to this report; and
2. ADOPT reviewed policy ‘Governance 20: Code of Conduct Complaints Management’ as provided at Attachment 4 to this report.

10.5.2. Policy Reviews

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

Previous Items	Nil
Directorate	Office of the CEO
Business Unit	Governance
File Reference	
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Governance 3: Elected Members - Entitlements Travel and Professional Development [CURRENT] [10.5.2.1 - 8 pages] 2. [DRAFT] Policy - Elected Member Entitlements [10.5.2.2 - 4 pages] 3. [DRAFT] Policy - Elected Member Professional Development [10.5.2.3 - 5 pages] 4. Governance 18: Appointment of Acting Chief Executive Officer [CURRENT] [10.5.2.4 - 2 pages] 5. [DRAFT] Policy - Appointment of Acting CEO [10.5.2.5 - 2 pages] 6. Governance 7: Elected Member Commitment to Occupational Health and Safety [CURRENT] [10.5.2.6 - 2 pages] 7. Service 2: Neighbour Mediation [CURRENT] [10.5.2.7 - 2 pages]

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 direct 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. Periodic policy reviews are a requisite feature of good governance to ensure the guidelines around the use of statutory powers are up-to-date, lawful and suit the needs of the local government.
2. Changes to the *Local Government Act 1995* as part of overarching local government reforms by the State Government require local governments to review policies relating to elected member entitlements and professional development. Officers have reviewed the policies detailed below and present the outcome of that review:
 - **Governance 3: Elected Members – Entitlements, Travel and Professional Development**
 - **Governance 18: Appointment of Acting Chief Executive Officer**
3. Officers have identified two additional policies that should be rescinded as they are considered problematic from a legal perspective, which are:
 - **Governance 7: Elected Member Commitment to Occupational Health and Safety**
 - **Service 2: Neighbour Mediation**
4. Policy 'Governance 18: Appointment of Acting Chief Executive Officer' is presented with minor amendments for Council consideration.
5. It is recommended that Council support the outcomes of the policy reviews provided in this report.

DETAILS AND ANALYSIS

6. Officers have reviewed these policies in detail and where relevant, present attached drafts to replace them. Areas of the drafts highlighted in yellow demonstrate content that has been transferred from the existing policy.

Governance 3: Elected Members – Entitlements, Travel and Professional Development

Currently, this policy does not comply with the requirements of regulation 37 of the *Local Government (Administration) Regulations 1996* as it relates to professional development for Elected Members. The regulations require specific items to be excluded from policies of this nature (and stated to that effect), particularly for Elected Members within 3 months of the expiry of their term or seeking reimbursement for professional development not relevant to the role of a member of Council.

As the *Local Government Act 1995* deals with Elected Member professional development and Elected Member entitlements distinctly and separately from one another, the policy functions have been split into two new policies. This will make it easier for all stakeholders to follow. Accordingly, the following draft policies are presented:

- Elected Member Entitlements
- Elected Member Professional Development

Governance 7: Elected Member Commitment to Occupational Health and Safety

This policy refers to repealed legislation. The *Work Health and Safety Act 2020* is in effect that provides a far more holistic framework for the obligations of employers.

The City has a WHS Statement which aligns with the legislation. The existing policy appears to provide no utility over and above what is already required by legislation. Council is further committed by section 2.7(5) of the *Local Government Act 1995* in that "...The council must have regard to the need to support an organisational culture for the local government that promotes the respectful and fair treatment of the local government's employees."

Accordingly, it is recommended this policy is rescinded without replacement.

Governance 18: Appointment of Acting Chief Executive Officer

This policy has been updated to reflect the current requirements of the *Local Government Act 1995*, retaining the City of Kalamunda-specific features.

Service 2: Neighbour Mediation

This policy appears to create a form of dispute resolution role for the City between neighbours. The purpose of the policy, as stated is -

"..... to establish a neighbourhood mediation service which is fair, user friendly and neutral from the council's perspective and which supports strategies to resolve differences between neighbours related to matters relevant to council."

The origins of the policy are unclear. It is understood it has existed since at least 2019 in its current form.

Whilst the policy appears to have altruistic means, it is problematic for several reasons. In the first instance, the policy purpose states that it is *"...neutral from the council's perspective"*.

However the effect of the policy is that it creates an issue where it potentially fetters the discretion of Council (or officers if they possess delegated authority) to undertake regulatory action at a later date. Whilst the policy attempts to cover the field in this respect, the existence of the policy instrument in the first place seems to limit the City's regulatory flexibility - on an up-front basis - which is not appropriate for an entity that has broad ranging regulatory powers, and required to exercise those powers without fear or favour. The policy has a notable internal conflict in this sense.

The second issue that arises is that it exposes the City to the prospect of having to defend itself in a civil proceeding if an aggrieved party seeks to make the City a party to a proceeding, on the basis of the City making use of the policy. Such a proceeding may play out in the Supreme Court and expose the City to considerable legal costs and reputational risk - this would be especially relevant if an aggrieved party was successful in arguing the City retains a degree of liability on the basis of attempting a mediation or negotiation with conflicting neighbours, and the courts decide in a manner contrary to the City's position.

It is recommended the policy is rescinded. It is not advisable for the City to engage in the space of mediation between conflicting neighbours, especially when one party may be compromised by way of the planning or building controls regulated by the City.

APPLICABLE LAW

7. *Local Government Act 1995* – s. 2.7(2)(b), s. 5.126, s. 5.129
Local Government (Administration) Regulations 1996 – Part 8, r. 37
Salaries and Allowances Act 1975

APPLICABLE POLICY

8. Governance 3: Elected Members – Entitlements, Travel and Professional Development
Governance 7: Elected Member Commitment to Occupational Health and Safety
Governance 18: Appointment of Acting Chief Executive Officer
Service 2: Neighbour Mediation

STAKEHOLDER ENGAGEMENT

- 9. Kalamunda Leadership Team

FINANCIAL CONSIDERATIONS

- 10. Nil.

RISK MANAGEMENT

11.	Risk: Policies are not compliant with the <i>Local Government Act 1995</i> , resulting in unlawful decisions or actions		
	Consequence	Likelihood	Rating
	Significant	Unlikely	Medium
	Action/Strategy		
	Ensure policies are amended to account for the current requirements of the legislation.		

CONCLUSION

- 12. The policy reviews presented will allow Council to update its policy settings to account for changes to the *Local Government Act 1995* and Regulations, as well as modernise the policies with terms that are more contemporary, and are able to be more easily understood.

In addition, removal of policies that no longer have utility for the City will allow the overall policy cohort to be streamlined. Officers will continue to review the City’s policies and present small groups to Council for review as the year progresses.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. RESCIND the following policies, adopted by Council on 27 August 2019 (OCM 204/2019):
 - a) Governance 3: Elected Members – Entitlements, Travel and Professional Development
 - b) Governance 7: Elected Member Commitment to Occupational Health and Safety
 - c) Service 2: Neighbour Mediation

2. MAKE, in accordance with the *Local Government Act 1995*, the following policies as detailed in Attachment 2 and Attachment 3 of this report:
 - a) Elected Member Entitlements
 - b) Elected Member Professional Development

3. AMEND policy ‘Governance 18: Appointment of Acting Chief Executive Officer’ as detailed in Attachment 5 of this report.

10.6. Chief Executive Officer Reports

10.6.1. Mid-term Budget Review 2025-26

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 2025-26 Mid-term Review Financial Activity Statement [10.6.1.1 - 2 pages] 2025-26 Mid-term Net Current Assets [10.6.1.2 - 2 pages] 2025-26 Mid-term Review Reserve Movements [10.6.1.3 - 1 page]
Confidential Attachments	<ol style="list-style-type: none"> 2025 2026 Mid-Year Review Capital Expenditure

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (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 for Council to consider and approve amendments to the 2025/2026 Adopted Budget as identified in the 2025/2026 Statutory Mid Term budget review.
2. It is recommended that Council:
 - a) Note the 2025/2026 Mid Term Budget Review Explanations in the body of the report.
 - b) Review and adopt via an absolute majority the proposed 2025/2026 current budget to reflect the changes summarised in the Amended Financial Activity Statement and Net Current Asset Position (Attachment 1 & 2), pursuant to section 33A (3) of the *Local Government (Financial Management) Regulations Act 1996*.
 - c) Amend, Pursuant to Section 6.11 (2) (b) of the *Local Government Act 1995*, the transfers to and from reserves (Attachment 3).
 - d) Note the amended Capital Works listing (Confidential Attachment 1).

BACKGROUND

3. Regulation 33A (1) of the Local Government (Financial Management) Regulations 1996 requires that a local government is to conduct a formal review of its adopted budget between 1 January and the last day of February.
4. The City of Kalamunda undertook the Mid Term Budget Review, which is the statutory review and was conducted covering the six months to 31 December 2025.
5. The City is closely monitoring its financial position through monthly management reporting of its revenue and expenditure to mitigate the risk of the City posting a deficit at the end of this financial year.

DETAILS AND ANALYSIS

Closing Surplus position (Attachment 1)

6.

Summary of Movements from the Amended Financial Activity Statement			
Description	Proposed Budget	Current Budget	Variance
	\$	\$	\$
Opening Surplus Position	7,273,980	7,273,980	0
Operating revenue Including rates	80,965,198	81,996,079	1,030,881
Operating Expenditure	(92,246,171)	(94,732,281)	(2,486,111)
Non Cash Movements to Operating Activities	16,049,251	16,053,087	3,836
Investing Activities	892,241	10,268,084	9,375,843
Financing Activities	(15,091,597)	(20,785,391)	(5,693,794)
Closing Surplus Position	(2,157,098)	73,558	2,230,656

7.

A brief synopsis of the budget variances are as follows:

Opening Surplus Position 2025/26:

The amended opening surplus position reflects the audited results for the financial year 2024/25 which was \$7.3M primarily coming from improved operating activities.

Operating Revenue:

Operating Revenue including rates is higher than the revised budget by \$1.03M. Areas of significant increase are:

- a) Rates revenue is higher than budget by \$269K, largely attributable to changes in Unimproved Property Values and increased interim rates from subdivisions.
- b) Operating Grants, Subsidies and Contributions are slightly higher than budget by \$557K with grants received for Pioneer Park \$70K, higher than budget Main Roads Direct Grants \$267K, higher than budget and the recognition of the library book allocation from State Library WA (SLWA) valued at \$94K.
- c) Contributions, Reimbursements and Donations are higher than budget by \$78K relating to Kalamunda Performing Arts staff reimbursements.
- d) Fees and Charges are higher than budget by \$123K mainly arising from additional swimming pool inspection fees \$76K and Refuse household fees \$84K.

- e) Interest Earnings are higher than budget by \$48K due to additional earnings arising from higher cashflow holdings as a result of lower capital works expenditure in the first half of the year.

Operating Expenditure:

Operating Expenditure is higher than the original budget by \$2.4M. Areas of significant changes are as follows:

- a) Employee costs are higher than the budget by \$346K, mainly attributable to costs to cover the Waste service area which will be offset with a transfer from the associated Waste Reserve to fund the extra resource demand.
- b) Materials and Contracts costs are higher than the budget by \$2.1M, mainly attributable to Increased contractual costs and risk mitigation works in Infrastructure and Parks costing \$1.6M, an additional \$150K in Contaminated Sites which will be offset via reserves, and \$75K for ePMO project initiatives to be delivered via consulting and the recognition of the purchase of library books valued at \$90K utilising the grant from SLWA noted above.
- c) Loss on Asset Disposal is \$38K which is attributable to the disposal of various ageing fleet and plant.

Non-Cash Movements to Operating Expenditure is lower than the original budget by \$4K, which is attributable to the higher sales prices achieved on the sale of excess land identified by the City.

Investing activities is lower than the original budget by \$9.4M largely due to:

- a) Decreased non-operating grants and contributions of \$7.2M resulting from the alignment of income to grant related expenditure with reduced works due for completion 2025/26.
- b) \$106K recognised for higher proceeds from the sale of excess properties held by the City. The properties were on Urch and McRae Rd and Carmel Rd.
- c) Land Development costs are lower by \$575K with deferral of works on Edney Rd and
- d) Reduced expenditure for buildings new and replacement value at \$14.9M largely attributable to the deferral of works for the Scott Reserve Pavillion upgrade for \$4M, High Wycombe Community Hub for \$6M and Hartfield Park covering AFL and Little Athletics Club for \$5M.

- e) Road Infrastructure expenditure was lower than budget by \$428K with reductions mainly in drainage works of \$491K.

Financing activities are higher than budget by \$5.7M mainly due to the following items:

- (a) Loan borrowings are lower than budget by \$3.1M with carry over of Scott Reserve Sports Pavillion \$2M, deferral of Edney Rd Sub-division works \$600K and deferral of the Rubish Truck replacement and other light plant \$495K. This is offset by lower repayments of \$100K
- (b) Net Transfers To and From Reserves is \$5.7M made up of the following areas:
 - I. \$3.8M attributed due to a lower Capital Works Programme with lower draws from the Asset Enhancement Reserves \$3.8M.
 - II. Increased draw from the Waste Reserves by \$300K to pay for higher salaries costs, \$150K from the WARR Reserve to fund additional works on contaminated sites and \$450K to match higher contributions for the Forrestfield Industrial Area.
 - III. \$400K Transfers to the Public Art Reserve and the Land Development Reserves \$106K allowing for increased sale proceeds.

The expected closing balance for Reserves on 30 June 2026 will be \$56.9M which is a slightly improved position from the revised opening position \$54.3M (see Attachment 3 for detailed breakdown of movements).

- 8. The City is expected to end the year on a closing surplus position of \$74K which is a significant improvement from the current budget position showing a deficit of \$2.2M.
- 9. The City will continue to closely monitor income and expenditure budgets to ensure a surplus is in place at 30 June 2026 to strengthen the City's financial capacity and cash reserves.
- 10. In light of this Budget Review, all future Financial Reports presented to Council for adoption will include the adjustments endorsed by Council in this report.

APPLICABLE LAW

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

APPLICABLE POLICY

12. Nil.

STAKEHOLDER ENGAGEMENT

Internal Referrals

13. During this period the Executive and managers closely reviewed the integrity of budget projections, with the results now available for Council consideration in February 2026.

External Referrals

14. Nil.

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

16. Nil.

Economic Implications

17. Nil.

Environmental Implications

18. Nil.

RISK MANAGEMENT

19.	<p>Risk: Expenditure exceeds budgeted allocation resulting in a negative impact on closing funds position.</p>		
	Consequence	Likelihood	Rating
	Moderate	Possible	Medium
	Action/Strategy		
	<ul style="list-style-type: none"> Monthly management reports are tracked by business unit managers to ensure that they are operating within budget parameters. 		

- Introduction of scalable reports which are scrutinised by Executive monthly.
- Budget reviews and forecasting of expenditures against potential revenues are monitored closely.

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

CONCLUSION

- 21. The amended Financial Activity Statement following the Mid-Term budget review in Attachment 1 reveals a balanced budget estimate for 30 June 2026 with a surplus of \$74K.
- 22. It should be noted that the Reserves overall are still maintained at a high level with an amount of \$56.9M as shown in Attachment 3.
- 23. The key to pro-actively managing the City's finances will be to diversify its revenue streams and continuing to closely monitor revenues and expenditure against allocated budgets. The City will also continue to monitor service delivery to align resources with strategic priorities.
- 24. It is critical that the Council is committed to this strategy to meet service level and management requirements in a financially sustainable manner.
- 25. The City is focused on sound financial management practices and is constantly looking at improving its financial sustainability.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council:

1. Pursuant to Section 33A (3) of the *Local Government (Financial Management Regulations) Act 1996* AMEND the 2025/2026 current budget to reflect the summarised changes in the amended Financial Activity Statement and Net Current Asset Position (Attachments 1 and 2).
2. Pursuant to Section 6.11 (2) (b) of the *Local Government Act 1995*, AUTHORISE the transfers to and from Reserves as detailed in (Attachment 3).
3. Pursuant to Section 33A (3) of the *Local Government (Financial Management Regulations) Act 1996* AMEND the 2025/26 Capital Works Budget (Confidential Attachment 1).

10.6.2. Monthly Financial Statements for the period 1 November 2025 to 31 January 2026

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FIR-SRR-006
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Statement of Financial Position as at 30 November 2025 [10.6.2.1 - 1 page] 2. Statement of Financial Activities for the period ended 30 November 2025 [10.6.2.2 - 1 page] 3. Net Current Funding Position as at 30 November 2025 [10.6.2.3 - 1 page] 4. Statement of Financial Position as at 31 December 2025 [10.6.2.4 - 1 page] 5. Statement of Financial Activities for the period ended 31 December 2025 [10.6.2.5 - 1 page] 6. Net Current Funding Position as at 31 December 2025 [10.6.2.6 - 1 page] 7. Statement of Financial Position as at 31 January 2026 [10.6.2.7 - 1 page] 8. Statement of Financial Acitivities for the period ended 31 January 2026 [10.6.2.8 - 1 page] 9. Net Current Funding Position as at 31 January 2026 [10.6.2.9 - 1 page]

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the Statutory Financial Statement for the seven months ended 31 January 2026.
2. The Statutory Financial Statements report on the activity of the City of Kalamunda (City) with the comparison of the period's performance against the Annual Budget 2025-26 adopted by Council on 24 June 2025.

The opening balances in the reported financials are based on the approved financial reports of 2024-25.
3. It is recommended that Council receives the draft Monthly Statutory Financial Statements for the month of January 2026 and note the Voted Works details.

BACKGROUND

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

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

DETAILS AND ANALYSIS

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

FINANCIAL COMMENTARY

Draft Statement of Financial Activity by Nature and Type for the four months ended 31 January 2026.

7. This Statement reveals a net result surplus of \$34,496,347 compared to the budgeted surplus of \$17,753,242 resulting in a variance of \$16,743,105. The variance is largely due to an Investing activities variance of \$10,457,311 and Operating activities variance of \$7,107,601.

Operating Revenue

8. Total Revenue including rates is over budget by \$3,304,188. This is made up as follows:
- a) Rates generation remained within budget with a variance of \$599,118 mainly due to the actual billing amount was higher than budgeted amount and the generation of Interim rating valued at \$617,131.
 - b) Operating Grants, Subsidies and Contributions are over budget by \$1,653,643. The variance is mainly due to \$821,351 over budget due to contributions from reimbursement of Cell 9 projects expenses.
 - c) Profit on asset disposal is over budget by \$905,128 resulting from the sale of three land plots at 12 McRae Road, 152 Carmel Road, and 3 Urch Road.
 - d) Fees and Charges remained over budget by \$170,438. The variance is largely attributable to the pool inspection fees being higher than budget by \$76,844.
 - e) Interest income is above budget by \$83,040 mainly due to improved collections from the Rates section and lower than expected capital expenditure spend.

- f) Ex-Gratia Rates Revenue is tracking lower than budget by \$105,681 due to a timing variance in relation to the receipt of the Ex-Gratia Rates due from the Dampier Bunbury Natural Gas Pipeline (DBNGP). The funds normally get paid in the later part of the year.

Operating Expenditure

- 9. Total expenditure is under budget by \$2,123,810. The significant variances within the individual categories are as follows:
 - a) Employment Costs remained slightly over budget by \$537,477 with the overall variance sitting at 2.7% of budget. The main reason is that there has been additional resources required for Waste Services which will be addressed at mid-year review with a transfer from the Waste Reserves to fund the gap.
 - b) Materials and Contracts are under budget by \$2,673,596. The variance is mainly due to a timing difference for building and infrastructure maintenance costs of \$1,988,761 and waste services of \$730,976.
 - c) Utilities are tracking in line with the budget with a positive variance of \$133,454 with the bulk coming from parks maintenance of \$67,302.
 - d) Depreciation, although a non-cash cost, is tracking above budget with a variance of \$(1,206,510). This is partially due to the capitalisation of assets as of 30 June 2025.
 - e) Interest expense remained below the budget by \$30,146. The major reason for the variance is the due to the timing of the drawdown of the Asset Finance Loan on Fleet Vehicles dependant on the delivery of the vehicles.
 - f) Insurance expense is tracking over budget by \$61,384 due to the LGIS premium received for buildings that was higher than budgeted. The trend will be monitored over next few months and any adjustment in the budget will be made, if required at the mid-year review.
 - g) Loss on Asset Disposal reported an adverse variance of \$38,083 related primarily to disposal of a vehicles that was not budgeted.
 - h) Other expenditure is under budget by \$55,111 mainly due to a timing difference of non-recurrent projects \$54,831.

Investing Activities

Non-operating Grants and Contributions

10. The non-operating grants and contributions is under budget by \$12,569,077. This is mainly due to a timing difference and some key projects which are tracking below budget resulting in reduced recovery claims.

Capital Expenditure

11. The total Capital Expenditure on Property, Plant, Equipment, and Infrastructure Assets is under budget by \$21,461,847. The delayed spend is due to the City working through some large projects which are tracking under budget through various stages. A review will be undertaken as part of the mid-year review to determine any major adjustments required in Capex 2025/26 Budget.

Financing Activities

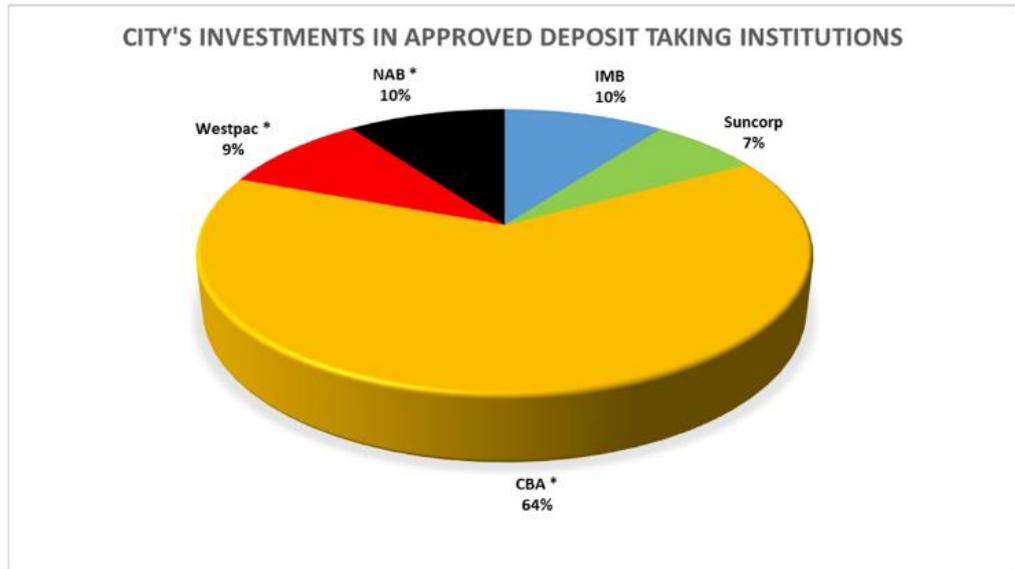
12. The amounts attributable to financing activities show a variance from budget of \$(821,805) which is mainly due to timing of transfers to reserves required as a result of Budget 2025-26. These are normally done at the year end.

Statement of Net Current Funding Position as of 31 January 2026

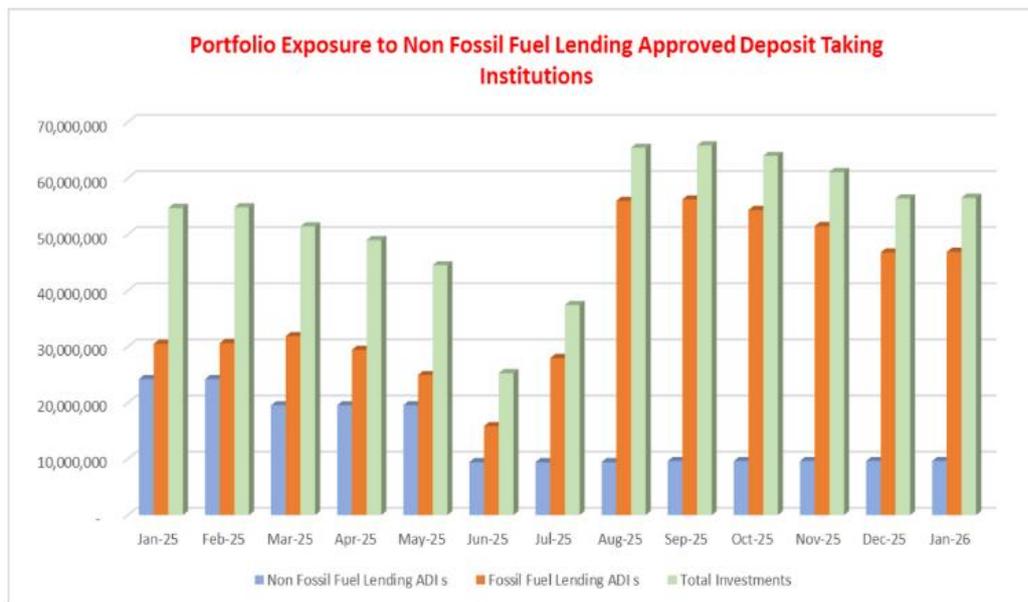
13. The commentary on the net current funding position is based on a comparison of January 2026 to the January 2025 actuals.
14. Net Current Assets (Current Assets less Current Liabilities) total \$95.5 million as compared to \$68.7 million for the previous year. The current assets include \$30.7 million receivable from EMRC, which was previously classified under non-current receivables. The restricted cash position is \$35.2 million which is slightly higher than the previous year's balance of \$34.7 million.
15. The following graph indicates the financial institutions where the City has investments as of 31 January 2026. Investments yields are between 4%-4.6% depending on the length of deposits. The Reserve Bank of Australia has recently increased the cash rate by 0.25% which will have positive impact on the City's interest income earnings.

Recent economic data, suggests that a further interest rate increase is likely this year.

16.



*Financial Institutions with Investments in the Fossil Fuel Industry



17. Rates debtors are currently \$8.1 million (and similarly \$7.9 million in 2024), further details are contained in the Rates Report to Council.

18. Sundry debtors are currently at \$2.06million, of which \$180 K are comprised of current debts. Further details are contained in the Debtors and Creditors Report to Council.

19. Receivables Other represent \$36.1 million including:

- Emergency Service Levy receivables \$2.3 million.
- Receivables Sanitation \$1.2 million.
- Receivable from East Metropolitan Regional Council \$30.7 million. A separate report to Council is being prepared to update the status.

20. Provisions for annual and long service leave have increased by \$565,089 from \$5.03 million to \$5.6 million when compared to the previous year. The majority of the provision is cash backed via specific reserves.

Proposed Budget Amendments and Voted Works

21. There is no proposed notice of motions on voted works for this month hence there are no budget amendments for Voted Works. An allocation of \$100,000 remains.
22. There is no budget amendments requested in this report as there is a separate report for the mid-term review being presented to Council with proposed amendments.

APPLICABLE LAW

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

APPLICABLE POLICY

24. Nil.

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

28. Nil.

Economic Implications

29. Nil.

Environmental Implications

30. Nil.

RISK MANAGEMENT

31.

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

32.

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

CONCLUSION

33. The City's Financial Statement as of 31 January 2026 reflects a large draft closing surplus position of \$16,743,105. The opening surplus position has been amended to reflect the audited balance.

Voting Requirements: Absolute Majority

RECOMMENDATION

1. That Council RECEIVE the Monthly Statutory Financial Statements for the month of November 2025 to January 2026 which comprises:
 - a) Statement of Financial Activity (Nature or Type) (Attachment 1,4 & 6).
 - b) Statement of Net Current Funding Position, note to financial report. (Attachment 2,5 & 8).
 - c) Statement of Financial Position (Attachment 3,6 & 9).

10.6.3. Debtor and Creditors Reports for the for the period 1 November 2025 to 31 January 2026

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A
Attachments	<ol style="list-style-type: none"> 1. Creditor Payments for the period ended 31 January 2026 – Public [10.6.3.1 - 15 pages] 2. Creditor Payments for the period ended 31 December 2025 – Public [10.6.3.2 - 29 pages] 3. Creditor Payments for the period ended 30 November 2025 – Public [10.6.3.3 - 24 pages] 4. Corporate Credit Card Payments 27 November to 24 December 2025 – Public [10.6.3.4 - 6 pages] 5. Corporate Credit Card Payments 28 October to 26 November 2025 – Public [10.6.3.5 - 6 pages] 6. Corporate Credit Card Payments 26 September to 27 October 2025 – Public [10.6.3.6 - 4 pages] 7. Summary of Creditors for month of January 2026 [10.6.3.7 - 1 page] 8. Summary of Creditors for month of December 2025 [10.6.3.8 - 1 page] 9. Summary of Creditors for month of November 2025 [10.6.3.9 - 1 page] 10. Summary of Debtors for month of January 2026 [10.6.3.10 - 2 pages] 11. Summary of Debtors for month of December 2025 [10.6.3.11 - 2 pages] 12. Summary of Debtors for month of November 2025 [10.6.3.12 - 2 pages]
Confidential Attachments	<ol style="list-style-type: none"> 13. Creditor Payments for the period ended 31 January 2026 – (Confidential) 14. Creditor Payments for the period ended 31 December 2025 – (Confidential) 15. Creditor Payments for the period ended 30 November 2025 – (Confidential) 16. Corporate Credit Card Payments 27 November to 24 December 2025 – (Confidential)

17. Corporate Credit Card Payments 28 October to 26 November 2025 – (Confidential)

18. Corporate Credit Card Payments 26 September to 27 October 2025 – (Confidential)

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

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with the list of payments made from Municipal and Trust Fund Accounts from November 2025 to January 2026, in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).
2. The Debtors and Creditors report provides Council with payments made from Municipal and Trust accounts together with outstanding debtors for the months of November 2025 to January 2026.

The commentary in this report is in relation to the 31 January 2026 position for both debtors and creditors.

3. The report provides details of payments made from the Municipal and Trust Fund Accounts for the three months. It also includes details of employee purchases via purchasing cards 26 September to 24 December 2025.
4. It is recommended that Council receive the list of:
 - a) payments made from the Municipal and Trust Fund Accounts for the three months of November, December 2025 & January 2026 in accordance with the requirements of the Local Government (Financial Management) Regulations 1996 (Regulation 13); and
 - b) payments made by employees via purchasing cards 26 September to 24 December 2025.
 - c) the outstanding debtors and creditors report for the three months of November, December 2025 & January 2026.

BACKGROUND

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

DETAILS AND ANALYSIS

Debtors

8. Sundry debtors as of 31 January was \$2,055,789.71. This includes \$180,691.24 of current debts and \$3,485.70 unallocated credits (excess or overpayments).

9. Invoices over 30 days total \$1,831,931.04 debts of significance:
 - a) Department of Planning, Land and Heritage, \$1,800,000, capital grant for High Wycombe Hub.
 - b) Municipal Workforce, \$23,054.88, Workers Compensation reimbursement; and
 - c) Department of Fire and Emergency Services WA, \$4,450.16, CESM Vehicle Expenses.

10. Invoices over 60 days total \$3,407.75, debts of significance:
 - a) Focus Music, \$2,598.25, hall hire.

11. Invoices over 90 days total \$43,245.38, debts of significance:
 - a) Kalamunda District Rugby Union Club, \$1,650.56, utilities
 - b) Kalamunda City FC, \$3,444.04, utilities.
 - c) Private Citizen, \$2,232.37, Veterinary fees.
 - d) Municipal Workforce, \$24,756.88, Workers Compensation reimbursement; and
 - e) Kalamunda Chamber of Commerce, \$1,580.22, reserve hire.

Creditors

12. Payments totalling \$5,651,375 were made during the month of January 2026. Standard payment terms are 30 days from the end of the month, with local businesses and contractors on 14-day terms.

13. Significant Municipal payments (GST inclusive – where applicable) made in the month were:

Supplier	Purpose	\$
Australian Tax Office	PAYG payments	796,168.49
City of Cockburn	Waste disposal services from the weekly residential collection	133,153.91
Cleanaway	Waste / recycling & bulk bin disposal services fees	631,805.19
Kennedy's Tree Services	Tree Removal / Under Powerline Pruning for Various Locations	190,538.07
PCB Contractors Pty Ltd	Progress payment 3 - RFT 2511 Scott Reserve Greenkeepers Store for December 2025	254,727.99
AE Hoskins Building Services	Progress claims for various projects & building	843,400.59

	maintenance services at various locations	
AWARE Super Pty Ltd	Superannuation contributions	370,625.12
Synergy	Power charges – various locations including street lighting	159,341.51

These payments total \$3,379,760.87 and represent 59% of all payments for the month.

Payroll

14. Salaries are paid in fortnightly cycles. A total of \$1,731,188.34 was paid in net salaries for the month of January 2026.
15. Details are provided in Attachment 9, after the creditor’s payment listing.

Trust Account Payments

16. The Trust Accounts maintained by the City of Kalamunda (City) relate to the following types:
 - a) CELL 9 Trust
 - b) Public Open Space funds
 - c) NBN Tower Pickering Brook Trust
17. The following payments (GST exclusive) were made from the Trust Accounts in January 2026.

CELL 9		Amount (\$)
Date	Description	
09/01/2026	McLeods Lawyers– Legal expenses Cell 9 Wattle Grove Infrastructure Agreement	156.00
31/01/2026	Place Laboratory Pty Ltd– Landscape architecture services - Cell 9 Wattle Grove	3,440.00

APPLICABLE LAW

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

APPLICABLE POLICY

20. Debt Collection Policy S-FIN02.

21. Register of Delegations from Council to CEO.

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

25. Nil.

RISK MANAGEMENT

Debtors

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

Creditors

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

CONCLUSION

28. Creditor payments are within the normal trend range.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. RECEIVE the monthly lists of payments made from the Municipal Accounts for the three months November. December 2025 & January 2026 (Confidential Attachments 1-3) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996* (Regulation 13).
2. RECEIVE the list of payments made 26 September to 24 December 2025 using Corporate Purchasing Cards (Confidential Attachment 4, 5 & 6) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 13A)*.
3. RECEIVE the outstanding debtors and creditors reports (Attachments 7-12) for the three months of November, December 2025 & January 2026.

10.6.4. Rates Debtors Report for the period 1 November 2025 to 31 January 2026

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Financial Services
File Reference	FI-DRS-004
Applicant	N/A
Owner	N/A
Attachments	Nil

TYPE OF REPORT

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

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

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

EXECUTIVE SUMMARY

1. The purpose of this report is to provide Council with information on the rates collection percentage and the status of rates recovery actions.
2. The City of Kalamunda (City) levied rates for 2025/2026 on 15 July 2025. The amount collectable (excluding deferred rates balance of \$1,146,750) as of 31 January was \$53,210,707. This balance includes, initial billing, interims and the brought forward balance from 2024/25. Collections to date stand at \$45,378,955.

BACKGROUND

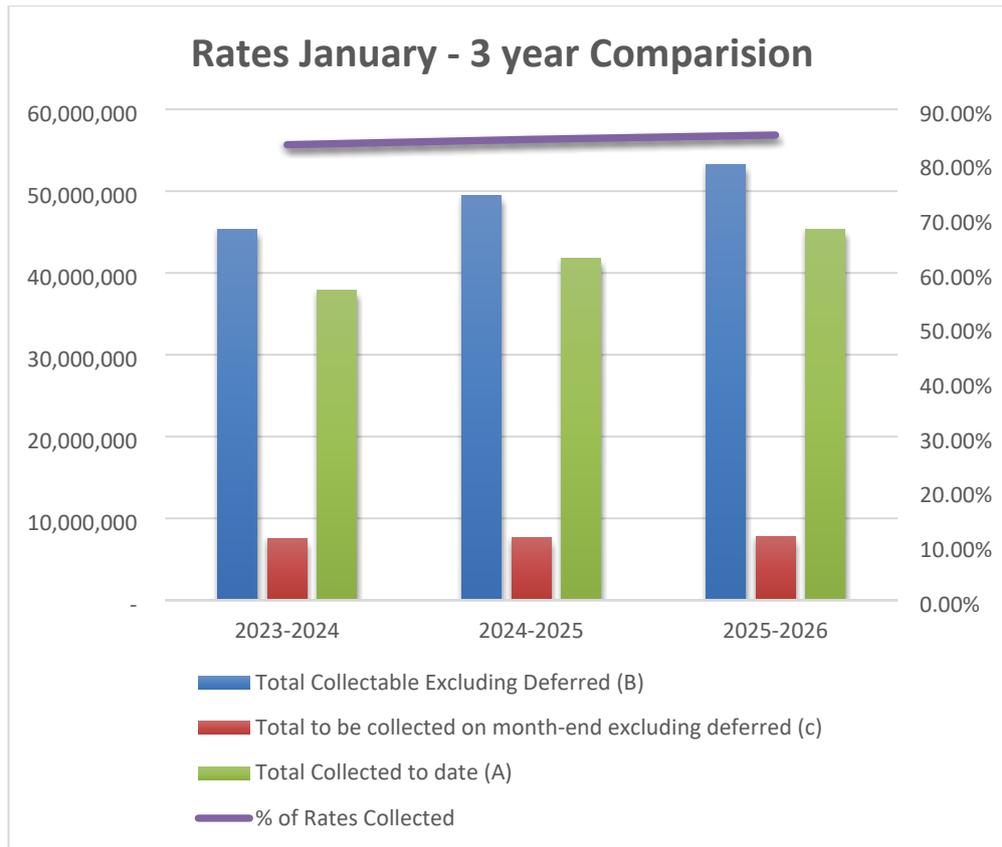
3. Rate Notices were issued on 15 July 2025 with the following payment options available:

Options		Payment Dates		
Full payment	19 August 2025			
Two instalments	19 August 2025	23 December 2025		
Four instalments	19 August 2025	21 October 2025	23 December 2025	24 February 2026

DETAILS AND ANALYSIS

4. A total of 24,169 notices were issued on 15 July 2025. This consisted of 19,642 mailed rates notices, and 4,527 of eRates notices (18.7% take-up saving more than \$7,100 in postage and printing). Compared to last year (3,506 eRates), the uptake has increased by 29%.
5. As of 31 January 2026, rates levied and collectable for the 2025/2026 Financial Year total is \$53,210,707 (excluding deferred rates), with collections standing at \$45,378,955.
6. The above collection of \$45,378,955 represents a collection rate of 85.28% which is slightly better than the previous year of 84.28%. For reference, below is a chart comparing the collection rates for the last three years.

7.



8.

From the above chart the following observations are made:

- a) The quantum of collectable and collected rates is higher in 2025/26 than previous years because the base amount is higher each year.
- b) The City Rates Team with seasoned professionals who are actively managing the debt outstanding. This is particularly noted in the amount outstanding for previous years having reduced by 30% (\$780,855).
- c) The % collectable at 31 January is 14.72% which will be a point of focus for the Rates Team to work towards. In this regard, work is being done to review and update the City's collection and hardship policies and procedures.
- d) The City sent out "Final demand" notices in January 2026 which will be followed up with General Procedure Claims in February 2026.

9.

The interim rating has commenced for 2025/2026. To 31 Jan 2026 \$617,131 has been raised for the interim rating Revenue

10. The first instalment due date was 19 August 2025. The following observations should be noted:

- a) A total of 13,856 properties representing 57.33% of the total number of rateable properties were noted to have paid in full or were in credit.
- b) A total of 9,744 ratepayers has taken up an instalment option or have entered a payment arrangement. This represents a 5.4% increase from the previous year.
- c) It is noted that the number of properties on Direct Debit and in particular, Payment Arrangements have increased reflecting the current economic environment.

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

Option	Description	2025/26 Interim Number	2024/25 Number
Option 2 on Rates Notice	Two instalments	1,827	1,763
Option 3 on Rates Notice	Four instalments	6,679	6,397
Direct Debit	Pay by direct debit	1,070	1,000
Payment Arrangement	Pay by payment Arrangement	168	82
Total	Ratepayers on payment options	9,744	9,242

11. Call recording software has been utilised in the Rates Department since 2015, primarily for customer service purposes, as it allows calls to be reviewed for training and process improvement purposes. For the period 1 Jan 2026 to 31 Jan 2026, there was a total of 622 calls, equating to 26.45 hours of call time.

APPLICABLE LAW

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

APPLICABLE POLICY

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

STAKEHOLDER ENGAGEMENT

Internal Referrals

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

External Referrals

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

FINANCIAL CONSIDERATIONS

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

SUSTAINABILITY

Social Implications

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

Economic Implications

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

Environmental Implications

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

printing and postage. It is heartening to see a significant uptake in eRates with a 29% increase from the previous year.

RISK MANAGEMENT

21.

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

CONCLUSION

22. The current year collection rate is higher at 85.28% compared to 84.49% last year. The City continues to effectively implement its rate collection strategy.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council RECEIVE the Rates Debtors Report for the Period covering 1 November 2025 to 31 January 2026.

10.6.5. 2024/2025 Annual Electors Meeting - Consideration of Motions

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

Previous Items	N/A
Directorate	Office of the CEO
Business Unit	Governance
File Reference	
Applicant	
Owner	
Attachments	1. Annual Electors Meeting Minutes - 3 February 2026 [10.6.5.1 - 6 pages]

TYPE OF REPORT

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

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the proposed action by the City of Kalamunda (the City) to the motion passed at the 2024/2025 Annual Electors Meeting.

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

BACKGROUND

4. Section 5.27 of the Act determines that a general meeting of the electors of a district is to be held once every financial year. The general meeting is to be held on a day selected by the local government, but not more than 56 days after the local government accepts the annual report for the previous year.
5. The matters to be discussed at the general meeting are to be those prescribed, namely the content of the annual report and any other general business in accordance with Regulation 15 of the *Local Government (Administration) Regulations 1996*.
6. The meeting was attended by 13 members of the public with one motion carried. Decisions made by electors at an Annual Electors Meeting are based on the recommendations of those electors present.

DETAILS AND ANALYSIS

7. Section 5.33 of the Act provides:
 - (1) All decisions made at an electors meeting are to be considered at the next ordinary council meeting or, if that is not practicable –
 - (a) At the first ordinary council meeting after that meeting; or
 - (b) At a special meeting called for that purpose, whichever happens first.
 - (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.
8. The 2024/2025 Annual Electors Meeting was held on Tuesday 3 February 2026 and the minutes to that meeting are attached (Attachment 1).
9. 13 members of the public were in attendance, and one motion was carried as detailed below.

10.

Motion

“That the City of Kalamunda research and mandate materials like pervious concrete for use in the Kalamunda McDonalds Development and all other developments where that are major incursions into trees’ notional root zone (NRZ – as defined in AS4971-2025) to help ensure longevity of existing and newly planted trees.”

Reasons

Extensive research has confirmed that concrete is not permeable and it starves roots of water, oxygen and nutrients, contrary to what the arborist employed by McDonalds says. With 75.9% encroachment into its Notional Root Zone (old TPZ), and root zone coverage with impermeable surfaces, the likelihood of the highly significant Marri Tree #2’s long term viability is poor, unless pervious concrete is used.

Pervious concrete and also permeable paving depending upon the circumstances, are proven best practice materials for use in tree root zones.

11.

Proposed Council Response

That Council:

1. Note the motion
2. Request the Chief Executive Officer research the application and impacts of development materials upon the integrity of trees, provide recommendations from the research and incorporate appropriate updates into the City’s policies.

Reasons

With increased urban pressures around vegetation, research of contemporary solutions into restoring and retaining the integrity of vegetation is necessary to ensure appropriate planning and management decisions can be made by the City.

APPLICABLE LAW

12.

Local Government Act 1995, Sections 5.27, 5.33

Local Government (Administration) Regulations 1996, Regulation 15

APPLICABLE POLICY

13.

Not Applicable

STAKEHOLDER ENGAGEMENT

14. The relevant business unit has provided input into the response to the motion from the Annual Electors Meeting.

FINANCIAL CONSIDERATIONS

15. None at this time.

SUSTAINABILITY

16. N/A

RISK MANAGEMENT

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

CONCLUSION

18. The motion passed at the Annual Electors Meeting has been structured for Council consideration in a way to ensure that Council meets its statutory obligations to consider decisions made at an Electors Meeting.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. ACCPETS the Minutes of the Annual Electors Meeting held on 3 February as detailed in Attachment 1.
2. NOTE the motion carried at the Annual Electors Meeting.
3. In response to the motion, REQUESTS the Chief Executive Officer research the application and impacts of development materials upon the integrity of trees, provide recommendations from the research and incorporate appropriate updates into the City’s policies by 22 September 2026.

10.6.6. Short Term Lease - Part of Reserve 50554 and part of Lot 505 (Jorgensen Park)

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

Previous Items
 Directorate Community
 Business Unit Place and Community Experience
 File Reference
 Applicant
 Owner

 Attachments Nil

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
X 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 3.4 - To be recognised as a preferred tourism destination.

Strategy 3.4.1 - Facilitate, support and promote, activities and places to visit.

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1 - Provide good governance.

EXECUTIVE SUMMARY

1. The purpose of this report is to seek Council approval to initiate the statutory process under section 3.58(3) of the *Local Government Act 1995* (Act) to enter into a short-term lease for part of Crown Reserve 50554 (Jorgensen Park).
2. The particulars of the proposal remain confidential in accordance with a Non-Disclosure Agreement entered into by the parties.
3. It is recommended that Council delegate authority to the CEO to give effect to the requirements of section 3.58 of the Act and negotiate a short-term lease agreement with the proponent in accordance with the prescribed requirements of the Act.

BACKGROUND

4. The City proposes to enter into a short-term, temporary lease with the proponent Kzemos Australia Pty Ltd. The intent is to lease a portion of Jorgenson Park, which forms part of Crown reserve 50554, vested in the care and control of the City under the *Land Administration Act 1997* plus the grant of licensed temporary access for ancillary parking and overflow parking on a number of other City owned and controlled properties.

In addition, a separate licence is under negotiation with the State of WA to provide access to adjacent land being a portion of Unallocated Crown Land Lot No 505 on Deposited Plan 62578.

5. As the proposal involves the disposition of property by way of lease, the City must comply with section 3.58 of the Act.

While the Chief Executive Officer (CEO) holds delegated authority to execute the lease (LGA3 Leases and Licence Agreements), given the nature of the proposal it is considered appropriate that Council formally consider the matter.

DETAILS AND ANALYSIS

6. The grant of the Lease is subject to, and conditional upon:
 1. The consent of the Minister for Lands pursuant to section 18 of the *Land Administration Act 1997*, as Reserve 50554 is Crown Land; and
 2. The City's CEO confirming in writing that the City has complied with the requirements of section 3.58 of the Act.

7. **Proposed Lease**
Lessor: City of Kalamunda
Lessee: Kzemos Australia Pty Ltd
Location: A portion of Reserve 50554, comprising Lot 503 on Deposited Plan 62578, Title Volume LR3156 Folio 992.
Term: on or about 6 April – 31 July 2026
Option: Extension until 31 August 2026
Purpose: Public event
Consideration: Subject to commercial negotiations
8. Where a local government seeks to ‘dispose’ of property by way of lease, even if it is for a short-term one-off event, it is required to engage with the procedure prescribed by section 3.58 of the Act, unless an exemption applies.
9. Generally, this means the local government shall only dispose of its interest in property by way of a public auction or tender process, as required by section 3.58(2). The Act also recognises that in some circumstances neither of those methods is appropriate, thus providing the mechanism in s. 3.58(3) allowing a local government to lease or sell property to a specific person or entity, subject to the requirements of s. 3.58(3) and (4) being satisfied relating to public notice and consideration of any submissions.
10. Whilst the term **dispose** appears to impart a negative connotation, it is the term used by s. 3.58 of the Act and it is defined as –

“dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not”
11. In the case of this matter, it is a proposed short-term *lease* of approximately 15 weeks for a commercial purpose, and the “disposal” is not absolute, as it will involve short term use of a portion of Reserve 50554, not all of it, much of which is limited to specific times of the day (late afternoons and evenings).
12. Reserve 50554 is Crown Land vested in the care and control of the City by the Minister for Lands. The City’s management order for the reserve grants it a power to lease, sublease and licence the reserve, subject to the City obtaining the consent of the Minister for Lands pursuant to section 18 of the *Land Administration Act 1997*. The City has been liaising with the Department of Planning, Heritage and Lands for this purpose.

13. While a defined portion of Jorgensen Park will be subject to lease for the duration of the event, the broader parkland and multiple alternative walking trails will remain accessible to the community.
14. As noted previously a Non-Disclosure Agreement has been entered into between the City and the proponent. This was requested by the proponent for protection of its Intellectual Property and its event planning deliberations. The Non-Disclosure Agreement was reviewed by the City's external legal service provider to ensure the City was not being unfairly disadvantaged, and to account for the requirements of the laws of Western Australia, such as the purpose of this report.
15. The proposed lease to the proponent, Kzemos Australia Pty Ltd is for an approximate 15-week period in Autumn/Winter 2026 for the purpose of an all-ages public (ticketed) entertainment event. The proponent is the Australian agent for the owner of the Intellectual Property and overall convenor of the event, who is a multinational creator and provider of entertainment products and media.

APPLICABLE LAW

16. *Local Government Act (section 3.58)*
Land Administration Act 1997 (section 18)

APPLICABLE POLICY

17. LGA3 Leases and Licence Agreements

STAKEHOLDER ENGAGEMENT

18. The City is required, pursuant to s. 3.58(3) of the Act, to give local public notice of a proposed disposition of property and invite submissions, if the proposed disposition is to be performed in a manner that is not in accordance with s. 3.58(2) of the Act.
19. Particulars of the proposal remain confidential in accordance with a Non-Disclosure Agreement entered into by the parties.
20. The proponent is expected to make a public announcement of the event in early to mid April. The City will raise public awareness of the event, once public, on its social media channels and other methods it routinely uses for events.

FINANCIAL CONSIDERATIONS

21. Particulars of the proposal remain confidential in accordance with a Non-Disclosure Agreement entered into by the parties.

SUSTAINABILITY

22. Improved accessibility / upgrades to trails

RISK MANAGEMENT

23.

Risk: City not complying with statutory process resulting in compliance and reputational risk.		
Consequence	Likelihood	Rating
Significant	Rare	Low
Action/Strategy		
Ensure statutory process is followed		

Risk: Community dissatisfaction relating to the restricted use of Jorgensen Park.		
Consequence	Likelihood	Rating
Moderate	Likely	Medium
Action/Strategy		
Alternative walk trails available to community. Extensive communications plan which identifies key stakeholders; park users being one of them		

Risk: Cost of any works required not covered by commercial agreement		
Consequence	Likelihood	Rating
Moderate	Rare	Low
Action/Strategy		
Costs established, working closely with proponent.		

CONCLUSION

24. The proposed lease provides for a time-limited lease/use of a defined portion of Jorgensen Park, subject to Ministerial consent being obtained.

In accordance with statutory requirements, Council is being asked to provide approval to commence section 3.58 public notice process.

Voting Requirements: Absolute Majority

RECOMMENDATION

That Council in accordance with section 5.42(1) of the *Local Government Act 1995*,
DELEGATE to the Chief Executive Officer authority to –

1. Give local public notice pursuant to section 3.58(3)(a) and (4) of the Act, inviting submissions to be made to the local government for a proposed partial disposition of Reserve 50554 (Jorgensen Park) by way of lease to Kzemos Australia Pty Ltd for the period from on or about 6 April 2026 to 31 July 2026 inclusive;
2. Consider, in accordance with section 3.58(3)(b) of the Act, any submissions made to the City;
3. Subject to consideration of the submissions in accordance with (2) above, enter into negotiations with Kzemos Australia Pty Ltd for the purpose of executing a lease to give effect to a partial disposition of Reserve 50554 pursuant to the terms specified in the confidential attachment to this report and to execute as a deed the lease and any licences for ancillary and overflow parking;
4. All submissions received to be reported to Council at its Ordinary Council Meeting on 28 April 2026; and
5. Notes that the particulars of the matter are confidential in accordance with the Non-Disclosure Agreement entered into by the parties.

10.6.7. EMRC Equity Share

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

Reason for Confidentiality: Legal advice, or other information, over which the local government holds legal professional privilege [Act s. 5.23(4)(a)]

Previous Items	Nil
Directorate	Corporate
Business Unit	
File Reference	
Applicant 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
X	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

Provided under a separate cover.

11. Motions of Which Previous Notice has been Given

11.1. Notice of Motion - Support for Kalamunda Volunteer Fire and Rescue Service

MOTION

Voting Requirements: Simple Majority

That Council APPROVE a payment of \$805 from the Voted Works Budget to the Kalamunda Volunteer Fire and Rescue Service for the 2026 annual subscription of the BART System.

Moved Cr John Giardina

Seconded

Rationale

The members of the Kalamunda Volunteer Fire and Rescue Service are volunteers, turning up to house fires and car accidents in the community, for the community. They are provided with a set amount of money each year from the Department Fire and Emergency Services to help them in their role, but this isn't always enough.

The BART system is a communication tool that digitises critical information to speed up turnout operations and improve situational awareness. In support of the volunteers, it is reasonable that the City of Kalamunda cover the cost of the BART System.

Officer Comments

The Kalamunda Volunteer Fire and Rescue Service (KVFRS) is fully funded by the Department of Fire and Emergency Services (DFES). Accordingly, the costs associated with such items as the BART System are the responsibility of DFES to consider as part of their scope and responsibility for the KVFRS.

While DFES may not directly pay for the annual fees associated with the use of the BART system for the brigades under their jurisdiction, an annual Operational Efficiency Payment is paid by DFES to maintain and enhance an appropriate functional environment. It is understood that DFES expects the KVFRS to use this payment to cover such costs as the fees associated with the BART System.

- 12. Questions by Members Without Notice**
- 13. Questions by Members of Which Due Notice has been Given**
- 14. Urgent Business Approved by the Presiding Member or by Decision**
- 15. Meeting Closed to the Public**
- 16. Tabled Documents**
Public Agenda Briefing Forum - Notes - 10 February 2026
- 17. Closure**